

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 786 of 2022

Muhammad Rafiq

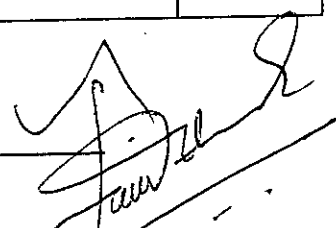
Versus

Government of KPK

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DEPONENT _____


Assistant Director Labour
(Administration)
Directorate of Labour KP

0343 777 9998

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 786/2022

Muhammad Rafiq, Inspector Weights & Measure (BPS-16).

Directorate of Labour, Khyber Pakhtunkhwa, District Peshawar..... Appellant.

Versus

1. Government of Khyber Pakhtunkhwa through Chief Secretary,
Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary, to Government of Khyber Pakhtunkhwa Labour Department
3. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
4. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
5. The Director Labour Khyber Pakhtunkhwa, 3rd floor FC Trust Building Peshawar
Cantt.....**Respondents**

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 1, 2, 3, 4 and 5.

Respectfully Sheweth that the respondent submits as under.

Preliminary Objections:

1. That appellant has got no locus standi and cause of action to file the instant appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the instant appeal is not maintainable.
4. That the instant appeal is based on malafide with ulterior motive to coerce and pressurize the respondents.
5. That the appellant is estopped by his own conduct.
6. That the appeal of the applicant is badly time barred.
7. That respondents 1, 3, 4 are unnecessary party.

ON FACTS:

1. Para No. 1 pertains to record, needs no comments.
2. That Para No. 2 pertains to record.

3. That Para No. 3 is correct to the extent of Notification dated 04-01-2019 however it may be clarified here that the service rules of the Directorate of Labour have been revised vide Notification No. SOG(LD)/2-62/2019/5181-5263 dated 15th September, 2020.

4. That Para-4 is correct to the extent that the seniority of both cadres i.e., Inspector Weights & Measures, Labour Officers and Statistical Officer was joint in the year 1982 Service Rules, rest of the para is denied as drafted. However, it may be pertinent to note here that the service rules have been revised in the years 1989, 1995, 2005, 2012 & 2020 and the promotion quota of the both the cadres remained separate. It may also be noted that the only change that has been made in the service rules of 2012 onward in the form of enhancement of promotion quota of both the cadres from 25% to 30% each (In 1989, 1995 and 2005 quota was 25%). Moreover, the appellant has been appointed in the year 2012 when the separate quota of both the cadres was in vogue.

(Copies of the relevant portion of the Service Rules 1989, 1995, 2005, 2012 and 2020 are attached as annexure A)

5. That Para No - 5 is correct to the extent that Labour Department was bifurcated from the Industries, Commerce, Mineral and Transport Department and became a sole entity as Labour Department in the year 2010 rest of the para is denied as drafted. So far as changes made in the service rules 2012 (impugned in the instant appeal) are concerned, the same had been made since 1989 and remained intact till date with only enhancement of the quota from 50% to 60%, i.e., 25% each cadre to 30% each cadre. The method of promotion remained the same since Service Rules 1989.

6. That Para No. 6 is correct to the extent that there are 33 sanctioned posts of Inspector weights and Measure. However, it may be clarified here that there are 26 Sanctioned Posts of

(i)	Labour Officers (BPS-16)	=	14
(ii)	Female Labour Officer (BPS-16)	=	5
(iii)	Social Mobilizers (BPS-16)	=	7

meaning there by that against 33 posts of Inspector Weights & Measure, there are 26 posts of Labour Officers, Female Labour Officer and Social Mobilizer for promotion to the post of Assistant Director Labour @ 30% Quota

It is also worth adding that 95% Inspector Weights & Measure (BPS-16) are appointed through initial recruitment and 5% by promotion amongst the laboratory Assistant (BPS-12) according to revised Service Rules issued on 15.09.2020 S. No. 17 and on the other hand Labour Officers are appointed 50% by initial recruitment and 50% by promotion from among Assistant Labour Officers (BPS-12) S. No. 15 and Assistant Labour Officers are appointed 25% by initial recruitment and 75% by promotion among the Labour Inspectors (BPS-10) S.No 25 according to revised Service Rules 2020.

(Copies of the relevant portion of the Service Rules 2020 are attached as annexure 'B')

The following table is to clarify the hierarchy and quantity of quota sanctioned to both the cadres

Name of Post	No of Posts	Quota for Promotion	Name of Post	No of Posts	Quota for Promotion
Inspector Weight & Measure (B-16)	33	95% by initial recruitment 5 % by promotion amongst the holder of post of Laboratory Assistant	Labour Officers (B-16)	14	50% by initial recruitment 50 % by promotion amongst the Assistant Labour Officer.
			Labour Officer (Female)	05	
			Social Mobiliser (B-16)	07	100% by initial recruitment
			Total	(26)	
Laboratory Assistant (B-12)	02	100% by initial recruitment	Assistant Labour Officer (B-12)	21	25% by initial recruitment 75 % by promotion amongst the Labour Inspectors.
			Labour Inspector (B-10)	56	100% by initial recruitment
Grand Total = 35			Grand Total = 103		

(Meaning thereby hierarchy from bottom to top of Inspector Weights & Measures with the strength of 35 sanctioned posts are eligible for promotion to the post of Assistant Director Labour with 30% quota, while on the other hand hierarchy of Labour Officers from bottom to top with the strength of 103 posts are eligible for promotion to the post of Assistant Director Labour with 30% quota).

- 8. That in reply to Para No.7 it is submitted that the appellant had withdrawn its previous appeal to avoid dismissal of the appeal on the grounds: (a) The appellant had challenged the seniority list that was in accordance with the service rules 2012 (b) The appellant could not impugn the service rules 2012 in the year 2020, their claim being hopelessly time barred.
- 9. That para-No. 8 pertains to the record.
- 10. That para-No.9 is misconceived and the appellant has been dealt in accordance with law.

ON GROUNDS:

A. That the Inspector Weight & Measures kept silent since long, enjoyed / availed the promotion to the post of Assistant Director Labour (BPS-17) and exhausted their 30% promotion quota in the year 2017 under the impugned rules as already explained in para-6 of the facts. Now when it comes to the turn of promotion of Labour Officers (BPS-16) they

are agitating the criteria / quota in the Service Rules. As already stated in the Para-4 of the facts, the seniority of both cadres was separated in the rules notified in 1989, 1995, 2005, 2012 and 2020 respectively. The appellant has been appointed in the year 2012 and has started to agitate the issue of quota and joint seniority in the year 2020 i.e., remained silent for more than 8 years.

(Copy of the promotion order is attached as Annexure 'C')

- B. That the appellant has been treated as per Law and Rules.
- C. Incorrect. As already explained at Para-4 & 6 of the facts above.
- D. Already explained in Para-6 of the facts.
- E. Already explained in Para-4 & 6 of the facts.
- F. That the appellant has been treated as per Law and Rules.
- G. As per ground - F.
- H. In reply to ground-H, relates to judgment of Hon'ble Tribunal and need no comments.
- I. Respondent seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, prayed that on acceptance of this instant para-wise comments the appeal of the appellant may kindly be dismissed with cost.

Chief Secretary
Government Khyber Pakhtunkhwa
(Respondent No.1)

Secretary to Govt. of Khyber Pakhtunkhwa
Labour Department
(Respondent No. 2)

Secretary to Govt. of Khyber Pakhtunkhwa
Establishment Department
(Respondent No.3)

Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department
(Respondent No.4)

Director Labour
Directorate of Labour Khyber Pakhtunkhwa
(Respondent No. 5)

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 786/2022

Muhammad Rafiq, Inspector Weights & Measure (BPS-16).

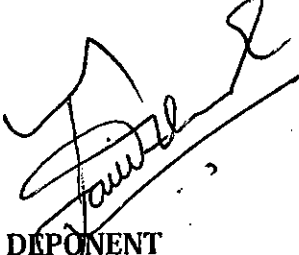
Directorate of Labour, Khyber Pakhtunkhwa, District Peshawar..... Appellant.

Versus

1. Government of Khyber Pakhtunkhwa through Chief Secretary,
Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary, to Government of Khyber Pakhtunkhwa Labour Department.
3. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
4. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
5. The Director Labour Khyber Pakhtunkhwa, 3rd floor FC Trust Building Peshawar Cantt.
..... Respondents.

AFFIDAVIT

I, Jamil Ahmad Qureshi Assistant Director (Litigation), Directorate of Labour, Khyber Pakhtunkhwa at Peshawar, do hereby solemnly affirm and declare on oath that the contents of the accompanying Comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.


DEPONENT

CNIC No: 17301-1392156-3

Contact Number: 0343-7779998

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

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Appeal No. 786/2022

Muhammad Rafiq, Inspector Weights & Measure (BPS-16).

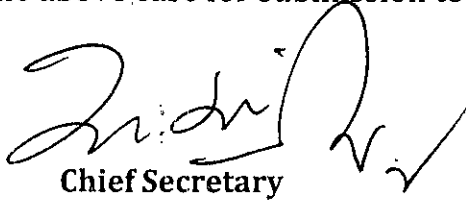
Directorate of Labour, Khyber Pakhtunkhwa, District Peshawar Appellant.

Versus

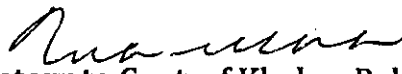
- I) Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- II) The Secretary, to Government of Khyber Pakhtunkhwa Labour Department.
- III) The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
- IV) The Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
- V) The Director Labour Khyber Pakhtunkhwa, 3rd floor FC Trust Building Peshawar Cantt.


AUTHORITY

Mr. Jamil Ahmad Qureshi, Assistant Director Labour (Litigation), is hereby authorized and deputed to appear before the Honourable, Khyber Pakhtunkhwa Service Tribunal, Peshawar on behalf of the respondents No. 1, 2, 3, 4 and 5 in the above title case and to produce necessary documents to the Honourable Court required during the proceedings of instant service appeal. The officer shall attend the Court regularly on each date of hearing till the decision of the case and will be responsible for obtaining certified copy of the final order/ judgment in the above case for submission to the department well in time.




Chief Secretary
Government Khyber Pakhtunkhwa
(Respondent No.1)


Secretary to Govt. of Khyber Pakhtunkhwa
Labour Department
(Respondent No. 2)


Secretary to Govt. of Khyber Pakhtunkhwa
Establishment Department
(Respondent No.3)


Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department
(Respondent No.4)


Director Labour
Directorate of Labour Khyber Pakhtunkhwa
(Respondent No. 5)

Bur of Labour

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GOVERNMENT OF N.W.F.P.
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR & TRANSPORT DEPARTMENT.

NOTIFICATION

Peshawar dated the 23rd October, 1989.
NO. SOI(IND)3-4/89. In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Industries, Commerce, Mineral Development, Labour and Transport Department, in consultation with the Services and General Administration Department and the Finance Department, hereby directs that in the Labour Department (Recruitment and Appointment) Rules, 1982, the following amendments shall be made, namely:-

AMENDMENTS

In the schedule:-

(i) For the existing entries at Serial No. 2 the following shall respectively be substituted, namely:-

	3	4	5	6
2. Deputy Director (Labour)	-	-	-	By promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Asstt Director (Labour), Asstt Director Research, Planning and Statistics and Asstt Controller (W&M) with at least five years service as such."

(ii) for the existing entries at Serial No. 8 the following shall respectively be substituted, namely:-

	4.	5.	6.
(a) Asstt Director (Labour) or Asstt Director Research, Planning and Statistics	Master's Degree in any Social Science Admins- tration or LL.B from a recognised University.	21-30 years	(a) Fifty per cent by promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Labour Officer (Factories)

BETTER COPY

GOVERNMENT OF N.W.F.P.
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR & TRANSPORT DEPARTMENT.

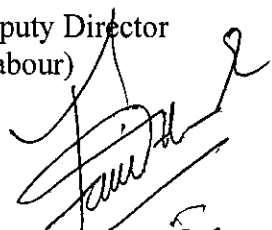
NOTIFICATION

Peshawar, dated the 23rd October, 1989. No. Soi (IND)3-4/89. In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North -West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Industries, Commerce Mineral Development, Labour & Transport Department, in consultation with the Services and General Administration Department and the Finance Department, hereby directs that in the Labour Department (Recruitment and Appointment) Rules, 1989, the following amendments shall be made, namely: -

AMENDMENTS

In the Schedule: -

- (1) For the existing entries at Serial No. 2 the following shall respectively be substituted, namely:

1.	2.	3.	4.	5.	6.
2.	Deputy Director (Labour)	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the holder of the post of Asstt Director (Labour), Assistant Director Research, Planning and Statistics and Asstt Controller (W&M) with at least five year service as sch;
	 Assistant Director Labour (Appointment) Directorate of Labour KP				

(ii) for the existing entries at the serial No.8 for the following shall respectively be substituted, namely:

1.	2.	3.	4.	5.	6.
8	(i) Asstt Director (Labour)/ Assistant Director Research, Planning and Statistics. (ii) Assistant Controller (W&M)	Master Degree in any Social Science or Business Administration or LL.B from a recognized University M.Sc.in Physics or Chemistry (2 nd Division) from a recognized University	-	21-30 years. -	Fifty per cent by promotion, on the basis of seniority-cum- fitness, from amongst the holder of the post of Labour Officer (Factories) Inspector Weights and Measures and Statistical Officer with at least five years' Service as such: And (b) .Fifty per cent by initial recruitment".

21-30 years of experience in the field of...
 21-30 years of experience in the field of...
 21-30 years of experience in the field of...

21-30 years

Law Graduate
 Bachelor of Law
 21-30 years

15. Labour Officer
 (Factories)

12. Manager/Research Officer (Harbour, Employment and Training Wing)

11. Technical, Employment and Training Wing (Harbour)

10. Inspector of Mines (Mines Wing)

9. Inspector of Factories, Technical

Deleted vide notification no. 01/11/4608 dated 03.4.90.

Assistant Director Labour (Lagoon)
 Directorate of Labour KP

[Handwritten Signature]

Deleted vide notification no. 01/11/4608 dated 03.4.90.

Deleted vide notification no. 01/11/4608 dated 03.4.90.

Bachelor's degree in Civil Engineering
 M. Tech. in Structural Engineering
 21-30 years

21-30 years of experience in the field of...

21-30 years of experience in the field of...

21-30 years of experience in the field of...

21-30 years of experience in the field of...

21-30 years of experience in the field of...


Deleted vide notification no. 01/11/4608 dated 03.4.90.

7. Assistant Director (Apprenticeship, Harbour and Training Wing)

8

BETTER COPY

7. Assistant Director Apprenticeship (Manpower and Training Wing). Deleted vide Notification no. SOI (IND)8-4/88 Vol.II/4608 dated 03.04.90.
8. Assistant Director Labour / Assistant Controller Weights and Measures / Assistant Director, Planning & Statistics. Master's Degree (2nd class) in Economics, Public Administration, Statistics' Social Work or sociology, Physics from a recognized University. -- 21-30years (a) 50% by promotion on the basis of seniority-cum-fitness from amongst holder of the posts of Labour Officer (Factories) Inspector, Weights and Measures and Statistic Officer, with at least five years' service as such : And (b) 50% by Initial recruitment By Initial recruitment.
9. Inspector (Factories Technical.) Bachelor, degree in Civil, Mechanical, Electrical, Mining or chemical Engineering from a recognized University. -- 21-30years
10. Inspector of Mines (Mines Wing). Deleted vide Notification no. SOI (IND)8-4/88 Vol.II/4608 dated 03.04.90.
11. Principal, Technical Training Wing (Manpower, Employment and Training Wing). Deleted vide Notification no. SOI (IND)8-4/88 Vol.II/4608 dated 03.04.90.
12. Manager Research Officer (Manpower, Employment and Training Wing).
13. Apprenticeship Officer Manpower, Employment and Training Wing). Deleted vide Notification no. SOI (IND) 8-4/88 Vol.II/4608 dated 03.04.90.
14. Vice Principal, Technical Training Centre (Manpower, Employment and Training Wing).
15. Labour Officer (Factories). Law Graduate (@nd Division) from a recognized University Bachelor's degree from a recognized university. Note: applicable in case of promotion of superintendent. 21-30 years. a) 35% by promotion, on the basis of seniority-cum-fitness, from amongst holder of the post of Assistant Labour Officer with at least two years service as such; or if no suitable Assistant Labour Officer is available from among the holder of the post of Labour Inspector, with at least five years of service as such; b) 15% by promotion, on the basis of seniority-cum-fitness, from amongst holder of the


Assistant Director Labour
(Legislation)
Directorate of Labour KP

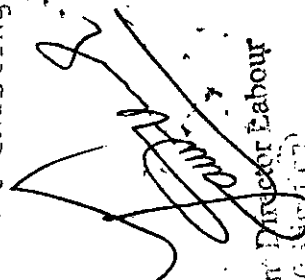
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GOVERNMENT OF N.W.F.P.,
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR AND TRANSPORT DEPARTMENT.

NOTIFICATION

Dated 2/7/1995


In exercise of the powers conferred by Section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P. Act XVIII of 1973), the Governor of the North-West Frontier Province is pleased to direct that in the Labour Welfare Department (Recruitment and Appointment) Rules, 1992, for the existing Appendix the following Appendix shall be substituted, namely:-


Assistant Director Labour
Directorate of Labour KP

Contd..... 8/2

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<p>4) (1) Asstt: Director Labour/Assistant Director, Research, planning and statistics.</p>	<p>Master's Degree in any Social Science or Business Administration or B.A. from a recognised University.</p>	<p>21-30 years</p>	<p>5</p>
<p>(ii) Asstt: Controller, (Weights and Measures).</p>	<p>M.Sc in Physics or Chemistry from a recognised University.</p>	<p>21-30 years</p>	<p>a) Twenty five percent by promotion on the basis of seniority-cum-fitness, from amongst the Labour Officer, Statistical Officer and Research Officer minimum wages Board with five years service as such;</p> <p>b) Twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Inspector, Weights and Measures with five years service as such; and</p> <p>c) Fifty percent by initial recruitment. By initial recruitment.</p>
<p>5. Inspector of Factories (Technical) (BPS-11)</p>	<p>Bachelor's Degree in Civil, Mechanical, Electrical, Mining or Chemical Engineering from a recognised University.</p>	<p>21-30 years</p>	<p></p>


 Assistant Director Labour
 (Labour)
 Directorate of Labour KP



(18)

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR AND TECHNICAL EDUCATION DEPARTMENT

Circular No. SO/IND/2-1/91/Vol.II

NOTIFICATION

NO SO/IND/2-1/91/Vol.II. In pursuance of the provisions contained in Sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous Notifications in this behalf the Industries, Commerce, Mineral Development, Labour and Technical Education Department, in consultation with the Establishment and Finance Departments, hereby lay down the method of recruitment, qualifications and other conditions specified in column 1 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate of Industries, Commerce and Labour, NWFP, specified in column 2 of the said Appendix.

Sd/-
Secretary to Government of NWFP,
Industries, Commerce, Mineral Development,
Labour & Technical Education Department.

Encls: NO. SO/IND/2-1/91/Vol.II. (14/2/91)

Dated 16-10-2005

Copy forwarded to:-

1. All Administrative Secretaries to Government of NWFP.
2. Secretary to Governor, NWFP, Peshawar.
3. Secretary to Chief Minister, NWFP, Peshawar.
4. All Head of Attached Department.
5. All DCO's/P.S.'s in NWFP.
6. All District & Session Judges, NWFP.
7. Registrar, Peshawar High Court, Peshawar.
8. Secretary Board of Revenue, NWFP, Peshawar.
9. Registrar, Service Tribunal, Peshawar.
10. P.O. to Minister for Industries, NWFP.
11. The Section Officer (Regulation-I) Government of NWFP, Establishment and Administration Department, Peshawar.
12. The Director Industries, Commerce & Labour, NWFP, Peshawar.
13. Manager Printing Press, Peshawar. With the request to provide ten printed copies of the Gazette notification for onward submission to Law Department.

DDP

[Signature]
SECTION OFFICER (ADMIN)

[Signature]
28/10/05

[Signature]

Assistant Director Labour
(Litigation)
Directorate of Labour KP

P.T.C.L. (A) 29/10/2005

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1.	2.	3.	4.	5.
Inspector of Boilers.		(i) Second Division Degree in Mechanical Engineering from a recognized University; or (ii) Diploma in Mechanical Technology from a recognized Institute with three years practical experience in operation/maintenance/repair of boilers, and (iii) First Class Boiler Engineering Certificate under the Boilers Act, 1923.	21 to 30 years.	By initial recruitment.
Deputy Director Labour/Deputy Controller Weights and Measures.			21 to 30 years.	By promotion, on the basis of seniority cum fitness, from Directors Labour/Assistant Director Research, Planning and Statistics and Assistant Controller Weights and Measures with five years service in each.
9. Assistant Director Labour/Assistant Director Research, Planning and Statistics.		Second Class Master's Degree in any Social Sciences or Business Administration, Statistics or I.L.M. from a recognized University.	21 to 30 years.	(i) Fifty per cent by initial recruitment; (ii) twenty-five per cent by promotion, on the basis of seniority cum fitness, from amongst the Labour Officers, Statistical Officers and Research and Statistical Officer (Minimum Wages Board) with five years service in such; and (iii) twenty five per cent by promotion, on the basis of seniority cum fitness from amongst the Inspecting Weights and Measures, and the Inspecting Weights and Measures as such.
10. Assistant Controller Weights and Measures.		Second Class Master's Degree in Physics or Chemistry from a recognized University.	21 to 30 years.	(i) Fifty per cent by initial recruitment; and (ii) twenty-five per cent by promotion, on the basis of seniority cum fitness from amongst the Labour Officers, Statistical Officers and Research and Statistical Officer (Minimum Wages Board) with five years service in such; and (iii) twenty-five per cent by promotion, on the basis of seniority cum fitness from amongst the Inspecting Weights and Measures and the Inspecting Weights and Measures as such.

[Handwritten Signature]

Assistant Director Labour
(L-1000)

Directorate of Labour KP

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 29TH JANUARY, 2013.

**GOVERNMENT OF KHYBER PAKHTUNKHWA
LABOUR DEPARTMENT.**

NOTIFICATION

Dated: 31st December, 2012

No. SOL(LD)8-12/2012/1232-92.-- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous notifications issued in this behalf, the Labour Department, in consultation with the Establishment Department and Finance Department, hereby lay down the method of recruitment, qualifications and other conditions specified in columns 1 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate of Labour, Khyber Pakhtunkhwa, specified in column 2 of the said Appendix.

Secretary to Government of
Khyber Pakhtunkhwa
Labour Department.

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Assistant Director Labour
(Liaison)
Directorate of Labour KP

(14)

596 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 29TH JANUARY, 2013.

APPENDIX

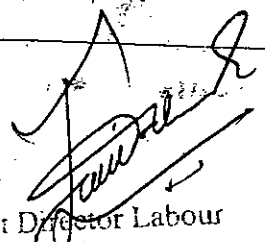
S. No.	Nomenclature of posts	Minimum qualification prescribed for appointment by initial recruitment or by transfer	Age limit	Method of recruitment
1	2	3	4	5
1.	Director Labour (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Chief Inspectors of Factories, Deputy Directors Labour and Deputy Controller Weights & Measures, with at least twelve years service in BPS-17 and above; provided that if no suitable officer is available for promotion, then by transfer from amongst the DMG/PMS Officers.
2.	Chief Inspector of Factories (BPS-18)	First Class Bachelor's Degree in Mechanical, Electrical, Chemical, Civil, Mining, Electronics or Mechatronics Engineering from a recognized University with five years experience in the relevant field.	25 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Inspector of Factories (Technical) with five years service as such; and
3.	Deputy Director Labour/ Deputy Controller Weights & Measures (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors Labour, Assistant Directors Research Planning and Statistics, Accounts Officers and Assistants Controller Weights & Measures with atleast five years service as such
4.	Assistant Director Labour/ Assistant Director Research, Planning and Statistics/Assistant Controller Weights & Measures (BPS-17)	For Assistant Director Labour/Assistant Director Research and Planning and Statistics: (i) Second Class Master's Degree in any Social Sciences or Business Administration or Public Administration or Statistics or LL.B. from a recognized University; and	21 to 30 years	(a) Thirty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Labour Officers, Statistical Officer and Research & Statistical Officers with atleast five years service as such; (b) Thirty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the

Assistant Director Labour
(Liaison)
Directorate of Labour KP

PTO

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1	2	3	4	5
		For Assistant Controller Weights & Measures: (ii) Second Class Master's Degree in Physics or Chemistry from a recognized University.		Inspectors Weights & Measures with at least five years service as such; and (c) forty per cent by initial recruitment.
5.	Inspector of Factories (Technical) (BPS-17)	First Class Bachelor's Degree in Mechanical, Electrical, Chemical, Civil, Mining, Electronics or Mechatronics Engineering from a recognized University.	22 to 30 years	By initial recruitment.
6.	Labour Officer (BPS-16)	LL.B or Second Master's degree in Economics Business Administration and Public Administration from a recognized University.	21 to 30 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Labour Officers with at least seven years service as such; and (b) fifty per cent by initial recruitment.
7.	Assistant Labour Officer (BPS-14)	LL.B or Second Class Bachelor's Degree from a recognized University with Economics, Statistics, Mathematics, or Law as one of the subjects or in Business Administration.	21 to 30 years	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Labour Inspectors with five years service as such; and (b) twenty-five per cent by initial recruitment.
8.	Labour Inspector (BPS-09)	Second Class Bachelor's Degree from a recognized University.	18 to 30 years	By initial recruitment.
9.	Inspector Weights and Measures (BPS-16)	Second Class Bachelors' Degree with Physics, Chemistry, Electronics or Mathematics as one of the subjects from a recognized University.	21 to 30 years	(a) Five per cent, on the basis of seniority-cum-fitness, from Laboratory Assistants with eight years service as such; and (b) ninety-five per cent by initial recruitment; and


Assistant Director Labour
(Liaison)
Directorate of Labour KP

16

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. III
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 24th SEPTEMBER, 2020.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LABOUR DEPARTMENT

NOTIFICATION

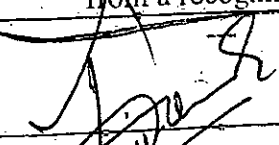
Dated Peshawar, the 15th September, 2020.

No. SOG(LD)/2-62/2019/5181-5263 --- In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf, the Labour Department, in consultation with the Establishment and Finance Department, hereby lay down the method of recruitment, qualifications and other conditions specified in Column Nos.1 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate of Labour, Khyber Pakhtunkhwa, specified in Column No. 2 of the said Appendix.

1257-
01/10/20

Diary No. 709 346
Dated 1-10-2020

Assistant Director Labour
(Liaison)
Directorate of Labour KP

5.	Assistant Director Labour (BPS-17)/ Assistant Controller Weights and Measures (BPS-17).	<p><u>Assistant Director Labour</u></p> <p>(i) At least Second Class Master's Degree in any Social Sciences or Business or Public Administration, Statistics or BS (Law) or equivalent qualification in the same disciplines from a recognized University; and</p> <p>(ii) six months certificate in Advance Office Automation from a recognized institute.</p> <p><u>Assistant Controller Weights and Measures</u></p> <p>(i) First Class Master's Degree in Physics or equivalent qualification in the same discipline from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	25 to 35 years.	<p>(a) Thirty percent (30%) by promotion, on the basis of seniority-cum-fitness, from amongst the Labour Officers, Labour Officers (female), Social Mobilizers with at least five (5) years service as such;</p> <p>(b) thirty percent (30%) by promotion, on the basis of seniority-cum-fitness, from amongst the Inspectors Weights and Measures with at least five (5) years service as such; and</p> <p>(c) forty percent (40%) by initial recruitment.</p>
6.	Accounts Officer (BPS-17)		---	By deputation of a suitable Accounts Officer from the Accountant General's Office.

Assistant Director Labour
(Litigation)
Directorate of Labour KP

(18)

"Annex-B"

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.II
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 24th SEPTEMBER, 2020.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LABOUR DEPARTMENT

NOTIFICATION

Dated Peshawar, the 15th September, 2020.

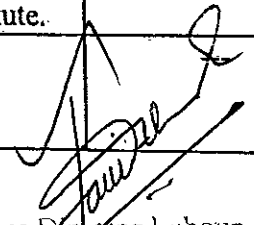
No. SOG(LD)/2-62/2019/5181-5263 --- In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf, the Labour Department, in consultation with the Establishment and Finance Department, hereby lay down the method of recruitment, qualifications and other conditions specified in Column Nos.1 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate of Labour, Khyber Pakhtunkhwa, specified in Column No. 2 of the said Appendix.

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01/10/20

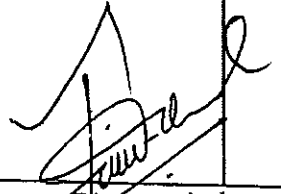
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Dated 1-10-2020

[Signature]
Assistant Director Labour
(Migration)
Directorate of Labour KP

5.	Assistant Director Labour (BPS-17)/ Assistant Controller Weights and Measures (BPS-17).	<p><u>Assistant Director Labour</u></p> <p>(i) At least Second Class Master's Degree in any Social Sciences or Business or Public Administration, Statistics or BS (Law) or equivalent qualification in the same disciplines from a recognized University; and</p> <p>(ii) six months certificate in Advance Office Automation from a recognized institute.</p> <p><u>Assistant Controller Weights and Measures</u></p> <p>(i) First Class Master's Degree in Physics or equivalent qualification in the same discipline from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	25 to 35 years.	<p>(a) Thirty percent (30%) by promotion, on the basis of seniority-cum-fitness, from amongst the Labour Officers, Labour Officers (female), Social Mobilizers with at least five (5) years service as such;</p> <p>(b) thirty percent (30%) by promotion, on the basis of seniority-cum-fitness, from amongst the Inspectors Weights and Measures with at least five (5) years service as such; and</p> <p>(c) forty percent (40%) by initial recruitment.</p>
6.	Accounts Officer (BPS-17)			By deputation of a suitable Accounts Officer from the Accountant General's Office.


 Assistant Director Labour
 (Liaison)
 Directorate of Labour KP

14.	System Supervisor (BPS-7).	<p>(i) Atleast Second Class Master's Degree in Computer Sciences or Information Technology or equivalent qualification in the same disciplines from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	25 to 35 years	<p>(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with at least five (5) years service as such:</p> <p style="padding-left: 40px;">Provided that if no suitable person is available for promotion, then by deputation or by transfer; and</p> <p>(b) fifty percent (50%) by initial recruitment.</p>
15.	Labour Officer (BPS-16).	<p>(i) Atleast Second Class LLB or BS (Law) Degree or Second Class Master's Degree in Economics, Business Administration, Public Administration or equivalent qualification in the same disciplines from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	25 to 35 years	<p>(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Labour Officers with at least five (5) years service as such; and</p> <p>(b) fifty percent (50%) by initial recruitment.</p>
16.	Labour Officer (Female) (BPS-16).	<p>(i) Atleast Second Class LLB or BS (Law) Degree or Second Class Master's Degree in Economics, Business Administration, Public Administration or equivalent qualification in the same</p>	25 to 35 years	By initial recruitment.


 Assistant Director Labour
 (Litigation)
 Directorate of Labour KP

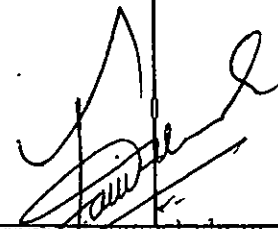
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		disciplines from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.		
17.	Inspector Weights and Measures (BPS-16).	(i) Atleast Second Class Bachelor's Degree with Physics, Electronics or Mathematics as one of the subject or equivalent qualification in the same disciplines from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.	25 to 35 years	(a) Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Laboratory Assistants with at least five (5) years service as such; and (b) ninety-five percent (95%) by initial recruitment.
18.	Research and Statistical Officer (BPS-16)/Statistical Investigator (BPS-16)/Research Assistant (BPS-16).	(i) Atleast Second Class BS Degree in Statistics, Mathematics or equivalent qualification in the same disciplines from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.	25 to 35 years	(a) Thirty-three percent (33%) by promotion, on the basis of seniority-cum-fitness, from amongst the Statistical Assistant with at least five (5) years service as such; and (b) sixty-seven percent (67%) by initial recruitment.

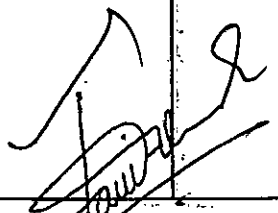
Assistant Director Labour
(L-1754/2020)
Directorate of Labour KP

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9.	Social Mobilizer (BPS-16).	(i) Atleast Second Class BS Degree in social Work/Sociology or Gender Studies as one of the major subject or equivalent qualification in the same disciplines from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.	25 to 35 years	By initial recruitment.
10.	Assistant (BPS-16)	(i) Atleast Second Class Bachelor's Degree or equivalent qualification from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.	22 to 32 years	(a) Sixty percent (60%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least five (5) years service as such; and (b) forty percent (40%) by initial recruitment.
11.	Computer Operator (BPS-16).	(i) Atleast Second Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT) four years or equivalent qualification from a recognized University; or (ii) Atleast Second Class Bachelor's Degree or	22 to 32 years.	By initial recruitment.

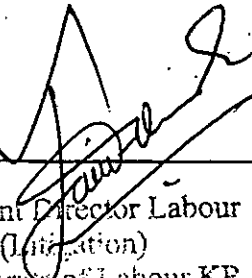

Assistant Director Labour
(Litigation)
Directorate of Labour KP

25.	Assistant Labour Officer (BPS-12).	<p>(i) Atleast Second Class LLB or Bachelor's Degree or equivalent qualification from a recognized University with Economics, Statistics, Mathematics, or Law as one of the subject or in Business Administration; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	22 to 32 years	<p>(a) Seventy-five percent (75%) by promotion, on the basis of seniority-cum-fitness, from amongst the Labour Inspectors, with at least five (5) years service as such; and</p> <p>(b) twenty-five percent (25%) by initial recruitment.</p>
26.	Statistical Assistant (BPS-12).	<p>(i) Atleast Second Class Bachelor's Degree with Statistics as one of the subject or equivalent qualification from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	22 to 32 years	By initial recruitment.
27.	Laboratory Assistant (BPS-12).	<p>(i) Atleast Second Class Bachelor's Degree with Physics or Chemistry as one of the subject or equivalent qualification from a recognized University; and</p> <p>(ii) six months certificate in Advance Office automation from a recognized Institute.</p>	22 to 32 years.	By initial recruitment.


 Assistant Director Labour
 (Litigation)
 Directorate of Labour KP

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			Intermediate or its equivalent qualification from a recognized Board, shall not apply for a period of three (3) years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Manual Assistants for promotion to the post of Junior Clerks (BPS-11)
Labour Inspector (BPS-10).	(i) Atleast Second Class Bachelor's Degree or equivalent qualification from a recognized University; and (ii) six months certificate in Advance Office automation from a recognized Institute.	22 to 32 years.	By initial recruitment.
Manual Assistant (BPS-6).	(i) Atleast Second Class Matriculate or equivalent qualification from a recognized Board; and (ii) six months certificate in Advance Office automation from a recognized Institute.	18 to 32 years.	(a) Twenty-five percent (25%) by promotion, on the basis of seniority-cum-fitness, from amongst the Daftari, Naib Qasids, Chowkidars and other equivalent posts having Secondary School Certificate examination with computer literacy and having two (2) years service as such; and (b) seventy-five percent (75%) by initial recruitment.


Assistant Director Labour
(Education)
Directorate of Labour KP

Annex C

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GOVERNMENT OF KHYBER PAKHTUNKHWA LABOUR DEPARTMENT

Dated Peshawar, the 25th July, 2016

NOTIFICATION

1. No.SOL(LD)8-4/2016/Vol-I The competent authority, on the recommendation of Departmental Promotion Committee, is pleased to promote Mr. Azhar Hussain, Inspector Weights & Measures (BS-16), Peshawar to the post of Assistant Director Labour (BS-17) with immediate effect.

2. Consequent upon promotion, the following posting/transfer is hereby ordered:-

S.No.	Name & Designation of the officer	From	To
1	Mr. Azhar Hussain	On promotion	Assistant Director Labour (BS-17) Hqtr. Office Peshawar vice No.2
2	Mr. Shakeel Ahmed	Assistant Director Labour, (BS-17) Hqtr. Office Peshawar	Planning Officer (BS-17) Hqtr. Office Peshawar against the vacant post for the purpose of pay and allowances.

3. The Officer on promotion shall be on probation for a period of one year in terms of Rule 15(1) of Appointment, Promotion & Transfer Rules, 1989.

Secretary to Govt. of
Khyber Pakhtunkhwa
Labour Department

No.SOL(LD)8-4/2016/Vol-I/3469-73 Dated Peshawar, the 25th July, 2016

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar
2. The Director Labour, Khyber Pakhtunkhwa, Peshawar.
3. Accounts Officer, Directorate of Labour, Khyber Pakhtunkhwa.
4. PS to Secretary Labour, Khyber Pakhtunkhwa.
5. Officers concerned

Assistant Director Labour
(Liaison)
Directorate of Labour KP

(NOOR ALI SHAH)
SECTION OFFICER (LABOUR)

Vertical text on the left margin: No. D.D. 8P, Date: 28/07/2016, 98/7, DL, 27/07, 1/6, Place in file

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GOVERNMENT OF KHYBER PAKHTUNKHWA LABOUR DEPARTMENT

Dated Peshawar, the 06th January, 2017

NOTIFICATION

No.SOL(LD)8-4/2016/Vol-I The competent authority, on the recommendation of Departmental Promotion Committee, is pleased to promote the following Inspectors Weights & Measures (BS-16) to the posts of Assistant Director Labour (BS-17) with immediate effect:

- i. Mr. Muhammad Asif
- ii. Mr. Mujahid

2. Consequent upon their promotion, the following posting/transfer is hereby ordered:-

S.No.	Name & Designation of the officer	From	To
1.	Muhammad Asif,	On promotion	Assistant Director Labour (BS-17), Kohat against the vacant post Kohat.
2.	Mr. Mujahid,	On promotion	Assistant Director Labour (BS-17), Buner against the newly created post.

3. The Officers on promotion shall be on probation for a period of one year in terms of Rule 15(1) of Appointment, Promotion & Transfer Rules, 1989.

Secretary to Govt. of
Khyber Pakhtunkhwa
Labour Department

No.SOL(LD)8-4/2016/Vol-I /119-24
Copy forwarded to:-

Dated Peshawar, the 02nd January, 2017

- 1. The Accountant General, Khyber Pakhtunkhwa, Peshawar
- 2. The Director Labour, Khyber Pakhtunkhwa, Peshawar.
- 3. Accounts Officer, Directorate of Labour, Khyber Pakhtunkhwa.
- 4. PS to Secretary Labour, Khyber Pakhtunkhwa.
- 5. Officers concerned.

(Signature)
Assistant Director Labour
(Promotion)
Directorate of Labour KP

(Signature)
(NOOR ALI SHAH)
SECTION OFFICER (LABOUR)