


01.06.2021

None present on behalf of the appellant. Addl. AG alongwith Abbas Khan, Senior Clerk for the respondents present.

On previous date, the learned counsel for the petitioner requested for adjournment in order to seek fresh instructions from the petitioner who was not in attendance. Today, neither the petitioner nor his counsel is available. It seems that the petitioner is not interested to pursue the execution proceedings. Therefore, the instant execution petition is filed. File be consigned to the record room.


Chairman

07.12.2020

Nemo for petitioner.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 27.01.2021 for arguments, before S.B.

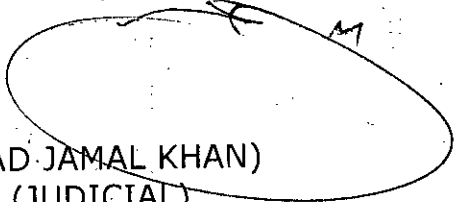


(Rozina Rehman)
Member (J)

27.01.2021

Petitioner has not forth come in person nor anyone else representing him is in attendance despite having been called time and again and the last call was made at 02:55 P.M. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents is present.

Petitioner and his respective counsel have to be noticed for 29.03.2021. File to come up for further proceedings before S.B.



(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

29.03.2021

Counsel for the petitioner and Addl. AG alongwith Muhammad Abbas Khan, Senior Clerk for the respondents present.

Learned counsel for the petitioner requested for adjournment in order to seek fresh instructions from the petitioner who is not in attendance today. To come up for further proceedings on 01.06.2021 before the S.B.



(Atiq-ur-Rehman Wazir)
Member(E)

E.P No. 91/2018

24.07.2020

Learned counsel for the appellant has not forth come and it was reported that he is not feeling well. Request for formal adjournment. Adjourned to 10.09.2020 again by way of last chance.


(MUHAMMAD JAMAL KHAN)
MEMBER

10.09.2020

Counsel for the petitioner and Addl. AG for the respondents present.

Learned counsel requests for further time to prepare the brief. Adjourned to 26.10.2020 before S.B.

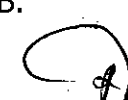

Chairman

26.10.2020

Nemo for petitioner.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 07.12.2020 for arguments, before S.B.


(Rozina Rehman)
Member (J)

21.01.2020

Junior to counsel for the petitioner and Addl. AG for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 04.03.2020 before S.B.

Chairman 

04.03.2020

Petitioner in person present. Addl: AG for respondents present. Appellant seeks adjournment as his counsel is not available today. Adjourned. To come up for arguments on 13.04.2020 before S.B.

~~Member~~


Member

13.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 07.07.2020 for the same. To come up for the same as before S.B.


Reader

07.07.2020

Junior counsel for petitioner present. Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

Former requested for adjournment as senior learned counsel is not available.

Adjourned to 24.07.2020 before S.B, by way of last chance.


Member (J)

24.10.2019

Petitioner in person present. Mr. Kabirullah Khattak learned Addl; AG alongwith Abbas Senior Clerk for the respondents present.

Former requests for adjournment as his learned counsel is engaged before Hon'ble Peshawar High Court in various cases today.

Adjourned to 26.11.2019 before S.B.


Chairman

26.11.2019

Counsel for the petitioner and Mr. Usman Ghani, District Attorney alongwith Mr. Touseefullah, SO for respondents present.

Learned counsel for the petitioner address^{ed} the partial arguments. To come up for further arguments on 06.01.2020 before S.B.


Chairman

06.01.2020

Counsel for the petitioner and Addl. AG for the respondents present.

Learned AAG requests for adjournment as instant matter pertains to the diary of learned District Attorney who is at present engaged with the Touring Bench of this Tribunal at Swat.

Adjourned to 21.01.2020 before S.B.



Chairman

24.10.2019

Petitioner in person present. Mr. Kabirullah Khattak learned Addl; AG alongwith Abbas Senior Clerk for the respondents present.

Former requests for adjournment as his learned counsel is engaged before Hon'ble Peshawar High Court in various cases today.

Adjourned to 26.11.2019 before S.B.


Chairman

26.11.2019

Counsel for the petitioner and Mr. Usman Ghani, District Attorney alongwith Mr. Touseefullah, SO for respondents present.

Learned counsel for the petitioner address^{ed} the partial arguments. To come up for further arguments on 06.01.2020 before S.B.


Chairman

06.01.2020

Counsel for the petitioner and Addl. AG for the respondents present.

Learned AAG requests for adjournment as instant matter pertains to the diary of learned District Attorney who is at present engaged with the Touring Bench of this Tribunal at Swat.

Adjourned to 21.01.2020 before S.B.


Chairman

21.01.2020

Junior to counsel for the petitioner and Addl. AG for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 04.03.2020 before S.B.

Chairman

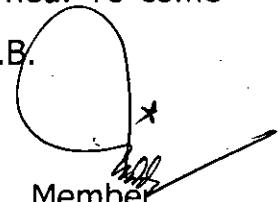


04.03.2020

Petitioner in person present. Addl: AG for respondents present. Appellant seeks adjournment as his counsel is not available today. Adjourned. To come up for arguments on 13.04.2020 before S.B.

Member

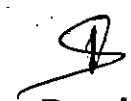
Member



13.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 07.07.2020 for the same. To come up for the same as before S.B.

Reader



07.07.2020

Junior counsel for petitioner present. Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

Former requested for adjournment as senior learned counsel is not available.

Adjourned to 24.07.2020 before S.B, by way of last chance.

Member (J)



02.09.2019

Counsel for the petitioner and Mr. Usman Ghani District Attorney alongwith Abbas Khan, Senior Clerk for the respondents present.

Learned counsel for the petitioner requests for time to place on record the promotion/upgradation notification pertaining to the petitioner as well as the promotion orders of those similarly placed officials which were given retrospective effect.

The petitioner may do the needful before the next date of hearing. Adjourned to 30.09.2019 for further proceedings before the S.B.


Chairman

30.09.2019

Petitioner in person. and Addl. AG for the respondents present.

The petitioner has submitted copies of notifications dated 07.03.2018 issued by Finance Department (Regulation Wing) Government of Khyber Pakhtunkhwa and 30.04.2018 issued by Communication & Works Department, Government of Khyber Pakhtunkhwa which are placed on record. The petitioner requests for adjournment due to general strike of the bar.

Adjourned to 24.10.2019 before S.B.


Chairman

E.P No. 105/2018

18.06.2019

Petitioner alongwith his counsel and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Abbas Khan, Senior Clerk for the respondents present. Relevant record mentioned in previous order sheet has not been furnished. Representative of the department is directed to furnish the same on the next date. Adjourned to 11.07.2019 for further proceedings before S.B.


(Muhammad Amin Khan Kundi)
Member

11.07.2019

Counsel for the petitioner and Addl. AG alongwith Abbas Khan, Senior Clerk for the respondents present.

Representative of respondents has submitted reply to objections on the implementation report which is placed on record. To come up for arguments on 02.09.2019 before S.B.


Chairman


24.04.2019

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney for respondents present. Counsel for the petitioner seeks adjournment. Adjourned. Case to come up for further proceeding on 11.06.2019 before S.B.

(Ahmad Hassan)
Member

24.04.2019

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney for respondents present. Counsel for the petitioner submitted written objection on the implementation report which is placed on file. A copy of the same was handed over to the learned District Attorney. Case to come up for further proceeding on 31.05.2019 before S.B.


(Ahmad Hassan)
Member

31.05.2019

Counsel for the petitioner and Addl. AG for the respondents present.

Due to absence of representative of respondents and the record pertaining to the claim of petitioner regarding non-holding of Grade-B examination by the respondents after the year 1996, instant matter is adjourned to 18.06.2019. The respondents shall positively produce the requisite record on next date of hearing.


Chairman

E.P No. 105/2018

03.01.2019

Petitioner in person present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Abdur Rauf, Section Officer for the respondents present. Representative of the department submitted comments on behalf of respondents No. 1 to 4. Copy of the same is handed over to petitioner who requested for adjournment to examine the same. To come up for objections, if any, on 07.02.2019 before S.B.


Muhammad Amin Khan Kundi
Member

07.02.2019

M/S Taimular Ali Khan and Zartaj Anwar, Advocates for petitioner and Addl. AG for the respondents present.


Mr. Zartaj Anwar, Advocate has submitted Wakalatnama on behalf of petitioner and requests for further time to submit the objections upon implementation report already submitted.

Adjourned to 21.03.2019 before S.B.


Chairman

21.03.2019

Nemo for the petitioner. Mr. Kabirullah Khattak learned Addl; AG for the respondents present. Due to general strike of the bar, the case is adjourned. To come up for further proceeding on 24.04.2019 before S.B.


Member

13/8/2018

Counsel for the petitioner and Mr. Riaz Pinda Khel, Assistant Advocate General for official respondents present. Counsel for the petitioner requested for adjournment. Adjourned. To come up for implementation report on 28/9/2018 before SB.


(Muhammad Amin Khan Kundi)
MEMBER

28.09.2018

Petitioner Manzoor Elahi in person alongwith his counsel Mr. Taimur Ali Khan, Advocate present. Mr. Naraish Kumar, Senior Clerk alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present. The above named representative of the respondents made a request for some time to implement the judgment of this Tribunal. Since the judgment of the Tribunal passed on 02.03.2016, as such last chance is given to the respondents to produce implementation report on 15.11.2018 before S.B.


Chairman

15-11-2018

*Due to Retirement of Honorable
Chairman the Tribunal is now
functional therefore the case is
adjourned to come up for the same
on 3-1-2019*

Elahi
Reader

FORM OF ORDER SHEET

Execution Petition No. 91/2018


S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	26.03.2018	<p>The Execution Petition of Mr. Faizullah submitted to-day by Mr. Muhammad Asif Yousafzai Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2	27/03/18.	<p>This Execution Petition be put up before S. Bench on <u>09/04/18.</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
	09.04.2018	<p>Junior counsel for the petitioner present. Notices be issued to the respondent department for submission for implementation report. To come up for implementation report on <u>3-7-18</u> S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>
	03.07.2018	<p>Junior counsel for the petitioner and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Junior counsel for the petitioner seeks adjournment on the ground that learned senior counsel for the petitioner is busy before the Hon'ble Peshawar High Court. Adjourned. To come up for ^{implementation report} further proceedings on 13.08.2018 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> (Muhammad Amin Khan Kundi) Member</p>

The execution petition of Mr. Habib Ullah Sub-Engineer C&W Division Swabi received today i.e. on 28.03.2018 is incomplete on the following scores which is returned to the counsel for the petitioner for completion and resubmission with 15 days.

- 1- Original attested copy of the judgment is not attached with the petition which may be placed on it.
- 2- Petitioner may be page marked.

No. 657 /S.T,

Dt. 29/03 /2018.


REGISTRAR - 29/3/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Tairmur Ali Khan Adv. Pesh.

Respected Sir
1- Removed
2- Removed



0

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Execution Petition No. 105 /2018
In Service Appeal No.1431 /2013

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 350

Date 28/03/2018

Mr. Habib Ullah, Sub Engineer,
C&W Building Division, Swat.

PETITIONER

VERSUS

1. The Secretary, C&W Deptt., KPK, Peshawar.
2. The Chief Engineer, (North) C&W Deptt., KPK, Peshawar.
3. The Superintendent Engineer C&W Swat circle, Swat.
4. The Secretary, Finance Deptt: KPK, Peshawar.

RESPONDENTS

.....

**EXECUTION PETITION FOR DIRECTING THE
RESPONDENTS TO IMPLEMENT THE
JUDGMENT DATED 02.03.2016 OF THIS
HONOURABLE TRIBUNAL IN LETTER AND
SPIRIT.**

.....

RESPECTFULLY SHEWETH:

1. That the petitioner has filed an appeal bearing No. 1431/2013 for granting BPS-16 for having 10 years service and also passed the required departmental exam.
2. That the said petition was finally heard by the Honourable Tribunal on 02.03.2016 and decided in favour of the petitioner. **(Copy of judgment is attached as Annexure-A)**
3. The respondents filed CPLA in the Supreme Court of Pakistan against the judgment of the august Service Tribunal which was dismissed by the Apex Court on 13.02.2017. **(Copy of judgment of Apex Court is attached as annexure-B)**
4. That as the judgment of this august Service Tribunal is upheld by the Apex Court, Therefore, the respondent department has no other

remedy except to implement the judgment dated 02.03.2016 of this Honourable Tribunal in letter and spirit.

- 5. That in-action and not fulfilling formal requirements by the department after passing the judgment of the august Tribunal, is totally illegal amount to disobedience and Contempt of Court.
- 6. That the petitioner has having no other remedy except to file this execution petition.

It is, therefore, most humbly prayed that the department may be directed to implement the judgment dated 02.03.2016 of this august Tribunal in letter and spirit. Any other remedy, which this august Tribunal deems fit and appropriate that, may also be awarded in favour of petitioner.

PETITIONER
Habib Ullah

THROUGH:



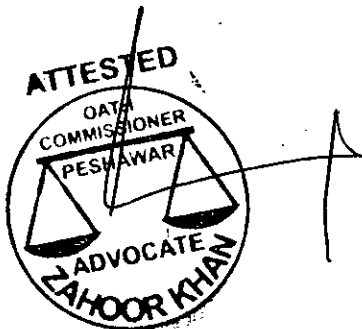
TAIMUR ALI KHAN
ADVOCATE HIGH COURT.

AFFIDAVIT:

It is affirmed and declared that the contents of the above Execution Petition are true and correct to the best of my knowledge and belief.



DEPONENT



28 MAR 2018

(3)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 1330/2010

Date of institution ... 01.07.2010

Date of judgment ... 02.03.2016



Muhammad Shafiq S/o Kala Khan,
Sub-Engineer C&W Division, Tehsil & District,
Abbottabad.

(Appellant)

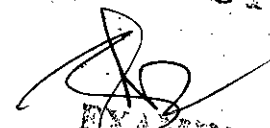
VERSUS

1. Government of Khyber Pakhtunkhwa Peshawar,
through Secretary C & W Peshawar.
2. Chief Engineer Centre, C & W, KPK Peshawar.
3. XEN, C & W, Abbottabad.
4. Superintending Engineer, C & W, Abbottabad.
5. Akramullah S/o Nasrullah and 8 others.

(Respondents)

M/S Aqil Naveed Sulemani, Muhammad Asif Yousafzai,
Khalid Rehman, Adam Khan, Muhammad Ismail Alizai,
Sardar Ali Raza, Rizwanullah and Abdul Salim, Advocates

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

For appellant(s)

Mr. Muhammad Adeel Butt,
Additional Advocate General
Nemo

For official respondents
For private respondents

Mr. Muhammad Azim Khan Afridi
Mr. Pir Bakhsh Shah
Mr. Abdul Latif

Chairman
Member (Judicial)
Member (Executive)

JUDGMENT

MUHAMMAD AZIM KHAN AFRIDI CHAIRMAN:

This judgment is aimed at disposal of instant service appeal No. 1330/2010 as well as service appeals No. (2) 1321/2011 titled Khalid Naeem-vs-Govt. of KPK through Secretary C & W etc. (3) 1248/2012 titled Daulat Khan-vs-Govt. of KPK through Secretary C & W etc. (4) 845/2013 titled Saeedullah-vs-Govt. of KPK through Secretary C & W etc. (5) 848/2013 titled Muddasar Saghir-vs-Govt. of KPK through Secretary C & W etc. (6) 972/2013 titled Ghulam Qadir-vs-Govt. of KPK through Secretary C & W etc. (7) 1009/2013 titled Riaz Ahmed-vs-Govt. of KPK through Secretary C & W etc. (8) 1015/2013 titled Muhammad Idress-vs-Govt. of KPK through Secretary C & W etc.



- (9) 1184/2013 titled Abdul Qayyum-vs-Govt. of KPK through Secretary C & W etc.
- (10) 1185/2013 titled Sarfaraz Alam-vs-Govt. of KPK through Secretary C & W etc.
- (11) 1186/2013 titled Muhammad Hamid Zia-vs-Govt.of KPK through Secretary C& W
- (12) 1188/2013 titled Shad Muhammad Khan-vs-Govt.of KPK through Secretary C&W
- (13) 1189/2013 titled Syed Abdullah Shah-vs-Govt. of KPK through Secretary C & W
- (14) 1190/2013 titled Nawazish Ali-vs-Govt. of KPK through Secretary C & W etc.
- (15) 1191/2013 titled Niaz Muhammad-vs-Govt. of KPK through Secretary C & W etc.
- (16) 1139/2013 titled Zia-ud-Din -vs- Govt. of KPK through Secretary C & W etc.
- (17) 1300/2013 titled Qaiser Shah -vs- Govt. of KPK through Secretary C & W etc.
- (18) 1338/2013 titled Aurangzeb -vs- Govt. of KPK through Secretary C & W etc.
- (19) 1431/2013 titled Habib Ullah -vs- Govt. of KPK through Secretary C & W etc.
- (20) 1446/2013 titled Mian Jehanzeb Khattak-vs-Govt.of KPK through Secretary C& W
- (21) 1561/2013 titled Yousaf Ali -vs- Govt. of KPK through Secretary C & W etc.
- (22) 1631/2013 titled Muhammad Shakeel Athar -vs- Secretary C & W KPK etc.
- (23) 1632/2013 titled Malik Arif Saeed Diyal-vs-Govt. of KPK through Secretary C&W
- (24) 1633/2013 titled Muhammad Khalil Noor-vs-Govt.of KPK through Secretary C&W
- (25) 95/2014 titled Muhammad Saeed-vs-Govt. of KPK through Secretary C & W etc.
- (26) 96/2014 titled Zahir Gul -vs- Govt. of KPK through Secretary C & W etc.
- (27) 224/2014 titled Muhammad Zubair-vs-Govt. of KPK through Secretary C & W
- (28) 246/2014 titled Abdul Rahim -vs- Govt. of KPK through Secretary C & W etc.
- (29) 365/2014 titled Zulfiqar Ahmad-vs-Govt. of KPK through Secretary C & W etc.
- (30) 366/2014 titled Naseem Ahmed-vs-Govt. of KPK through Secretary C & W etc.
- (31) 367/2014 titled Mazhar Khan -vs- Govt. of KPK through Secretary C & W etc.
- (32) 393/2014 titled Muhammad Javed-vs-Govt. of KPK through Secretary C & W etc.
- (33) 471/2014 titled Said-ul-Ibrar -vs- Govt. of KPK through Secretary C & W etc.
- (34) 477/2014 titled Lal Badshah -vs- Govt. of KPK through Secretary C & W etc.
- (35) 484/2014 titled Abdul Khalil -vs- Govt. of KPK through Secretary C & W etc.
- (36) 489/2014 titled Abdul Farooq -vs- Govt. of KPK through Secretary C & W etc.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

- (37) 513/2014 titled Irshad Ahmed Khan-vs-Govt. of KPK through Secretary C & W
 (38) 699/2014 titled Muhammad Akram-vs-Govt. of KPK through Secretary C & W
 (39) 700/2014 titled Abdul Qayum-vs-Govt. of KPK through Secretary C & W etc.
 (40) 722/2014 titled Faiz Ullah Khan-vs-Govt. of KPK through Secretary C & W etc.
 (41) 749/2014 titled Zamir Jang -vs- Govt. of KPK through Secretary C & W etc.
 (42) 770/2014 titled Syed Tariq Mahmood-vs-Govt. of KPK through Secretary C & W
 (43) 852/2014 titled Ghulam Rahim-vs-Govt. of KPK through Secretary C & W etc.
 (44) 907/2014 titled Liaqat Shah -vs- Govt. of KPK through Secretary C & W etc.
 (45) 915/2014 titled Noor-ul-Basar -vs- Govt. of KPK through Secretary C & W etc.
 (46) 920/2014 titled Sabit Khan -vs- Govt. of KPK through Secretary C & W etc.
 (47) 1035/2014 titled Manzoor Ilahi -vs- Govt. of KPK through Secretary C & W etc.
 (48) 1100/2014 titled Fazal Mehmood-vs-Govt. of KPK through Secretary C & W etc.
 (49) 1112/2014 titled Nisar Ahmed -vs- Govt. of KPK through Secretary C & W etc.
 (50) 1132/2014 titled Taj Muhammad-vs-Govt. of KPK through Secretary C & W etc.
 (51) 1223/2015 titled Sardar Naeem Ahmed-vs-Govt. of KPK through Secretary C & W
 etc. and (52) 1284/2015 titled Muhammad Zaka Khan-vs-Govt. of KPK through
 Secretary C & W etc as common questions of law and facts are involved therein.

2. In appeal No. 1330/2010, Muhammad Shafiq appellant has prayed for grant of BPS-16 being senior to private respondents No. 5 to 13 i.e Akramullah s/o Nasrullah, Sher Wali Jhang s/o Amirzada Khan, Misal Khan s/o Yousaf Khan, Hidayatullah-I s/o Anayatullah Khan, Sanaullah Tajori-III s/o Muslim Khan, Zaffarullah Khan s/o Ahbebullah, Tariq Usman s/o Noor Zahib Khan, Muhammad Javed Rahim s/o Abdur Rahim and Jamshid Khan-I s/o Saif-ur-Rehman. According to his stance the said respondents were granted Senior Scale and appellant ignored despite the fact that he was senior and fit and fulfilling the prescribed criteria.

3. In appeal No. 1321/2011 instituted on 11.7.2011, appellant Khalid Naeem is seeking directions of this Tribunal so as to grant him B-16 as he has joined the C & W

TESTED

MAJID
 Vice Tribunal,
 Peshawar

6

Department as Sub-Engineer on 9.12.1981 and has passed B-Grade Departmental Examination in the year 1994 and has more than 30 years service to his credit including good service record and entitling him to the grant of Senior Scale on the strength of 25% of the total number of posts of Sub-Engineers.

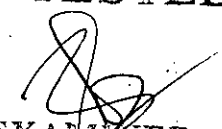
4. In appeal No. 1248/2012, appellant Daulat Khan has prayed for grant of BPS-16 as per rules with all consequential benefits from due date as he has qualified the prescribed examination and rendered more than 10 years service.

5. In appeal No. 845/2013, appellant Saeedullah has prayed for grant of Senior Scale (BPS-16) mainly on the ground that this Tribunal has granted the Senior Scale to similarly placed employees vide judgment dated 11.12.2012 and as such he is entitled to alike treatment. Similar prayers are made by appellants in appeals No. 848/2013, 1009/2013, 1184 to 1186/2013, 1188 to 1191/2013, 1139/2013, 1300/2013, 1338/2013, 1446/2013, 1561/2013, 224/2014, 246/2014, 365/2014, 366/2014, 489/2014, 513/2014, 699/2014, 700/2014, 722/2014, 749/2014, 852/2014, 907/2014, 915/2014, 920/2014, 1035/2014 and 1132/2014.

6. In appeal No. 972/2013, appellant Ghulam Qadir has prayed for grant of BPS-16 with all back benefits on the ground of fulfilling the prescribed criteria and on the rule of alike treatment extended to similarly placed employees. He has also prayed for special cost on the ground that he was deprived of his due right by the respondents and compelled to litigate for his right as similarly placed Sub-Engineer were extended benefits of litigation while appellant was discriminated for no fault on his part.

7. In appeal No. 1015/2013, appellant Muhammad Idrees Alizai has prayed for grant of Senior Scale (BPS-16) with back benefits and imposition of Special Cost as despite his entitlement to the said scale and judgment of this Tribunal in service appeal

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

titled "Noshad Khan-vs-Government of KPK", he was deprived of his entitlement to Senior Scale and forced to litigate.

8. In appeal No. 1631/2013, appellant Muhammad Shakeel Athar has prayed for grant of Senior Scale on the ground that junior to him namely M/S Mashal Khan, Misal Khan-II and Syed Sardar Shah were granted the same while he ignored despite entitlement on the analogy of similar treatment extended to similarly placed employees.

9. In appeal No. 1632/2013, appellant Malik Arif Saeed Diyal has prayed for grant of Senior Scale (BPS-16) on the ground that his junior colleagues were granted the same and he was discriminated. Similar prayers are made by the appellants in appeals No. 1431/2013, 95/2014, 96/2014, 393/2014, 471/2014, 477/2014, 484/2014, 770/2014 and 1100/2014.

10. In appeal No. 1633/2013, appellant Muhammad Khalil Noor has impugned order dated 22.5.2013 with a prayer that the same be set-aside and he may be granted Senior Scale (BPS-16) with effect from the date of qualifying Departmental Examination and 10 years qualifying service with all back benefits..

11. In appeal No. 367/2014, appellant Mazhar Khan has prayed that his junior colleagues were granted Senior Scale and he was ignored and discriminated. He has also prayed for grant of Senior Scale (BPS-16) on the rule of alike treatment as extended to similarly placed employees in appeals by this Tribunal vide judgment dated 11.12.2012. A similar prayer is made by appellant Nisar Ahmed in appeal No. 1112/2014.

12. In appeal No. 1223/2015, appellant Sardar Naeem Ahmed has prayed for Senior Scale being senior as his junior colleagues were granted the same and he was ignored. He has also prayed for grant of Senior Scale (BPS-16) on the rule of alike treatment as extended to similarly placed employees in appeals by this Tribunal vide judgments

ATTESTED

OWNER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

dated 23.4.2009 and 11.12.2012. A similar prayer is made by appellant Muhammad Zaka Khan in appeal No. 1284/2015.

13. Learned counsel for the appellants as well as appellants argued that according to Schedule-I of Communication and Works Department (Recruitment and Appointment) Rules, 1979, appellants were entitled to appointment as Senior Scale Sub-Engineers as they were fulfilling the pre-requisites and prescribed criteria. That even junior civil servants serving as Sub-Engineers were promoted and even appointed as Sub Divisional Officers in their own pay scale while appellants ignored for no fault or omission on their part. That earlier this Tribunal has granted Senior Scale to the aggrieved civil servants approaching this Tribunal and that keeping in view the criteria laid down for grant of Senior Scale and judgments of this Tribunal, the appellants are entitled to alike treatment. Reliance was placed on case-law reported as 2009 SCMR 1 (Supreme Court of Pakistan), 2002 SCMR 71 (Supreme Court of Pakistan), 1996 SCMR 1185 (Supreme Court of Pakistan) and PLD 2002 Supreme Court 46 as well as judgments of this Tribunal dated 23.4.2009 and 11.12.2012.

14. Learned Additional Advocate General has argued that the C & W Department was obliged to restrict grant of Senior Scale to the extent of criteria laid down at S.No.5 of Schedule-I of the said Rules and that on the strength of the same 25% of total sanctioned posts were treated as Senior Scale posts (BPS-16) and the concerned civil servants accordingly up-graded at the relevant times as per laid down criteria. He further argued that due to improprieties, undue favours, incorrect interpretation of rules and erroneous interpretation of the judgments of this Tribunal and the rule of alike treatment the said scheme of grant of Senior Scale was frustrated at different levels and times and as a consequence thereof Senior Scale (B-16) was granted to Sub-Engineer in excess of 25% of the sanctioned strength of Sub-Engineers and, therefore, Provincial exchequer was exposed to sustain huge and constant financial liability. That since the respondent-department has exhausted the prescribed 25% of total number of sanctioned

ATTESTED

ESMAKUNTER
 Khyber Pakhtunkhwa
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posts meant for Senior Scale Sub-Engineers and the scheme of grant of the said Senior Scale stood abolished under the Pay Revision Rules, 2001 by December 1, 2001, as such the appellants were not entitled to the Selection Grade claimed through the instant service appeals. He further argued that the authorities involved in illegal appointments and grant of Senior Scale were accountable to Provincial Government and irregularities carried out in the process were liable to be declared null and void.

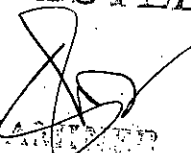
15. We have heard arguments of the learned counsel for the parties and perused the record.

16. Keeping in view the pleadings, record placed before us and arguments of learned counsel for the parties and appellants, the following emerging controversies and points need determination:

- i. Impact of Recruitment and Appointment Rules, 1979 and its life cycle vis-a-vis claims of appellants.
- ii. Entitlement of appellants to Senior Scale on the rules of alike treatment and grant of the same to civil servants ignored despite seniority.
- iii. Legal status of appointments against higher posts in Own Pay Scale.
- iv. Impact of judgments of this Tribunal dated 11.12.2012 and 23.4.2009.

17. For answering and determining the points in issue, we deem it appropriate to refer to and reproduce the Notification of the then Provincial Government, Services, General Admn, Tourism and Sports Department dated Peshawar, the 13th January, 1980 on the basis whereof Communication and Works Department (Recruitment and Appointment) Rules, 1979 were promulgated and which reads as under:

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EXAMINED
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

10

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
SERVICES & GENERAL ADMINISTRATION, TOURISM & SPORTS
DEPARTMENT.

NOTIFICATION

Peshawar the 13 January, 1980

No. SOR-1(S&GD)1-12/74.---In exercise of the Powers conferred by Section 26 of the North West Frontier Province Civil Servant Act, 1973 (NWFP Act XVIII of 1973), in supersession of all previous rules on the subject in this behalf the Governor of the North-West Frontier Province is pleased to make the following Rules, namely:-


THE COMMUNICATION & WORKS DEPARTMENT
(RECRUITMENT AND APPOINTMENTS) RULES, 1979.

(1) These rules may be called the Communication and Works Department (Recruitment and Appointment) Rules, 1973.

(2) They shall come into force at once.

2. *The Method of recruitment, minimum qualifications, age limit and other matters related thereto for the Posts specified in column 2 of the Schedules annexed shall be as given in column 3 to 7 of the said Schedules.*

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

11

COMMUNICATION & WORKS DEPARTMENT
SCHEDULE-1

Nomenclature of post	Minimum Qualifications for Appointments		Age for initial Recruitment		Method of Recruitment
	Initial Recruitment by Transfer	Promotion	Minimum	Maximum	
2	3	4	5	6	7
4 Irrelevant					
Senior Scale Sub-Engineer		Diploma in Engineering from a recognized Institute			Twenty five percent of the total number of posts of the diploma holders, Sub-Engineers shall from the cadre of Senior Scale Sub-Engineers and shall be filled by selection on merit with due regard to seniority from amongst Sub Engineers of the Department, who have passed the Departmental Examination and have at least ten years service as such.
and onwards Irrelevant					

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

18. A plain reading of the text appearing at serial No. 5 of the schedule reproduced above would suggest that a civil servant aspiring for the Senior Scale Sub-Engineer shall hold a Diploma in Engineering from a recognized Institute, shall rank senior among his colleagues, shall hold a position falling within domain and sphere of 25% of the total number of posts of the Sub-Engineers, shall have at least 10 years service as Sub-Engineer and shall have passed the prescribed departmental examination at the relevant time. In other words a Sub-Engineer devoid of the above criteria and traits would not be entitled to claim Senior Scale. The said rule and schedule has explicitly curtailed the magnitude, size and sphere of the Senior Scale Sub-Engineers to 25% of the total sanctioned posts of Sub-Engineers and, therefore, no authority was empowered to exceed or surpass the said number of Senior Scale Sub-Engineers.


19. The operation of the said rules applicable to Sub-Engineer with reference to grant of Senior Scale to 25% of the total number of posts has come to an end with effect from December 1, 2001 in view of notification dated 27.10.2001 whereby the scheme of selection grade and Move-over stood discontinued as laid down in para-7 of the said Pay Revision Rules, 2001.

20. It is, therefore, held and concluded that the Senior Scale admissible to Sub-Engineers could only be granted and restricted to those Sub-Engineers who were fulfilling the prescribed criteria in the above manners on or before December 1, 2001.

21. Record placed before us in different appeals would suggest that to implement the said rule in letter and spirit, the Establishment Department was constrained to issue letter No. SO(PSB)ED/1-23/2002 dated Peshawar, the 3.7.2004 wherein cut off date for processing pending cases was extended to 31.8.2004 with certain observations, relevant portion whereof is reproduced herein for facilitation and ready reference:

"All left over cases of Government Servants who were eligible for Selection Grade/Moveover before 1.12.2001 may be placed before PSB/

ATTESTED


 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

(13)

DPC for consideration as per instructions/policy on the subject at the latest otherwise strict disciplinary action would be taken against the defaulting official under the NWFP Removal from Service (Special Powers) Ordinance, 2000."

22. Authorities at the helm of affairs were conscious and cognizant of the facts and law that a civil servant otherwise entitled to Senior Scale could not be deprived of the same because of incomplete service record including Performance Evaluation Reports (PERs) etc. and for reasons not attributable to such a civil servant. To achieve the righteous outcome and to avoid irregularities the defaulting officers were warned to be proceeded against under the punitive rules then in-vogue. Miseries of the aspiring and deserving Sub-Engineers came to surface when instead of competing and submitting the cases, junior officers were favoured and elevated to the Senior Scale prompting those ignored to approach this Tribunal for redressal of their grievances and this Tribunal, vide judgments dated 23.4.2009 and 11.12.2012 granted the relief by directing the respondents to extend similar treatment to equally placed employees by granting them Senior Scale.

23. The department and authority responsible to restrict Senior Scale to the prescribed 25% limit of posts and bound to raise concerns over such irregularities and state of affairs simply granted Senior Scale to Sub-Engineers in excess of 25% of the total number of posts in disregard of the rules. The grant of the said Senior Scale has not come to an end till date for the reasons that the same is granted by ignoring the prescribed limit of 25% including the time frame ending on December 1st, 2001. The practice adopted is not only condemnable but also worth taking note of because of verburdening the public exchequer offensively.

ATTESTED

Section-5 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 hereinafter

referred to as the Civil Servants Act, 1973 mandates that appointment to a civil service of the Province or to a civil post in connection with the affairs of the Province shall be

[Signature]
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

(14)

(18)

made in the prescribed manners by the Governor or by a person authorized by the Governor in that behalf. Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, hereinafter referred to as APT Rules, 1989 framed under the provisions of section-26 of the Act, 1973 restricts but empowers the competent authority to make appointments, in case of exigencies prescribed in Rule-9, on acting or current charge basis in the public interest. Appointment to a higher post in own pay scale is a practice ruinous to Service Rules and structure of civil service and is ordinarily adopted by the authority to either favour their nears and dears or to distant the deserving civil servants due for promotion or to delay or beat timely inductions through initial appointments. This practice is frequently adopted and applied by the authorities despite the fact that the same is illegal and condemnable. We, therefore, hold that appointment of a civil servant in his own pay scale against a higher post is a practice derogatory to law and rules and good governance and we, therefore, accordingly direct that the same be discontinued by the authorities concerned forthwith but not beyond a period of one month. We further resolve and hold that the authorities failing to discontinue or pursuing such unlawful practices in future be dealt with under the relevant punitive laws and that departmental action against such incumbents for misusing and abusing authority vested in them by virtue of their office shall be initiated and concluded to logic end.

25. We are conscious of the fact that giving definite findings about the validity of judgments of this Tribunal entitling appellants in the stated appeals to Senior Scale are not warranted at this stage as the said matter is not agitated before us in the manners prescribed by law. We, therefore, direct that in case a Sub-Engineer not falling within the parameters of selection to Senior Scale on the above criteria but availing the privileges of such scale on the strength of any office order or judgment of this Tribunal be dealt with in accordance with law and subject to legal process and if so permitted by law, recoveries be made from their persons.

26. We further hold and direct that slots at the prescribed ratio available for grant

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 CHAIRMAN
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

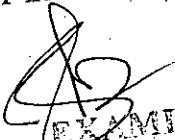
of Senior Scale at the relevant times be calculated by the department and those fulfilling the criteria for Senior Scale but ignored due to lapses not attributable to ignored/leftover officers be granted the Senior Scale from the date of entitlement i.e. accruing of vacancies in the Senior Scale but subject to the provisions of the Pay Revision Rules, 2001. We also direct that the Provincial Government shall honour its directive and shall take disciplinary action against those responsible for maintaining, updating and completing the record of the officers, but ignoring their responsibilities and thus giving space to irregularities and illegalities thereby causing and inflicting losses on public exchequer.

27. We are alive to the situation that while computing the seats of Sub-Engineer in the Senior Scale and eligibility of the senior officers against the same the authorities concerned may find grant of selection grade allowed in excess of the prescribed limit and ratio. We, therefore, direct that the situation be addressed by the authorities concerned by resorting to legal course and in case any officer granted Senior Scale in excess of prescribed limit is found protected by any law, rules or judgment of the Court then, in such eventuality, the officers of the administrative department responsible for handling the affairs relating to grant of Senior Scale at the relevant time be sorted out and be proceeded against for realization of monetary loss caused to the public exchequer as a consequence of their irresponsible and undesirable behavior.

28. Before parting with this judgment we deem it our duty to discuss the case law cited at the Bar at the time of arguments by the learned counsel for the parties.

29. In case of Hameed Akhtar Niazi reported as 1996 SCMR 1185 and Sameena Perveen reported as 2009 SCMR 1, the august Supreme Court of Pakistan has observed that if the Service Tribunal or Supreme Court decides a point of law relating to the terms and conditions of service of a civil servant which covers not only the case of civil servant who litigated but also of other civil servants who may have not taken any legal proceedings, in such a case, the dictates and rule of good governance.

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EXAMINER
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demand that the benefit of such judgment by Service Tribunal/Supreme Court be extended to other civil servants who may not be parties to the litigation instead of compelling them to approach the Service Tribunal or any other forum.

30. Though adequate number of Sub-Engineers seeking Senior Scale are present before us but there is likelihood that certain civil servants might not have approached this Tribunal to litigate for their claims. We, therefore, direct that the benefit of this judgment be extended to those Sub-Engineers who fulfilled the criteria of becoming Senior ^{Scale} Sub-Engineer at the relevant time.

31. In case of Fida Hussain reported as PLD 2002 Supreme Court 46 and Abdul Samad reported as 2002 SCMR 71 it was observed by the august Supreme Court of Pakistan that rule of consistency must be followed in order to maintain balance and the doctrine of equality before law. That dictates of law, justice and equity required exercise of power by all concerned to advance the cause of justice and not to thwart it.

32. Deriving wisdom from the mandates of law, judgment of the august Supreme Court of Pakistan and to advance the cause of justice and to frustrate efforts and attempts of thwarting just and fair-play we direct that the judgment be giving effect by the respondents in letter and spirit.

33. The appeals are disposed of in the above terms. Parties are, however, left to bear their own costs. File be consigned to the record room.

34. In the end we direct the Registrar of this Tribunal to circulate a copy of this judgment among all concerned departments of the Provincial Government for guidance and compliance.

Announced
02.03.2016

Self - M. Azim Khan Afridi
Chairman

—
(FRIDI)

Self - Pir Bakht Sherk
Member

Self - Abdul Latif
Member

Certified to be true copy

REGISTRAR
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 3-4-78
Number of Words 5600
Copying Fee 32
Urgent 2
Total 34
Name of Copyist [Signature]
Date of Completion of Copy 3-4-78
Date of Delivery of Copy 3-4-78

B (17)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:
MR. JUSTICE EJAZ AFZAL KHAN
MR. JUSTICE GULZAR AHMED.

Civil Petitions No. 223-P, 303-P to 353-P, 391-P to 394-P and 493-P of 2016
(On appeal against the judgment dt. 02.03.2016 passed by the Khyber Pakhtunkhwa Service Tribunal, Peshawar in Service Appeal No. 1330 of 2016, 1321/13, 1240/12, 0457/13, 0410/13, 972/13, 1029/13, 1013/13, 1104/13, 1103/13, 1100/13, 1100/13, 1109/13, 1150/13, 1191/13, 1139/13, 1300/13, 1330/13, 1431/13, 1440/13, 1561/13, 1631/13, 1632/13, 1633/13, 95/14, 96/14, 324/14, 246/14, 345/14, 356/14, 367/14, 393/14, 471/14, 477/14, 484/14, 409/14, 513/14, 699/14, 700/14, 722/14, 749/14, 770/14, 852/14, 907/14, 915/14, 920/14, 1033/14, 1100/14, 1112/14, 1132/14, 1223/13 and 1264/2015).

Government of KPK, through Secretary (C & W), Peshawar and others.
...Petitioner(s) (in all cases)

VERSUS

- Muhammad Shafiq and others.
- Khalid Naeem.
- Daulat Khan.
- Saeedullah.
- Mudassir Sahgir.
- Ghulam Qadir and others.
- Riaz Ahmad.
- Muhammad Idrees and others.
- Zia-ud-Din.
- Abdul Qayyum-I.
- Sarfraz Alam.
- Muhammad Hamid Zia.
- Shad Muhammad Khan.
- Syed Abdullah Shah.
- Nawazish Ali Shah.
- Niaz Muhammad.
- Qaisar Shah.
- Aurangzeb.
- Habibullah.
- Mian Jehanzeb Khattak.
- Yousaf Ali-III.
- Muhammad-Shakeel Athar.
- Malik Arif Saeed Dyal.
- Muhammad Khalid Noor.
- Muhammad Saeed-II.
- Zahir Gul.
- Muhammad Zubair.
- Abdur Rahim.
- Zulfiqar Ahmad.
- Naseem Ahmad.
- Mutahir Khan and another.
- Muhammad Javed and others.
- Saidul Ibrar and another.
- Lal Badshah.
- Abdul Khalil.
- Irshad Ahmad Khan.
- Muhammad Akram.
- Abdul Qayum.
- Fazlulah Khan-II.
- Zamir Jang.
- Syed Tariq Mahmood.
- Ghulam Rahim.
- Uqat Shah.
- Noor ul Basar.
- Sabit Khan.

ATTESTED

ATTESTED

Court Associate
Supreme Court of Pakistan
Islamabad

ATTESTED

Manzoor Elahi,
Fazal Mehmood,
Nisar Ahmad,
Taj Muhammad,
Sardar Naeem Ahmad,
Muhammad Zaka Khan,
Abdul Hameed,
Syed Azmat Ali Shah,
Inamul Haq,
Imtiaz Ali Khan,
Salf-ur-Rahman.

...Respondent(s)

For the Petitioner(s): Mian Arshad Jan, Addl. A. G. KPK.
Mian Saadullah Jandoli, AOR. (Absent)

For the respondent(s): Mr. Ijaz Anwar, ASC.
Mr. M. S. Khattak, AOR.

Date of Hearing: 13.02.2017

ORDER

EJAZ AFZAL KHAN, J.: These petitions for leave to appeal have arisen out of the judgment dated 02.03.2016 of the KPK Service Tribunal, Peshawar whereby it allowed the appeal filed by the respondents.

2. The learned Addl. A. G. appearing on behalf of the petitioners contended that he does not tend to question the impugned judgment on the questions of law and fact all the same he would have very serious reservations about the mode suggested therein to resolve the anomalies:

3. Learned ASC appearing on behalf of the respondents contended that the impugned judgment resolving anomalies created on account of exceeding quota prescribed for grant of senior scale is perfectly in accordance with the relevant rules, therefore, it is not open to any exception.

4. We have gone through the record carefully and considered the submissions of the learned Addl. Advocate General appearing on behalf of the petitioners as well as learned ASC for the respondents.

5. A look at the impugned judgment would reveal that a Full Bench of the Service Tribunal took pains to examine all the excesses and irregularities committed in the grant of senior scale to many in derogation

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Supreme Court of Pakistan
Islamabad

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of relevant rules. Not only that it also issued directions to undo them. Paragraphs 23, 24, 25 and 26 of the Impugned Judgment merit a reproduction for facility of reference which read as under:-

"23. The department and authority responsible to restrict senior scale to the prescribed 25% limit of posts and bound to raise concerns over such irregularities and state of affairs simply granted senior scale to Sub-Engineers in excess of 25% of the total number of posts in disregard of the rules. The grant of the said senior scale has not come to an end till date for he reasons that the same is granted by ignoring the prescribed limit of 25% including the time frame ending on December 1st, 2001. The practice adopted is not only condemnable but also worth taking note of because of overburdening the public exchequer offensively.

24. Section 5 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 hereinafter referred to as the Civil Servants Act, 1973 mandates that appointment to a civil service of the Province or to a civil post in connection with the affairs of the Province shall be made in the prescribed manners by the Governor or by a person authorized by the Governor in that behalf. Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, hereinafter referred to as APT Rules, 1989 framed under the provisions of section-26 of the Act, 1973 restricts but empowers the competent authority to make appointments, in case of exigencies prescribed in Rule-9, on acting or current charge basis in the public interest. Appointment to a higher post in own pay scale is a practice ruinous to Service Rules and structure of civil service and is ordinarily adopted by the authority to either favour their nears and dears or to distant the deserving civil servants due for promotion or to delay or beat timely inductions through initial appointments. This practice is frequently adopted and applied by the authorities despite the fact that the same is illegal and condemnable. We, therefore, hold that appointment of a civil servant in his own pay scale against a higher post is a practice derogatory to law and rules and good governance and we, therefore, accordingly direct that the same be discontinued by the authorities concerned forthwith but not beyond a period of one month. We further resolve and hold that the authorities failing to discontinue or pursuing such unlawful practices in future be dealt with under the relevant punitive laws and that departmental action against such incumbents for misusing and abusing authority vested in them by virtue of their office shall be initiated and concluded to logic end.

25. We are conscious of the fact that giving definite findings about the validity of judgments of this Tribunal entitling appellants in the stated appeals to senior scale are not warranted at this stage as the said matter is not agitated before us in the manners prescribed by law. We, therefore, direct that in case a Sub-Engineer not falling within the parameters of selection to senior scale on the above criteria but availing the privileges of such scale on the strength of any office order or judgment of this Tribunal be dealt with in accordance with law and subject to legal process and if so permitted by law, recoveries be made from their persons.

26. We further hold and direct that slots at the prescribed ratio available for grant of senior scale at the relevant times be calculated by the department and those fulfilling the criteria for senior scale but ignored due to lapses not attributable to ignored/leftover officers be granted the senior scale from the date of entitlement i.e. accruing of vacancies in the senior scale but subject to the provisions of the Pay Revision Rules, 2001. We also direct that the Provincial Government shall honour its directive and shall take disciplinary action against those responsible for

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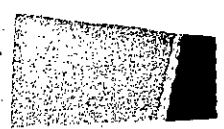
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Court Associate
Supreme Court of Pakistan
Islamabad

ATTESTED

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maintaining, updating and completing the record of the officers, but ignoring their responsibilities and thus giving space to irregularities and illegalities thereby causing and inflicting losses on public exchequer."

6. Having read the paragraphs reproduced above from the impugned judgment, we don't find anything anomalous or inconsistent with the relevant rules and dispensation. It in our view suggested a balanced mode to resolve the anomalies and redress the grievances of those who are victims of unfair and unjust apportionment. When this being the case the better course for the petitioners is to implement the impugned judgment rather than question it on any hyper technical ground particularly when none of the persons aggrieved by it has filed any petition thereagainst in this Court. We, thus, don't feel persuaded to interfere therewith.

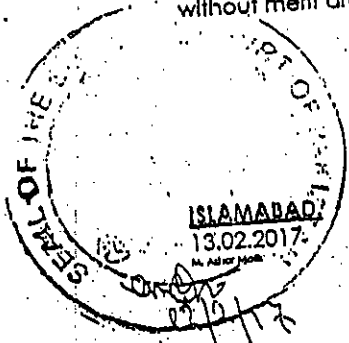
7. For the reasons discussed above, these petitions being without merit are dismissed and the leave asked for is refused.

Sd/-Ejaz Afzal Khan, J
Sd/-Gulzar Ahmed, J

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1-3-17

Court Associate
Supreme Court of Pakistan
Islamabad



2790/17

GR No: _____
Date of Receipt: 1-3-17
No of Ws: 12
No of _____
Reason: _____
Court: _____
Date: 1-3-17
Date: 1/3/17
Received by: *[Signature]*

ATTESTED

ATTESTED

VAKALAT NAMA

NO. _____/2018

IN THE COURT OF Service Tribunal Peshawar

Habibullah (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

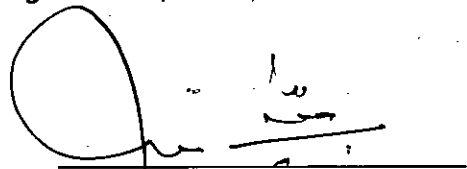
Cxw Deptt: (Respondent)
(Defendant)

I/We, Habibullah

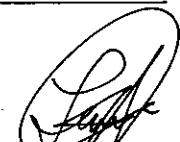
Do hereby appoint and constitute **Taimur Ali Khan, Advocate High Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2018


(CLIENT)

ACCEPTED


TAIMUR ALI KHAN
Advocate High Court

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9390916)

original

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution Petition No.105 of 2018
In Service Appeal No.1431/2013

Habib Ullah,
Sub Engineer

(Appellant)....

V/S

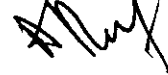
Secretary Communication & Works Department
Peshawar & others

(Respondents)....

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Deponent/



Abdur Rauf,
Section Officer (Litigation),
C&W Department Peshawar

1

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR
EXECUTION PETITION NO. 105 OF 2018 IN
SERVICE APPEAL NO.1431/2013

Habibullah Sub Engineer
O/O XEN Building Division
Swat

--- Appellant

VERSUS

1. Secretary to Govt of Khyber Pakhtunkhwa
C&W Department, Peshawar
 2. Chief Engineer (North)
C&W Department, Peshawar
 3. Superintending Engineer
C&W Circle Swat
 4. Secretary to Govt of Khyber Pakhtunkhwa
Finance Department, Peshawar
- Respondents

Joint Parawise Comments on behalf of Respondents No. 1 to 4

Respectfully Sheweth

PRELIMINARY OBJECTIONS

1. The instant petition in the case of present incumbent, is not tenable and liable to rejection on the one score that he though fall @ Sl.No.139 of the seniority list as stood on 12.12.2000 (**Annex-I**) but he had not passed/cleared B-Grade Exam, which is pre-requisite for the grant of Senior Scale viz BS-16.
2. The petition is not maintainable due to non-fulfilling of the requisite provision of the prevailing Service Rules (C&W Department Appointment/Recruitment Rules, 1979 at **Annex-II**).

FACTS

1. Correct to the extent, appellant filed Service Appeal No.1431/2013, but it is incorrect, he also passed the required departmental Examination. A copy of seniority list as stated on 12.12.2000 refer to Sr.No.139 while depicts not passed "B" Grade Exam which is pre-requisite for the grant of Selection Grade at all.
2. Correct but the decision of the Tribunal was not passed in his favour, rather it was held in Para 18 & 19 of the judgment that:

"Senior Scale admissible to Sub Engineers could only be granted and restricted to those Sub Engineers who were fulfilling the prescribed criteria in the above manner".

As expressed in preceding paras, the case of petitioner/appellant is not conforming with the rules due to not passing the Departmental B-Grade Exam for the purpose of granting BS-16, hence not admissible or entitled.

- (2)
3. Correct to the extent that the judgment passed in 52 Service Appeals on 02.03.2016 by the Khyber Pakhtunkhwa Service Tribunal was agitated before the Apex Supreme Court of Pakistan through CPLAs, which were dismissed after taking a cognizance on the Para (s) 23, 24, 25 and 26 the relevant points by the Tribunal judgment on other matters are as under:-

- "23. his para describes to restrict BS-16 to 25% of Sub Engineers post".
- "24. Noticed the appointment to higher post in own pay scales, a practice ruinous to Service Rules, adopted by the Authority to either favour their nears and dears"
- "25. Cases not warranted to Senior Scale at this stage, we therefore direct that in case a Sub Engineer not falling within the parameters of selection to senior scale on the strength of any office order or judgment of this Tribunal be dealt with in accordance with law and, recoveries be made from their pay"
- "26. Direct that slots of the prescribed ratio available for grant of Senior Scale at the relevant times be calculated by the Department practice ruinous to Service Rules, adopted by the Authority to either favour their nears and dears"

4. Incorrect. In fact the selection grade BS-16 @25% of the total posts of the Diploma Holder Sub Engineers (BS-11) was allowed by the Government with the condition that holder of the post shall be filled by selection on merit with due regard to seniority from amongst Sub Engineers of the Department, who have passed the Departmental B-Grade Examination and have at-least ten (10) years service as such. The same facility has been discontinued by the Provincial Government w.e.f. 01.12.2001 vide Finance Deptt letter No.FD(PRC)1-1/2001 dated 06.04.2003 (**Annex-III**). The Establishment Deptt has issued a circular to all Administrative Secretaries and directed to clear all left over cases of Govt servants who were eligible for selection grade/move over on or before 01.12.2001 (**Annex-IV**). Consequently the Respondent Department granted selection grade (BS-16) to 10 Sub Engineers in the year 2003 and 2004 (**Annex-V**) who were eligible and posts were available/vacant before 01.01.2001. Although the name of the appellant was at Sl.No. 139 of the seniority list of Sub Engineers dated 12.12.2000, but the appellant was not considered by the Departmental Promotion Committee due to not passing B-Grade Exam, which was/is mandatory for Selection Grade, therefore, in the prevailing circumstances, the plea of the appellant is infructuous.
5. Incorrect, the Authority processed the cases for the grant of BS-16 of those Sub Engineers who were fulfilling the requisite length of service "i.e. 10 years and passed B-Grade Exam" pursuant to the Appointment/Recruitment Rules, 1979 (C&W Department as per plaint reading of the text, appearing at Sr.No.5 invited attention of this Hon'able Tribunal to para-18 of its judgment dated 02.03.2016.

- 6. The execution petition filed by the petitioner is not conforming, not fulfilling the prescribed conditions, hence not warranted to be taken into account.

In the wake of above said clarifications and the record as annexed, the instant Execution Petition is liable to be dismissed with cost on the sole of this ground and lack of merits.

SECRETARY
Govt of Khyber Pakhtunkhwa
C&W Department
(Respondents No. 1)

SECRETARY
Govt of Khyber Pakhtunkhwa
Finance Department
(Respondents No.4)

CHIEF ENGINEER (NORTH)
C&W Peshawar
(Respondent No. 2)

Superintending ENGINEER
C&W Circle Swat
(Respondent No. 3)

9

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution Petition No.105 of 2018
In Service Appeal No.1431/2013

Habib Ullah,
Sub Engineer

(Appellant)....

V/S

Secretary Communication & Works Department
Peshawar & others

(Respondents)....

AFFIDAVIT

I, Mr. Abdur Rauf Section Officer (Litigation) C&W Department Peshawar hereby affirm and declare that all the contents of the reply / comments are correct to the best of my knowledge and belief and nothing has been concealed.

Deponent



Abdur Rauf,
Section Officer (Litigation),
C&W Department Peshawar

5

OFFICE OF THE CHIEF ENGINEER (NORTH)
C&W DEPARTMENT N.W.F.P. PESHAWAR.
No. 756/4 -E(T)/ 4574 /E-1(2)
Dated Peshawar the 12/10/2000

FINAL SENIORITY LIST OF SUB ENGINEERS GRADE -11
ON THE BASIS OF DATE OF APPOINTMENT IN THE
DEPARTMENT AS IT STOOD ON 31-12-1999.

In pursuance of sub section (1) of section - (8) of NWFP Civil Servants Act 1973, Seniority list of Sub Engineers
Grade -11 of C&W Department NWFP. as it stood on 31-12-1999 is notified as under:-

Sl No	NAME	EDUL/TECH: QUALIFICATION	HOME DISTRICT	DATE OF BIRTH	DATE OF APPOINT MENT	TO CLASS	YEAR OF PASSING.		REMARKS
							Grade-B Exam:	Proffi: Exam:	
1	Fazli Raziq -1 S/O	B.A.	Swat	5.4.43	1.7.61	-	11/91	-	
2	Gul Zaman S/O	Matric DAE (Civ.)	Malakand Agy:	6-6-40	1-1-73	-	-	-	
3	Payo Rehman S/O	Matric DAE (Civ.)	Karak	9-8-42	11-1-74	-	-	-	
4	Faizur Rehman-II S/O	-do-	Peshawar	2-9-45	21-11-74	-	-	-	
5	Fayaz Gul-I S/O	-do-	NW.A	20-6-51	19-12-74	-	6/96	-	

6

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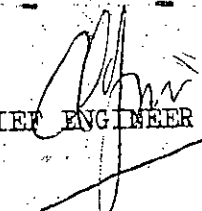
Sl No	NAME	EDUL/TECH: QUALIFICATION	HOME DISTRICT	DATE OF BIRTH	DATE OF APPOINTMENT	TO CLASS	YEAR OF PASSING.	REMARKS
139	Habibullah S/O Muhammad Abdullah	Matric/DAE(C) -do-	Mkd: Agency	23-4-59	14-3-88	-	-	-
140	Zahid Hussain Shah S/O S.Muzam Shah	Matric DAE (Elec:)	Mansehra	10-6-59	14-3-88	-	6/96	-
141	Muhamad Nasim S/O Faqir Hussain	Matric DAE (Civ:)	Mansehra	1-12-60	14-3-88	-	-	-
142	Ghulam Rahim S/O Ghulam Rashid	-do-	Mkd: Agency	20-4-61	14-3-88	-	6/96	-
143	Tahir Mehmood S/O Mohamad Sharif	BA/ DAE (Elec:)	Peshawar	10-2-62	14-3-88	-	6/96	-
144	Shaukatullah S/O Yaqoob Shah	FA/ DAE (Civ:)	Bannu	28-8-62	14-3-88	-	6/96	-
145	S. Tariq Mehmood-II S/O Wazir Hassan Shah	Matric DAE (Civ:)	A/Abad	1-1-63	14-3-88	-	8/94	-
146	MrSadequallah S/O HInayat Khan	-do-	NWA	15-3-63	14-3-88	-	-	-
147	Abid Hussain S/O Ghulam Hussain	FA/ DAE (Elec:)	Malakand Agy:	20-5-64	14-3-88	-	-	-

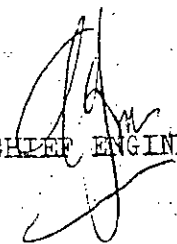
[Handwritten signature]

(7) 

Sl No	Name of Sub Engrs	Edu/Tech qualification	Home Distt:	Date of birth.	Date of 1st entry in Deptt:	Date of confir- mation.	Year of passing		Remarks
							Gr. 'B' Exam:	Deptt's prfdl: Exam:	
326.	Muhammad Shahid Iqbal S/o Muhammad Akbar.	Matric/DAE(C)	Haripur	18.12.72	3.7.94	-	-	-	-
327.	Mr. Taseer Anwar S/o Anwar Gul.	-do-	Moh: Agcy:	25.12.71	27.6.94	-	-	-	-
328.	Muhammad Faiz Ahmad S/o Safri.	-do-	Haripur	5.12.72	3.7.94	-	-	-	-
329.	Muhammad Farooq S/o H. Said Ghulam.	-do-	Mardan.	1.1.73	23.4.95	-	-	-	Sl: No. 329 to seniority fix order of merit assigned by the Public Service Commission.
330.	Mr. Rokhan Gul Khattak S/o Rai Khan.	-do-	Karak	1.1.71	30.4.95	-	-	-	-
331.	Muhammad Zaheer S/o Khalifa.	-do-	A. Abad	9.4.71	23.4.95	-	-	-	-
332.	Mr. Niamatullah Khan S/o Nizam Khan	-do-	S.W.A.	6.5.67	27.4.95	-	-	-	-
333.	Mr. Zahid Amin S/o Muhammad Amin.	-do-	A. Abad	4.5.70	23.4.95	-	-	-	-

- Copy to the:-
- 1) Secretary to Govt: of NWFP C&W Department, Peshawar.
 - 2) All the Chief Engineers in C&W Department, N.W.F.P.
 - 3) All Superintending Engineers in C&W Department, N.W.F.P.
 - 4) All Executive Engineers in C&W Department, N.W.F.P.


CHIEF ENGINEER


CHIEF ENGINEER.

2 8

(9)

GOVERNMENT OF N.W.F.P.
SERVICES, GENERAL ADMN: TOURISM & SPORTS
DEPARTMENT.

NOTIFICATION

Dated Peshawar, the 13th January 80.

No. SORI(S&GAD)1-12/74- 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), and in supersession of all previous rules on the subject in this behalf, the Governor of the North West Frontier Province is pleased to make the following rules, namely:

THE COMMUNICATION & WORKS DEPARTMENT
(RECRUITMENT & APPOINTMENT) RULES, 1979.

1. (1) These rules may be called the Communication & Works Department (Recruitment and Appointment) Rules, 1979.

(2) They shall come into force at once.

2. The method of recruitment, minimum qualifications, age limit and other matters related thereto for the posts specified in column 2 of the Schedules annexed shall be such as given in column 3 to 7 of the said Schedules.

SECRETARY TO GOVERNMENT OF NWFP
SERVICES AND GENERAL ADMN:
DEPARTMENT.

ENDST.No, SORI(S&GAD)1-12/74. Dated Peshawar, the 13th Jan-1980

Copy forwarded to :-

1. All Administrative Secretaries to Government of NWFP.
2. All Divisional Commissioners in N.W.F.P.
3. Secretary to Governor, NWFP.
4. Secretary, NWFP, Public Service Commission, Peshawar.
5. All Heads of Attached Departments in NWFP.
6. All District and Sessions Judges in NWFP.
7. All Deputy Commissioners/Political Agents in NWFP.
8. Registrar, High Court, Peshawar.
9. All Section Officers in the S&GAD.
10. Manager, Govt. Printing Press Peshawar for publication in the Government Gazette. He is requested to supply 50 copies of the printed.

Sd/-
Syed Noor Badshah
Section Officer (Regulation-1)

COMMUNICATION AND WORKS DEPARTMENT
SCHEDULE-I

(9)

Sl. No.	Nomenclature of post.	Minimum qualifications for appointment		Age for initial Recruitment.		Method of recruitment.
		By initial recruitment or by transfer.	Promotion.	Minimum	Maximum	
1	2	3	4	5	6	7

1. Chief Engineer.

By selection on merit from amongst four senior-most officers of the Department, with at least seventeen years experience as Government servant, seniority being considered only in the case of officers of practically the same standard of merit.

2. Superintending Engineer.

Degree in Engineering from a recognized University.

By selection on merit from amongst the Executive Engineers or holder of equivalent posts in the Communication and Works Department, with at least twelve years service in Grades-17 and 18, seniority being considered only in the case of officers of practically the same standard of merit.

3. Executive Engineer

By selection on merit with due regard to seniority from amongst Assistant Engineers of the Communication and Works Department with at least six years service as such.

next page...

1	2	3	4	5	6	7
---	---	---	---	---	---	---

4. Asstt Engineer.

Degree in Civil Electrical or Mechanical Engineering from a recognised University, as may be specified by Government for the respective post.

Degree or Diploma in Engineering from a recognized University or Institution, as specified in column.

21 years. 30 years.

- (a) Seventy per cent by initial recruitment.
- (b) ten per cent by selection on merit with due regard to seniority from amongst Sub-Engineers of the Deptt. who hold a degree; and
- (c) twenty per cent by selection on merit with due regard to seniority from amongst Senior Scale Sub Engineers of the Deptt, who hold a Diploma and have passed Departmental Professional Examination.

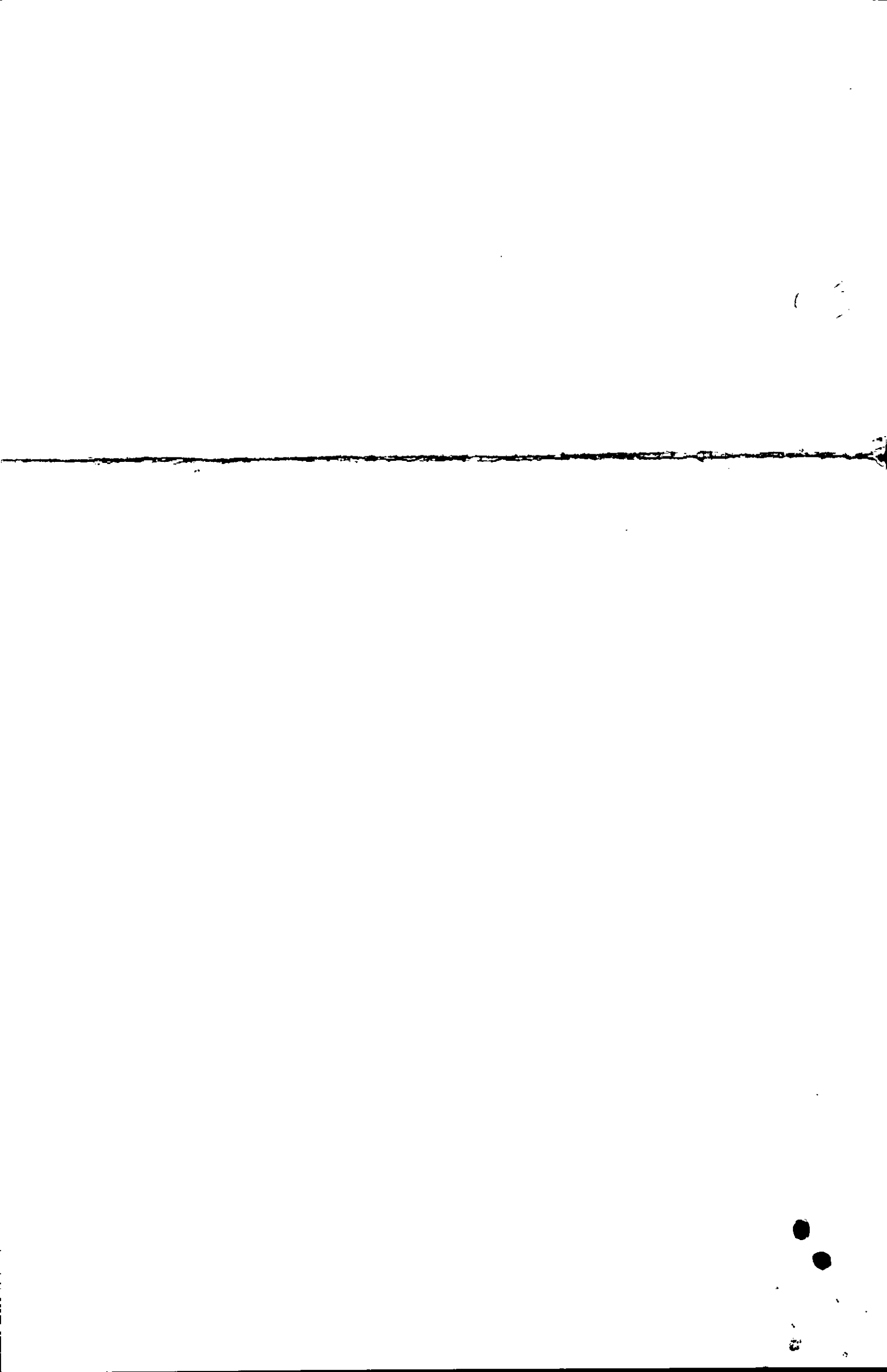
5. Senior Scale Sub Engineer.

Diploma in Engineering from a recognised Institute.

Twenty five per cent of the total number of posts of the diploma holder Sub Engineers shall from the cadre of Senior Scale Sub Engineers and shall be filled by selection on merit with due regard to seniority from amongst Sub Engineers of the Department, who have passed the Departmental Examination and have at least ten years service as such.

6. Administrative Officer/Budget and Accounts Officer.

By selection on merit with due regard to seniority from amongst holders of the posts of Senior Superintendents/Superintendents, in the Department.



(11)

GOVERNMENT OF N. W. F. PROVINCE
COMMUNICATIONS & WORKS DEPARTMENT.

Dated Peshawar, the October 18, 1986

NOTIFICATION.

No. SO(E)C&W/4-5/78 In exercise of the powers conferred by sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, and in consultation with the Services and General Administration Department and Finance Department, the Communication and Works Department is pleased to direct that in the Services and General Administration Department's Notification No. SOR-I(S&GAD)1-12/74, dated the 13th 20th January, 1980, the following amendment shall be made, namely:

AMENDMENT.

In Schedule I, for the existing entry at clause (b) in column 7 against serial No.4, the following entry shall be substituted, namely:

- (b) 10% by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers holding a degree in Engineering. Seniority to be determined from the date of acquiring degree or initial appointment whichever is later.

ABDUL MAJID MOHMAND
SECRETARY TO GOVERNMENT N.W.F.P.
COMMUNICATION & WORKS DEPARTMENT

Endst.No. SO(E)C&W/4-5/78 Dated Peshawar, the October 18, 1986.

A copy is forwarded to :-

1. All Administrative Secretaries to Govt of NWFP.
2. All Divisional Commissioners in NWFP.
3. Secretary to Governor, NWFP.
4. Secretary to Chief Minister, NWFP.
5. All Heads of Attached Departments in NWFP.
6. All District & Sessions Judges in NWFP.
7. All Deputy Commissioners/Political Agents in NWFP.
8. Secretary NWFP Public Service Commission/Registrar, S/Tribunal.
9. All Section Officers in S&GAD, NWFP, Peshawar.
10. Registrar, Peshawar High Court, Peshawar.
11. Deputy Secretary (Works) C&W Department.
12. All Section Officers in C&W Department/P.S to Secy C&W Deptt.
13. The Manager, Govt: Printing & Stationery Department Peshawar.
He is requested to supply 50 copies of the printed gazette.
14. O/O file/Main file.

M. Ahmad
(MIRZA BASHIR AHMAD)
SECTION OFFICER (E)
C & W DEPARTMENT.

ASHIQ

10

GOVERNMENT OF N. W. F. P.,
COMMUNICATION & WORKS DEPARTMENT.

Dated Peshawar, the 12th April, 1992.

N O T I F I C A T I O N

NO.SO(E)C&W/4-5/78. In exercise of the powers conferred by sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication and Works Department, in consultation with the Services and General Administration Department and the Finance Department, hereby directs that in the Communication and Works Department (Recruitment and Appointment) Rules, 1979, the following amendment shall be made, namely:-

A M E N D M E N T

In Schedule I, in column 7, for the existing entry at clause (b) against serial No.4, the following shall be substituted, namely:

- (1) 5% by promotion on seniority-cum-fitness from amongst the Sub-Engineers who have acquired degree in Engineering during service.
- (2) 5% by promotion on seniority-cum-fitness from amongst the Sub Engineers who have joined service as such, as Engineering Graduate:

Provided that if no Sub-Engineer in a category is available for promotion, the vacancy shall be deemed to have fallen to the quota of other category and shall be filled in accordingly.

(ADAM KHAN)
SECRETARY TO GOVERNMENT OF NWFP,
COMMUNICATION & WORKS DEPARTMENT.

ENDST.NO.SO(E)C&W/4-5/78, Dated Pesh: the 12th April, 1992.

A copy is forwarded to:-

- 1) All Administrative Secretaries to Govt of NWFP.
- 2) Secretary to Governor, N.W.F.Province.
- 3) Secretary to Chief Minister, N.W.F.Province.
- 4) P.S to Chief Secretary, N.W.F.Province.
- 5) Secretary, NWFP Public Service Commission.
- 6) Manager, Govt Printing & Stationery Deptt: NWFP. He is requested to supply 50 copies of the printed gazette.
- 7) The S.O(R-II) Govt of NWFP, S&GAD w/r to his U.O.NO.SORII (S&GAD)2(1)786(B), dated 09.04.1992.
- 8) Dy:Secretary/All Section Officers/P.S to Secretary C&W Deptt
- 9) O/O file.

HABIB

Ahmad Khan
(AHMAD KHAN)
SECTION OFFICER (E) 12/4/1992

(13)

GOVERNMENT OF NWFP
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the January 12, 1999.

NOTIFICATION

No. SO(E)C&W/4-5/78: In exercise of the powers conferred by sub rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the services and General Administration Department and the Finance Department, hereby directs that in the Communication and Works Department (Recruitment and Appointment) Rules, 1979, the following amendments shall be made, namely:-

A M E N D M E N T

In Schedule I, in column 7, for the existing entry at clause (b) against serial No.4, the following shall be substituted, namely:

- (1) Five per cent by promotion on seniority-cum-fitness from amongst the Sub Engineers who have joined service as Engineering Graduate.
- (2) Five per cent by promotion on seniority-cum-fitness from amongst the Sub Engineers who have acquired degree in Engineering during service. Inter-se seniority to be determined from the date of acquiring degree.

Provided that if no Sub Engineer in one category is available for promotion, the vacancy shall be deemed to have fallen to the quota of other category and shall be filled in accordingly.

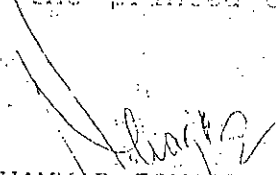
SECRETARY TO GOVT. OF NWFP,
COMMUNICATION & WORKS DEPARTMENT

No. SO(E)C&W/4-5/78. Dated Peshawar, January 12, 1999.

A copy is forwarded to the:-

- 1) All Administrative secretaries to Govt. of NWFP.
- 2) Secretary to Governor, NWFP.
- 3) Secretary to Chief Minister, NWFP.
- 4) P.S. to Chief Secretary, Govt. of NWFP.
- 5) P.S. to secretary C&W Department, NWFP.
- 6) P.S. to Minister for C&W Department.
- 7) Addl Secretary, C&W Department, Peshawar.
- 8) Accountant General, NWFP Peshawar.

- 9) Additional Accountant General(P.R) Sub office, Peshawar.
- 10) Secretary NWFP, Public Service Commission, Peshawar.
- 11) Registrar, peshawar High Court, Peshawar.
- 12) Registrar, NWFP Service Tribunal, Peshawar.
- 13) All Chief Engineers in C&W Department.
- 14) All Executive Engineers in C&W Department.
- 15) Consulting Architect, C&W Department, Peshawar.
- 16) Section Officer(R-VI) S&GA Department with reference to his letter No.SOR-II(S&GAD)6(12)96, dated 19-11-1998.
- 17) Deputy Secretary, C&W Department, Peshawar.
- 18) All District/Agency Accounts Officer in NWFP.
- 19) Manager, Government Printing & Stationery Department. He is requested to supply 100-copies of the printed Gazetted for further distribution.
- 20) O/O File.


 (MUHAMMAD ISHAQUE QURESHI)
 SECTION OFFICER (ESTABLISHMENT)

(BETTER COPY)

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

No.FD(PRC)1-1/2003
Dated Peshawar the April 6,2003

From Secretary to Govt. of NWFP
Finance Department

- To
1. All the Administrative Secretaries to Govt. of NWFP
 2. Senior Member, Board of Revenue NWFP
 3. The Secretary to Governor NWFP, Peshawar
 4. The Secretary Provincial Assembly NWFP
 5. All Heads of Attached Department, NWFP.
 6. All District Coordination Officer/Political Agents/
District and Session Judges NWFP
 7. The Registrar Peshawar High Court Peshawar
 8. The Chairman NWFP Public Service Commission.
 9. The Chairman NWFP Service Tribunal Peshawar.
 10. The Secretary Board of Revenue NWFP, Peshawar.

Subject:- REVISION OF BASIC PAY SCALE AND FRENCH BENEFITS OF CIVIL
EMPLOYEES (BPS 1-22) OF THE NWFP GOVERNMENT (2001).

Dear Sir,

I am directed to refer to this Department's letter No.FD(PRC)1-1/2001 dated Nov:
15, 2001 on the subject noted above and to say that clarification given against Para-7 (i) and
(ii) may be read as under:-

"The Selection and Moveover shall stand discontinued w.e.f. 1-12-2001 in
stead of 27-10-2001. The clarification issued vide the above referred letter
against Para 5(1) and Para 7 (i) & (ii) stand modified to this effect".

Yours faithfully,

-Sd/-
(ABDUL LATIF)
DEPUTY SECRETARY (REG.)

Dated Peshawar the, April 6, 2003

Endst: No.FD(PRC)1-1/2003

A copy is forwarded for information to:-

1. All Autonomous/Semi Autonomous Bodies/Corporation in NWFP

-Sd/-
(ABDUL LATIF)
DEPUTY SECRETARY (REG.)

IMMEDIATE

GOVERNMENT OF N.W.F.P.,
ESTABLISHMENT DEPARTMENT

NO.SO (PSB) ED/1-23/2002
Dated Peshawar; the 3.7.2004

289

(15)

To

1. All the Administrative Secretaries in NWFP.
2. All the District Coordination Officers in NWFP.
3. All the Political Agents in the NWFP.
4. The Secretary Public Service Commission.
5. The Registrar, NWFP, Service Tribunal.

SUBJECT: - CUT OFF DATE FOR DISPOSAL OF ALL LEFT OVER
CASES OF MOVE-OVER/SELECTION GRADE

Dear Sir,

1. I am directed to refer to this department letter of even number dated 9.6.2003, 30.1.2004 and 24.4.2004 on the subject noted above and to say that the competent authority has observed that a number of working papers regarding grant of move over and Selection Grade cases are still being received which indicates that decisions taken earlier have not been implemented with letter and spirit. In order to enable the Departments to process pending cases the competent authority has been pleased to extend the cut off date upto 31.8.2004. All left over cases of Government Servants who were eligible for Selection Grade/Moveover before 1.12.2001 may be placed before PSB/DPC for consideration as per instructions/policy on the subject at the latest otherwise strict disciplinary action would be taken against the defaulting official under the NWFP Removal from Service (Special Power) Ordinance 2000..The Administrative departments are also advised to furnish/weekly progress report about disposal of pending cases of Selection Grade/Move over through PSB/DPC on regular basis.

2. I am further directed to request that above instructions may kindly be followed by all concerned with letter and spirit.

Yours faithfully

17/7/04
7/7/04
DSA

(HAROON-UR-RASHID)
SECTION OFFICER (PSB)

61
SSP

Endst: No. NO.SO (PSB) ED/1-23/2002


Dated Peshawar, the 3.7.2004

80

16

A copy is forwarded to:-

1. The PS to Secretary Establishment Department Peshawar.
2. The PS to Secretary Administration Department Peshawar.
3. PAs to all Additional Secretaries/Deputy Secretaries in the Establishment and Administration Peshawar.
4. All Section Officer in the Establishment and Administration Department Peshawar.
5. The Section Officer (PR) Government of NWFP, Finance Department for information.


SECTION OFFICER (PSB)

Annex - III

GOVERNMENT OF N.W.F.P.
WORKS & SERVICES DEPARTMENT

Dated Peshawar the 04/09/2003

ORDER

No: SOE-I/W&S/4-2/2003/S.S

Consequent upon recommendations of the Departmental Promotion Committee of the Works & Services Department during its meeting held on 12.08.2003, the competent authority has been pleased to the grant of Senior Scale (BS-16) in respect of the following Sub Engineers (BS-11) of the Works & Services Department, with immediate effect:-

1. Mr. Muhammad Arif,
Sub Engineer O/o the XEN Dev.
C&W Division Mattani at Kohat.
2. Mr. Missal Khan,
Sub Engineer O/o the XEN Dev.
C&W Division SWA at Tank.

SECRETARY TO GOVT OF NWFP
WORKS & SERVICES DEPARTMENT

Dated Peshawar, the 04.09.2003

Endst. No. SOE-I/W&S/4-2/2003/S.S

Copy forwarded to the:-

1. Accountant General NWFP, Peshawar.
2. Chief Engineer Works & Services Peshawar.
3. Chief Engineer Works & Services (FATA) Peshawar.
4. Managing Director Frontier Highways Authority Peshawar.
5. Deputy Secretary (Reg-III) Establishment Department Peshawar.
6. Deputy Secretary (Reg) Finance Department, Peshawar.
7. All Superintending Engineer W&S Department.
8. District/Agency Accounts Officers concerned.
9. Officials concerned.
10. PS to Secretary Works & Services Department.
11. PA to Additional Secretary Works & Services Department.
12. Section Officer (Estt-II) Works & Services Department.
13. Office Order/Personal files.

(MUHAMMAD AKBAR KHAN)
SECTION OFFICER (ESTT-I)

GOVERNMENT OF N.W.F.P.
WORKS & SERVICES DEPARTMENT

Dated Peshawar the 19/04/2004

ORDER

No: SOE-I/W&S/4-2/2004/S.S. Consequent upon recommendations of the Departmental Promotion Committee of the Works & Services Department during its meeting held on 25/03/2004, the competent authority has been pleased to the grant of Senior Scale (BS-16) in respect of the following Sub-Engineers (BS-11) of the Works & Services Department, with immediate effect:-

1.	Mr. Muhammad Shah, Sub Engineer O/o the Deputy Director- City Distt. Govt Peshawar.
2.	Mr. Buland Iqbal, Sub Engineer O/o the NEN Dev. C&W Division Khyber Agency at Jamrud.
3.	Mr. Hidayatullah, Sub Engineer O/o the Deputy Director-II, City Distt. Govt Peshawar.
4.	Mr. Saifullah, Sub Engineer, O/o the Deputy Director W&S Lakki Marwat.
5.	Mr. Zafarullah, Sub Engineer O/o the Deputy Director W&S Nowshera.
6.	Mr. Tariq Usman, Sub Engineer O/o the NEN Dev. C&W Division Khyber Agency at Jamrud.
7.	Mr. Muhammad Javed Rahim, Sub Engineer, O/o the Deputy Director W&S D.I. Khan.
8.	Mr. Jamshed Khan, Sub Engineer, O/o the Deputy Director W&S Bunair.

SECRETARY TO GOVT OF NWFP
WORKS & SERVICES DEPARTMENT

Dated Peshawar, the 19/04/2004

Encl. No. SOE-I/W&S/4-2/2004/S.S.

Copy forwarded to the:-

1. Accountant General NWFP, Peshawar.
2. AGPR, Sub Office, Peshawar.
3. Chief Engineer Works & Services Peshawar.
4. Chief Engineer (FATA) Works & Services Deptt Peshawar.
5. Managing Director Frontier Highways Authority Peshawar.
6. Deputy Director/XEN Works & Services concerned.
7. District/Agency Accounts Officers concerned.
8. Officials concerned.
9. PS to Secretary Works & Services Department.
10. Office Order/Personal files.

(NOORULLAH)
SECTION OFFICER (ESTT-I)

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Execution Petition No. 105 /2018

Habibullah

VS

C & W Deptt:

.....

OBJECTION ON THE IMPLEMENTATION REPORT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-2) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:



1. First portion of para-1 is admitted correct, while the rest of para is incorrect as lastly the department has conducted departmental examination (B-grade) in the year 1996 and after that the department did not conduct departmental examination (B-Grade) so that the petitioner could appear in that examination. Therefore, the petitioner could not be deprived from selection grade B-16 on the basis that he has not passed departmental exam (B-grade) although he has passed higher and more though exam of professional examination (Grade-A). Moreover, the petitioner is ready to appear in the departmental examination (B-Grade), if the department manages to conduct that departmental exam.
2. First portion of para-2 is admitted correct, while the rest of para is incorrect Incorrect as the petitioner could not be punished for not conducting departmental examination (B-Grade) since 1996 so that the petitioner could appear in that examination and became eligible for selection grade B-16.
3. Pertains to record.
4. Incorrect. As replied in para 1 above.

5. Incorrect. The petitioner could not be punished for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.
6. Incorrect. The petitioner could not be deprived from selection grade B-16 for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.

It is, therefore, most humbly prayed that on the basis of above submission the respondent may be directed to implement the judgment of this august Tribunal letter and spirit.


PETITIONER

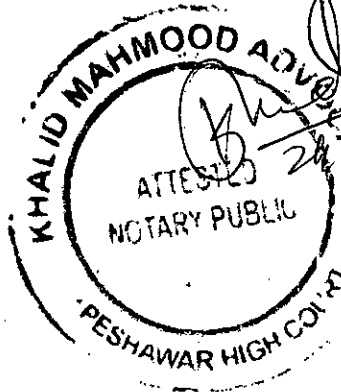
Through:


(ZARTAJ ANWAR)
ADVOCATE HIGH COURT
&

(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

AFFIDAVIT

It is affirmed and declared that the contents of objection on implementation report are true and correct to the best of my knowledge and belief.


DEPONENT



Habibullah SDO

POWER OF ATTORNEY

In the Court of Ryho Rukhtun (Chem Socie Folkand Roshy
Habibullah

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Grant of Writ and others.

} Defendant
} Respondent
} Accused

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint

ZARAJ ANWAR ADVOCATE, my true and lawful attorney, for me in my same and on my behalf to appear at _____ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromise or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or sub-poena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year Habibullah
Executant/Executants _____
Accepted subject to the terms regarding fee _____


Zartaj Anwar

Advocate High Courts
ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3-4, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt
Ph.091-5272154 Mobile-0331-9399185
BC-10-9851
CNIC:17301-1610454-5

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Execution Petition No. 105 /2018

Habibullah

VS

C & W Deptt:

.....
OBJECTION ON THE IMPLEMENTATION REPORT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-2) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

1. First portion of para-1 is admitted correct, while the rest of para is incorrect as lastly the department has conducted departmental examination (B-grade) in the year 1996 and after that the department did not conduct departmental examination (B-Grade) so that the petitioner could appear in that examination. Therefore, the petitioner could not be deprived from selection grade B-16 on the basis that he has not passed departmental exam (B-grade) although he has passed higher and more though exam of professional examination (Grade-A). Moreover, the petitioner is ready to appear in the departmental examination (B-Grade), if the department manages to conduct that departmental exam.
2. First portion of para-2 is admitted correct, while the rest of para is incorrect Incorrect as the petitioner could not be punished for not conducting departmental examination (B-Grade) since 1996 so that the petitioner could appear in that examination and became eligible for selection grade B-16.
3. Pertains to record.
4. Incorrect. As replied in para 1 above.

5. Incorrect. The petitioner could not be punished for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.
6. Incorrect. The petitioner could not be deprived from selection grade B-16 for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.

It is, therefore, most humbly prayed that on the basis of above submission the respondent may be directed to implement the judgment of this august Tribunal letter and spirit.

PETITIONER

Through:

**(ZARTAJ ANWAR)
ADVOCATE HIGH COURT
&**

**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT**

AFFIDAVIT

It is affirmed and declared that the contents of objection on implementation report are true and correct to the best of my knowledge and belief.

DEPONENT

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Execution Petition No. 105 /2018

Habibullah

VS

C & W Deptt:

.....

OBJECTION ON THE IMPLEMENTATION REPORT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-2) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

1. First portion of para-1 is admitted correct, while the rest of para is incorrect as lastly the department has conducted departmental examination (B-grade) in the year 1996 and after that the department did not conduct departmental examination (B-Grade) so that the petitioner could appear in that examination. Therefore, the petitioner could not be deprived from selection grade B-16 on the basis that he has not passed departmental exam (B-grade) although he has passed higher and more though exam of professional examination (Grade-A). Moreover, the petitioner is ready to appear in the departmental examination (B-Grade), if the department manages to conduct that departmental exam.
2. First portion of para-2 is admitted correct, while the rest of para is incorrect. Incorrect as the petitioner could not be punished for not conducting departmental examination (B-Grade) since 1996 so that the petitioner could appear in that examination and became eligible for selection grade B-16.
3. Pertains to record.
4. Incorrect. As replied in para 1 above.

5. Incorrect. The petitioner could not be punished for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.
6. Incorrect. The petitioner could not be deprived from selection grade B-16 for the fault of the respondent department for not conducting departmental examination (B-Grade) since 1996.

It is, therefore, most humbly prayed that on the basis of above submission the respondent may be directed to implement the judgment of this august Tribunal letter and spirit.

PETITIONER

Through:

**(ZARTAJ ANWAR)
ADVOCATE HIGH COURT
&**

**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT**

AFFIDAVIT

It is affirmed and declared that the contents of objection on implementation report are true and correct to the best of my knowledge and belief.

DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR
EXECUTION PETITION NO. 105 OF 2018 IN
SERVICE APPEAL NO.1431/2013

Habibullah & 05 others

--- Appellants

VERSUS

1. Secretary to Govt of Khyber Pakhtunkhwa
C&W Department, Peshawar & others

--- Respondents

REPLY TO OBJECTIONS ON THE IMPLEMENTATION REPORT

Respectfully Sheweth

1. It is clarified that the appellants were appeared in the B-Grade Exam held in the year 1996, but they did not clear the same, as evident from the result announced on 27.06.1996 (**Annex-I**), meaning thereby, that they were not so competent to get the facility of Selection Grade BS-16. Moreover, the Provincial Govt of Khyber Pakhtunkhwa has been upgraded the posts of Sub Engineers from BS-11/12 to BS-16 exist in all Technical Department(s) having 10 years service in the cadre vide Finance Department Notification dated 07.03.2018 (**Annex-II**).
2. Incorrect, in fact that @25% of the total posts of Sub Engineer BS-11 was allowed by Provincial Government with the condition that holder of the post shall have 10 years service and passed B-Grade Exam. The facility of Selection Grade BS-16 has been discontinued by Provincial Government w.e.f. 01.12.2001 (**Annex-III**).
3. Pertained to record
4. Incorrect, as explained in para-1 above
5. Incorrect, as explained in para-2 above
6. Incorrect, as explained in para-2 above

In the wake of above, the instant Execution Petition is liable to be dismissed with cost on the sole of this ground and lack of merits.


SECRETARY

Govt of Khyber Pakhtunkhwa
C&W Department
(Respondents No.1)

BETTER COPY

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

FD/(PRC)1-1/2003,
Dated Peshawar the April 6, 2003

From Secretary to Govt of NWFP
Finance Department

To

- 1- All the Administrative Secretaries to Govt. of NWFP
- 2- Senior Member, Board of Revenue NWFP
- 3- The Secretary to Governor NWFP, Peshawar.
- 4- The Secretary Provincial Assembly NWFP,
- 5- All Heads of Attached Department, NWFP
- 6- All District Coordination Officer/Political Agents/District and Session Judges NWFP

- 7- The Registrar, Peshawar High Court Peshawar.
- 8- The Chairman NWFP Public Service Commission.
- 9- The Chairman NWFP Service Tribunal Peshawar.
- 10- The Secretary Board of Revenue NWFP Peshawar.

**SUBJECT REVISION OF BASIC PAY SCALE AND FRENCH BENEFITS OF EMPLOYEES
(BPS 1-22) OF THE NWFP GOVERNMENT (2001)**

Dear Sir,

I am directed to refer to this Department's letter No.FD(PRC)1-1/2001 dated Nov 15,2001 on the subject noted above and to say that clarification given against Para-7 (i) and (ii) may be read as under:-

"the Selection Grade and Move over shall stand discontinued w.e.f 12-12-2001 instead of 27-10-2001. The clarification issue vide the above referred letter against Para 5(1) and Para 7 (i) & (ii) stand modified to this effect".

Yours faithfully,

SD/-
(ABDUL LATIF)
DEPUTY SECRETARY (REG)

Endst No.FD(PRC)1-1/2003

Dated Peshawar the April 6, 2003

A copy is forwarded for information to:-

- 1- All autonomous/Semi Autonomous Bodies/Corporation in NWFP

SD/-
(ABDUL LATIF)
DEPUTY SECRETARY (REG)

Dated Peshawar the, 27/6/1996.

OFFICE ORDER.

The following Sub Engineers and members of regularized workcharged establishment are declared to have passed Grade 'B' Departmental Qualifying Examination held on 24.3.1996 to 29.3.1996:-

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.
1.	96101	Mr. Abdul Aleem	S/Engr:	Highway Division Charsadda.
2.	96105	Mr. Abdul Saboor	-do- (E)	Buildings Division Swabi.
3.	96106	Mr. Abdul Qayum	-do-	Bldgs: Project Divn: No. 1 Peshr.
4.	96107	Mr. Abdul Waheed	-do-	Bldgs: Division D.I.Khan.
5.	96110	Mr. Abdur Rehman.	-do-	Buildings Division Mardan.
6.	96115	Mr. Ahmad Khan.	R/Inspector.	Highway Division Peshawar.
7.	96116	Mr. Ahmad Shah.	-do-	Highway Division Timergara.
8.	96117	Mr. Ajmal Anwar.	Sub Engr:	Buildings Division Mardan.
9.	96120	Mr. Akbar Ali.	-do-	Buildings Division Charsadda.
10.	96123	Mr. Alamzeb-I.	-do-	Buildings Division Swabi.
11.	96124	Mr. Alamzeb-II.	-do-	Buildings Division Mardan.
12.	96140	Mr. Ashiq Hussain.	-do-	Dev: C&W Divn: Parachinar.
13.	96141	Mr. Ashiq Hussain.	R/Inspector.	Dev: C&W Division Tank.
14.	96143	Mr. Asmatullah.	Sub Engr:	-do-
15.	96145	S. Attique Rehman.	-do-	Bldgs: Division Timergara.
16.	96148	Mr. Aurangzeb-VI	-do-	Buildings Division Haripur.
17.	96149	Mr. Aurangzeb-VII	-do-	Highway Division Mansehra.
18.	96150	Mr. Azhar Ali.	-do-	Bldgs: Maintenance Divn: No. 1 Pesh
19.	96158	Mr. Buland Iqbal.	-do-	Dev: C&W Division Jamrud.
20.	96165	Mr. Fayaz Gul-I.	-do-	Dev: C&W Division D.I.Khan.
21.	96166	Mr. Fayaz Gul-II.	-do-	Highway Division Mardan.
22.	96170	Mr. Feroz Shah.	/Supervisor.	Dev: C&W Divn: Jamrud.
23.	96171	Mr. Fida Muhammad.	Sub Engr:	Buildings Division Abbottabad.
24.	96174	Mr. Ghazanfarullah.	-do-	Buildings Division Bannu.
25.	96177	Mr. Ghulam Muhammad.	R/Inspector.	Highway Division Mardan.
26.	96179	Mr. Ghulam Rahim.	Sub Engr:	Buildings Division Swat.
27.	96187	Mr. Habibur Rehman.	-do-	C&W Division Bunir.
28.	96192	Mr. Haq Nawaz Khan.	-do-	Buildings Division Mansehra.
29.	96196	Mr. Hidayatullah.	-do- (M)	Dev: C&W Divn: SWA at Tank.
30.	96204	Mr. Ikramullah.	-do-	Buildings Division Bannu.
31.	96205	Mr. Imtiaz Khan.	-do-	-do-
32.	96210	Mr. Inayatullah.	R/Inspector.	Buildings Division Lakki.
33.	96211	Mr. Inayatullah Shah.	Sub Engr:	Dev: C&W Division Tank.
34.	96212	Mr. Inayat Rehman.	-do-	Highway Division Timergara.
35.	96213	Mr. Irshad Ahmad Khan.	-do-	Buildings Division Battagram.
36.	96218	Mr. Jamal Khan.	-do-	F.M.R. (Project Cell) Peshawar.
37.	96222	Mr. Jahanzeb-II.	-do-	Dev: C&W Division Mohmand.
38.	96223	Mr. Jehanzeb-IV.	-do-	Buildings Division Bannu.

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.
39.	96231	S. Kiramattullah Jan.	Sub Engineer.	Highway Division Peshawar.
40.	96236	Mr. Maqsood Khan.	-do-	Maintenance/Mech: Divn: Pesh
41.	96237	Mr. Mashal Khan.	-do-	Buildings Division Lakk.
42.	96241	Mian Wahid.	R/Inspector.	Highway Division Swat.
43.	96242	Mr. Mirsadda Khan.	Sub Engineer.	Dev: C&W Divn: Parachinar.
44.	96250	Mr. Mohammad Akram.	-do-	Buildings Division Mansehra.
45.	96260	Mr. Muhammad Hayat.	-do-	Buildings Division Charsadda.
46.	96261	Mr. Muhammad Hamayun.	-do-	Buildings Division Charsadda.
47.	96263	Mr. Muhammad Iqbal-I.	-do-	Dev: C&W Divn: Mattani. at Kht
48.	96266	Mr. Muhammad Iqbal-V.	-do-	Buildings Division Charsadda.
49.	96270	Mr. Muhammad Javed.	-do-	Buildings Division Bannu.
50.	96281	Mr. Muhammad Saeed-II.	-do-	Highway Division Kohat.
51.	96283	Mr. Muhammad Sajjad.	-do-	Buildings Division Charsadda.
52.	96286	Mr. Mohammed Shah.	-do-	Buildings Division Peshawar.
53.	96287	Mr. Muhammad Shaukat-I.	R/Inspector.	-do-
54.	96288	Mr. Muhammad Shaukat.	Sub Engineer	Highway Division Peshawar.
55.	96289	Mr. Muhammad Tahir.	-do-	(E) Highway Divn: Mansehra.
56.	96291	Mr. Muhammad Wazir.	-do-	Bldgs: Project Divn: 2 Peshr.
57.	96293	Mr. Muhammad Yaqoob-I.	-do-	Bldgs: Divn: Timergara.
58.	96294	Mr. Muhammad Yar-I.	-do-	Dev: C&W Divn: Miranshah.
59.	96296	Mr. Muhammad Zahir Shah-III.	-do-	Buildings Division Timergara.
60.	96297	Mr. Muhammad Zahir Shah-II.	-do-	B.P. Divn: No. 2 Peshawar.
61.	96298	Mr. Muhammad Zaka Khan.	-do-	Highway Divn: Timergara.
62.	96304	Mr. Mumtaz Alam.	-do-	Bldgs: Division Abbottabad.
63.	96305	Mr. Muneeb Khan.	-do-	C&W Division Chitral.
64.	96309	Mr. Mushtaq Ali.	-do-	B.P. Divn: No. 2, Peshawar.
65.	96311	Mr. Nasim Ahmad.	-do-	Dev: C&W Divn: Orakzai Hangu.
66.	96313	Mr. Nasrullah.	-do-	Buildings Division Charsadda.
67.	96314	Mr. Naushad Khan-II.	-do-	Highway Divn: Timergara.
68.	96315	Mr. Naushad Khan-I.	-do-	Bldgs: Divn: Nowshera.
69.	96317	Mr. Nawazish Ali Shah.	-do-	C&W Division Chitral.
70.	96321	Mr. Niamat Gul.	-do-	Bldgs: Divn: Mansehra.
71.	96323	Mr. Niamatullah.	-do-	Buildings Division Timergara.
72.	96326	Mr. Nisar Ahmad.	-do-	Buildings Division Kohat.
73.	96327	Mr. Nisar Ali.	W/Munshi.	Dev: C&W Divn: Miranshah.
74.	96331	Mr. <u>Neer Shad</u> .	R/Inspector.	Dev: C&W Divn: Parachinar.
75.	96333	Mr. Qamar Zaman.	Sub Engineer.	Highway Division Peshawar.
76.	96338	Mr. Muhammad Rashid Butt.	-do-	Dev: C&W Divn: Parachinar.
77.	96342	Mr. Roedar Muhammad.	-do-	Dev: C&W Division Farik.
78.	96344	Mr. Sabit Khan.	-do-	Buildings Division Timergara.
79.	96350	Mr. Saeedullah.	-do-	Buildings Division Swabi.
80.	96353	Mr. Saifur Rehman.	-do-	Buildings Division Kohat.
81.	96355	Mr. Salahud Din.	-do-	Dev: C&W Divn: Mattani Kohat.
82.	96363	Mr. Sareerud Din.	-do-	Bldgs: Division A'Abad.
83.	96365	Mr. Sarin Jan.	R/Inspector.	Buildings Division Nowshera.
84.	96368	Mr. Shafatullah.	Sub Engineer	Highway Division Charsadda.
85.	96375	Mr. Shah Wali Shah.	-do-	Highway Division Mardan.
86.	96376	Mr. Shahzad Hassan.	-do-	Dev: C&W Division Tank.
				B.P. Divn: No. 2, Peshawar.

No. No.	Designation.	Office to which attached.
87. 96378 Mr. Shamsher Ali.	R/Inspector.	Highway Division Swat.
88. 96379 Mr. Shamsher Khan.	-do-	Highway Division Charsadda.
89. 96383 Mr. Shaukat Ali.	S/Engr: (E)	Buildings Divn: Abbottabad.
90. 96384 Mr. Shaukatullah.	-do-	Dev: C&W Divn: Mirgshah.
91. 96387 Mr. Sibghatullah.	-do-	Highway Division Charsadda.
92. 96389 Mr. Tahir Ali Shah.	W/Supdt: E&M	B.M. Division No. 1 Peshawar.
93. 96390 Mr. Tahir Mahmood.	S/Engr: (E)	Buildings Division Nowshera.
94. 96393 Mr. Taj Malook.	-do-	Buildings Division Bannu.
95. 96394 Mr. Taj Muhammad.	-do-	Dev: C&W Divn: Mattani Kohat.
96. 96402 Mr. Zahid Hussain Shah.	-do- (E)	Buildings Division Mansehra.
97. 96412 Mr. Zulfiqarullah.	R/Inspector.	Highway Division Peshawar.
98. 96415 Mr. Muhammad Naeem.	Sub Engineer.	B.P. Divn: No. 2 Peshawar.
99. 96419 Mr. Naeem Jan.	-do- (E)	Buildings Division Charsadda.
100. 96421 Mr. Anwar Ali.	W/Supervisor.	C&W Division Kohistan.
101. 96428 Mr. Aurangzeb-IV.	Sub Engineer.	Dev: C&W Divn: Miranshah.
102. 96429 Mr. Azmat Ali Shah.	-do-	Highway Division Mansehra.
103. 96430 Mr. Mujtaba Kamal Shah.	-do-	Buildings Division Bannu.

The following Sub Engineers & members of regularized workcharged establishment having not passed in the subject as noted against each have been declared as failed:-

Sl: No.	Roll Name.	Designation	Office to which attached.	Subjects in Remark which failed.
1.	96102 Mr. Abdullah.	Sub Engineer.	C&W Division Karak.	i. All Subjects.
2.	96103 Mr. Abdul Hakim.	-do-	Highway Divn: Mardan.	i. Professional. ii. Survey.
3.	96104 Mr. Abdul Naseer.	R/Inspector.	Highway Divn: Mansehra.	i. All (Absentee subjects).
4.	96108 Mr. Abdul Waheed.	-do-	Highway Divn: D.I. Khan.	i. Account (Absentee) ii. Professional.
5.	96109 Mr. Abdur Rahim.	-do-	Highway Divn: Dir.	i. All (Absentee subjects).
6.	96111 Mr. Abdus Salam.	-do-	Highway Divn: Peshawar.	i. -do- (Absentee)
7.	96112 Mr. Abid Hussain.	S/Engr: (E)	Buildings Divn: Swat.	i. Professional.
8.	96113 Mr. Abid Jan.	W/Supdt:	B.M. Divn: No. 1 Peshawar.	i. Account. ii. Professional. iii. Survey.
9.	96114 Mr. Abidur Rehman.	Sub Engr:	Dev: C&E Divn: Miranshah.	i. Survey.
10.	96118 Mr. Ajmal Khan.	W/Supervisor.	C&W Division Chitral.	i. Account. ii. Professional. iii. Survey.
11.	96119 Mr. Akhar Ali.	W/Taker.	Highway Divn: Swat.	i. All subjects.
12.	96121 Mr. Akhtar Hayat.	R/Inspector.	Highway Divn: Dir.	i. -do- (Absentee)
13.	96122 Mr. Akhtar Nawaz	-do-	Highway Divn: Mansehra	i. -do- (Absentee)

Sl: Roll Name. No. No.	Designation.	Office to which attached.	Subjects in which failed.	Remarks
14. 96125	Mr. Ali Raza Gillani	Sub Engr (M) Maintenance/ Mech: Divn: Peshr		i. All subjects.
15. 96126	Mr. Ali Rehman	-do- C&W Division Malakand.		i. Accounts. ii. Professional. iii. Survey.
16. 96127	Mr. Amal Khan	Road Inspector. Highway Divn: Swat.		i. All (Absentee) subjects.
17. 96128	Mr. Pir Amanullah	-do- Highway Divn: Mardan.		i. Account. ii. Professional. iii. Survey. iv. Practical-II.
18. 96129	Mr. Aminud Din	Work Supervisor. Highway Divn: Peshawar.		i. All (Absentee) subjects.
19. 96130	Mr. Amir Abdullah	Road Inspector. Highway Divn: Charsadda.		i. -do- (Absentee)
20. 96131	Mr. Amir Afzal	-do- Highway Divn: Swat.		i. Survey. ii. Practical I & II.
21. 96132	Mr. Amir Jamshid	Sub Engineer. Bldgs: Divn: Timergara.		i. Account. ii. Professional. iii. Survey.
22. 96133	Mr. Amir Muhammad	-do- C&W Division Bunir.		i. Account. ii. Professional. iii. Survey. iv. Practical-II.
23. 96134	Mr. Amir Zaman	Road Inspector. Highway Divn: Timergara.		i. All subjects.
24. 96136	Mr. Anees Kalim	Work Mistri. B.M. Divn: No. 2 Peshawar.		i. Account. ii. Professional. iii. Survey.
25. 96137	Mr. Anwar Zeb	Road Inspector. Highway Divn: Peshawar.		i. All Subjects. (Absentee)
26. 96138	Mr. Arbab Khan	Work Sypdt: C&W Division Karak.		i. Practical-I.
27. 96139	Mr. Arshad Jared	Work Supervisor. Dev: C&W Divn: Jambh.		i. All subjects. (Absentee)
28. 96142	Mr. Asifullah	Road Inspector. Highway Divn: D.I. Khan.		i. -do- (Absentee)
29. 96144	Mr. Attaullah	Supervisor. Bldgs: Divn: Haripur.		i. Account. ii. Professional. iii. Survey.
30. 96146	Mr. Aurangzeb-III	Sub Engr: Dev: C&W Divn: Orakzai Hangu.		i. Professional. ii. Practical-II.
31. 96147	Mr. Aurangzeb-V	-do- C&W Division Malakand.		i. Account. (Absentee) ii. Professional. iii. Survey.
32. 96151	Mr. Azhar Mehmood	-do- Highway Divn: Abbottabad.		i. Survey. (Absentee) ii. Practical-I & II.
33. 96152	Mr. Azhar Obedullah	Work Super: Highway Divn: D.I. Khan.		i. All subjects. (Absentee)
34. 96153	Mr. Azmat Elahi Malik	Sub Engr: Maintc:/Mech: Divn: Peshr:		i. All subjects.
35. 96154	Mr. Bakhtiar	Road Inspector. Highway Divn: Swat.		i. Professional. ii. Survey. iii. Practical-II.

No. No.	Designation.	Office to which attached.	Subjects in which failed.	Remarks.
36. 96155	Mr. Bakhti Muhammad.	Road Inspector.	Highway Divn: 1. Professional. 11. Survey. 111. Practl: I & II.	Absentee
37. 96156	Banat Khan.	-do-	Dev: C&W Divn: 1. Professional.	Absentee
38. 96157	Mr. Bashir Muhammad.	-do-	Highway Divn: 1. All subjects.	
39. 96159	Mr. Faheem Hussain.	-do-	Highway Divn: 1. -do-	Absent
40. 96160	Mr. Faisal Saeed. S/Engr:		Bldgs: Divn: 1. Professional. 11. Survey. 111. Practical-II.	
41. 96161	Mr. Faizur Rehman.	-do-	Bldgs: Divn: 1. All subjects.	Absentee.
42. 96162	Mr. Farhat Ali.	-do-	B.P. Divn: No. 1	1. -do-
43. 96163	Mr. Faria Ahmad.	Road Inspector.	Highway Divn: 1. -do-	
44. 96164	Mr. Farzand Ali.	-do-	Highway Divn: 1. Account. 11. Professional. 111. Survey.	Absentee
45. 96167	Mr. Fazli Raziq.	Work Supdt.	B.M. Divn: No. 2.	1. All subjects. Absentee.
46. 96168	Mr. Fazli Wahab.	Work Taker.	Highway Divn: 1. -do-	Absent
47. 96169	Mr. Fazli Wahid.	S/Engr: (E)	C&W Divn: 1. All subjects.	
48. 96172	Mr. Fida Muhammad.	Artificer.	B.M. Divn: No. 2	1. All subjects.
49. 96173	Mr. Ghaniullah.	S/Engr:	Dev: C&W Divn: 1. Professional.	
50. 96175	Mr. Ghulam Hussain.	Work Supdt.	B.M. Divn: No. 2	1. All subjects.
51. 96176	Mr. Ghulam Jalil.	S/Engr:	C&W Division 1. All subjects.	Absentee.
52. 96178	Mr. Ghulam Qadir.	Road Inspector.	Dev: C&W Divn: 1. All subjects.	Absentee
53. 96180	Mr. Ghulam Sarwar.	Supervisor (M)	Highway Divn: 1. All subjects.	Absentee.
54. 96181	Mr. Gohar Aman.	Road Inspector.	Highway Divn: 1. All subjects.	Absentee.
55. 96182	Mr. Gul Akbar.	-do-	Dev: C&W Divn: 1. All subjects.	
56. 96183	Mr. Gul Khitab.	S/Engr:	Bldgs: Divn: 1. Professional.	
57. 96185	Mr. Gul Zaman.	-do-	C&W Division 1. All subjects.	
58. 96186	Mr. Habibullah.	-do-	-do- 1. Account. 11. Professional. 111. Survey.	
59. 96188	Mr. Hamidullah.	-do-	B.D. D.I. Khan. 1. All subjects.	Absentee
60. 96190	Mr. Hashim Khan.	-do-	Bldgs: Divn: 1. Account. 11. Professional. 111. Survey.	

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remark
61.	96191	Mr. Hashmatullah.	Work Munshi.	Bldgs: Divn: Timergara.	i. All subjects.	
62.	96193	Mr. Hayatullah.	S/Engr.	Highway Divn: A'Abad.	i. Professional. ii. Survey. iii. Practical-I.	
63.	96194	Mr. Ijaz Ahmad.	Road Inspector.	Highway Divn: Timergara.	i. Account. ii. Professional. iii. Practical-I.	
64.	96195	Mr. Hazrat Yousaf.	-do-	-do-	i. All Subjects.	Absent
65.	96197	Mr. Hizbullah.	-do-	Highway Divn: D.I.Khan.	i. All Subjects.	Absent
66.	96198	Mr. Hamayun Shah.	Road Inspector.	Highway Divn: Mansehra.	i. All Subjects.	Absent
67.	96199	Mr. Ibrar Hussain Shah.	S/Engr.	Bldgs: Divn: A'Abad.	i. Account. ii. Professional.	
68.	96200	Mr. Iftikhar Hussain.	Work Munshi.	Dev: C&W Divn: Parachinar.	i. Account. ii. Professional. iii. Survey.	
69.	96201	Mr. Ihsanullah.	Road Inspector.	Highway Divn: Timergara.	i. All Subjects.	Absent
70.	96202	Mr. Ijaz Ahmad.	S/Engr.	Bldgs: Divn: Mansehra.	i. All subjects.	Absent
71.	96203	Mr. Ijazul Haq.	Work Supervisor.	B.M. Divn: No. 2 Peshawar.	i. Account. ii. Professional. iii. Survey.	Absent
72.	96205	Mr. Imtiaz Ali Khan.	S/Engr.	Bldgs: Divn: Charsadda.	i. Account. ii. Professional.	
73.	96207	Mr. Inamullah Khan.	Work Supervisor.	Highway Divn: Charsadda.	i. All subjects.	
74.	96208	Mr. Inayatullah.	-do-	-do-	i. All subjects.	Absent
75.	96209	Mr. Inayatullah.	Road Inspector.	Bldgs: Divn: D.I.Khan.	i. All subjects.	Absent
76.	96214	Mian Islamud Din.	S/Engr.	Highway Divn: Timergara.	i. Professional. ii. Survey. iii. Practical-I&II.	
77.	96215	Mr. Ibrar Ahmad.	-do-	Bldgs: Divn: Mansehra.	i. All subjects.	Absent
78.	96216	S. Jaffar Shah.	-do- (M)	Bldgs: Divn: Haripur.	i. All Subjects.	Absent
79.	96217	Mr. Jaffar Ali Jaffari.	-do-	Bldgs: Divn: D.I.Khan.	i. Account. ii. Professional.	Absent
80.	96219	Mr. Jamilur Rehman.	-do-	Bldg: Divn: Mansehra.	i. All Subjects.	Absent
81.	96220	Mr. Javed Iqbal.	Road Inspector.	Highway Divn: Mansehra.	i. Account. ii. Survey.	Absent
82.	96221	Mr. Jahandar Shah.	Work Munshi.	Highway Divn: Timergara.	i. Practical-II.	
83.	96224	Mr. Jehanzeb Khan.	Road Inspector.	Highway Divn: Abbottabad.	i. All subjects.	
84.	96225	Mr. Karimur Rehman.	Work Taker.	Highway Divn: Swat.	i. All subjects.	Absent
85.	96226	Mr. Khandad Khan.	Road Inspector.	Highway Divn: D.I.Khan.	i. All Subjects.	
86.	96227	Mr. Khalilur Rehman.	W/Munshi.	-do-	i. All subjects.	Absent

No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remarks.
81.	96228 Mr. Khan Bad Shah.	S/Engr:	C&W Division Kohistan.	i. Account. ii. Professional. iii. Survey.	Absentee
88.	96229 Mr. Khanzeb.	Work Taker.	B.M. Divn: No.2 Peshawar.	i. All Subjects.	
89.	96230 Mr. Khurshid Alam.	Road Inspector.	Highway Divn: Abbottabad.	i. All subjects.	
90.	96237 Mr. Liaqat Ali.	Road Inspector.	Highway Divn: Swat.	i. All subjects.	Absentee
91.	96234 Mr. Liaqat Ali.	S/Engr:	Dev: C&E Divn: Tank.	i. All subjects.	Absentee
92.	96235 Mr. Liaqat Mohammad.	Road Inspector.	Highway Divn: Kohat.	i. Account. ii. Survey. iii. Practical-I&II.	Absentee
93.	96239 Mr. Masood Mian.	Road Inspector.	Highway Divn: Swat.	i. All subjects.	Absentee
94.	96240 Mr. Mahfoozur Rehman.	S/Engr:	Bldgs: Divn: Mardan.	i. Professional.	
95.	96243 Mr Mir Salim Khan.	-do-	Bldgs: Division Swat.	i. All subjects.	Absentee
96.	96244 Mr. Misbahullah.	Road Inspector.	Highway Divn: Charsadda.	i. All subjects.	Absentee
97.	96245 Mr. Miskin Khan.	Supervisor.	Highway Divn: Peshawar.	i. All subjects.	Absentee
98.	96246 Mr. Misri Khan.	Road Inspector.	Highway Divn: D.I.Khan.	i. P-I & II.	Absentee
99.	96247 Mr. Muhammad Abul Khair.	S/Engr:	Dev: C&W Divn: Mohmand.	i. Practical-II.	
100.	96248 Mr. Muhammad Ahsan Rafiq.	Road Inspector.	Highway Divn: Kohat.	i. Account. ii. Professional.	Absentee
101.	96249 Mr. Muhammad Ajmal.	S/Engr:	Bldgs: Divn: Mansehra.	i. Account. ii. Professional. iii. Survey.	
102.	96251 Mr. Muhammad Asif.	Work Taker.	B.M. Divn: No.1 Peshawar.	i. All subjects.	
103.	96252 Mr. Muhammad Aslam.	S/Engr:	Bldgs: Divn: D.I.Khan.	i. All subjects.	Absentee
104.	96253 Mr. Muhammad Aslam.	Road Inspector.	Highway Divn: D.I.Khan.	i. All subjects.	
105.	96254 Mr. Muhammad Ayaz.	-do-	Highway Divn: Charsadda.	i. All subjects.	Absentee
106.	96255 Mr. Muhammad Ayaz.	Work Supervisor.	C&W Division Chitral.	ii. Professional.	
107.	96256 Mr. Muhammad Azam.	S/Engr:	Bldgs: Divn: Mardan.	i. Account. ii. Professional. iii. Survey. iv. Practical-I.	
108.	96257 Mr. Muhammad Fahim.	-do- (E)	C&W Division Malakand.	i. All subjects.	
109.	96258 Mr. Muhammad Farooq.	Work Supervisor.	B.M. DIVN: No.2 Peshawar.	i. All subjects.	Absentee

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remark.
110	96259	Mr. Muhammad Haroon.	S/Engr:	Highway Divn: Manshara.	i. Account. ii. Survey. iii. Practical-I.	
111	96262	Mr. Muhammad Abni Amin.	Road Inspector.	Highway Divn: Charsadda.	i. All subjects.	Absentee
112	96264	Mr. Muhammad Iqbal-III.	S/Engr:	Highway Divn: D.I.Khan.	i. Professional.	
113	96265	Mr. Muhammad Iqbal-IV.	-do-	Bldgs: Divn: Battagram.	i. Account. ii. Professional.	
114	96267	Mr. Muhammad Ishaq.	Road Inspector.	Highway Divn: Peshawar.	i. All subjects.	
115	96268	Mr. Muhammad Jamshid.	S/Engr:	Bldgs: Divn: Swabi.	i. All subjects.	
116	96269	Mr. Muhammad Javed.	-do-	Bldgs: Divn: Haripur.	i. All subjects.	Absentee
117	96271	Mr. Muhammad Javed.	Road Inspector.	Highway Divn: Manshara.	i. Professional. ii. P-I & II.	
118	96272	Mr. Muhammad Naseem.	S/Engr:	C&W Division Malakand.	i. Professional. ii. Survey. iii. P-I & II.	
119	96273	Mr. Muhammad Naseem.	-do-	Highway Divn: Manshara.	i. All subjects.	Absentee
120	96274	Mr. Muhammad Naseem.	-do-	C&W Division Karak.	i. Account. ii. Professional. iii. Survey. iv. Practical-II.	
121	96275	Mr. Muhammad Naz.	-do-	Bldgs: Divn: Haripur.	i. Account. ii. Professional. iii. Survey.	Absentee
122	96276	Mr. Muhammad Nisar.	Road Inspector.	Highway Divn: Mardan.	i. Account. ii. Professional. iii. Survey.	
123	96277	Mr. Muhammad Pervesh.	-do-	Highway Divn: Swat.	i. Account. ii. Professional. iii. Survey. iv. Practical-II.	Absentee
124	96278	Mr. Muhammad Rafiq.	S/Engr:	Bldgs: Divn: Swat.	i. Account. ii. Survey. iii. P-I & II.	Absentee
125	96279	Mr. Muhammad Razaq.	-do-	Highway Divn: Timergara.	i. Account. ii. Survey. iii. Practical-II.	
126	96280	Mr. Muhammad Sadiq.	Work Superv.	B.M. Divn: No. 2 Peshawar.	i. Account.	
127	96282	Mr. Muhammad Saeed.	S/Engr:	Bldgs: Divn: Manshara.	i. Account. ii. Professional. iii. Survey.	
128	96284	Mr. Muhammad Sayyar.	-do-	Highway Divn: Mardan.	i. Survey.	
129	96285	Mr. Muhammad Shafiq-II.	-do-	Bldgs: Divn: Timergara.	i. Practical-I.	
130	96290	Mr. Muhammad Tariq.	-do-	C&W Division Karak.	i. Account. ii. Survey.	

Sl: Roll No. No. Name. Designation. Office to which subjects in Remarks.

131.	96298	Mr. Muhammad Yaqoob-II	S/Engr	Bldgs: Dvtn:	1. Professional.
132.	96295	Mr. Muhammad Younis. Road	Inspector.	Hwy: Dvtn:	1. All absent
133.	96293	Mr. Muhammad Zulf. S/Engr	Plats: Dvtn:	1. Subjects.	
134.	96300	Mr. Mohibullah	Supervisor.	Dev: O&M Dvtn:	1. Account.
135.	96301	Mr. Mubarak Zeb.	Road Inspector.	Hwy: Dvtn:	1. All subjects.
136.	96302	Mr. Mukhtar Hussain.	S/Engr	Bldgs: Dvtn:	1. All subjects.
137.	96303	Mr. Mumtaz Ahmad.	S/Engr	Bldgs: Dvtn:	1. All subjects.
138.	96306	Mr. Mured Ali.	Work	B.M. Dvtn: No. 1.	1. Account.
139.	96307	Mr. Nura Khan.	Road Inspector.	Hwy: Dvtn:	1. All subjects.
140.	96308	Mr. Mushtaq Ahmad.	S/Engr	Bldgs: Dvtn:	1. All subjects.
141.	96310	Mr. Naveen Khan.	Articler.	Hwy: Dvtn:	1. All subjects.
142.	96312	Mr. Nasir Jamil.	Road Inspector.	O&M Dvtn:	1. All subjects.
143.	96316	Mr. Waved Ahmad.	Water Supt:	B.M. Dvtn: No. 2.	1. All subjects.
144.	96318	Mr. Hazim Ahmad.	S/Engr	Hwy: Dvtn:	1. Survey.
145.	96319	Mr. Nek Rehman.	Road Inspector.	O&M Dvtn:	1. All subjects.
146.	96320	Mr. Nekzada.	S/Engr	O&M Dvtn:	1. Account.
147.	96322	Mr. Niamatullah.	do	O&M Dvtn:	1. Practical-I.
148.	96324	Mr. Nigamal Haq.	do (E)	B.M. Dvtn: No. 2.	1. Account.
149.	96325	Mr. Nihar Gul.	do	O&M Dvtn:	1. All subjects.
150.	96328	Mr. Noor Afzal.	Road Inspector.	Hwy: Dvtn:	1. Professional.
151.	96329	Mr. Noor Rehman.	S/Engr	O&M Dvtn:	1. Survey.
152.	96330	Mr. Noor Rehman.	Road Inspector.	Hwy: Dvtn:	1. Account.
153.	96332	Mr. Nozeer Khan.	S/Engr	O&M Dvtn:	1. Survey.
154.	96334	Mr. Rafiq Ahmed.	do	Bldgs: Dvtn:	1. Account.
155.	96335	Mr. Rahim Khan.	Road Inspector.	Hwy: Dvtn:	1. Professional.

c/o 10/10

Roll No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remarks
186a	96336 Mr. Raj Muhammad.	Road Inspector.	Highway Divn: Kohat.	i. Account. ii. Professional. iii. Survey.	
187	96337 Mr. Pashid Ahmad.	-do-	Highway Divn: Charsadda.	i. All subjects.	Absentee
188	96339 Mr. Raza Muhammad.	Work Munshi.	Highway Divn: D.I.Khan.	i. All subjects.	
189	96340 Mr. Rehman Said.	S/Engr:	-do-	i. -do-	Absentee
180	96341 Mr. Roidar Alana.	-do-	C&W Divn: Bunil.	i. -do-	Absentee
181	96343 Mr. Ruhul Amin.	-do-	Bldgs: Divn: Abbottabad.	i. Account. ii. Professional.	
182	96345 Mr. Saboor Ahmad Shah.	Road Inspector.	Highway Divn: Kohat.	i. All subjects.	
183	96346 Mr. Sadiq Salim	S/Engr:	C&W Divn: Kohistan.	i. Professional.	
184b	96347 Mr. Sadiqullah Khan.	-do-	Dev: C&W Divn: Orakzai at. Hangu.	i. Account.	
185	96348 Mr. Saeed Ahmad.	Work Munshi.	Dev: C&W Divn: Parachinar.	i. All subjects.	
186	96349 Mr. Saeed Gul.	Road Inspector.	Highway Divn: Abbottabad.	i. -do-	Absentee
167	96351 Mr. Safinud Din.	-do-	Highway Divn: Mardan.	i. Professional. ii. Survey.	
168	96352 Mr. Said Hassan.	S/Engr:	Highway Divn: Timergara.	i. Account. ii. Practical-I.	
169	96354 Mr. Sajid Iqbal.	Road Inspector.	Highway Divn: Kohat.	i. All subjects.	Absentee
170	96356 Mr. Salim Khan-IIS	S/Engr:	Bldgs: Divn: Swat.	i. Professional.	
171	96357 Mr. Salimullah.	Road Inspector.	Highway Divn: D.I.Khan.	i. Account. ii. Professional. iii. Survey. iv. Practical-I.	
172	96358 Mr. Samiullah.	S/Engr:	Highway Divn: Kohat.	i. Account. ii. Survey.	
173	96359 Mr. Sanaulah.	Road Inspector.	Highway Divn: Swat.	i. Account. ii. Professional. iii. Survey. iv. Practical-I.	
174	96360 Mr. Sardar Bahadar.	Sub Engr:	B.M. Divn: No. 1, Peshawar.	i. Account. ii. Professional. iii. Survey.	
175	96361 Mr. Sardar Khan.	Road Inspector.	Dev: C&W Divn: Tank.	i. Account. ii. Professional. iii. Survey.	Absentee.
176	96362 Mr. Sardar Naeem Ahmad.	Sub Engr:	Highway Divn: Abbottabad.	i. Professional. ii. Survey.	
177	96364 Mr. Sarfarez Khan.	Work Taker.	Highway Divn: Swat.	i. All subjects.	Absentee.
178	96366 Mr. Sahdab Naeem.	Sub Engr:	Highway Divn: Mardan.	i. Account. ii. Professional. iii. Survey.	
179	96367 Mr. Shad Muhammad Khan.	-do-	Bldgs: Divn: Battagram.	i. Professional. ii. Survey.	
180	96369 Mr. Safqatullah.	-do-	Dev: C&W Divn: Tank.	i. All subjects.	

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remarks.
181.	96371	Mr. Shah Hussain.	Road Inspector	Dev. C&W Divn: Mohmand.	i. All subjects.	Absentee.
182.	96373	Mr. Shah Nawaz	Sub Engr: (E)	C&W Divn: Bunir.	i. Professional.	Absent.
183.	96374	Mr. Shah Room Bad Shah.	-do-	C&W Division Chitral.	i. Account. ii. Professional. iii. Survey. iv. Practical-I.	
184.	96377	Mr. Shakirullah.	Road Inspector.	Highway Divn: D.I.Khan.	i. All subjects.	Absentee.
185.	96380	Mr. Shamsul Haq.	-do-	Highway Divn: Timergara.	i. -do-	Absentee.
186.	96381	Mr. Shamsur Rehman.	Work Taker.	B.M.Divn: No.2, Peshawar.	i. Account. ii. Professional. iii. Survey.	
187.	96382	Mr. Shamsu Tabrez.	Road Inspector.	Highway Divn: Timergara.	i. Professional. ii. Survey. iii. Practical-II.	
188.	96385	Mr. Sher Afzal.	-do-	-do-	i. All subjects.	Absentee.
189.	96386	Mr. Sher Ali.	Sub Engr:	-do-	i. -do-	
190.	96388	Mr. Sikandar Javed.	Road Inspector.	Highway Divn: D.I.Khan.	i. Practical-I & II.	
191.	96391	Mian Tahir Shah.	-do-	Highway Divn: Mardan.	i. Account. ii. Professional. iii. Survey.	
192.	96392	Mr. Tajim Khan.	-do-	Highway Divn: Swat.	i. All subjects.	Absentee.
193.	96395	Mr. Tariq Hussain.	-do-	-do-	i. -do-	
194.	96396	Mr. Tariq Hussain Shah.	Sub Engr:	Bldgs: Divn: Battagram.	i. Account. ii. Professional. iii. Survey.	
195.	96397	Mr. Tariq Muhammad.	-do-	Bldgs. Divn: Swabi.	A. All subjects.	
196.	96398	Mr. Umer Sherin.	Road Inspector.	Highway Divn: Swat.	i. -do-	Absentee.
197.	96399	Mr. Wajidud Din.	-do-	Highway Divn: D.I.Khan.	i. -do-	Absentee.
198.	96400	Mr. Zabarast Khan.	Artificer.	B.M. Divn: No.1, Peshawar.	i. Professional. ii. Practical-I.	
199.	96401	Mr. Zafar Ali.	Sub Engr:	Bldgs: Divn: Swat.	i. All subjects.	Absentee.
200.	96403	Mr. Zahid Shah.	Road Inspector.	Highway Divn: Mardan.	i. -do-	Absentee.
201.	96404	Mr. Zahoor Ahmad.	Sub Engr:	Bldgs: Divn: Swat.	i. Account. ii. Professional. iii. Practical-I.	Absentee.
202.	96405	Mr. Zahoor Shah.	Road Inspector.	Highway Divn: Mardan.	i. All subjects.	Absentee.
203.	96406	Mr. Zaman Ahmad.	Sub Engr:	Bldgs: Divn: Swabi.	i. Survey.	
204.	96407	Mr. Zaman Khan.	-do-	Bldgs: Divn: Mardan.	i. Account. ii. Professional. iii. Survey.	Absentee.
205.	96408	Mr. Zaman Khan.	Road Inspector.	Dev. C&W Divn: Mardan.	i. Account. ii. Survey.	

Sl. No.	Roll No.	Name.	Designation.	Office to which attached.	Subjects in which failed.	Remarks.
206.	96409	Mr. Zewar Gul.	Sub Engr:	B.P.Divn:No.2, Peshawar.	i. Account. ii. Professional. iii. Survey.	Absentee
207.	96410	Mr. Ziaul Haq.	Road Inspector.	Highway Divn: Swat.	i. Pr: I&II.	Absentee
208.	96411	Mr. Zubairullah.	Sub Engr:	Bldgs: Divn: Nowshera.	i. All subjects.	Absentee
209.	96413	Mr. Malook Khan.	-do-	C&W Division Malakand.	i. Account. ii. Professional. iii. Pt: I & II.	
210.	96414	Mr. Nasir Ahmad.	Road Inspector.	Dev: C&W Divn: Khyber.	i. All subjects.	
211.	96417	Mr. Manzoor Elahi.	Sub Engr:	C&W Division Kohistan.	i. Professional.	
212.	96418	Mr. Zia Jan.	-do-	Bldgs: Divn: Charsadda.	i. Account. ii. Practical-I.	
213.	96420	Mr. Muhammad Arif-III.	-do- (M)	C&W Division Kohistan.	i. Professional.	
214.	96422	Mr. Tila Muhammad.	Work Supervisor.	B.M.Divn:No.1, Peshawar.	i. All subjects.	
215.	96423	Mr. Shah Tehmas.	S/Engr:	Mechanical Divn: Bannu.	i. Account. ii. Professional. iii. Survey.	
216.	96424	Mr. Bakhshi Badshah.	-do-	C&W Divn: Malakand.	i. Professional.	
217.	96425	Mr. Nadeem Ahmad Paracha.	-do- (M)	Dev: C&W Divn: Orakzai Hangu.	i. Professional.	
218.	96426	Mr. Alamgir.	Road Inspector.	C&W Division Malakand.	i. All Subjects.	
219.	96431	Mr. Abdul Hamid.	S/Engr:	-do-	i. Professional.	

M/S Anjad Ali (Roll No. 96135), Hamraz Khan (Roll No. 96189), Liaqat Ali (Roll No. 96232), Masihur Rehman (Roll No. 96238), Shah Faisal (Roll No. 96370) & Shahid Nawaz (Roll No. 96372) have failed. However being Graduate Sub Engineers they are exempt from passing Grade 'B' Departmental Examination. Their names have therefore been deleted from the result.

The name of Mr. Gul Malook Sub Engineer (Roll No. 96184) was included in the candidature list. He absented from the examination and as such failed. However, it has been found that he had passed Departmental Grade 'B' Examination on 17.11.1991 under Roll No. 460. Hence his name has been deleted.

Mr. Fazli Rabbi Tracer Highway Division Peshawar (Roll No. 96427) is not eligible to take the Departmental Grade 'B' Examination. Therefore his name has been deleted.

Copy to the:-

1. Secretary to Govt: of NWFP C&W Department, Peshawar.
2. All Chief Engineers in C&W Department, N.W.F.P.
3. All Superintending Engineers in C&W Department, N.W.F.P.
4. All Executive Engineers in C&W Department, N.W.F.P.
5. P.F. of the official concerned.

CHIEF ENGINEER

17/16
23/11/96

CHIEF ENGINEER

17/16
23/11/96



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

No.SO(FR)/FD/7-13/2017/6253
Dated Peshawar, the 07-03-2018

NOTIFICATION

NO.FD/SO(FR)7-13/2017/6253. In pursuance of recommendations of the upgradation committee and approval granted by Competent Authority, sanction is hereby accorded to the upgradation of the post of Sub-Engineers from BPS-11/12 to BPS-16 (one time) as personal to the incumbents having 10 years or more service at their credit in the same scale in all the Government Departments of Khyber Pakhtunkhwa, with immediate effect.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst No. & Date even.

Copy of the above is forwarded for information and necessary action to the:-

1. PS to Additional Chief Secretary, FATA.
2. All Administrative Secretaries Government of Khyber Pakhtunkhwa.
3. Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
4. Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. Registrar, Peshawar High Court, Peshawar.
10. Registrar, Service Tribunal Khyber Pakhtunkhwa.
11. The Treasury Officer, Peshawar.
12. All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
13. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar.
14. PS to Finance Secretary.
15. All Section Officers/Budget Officers in Finance Department.

SECTION OFFICER (FR)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

No.SO(FR)/FD/7-13/2017/6253
Dated Peshawar, the 07-03-2018

NOTIFICATION

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SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst No. & Date even.

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12. All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
13. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar.
14. PS to Finance Secretary.
15. All Section Officers/Budget Officers in Finance Department.


SECTION OFFICER (FR)

57

**To be substituted with this Department's
Notification of even number and date**



GOVT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 30, 2018

NOTIFICATION

No.SOE/C&WD/4-2/2018: Pursuant to Khyber Pakhtunkhwa Service Tribunal Judgment dated 02.03.2016 upheld by Supreme Court of Pakistan vide its order dated 13.02.2017 duly opined by Law Department and in consultation with the Departmental Promotion Committee, the Competent Authority has been pleased to grant Senior Scale/selection grade BS-16 in respect of the following Sub Engineers of C&W Department w.e.f. 04.09.2003 i.e. the date on which their juniors were awarded Senior Scale (BS-16) or from the dates they become qualify, whichever is latter, as per prevailing policy.

- | | | |
|----------------------------------|----------------------------|-----------------------|
| 1. Muhammad Zubair | 2. Muhammad Akram | 3. Irshad Ahmad |
| 4. Abdul Qayum | 5. Abdul Farooq | 6. Saeedullah |
| 7. Ghulam Qadar (rtd) | 8. Muhammad Idrees Alizai | 9. Khalid Naeem |
| 10. Syed Tariq Mehmood | 11. Muddasar Saghir (rtd) | 12. Zahir Gul (rtd) |
| 13. Muhammad Zaka Khan | 14. Muhammad Saeed | 15. Aurangzeb |
| 16. Daulat Khan (rtd) | 17. Naseem Ahmad | 18. Abdur Rahim (rtd) |
| 19. Sarfaraz Alam (rtd) | 20. Niaz Muhammad | 21. Riaz Ahmad (rtd) |
| 22. Zulfiqar Ahmad | 23. Syed Abdullāh Shah | 24. Yousaf Ali |
| 25. Syed Qasir Shah | 26. Syed Nawazish Ali Shah | 27. Abdul Qayum |
| 28. Muhammad Hamid Zia | 29. Mian Jehanzeb | 30. Zia-ud-Din |
| 31. Malik Arif Saeed | 32. Muhammad Shakeel Athar | 33. Said-ul-Ibrar |
| 34. Muhammad Khalil Noor | 35. Muhammad Shāfiq | 36. Fazal Mehmood |
| 37. Taj Muhammad (rtd) | 38. Sabit Khan (rtd) | 39. Liaqat Shah (rtd) |
| 40. Noor-ul-Basar | 41. Muhammad Javed | 42. Ghulam Rahim |
| 43. Lal Badshah (rtd) | 44. Inam-ul-Haq Babar | 45. Fazal Rehman |
| 46. Syed Azmat Ali Shah | 47. Saif-ur-Rehman | 48. Ajmal Khan |
| 49. Abdul Waheed | 50. Abdul Khalil | 51. Hassan Jan |
| 52. Roidar Muhammad | 53. Ejaz Rasood (died) | 54. Sibghatullah |
| 55. Muhammad Ghazanfarullah Khan | | |

2. The posts shall automatically stand downgraded to their original status as and when vacated by the present incumbents.

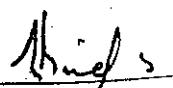
SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department


P.T.O

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Accountant General PR (sub office) Peshawar
3. Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department Peshawar.
4. Secretary to Govt of Khyber Pakhtunkhwa Finance Department Peshawar.
5. Secretary Admn, Infrastructure & Coord FATA, Sectt, Warsak Road, Peshawar.
6. Chief Engineer (North/Centre/CDO) C&W Peshawar
7. Chief Engineer (East) C&W Abbottabad
8. Chief Engineer (FATA) W&S Peshawar
9. Managing Director PKHA, Peshawar
10. All Superintending Engineers concerned.
11. Section Officer (FR) Finance Department, Peshawar
12. All Executive Engineers concerned.
13. Accounts Officer C&W Department, Peshawar
14. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
15. District Accounts Officers concerned.
16. Agency Accounts Officers concerned.
17. Officials concerned.
18. PS to Secretary C&W Department, Peshawar.
19. PA to Additional Secretary C&W Department, Peshawar.
20. PA to Deputy Secretary (Admn), C&W Department Peshawar.
21. Office order File/Personal File.


(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)


08/11/18