

Service Appeal No. 537/2020

ORDER


20.01.2023

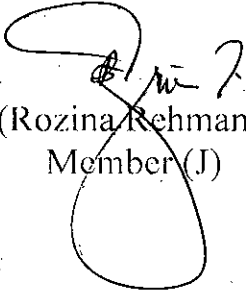
Learned counsel for the appellant present. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Vide our detailed judgment of today, placed on file of Service Appeal No. 534/2020 titled "Muhammad Naseem Vs. Government of Khyber Pakhtunkhwa" & others, the appeal in hand being devoid of merit stands dismissed. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED.

20.01.2023


(Iqtecha Paul)
Member (E)

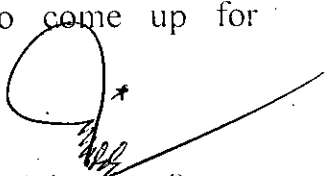

(Rozina Rehman)
Member (J)

25.11.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Pindakhel, Assistant Advocate General for official respondents present.

Learned Member Judicial Mr. Salah-ud-Din is on leave, therefore, bench is incomplete. Adjourned. To come up for arguments on 20.01.2023 before the D.B.

SCANNED
KPST
Peshawar



(Mian Muhammad)
Member (E)

16.09.2022

Appellant present through counsel.


Muhammad Adeel Butt, learned Additional Advocate General for official respondents present. Private respondent present through counsel.

File to come up alongwith connected Service Appeal No. 534/2020 titled "Naseem Khan Vs Government of Khyber Pakhtunkhwa" on 14.10.2022 for arguments before D.B.


(Rozina Rehman)
Member (J)

14th Oct., 2022

Because of strike of the Bar, this matter is adjourned to 25.10.2022. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.


(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman



01.07.2022

Learned counsel for the appellant present. Mr. Khalid Gohar, Director alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for official respondents No. 1 to 5 present. Learned counsel for private respondent No. 6 also present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned: To come up for arguments on 20.07.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

20.07.2022

Junior to counsel for appellant present.

Mr. Muhammad Riaz Khan Paindakhel, learned Assistant Advocate General alongwith Syed Bilawal Shah, Stenographer for official respondents No. 1 to 5 present. Respondent No. 6 present in person.

File to come up alongwith connected Service Appeal No.534/2020 titled "Naseem Khan Vs. Government of Khyber Pakhtunkhwa" on 16.09.2022 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

12.05.2022

Clerk to counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 5 present. Private respondent No. 6 in person present.

File to come up alongwith connected Service Appeal No. 534/2020 titled Naseem Khan Versus Government, before the D:B on 14.06.2022.



(Fareeha Paul)
Member (E)

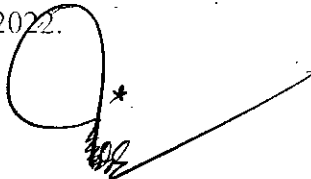


(Kalim Arshad Khan)
Chairman

14.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 5 present. Private respondent No. 6 in person present.

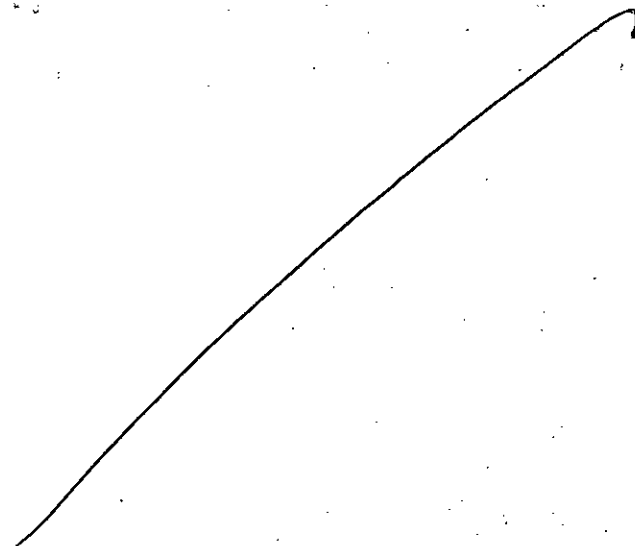
Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 01.07.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)



28/12/2021.

Due to winter vaccination the case is adjourned to 23/2/2022 for the same as before.


Reader

23.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 28.03.2022 for the same as before.


Reader

28.03.2022

Learned counsel for the appellant present.

Mr. Khalid Gohar Deputy Director Mr. Muhammad Rasheed Deputy District Attorney for official respondents No.1 to 5 present. Private respondent No.6 in person present.

Private respondent No.6 requested for adjournment on the ground that his counsel is busy in the august High Court. Adjoined. To come up for ~~arguments~~ on 12.05.2022 before the D.B.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)

26.08.2021

Mr. Noor Muhammad Khattak, Advocate for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Khalid Gohar, Deputy Director for official respondents and Mr. Muhammad Asif Yousafzai, Advocate for private respondent No.6 present.

Learned counsel for the appellant sought time for further preparation of arguments. Adjourned. To come up for arguments before the D.B on 10.09.2021.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

10.09.2021

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Khalid Gohar Deputy Director for respondents present.

Lawyers are on general strike, therefore, case is adjourned. To come up for arguments on 16.11.2021 before D.B.



(Rozina Rehman)
Member (J)

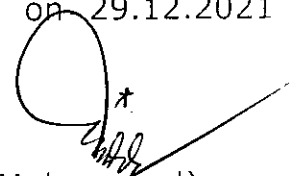


Chairman

16.11.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents present.

Learned Member Judicial Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 29.12.2021 before the D.B.



(Mian Muhammad)
Member (E)

29.06.2021

Appellant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Khalid Gohar Deputy Director for respondents present.

File to come up alongwith connected Service Appeal No.534/2020 titled Naseem Khan Vs. Government of Khyber Pakhtunkhwa, on 11.08.2021 before D.B.



(Rozina Rehman)
Member(J)



Chairman

11.08.2021

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Khalid Gohar Deputy Director for respondents present.

File to come up alongwith connected Service Appeal No. 534/2020 tilted Naseem Khan Vs. Government of Khyber Pakhtunkhwa, on 26.08.2021 before D.B.



(Rozina Rehman)
Member (J)



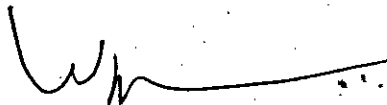
Chairman

10.03.2021

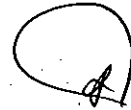
Junior to counsel for appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is indisposed. Adjourned. To come up for arguments on 31/05/2021 before D.B. In the meanwhile, the restraint order dated 10.06.2020 shall remain operative till the next date of hearing.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

31.05.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Khalid Gohar, Deputy Director alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 5 present. Mr. Sajeed Khan Afridi, Advocate, present and stated at the bar that he has been engaged by private respondent No. 6 in the instant appeal and Vakalatnama shall be submitted on the next date of hearing. In this respect he submitted memo of appearance, which is placed on Service Appeal bearing No. 535/2020 titled Noor Muhammad Versus The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others. Adjourned. To come up for submission of Vakalatnama on behalf of private respondent No. 6 and arguments before the D.B on 29.06.2021. In the meanwhile, the restraint order dated 10.06.2020 shall remain operative till the date fixed.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

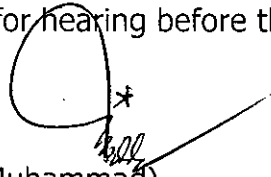


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

21.12.2020

Mr. Mir Zaman Safi, Advocate/counsel for the appellant, Addl. AG alongwith Khalid Gohar Khan Deputy Director for respondents present.

Former requests for adjournment as learned senior counsel for the appellant is not available today due to some private engagement. Adjourned to 25.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member(E)


Chairman

25.01.2021

Appellant alongwith counsel and Assistant Advocate General alongwith Khalid Gohar Director for official respondents and counsel for private respondent No.6 present.

At the very outset learned AAG stated that the point of competence of appeals involving the questions regarding challenging of Service Rules and jurisdiction of this Tribunal, for the purpose, have been decided by a Larger Bench. However, the copy of judgment has not yet been issued by the office. As similar points are agitated in the appeal in hand, he requests for adjournment in order to lay hands on the judgment of Larger Bench.

Adjourned to 10.03.2021 for arguments before D.B. In the meanwhile, the restraint order dated 1.06.2020 shall remain operative till next date of hearing.


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

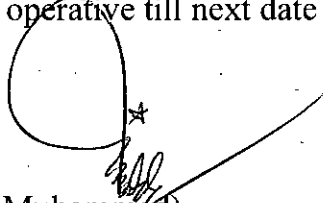

Chairman


15.10.2020

Counsel for the appellant Mr. Noor Muhammad Khatak, Advocate is present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Syed Bilawal Shah, Stenographer for official respondent No.5 and Mr. Sajeed Khan Afridi, Advocate for private respondent No.6 is present.

Learned counsel for private respondent No. 6 seeks adjournment as his co-counsel Mr. Asif Yousafzai was busy before the august High Court, Peshawar. Request is acceded to and the appeal is adjourned.

Adjourned to 11.11.2020 for arguments before D.B. In the meanwhile the restraint order dated 10.06.2020 shall remain operative till next date of hearing.

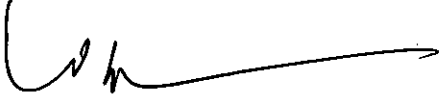

(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member(J)

11.11.2020

Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 21.12.2020 for hearing before the D.B.


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

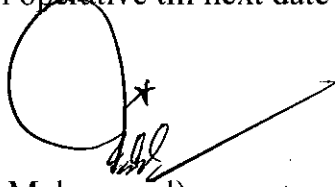

Chairman

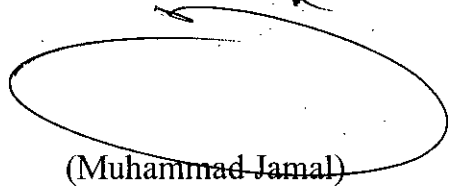
22.09.2020

Mr. Mir Zaman Safi, Advocate junior of Mr. Noor Muhammad Khattak, Advocate on behalf of the appellant is present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Khalid Gohar, Deputy Director for official respondents No. 1 to 3 and counsel for private respondent No.6 present.

Counsel for private respondent No.6 has submitted reply, the same is placed on file. Remaining respondents have already submitted their respective reply. Learned counsel for the appellant seeking time for arguments. Time allowed.

Adjourned to 15.10.2020 for arguments before D.B. In the meanwhile the restraint order dated 10.06.2020 shall remain operative till next date of hearing.


(Mian Muhammad)
Member (E)


(Muhammad Jamal)
Member(J)

10.07.2020

Counsel for appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Nabi Gul Superintendent for respondents present. Counsel for petitioner Jaffar Shah also present.

On the preceding date, an application was submitted for impleadment of one Jaffar Shah as respondent, which application was not objected to by the learned AAG as well as by the learned counsel for appellant. The application stands accepted and accordingly Jaffar Shah stands impleaded in the panel of respondents. Necessary correction be made in the memo of appeal as well as in the register with red ink. All the respondents are strictly directed to submit comments/written reply on 02.09.2020 before S.B.



Member (J)

02.09.2020

Counsel for the petitioners, Addl. AG alongwith Khalid Gohar, Deputy Director for respondents no. 1 to 5 and counsel for impleaded respondent No. 6 present.

Joint parawise comments on behalf of respondent No. 1 to 5 have been submitted which are made part of the record. Learned counsel for impleaded respondent No. 6, on the other hand, requests for time to furnish reply. May do so within 10 days. Similarly, the appellant shall be at liberty to submit rejoinder, if so advised, before next date of hearing. To come up for arguments on 22.09.2020 before D.B. The restraint order dated 10.06.2020 shall remain operative till next date of hearing.



Chairman

10.06.2020

Counsel for the appellant present.

Whether the judgment of August Supreme Court of Pakistan reported as 2015-SCMR-269 is applicable to the facts and circumstances contained in the instant appeal, more-so, when the amendment in service rules dated 18.0.2019 prima-facie appears to affect the terms and conditions of service of appellant, is a question which requires to be resolved in the appeal in hand.

The appeal is, therefore, admitted to regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 25.06.2020 before S.B.

Alongwith the appeal there is an application for restraining the respondents from acting upon the impugned notification dated 18.09.2019. It is stated at the bar that a meeting of Provincial Selection Board is scheduled in the instant week. Notice of application be also given to the respondents for the date fixed. In the meanwhile, promotions to the post of Deputy Director Soil Conservation, Deputy Directors Planning, Deputy Director Soil Survey and District Officer Soil Conservation from amongst the Field Assistant (BPS-09) shall not be finalized.

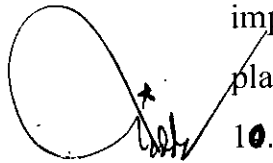
Amount Deposited
Security & Process Fee

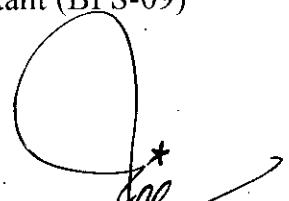



Chairman

25.06.2020

Counsel for the appellant present. Addl: AG for respondents present. Written reply not submitted. Requested for time to submit the same on the next date of hearing. Mr. M. Asif Yousaf Zai, Advocate filed application for impleadment of Mr. Jaffar Shah as respondent which is placed on file. To come up for written reply/comments on 10.07.2020 before S.B. In the meanwhile, promotion to the post of Deputy Director Soil Conservation, Deputy Directors Planning, Deputy Director Soil Survey and District Officer Soil Conservation from amongst the Field Assistant (BPS-09) shall not be finalized.




MEMBER

17.03.2020

Naseem Khan appellant in the connected service appeal present. Adjournment requested. Lawyers community is on strike on the call of Peshawar Bar Association.

It seems that in view of the judgment of the august Supreme Court of Pakistan reported in 2015 SCMR page 269, this Tribunal has got no jurisdiction to issue direction to the respondents for amendment/restoration of the appointment and promotion criteria as prayed for by the appellant.

Adjourned for preliminary hearing on 25.03.2020 before S.B as request for a short adjournment was made.


Member

25.03.2020

Due to public holiday on account of COVID, 19, the case is adjourned. To come up for the same on 17.06.2020.


Reader

08.06.2020

Junior to counsel for the appellant present. Requests for adjournment due to general strike of the Bar.


Adjourned to 10.06.2020 before S.B:


Chairman

26.02.2019

One of the issue involved in the present service appeal is that whether this Tribunal has got the jurisdiction to issue directions to the respondents for amendment/restoration of the appointment and promotion criteria as prayed by the appellant, in view of judgment of august Supreme Court of Pakistan reported in 2015 SCMR page 269.

Junior counsel to senior counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 05.03.2020 before S.B



Member

09.03.2020

Appellant absent. Learned counsel for the appellant absent. Adjourn. To come up on 22.04.2020 before S.B. Appellant be put to notice for the date fixed.



Member

11.03.2020

Learned counsel for the appellant present.

It seems that in view of the judgment of the august Supreme Court of Pakistan reported in 2015 SCMR page 269, this Tribunal has got no jurisdiction to issue direction to the respondents for amendment/restoration of the appointment and promotion criteria as prayed for by the appellant.

Adjourned for preliminary arguments for 17.03.2020, at the request of learned counsel for the appellant, before S.B.



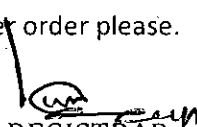
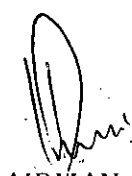
Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 544 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/01/2020	<p>The appeal of Mr. Muhammad Amir presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/01/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 537 /2020


SAMI ULLAH
VS
GOVT. OF KP & OTHERS

INDEX

S. NO	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal along with stay application	-----	1 - 6.
2	Appointment Notification	A	7 -8.
3	Notification dated 18.4.2018	B	9 - 12.
4	Notifications	C	13 - 15.
5	Impugned notification	D	16 - 17.
6	Service structure	E	18 - 27.
7	Departmental appeal	F	28 - 29.
8	Memo of writ petition	G	30 - 34.
9	Vakalat Nama	-----	35.

APPELLANT

Through:


NOOR MOHAMMAD KHATTAK,
ADVOCATE
ROOM NO. 3, UPPER FLOOR,
NEW ISLAMIA CLUB BUILDING,
KHYBER BAZAR, PESHAWAR CITY
0345-9383141

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

APPEAL NO. 537 /2020

Khyber Pakhtunkhwa
Service Tribunal

Entry No. 673

Mr. Sajidullah, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Dir Upper.

Dated: 22/1/2020

..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Establishment Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 4- The Secretary Live Stock & Co-Operative Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Director General Soil & Water Conservation Department, Khyber Pakhtunkhwa, Peshawar.

plotted 6. Mr. Jaffer Shah, Soil Conservation Assistant, BPS-17. **RESPONDENTS**
C/O District Officer, Soil & Water Conservation, Peshawar.

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 18.9.2019 WHEREBY THE 100% PROMOTION QUOTA RESERVED FOR THE CADRE OF THE APPELLANT HAS BEEN REDUCED TO 75% AND AS SUCH THE REST OF 25% HAS BEEN ALLOCATED TO THE CADRE OF FIELD ASSISTANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

Filed to-day
Registrar

22/01/20

PRAYER:

That on acceptance of this appeal the impugned Notification dated 18.9.2019 may kindly be declared as Ultra Vires, illegal, unconstitutional and ineffective upon the rights of the appellant. That the respondents may kindly be directed to restored the 100% promotion quota of the appellant to the posts of Deputy Directors Soil Conservation, Deputy Director Planning, Deputy Director Soil Survey and District Officers Soil Conservation (BPS-18) and as such the appellant may kindly be considered for promotion to the higher scale of BPS-18. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH:
ON FACTS:

- 1- That appellant was appointed as Soil Conservation Assistants (BPS-17) vide Notification dated 7.9.2018 through proper recommendations of the Khyber Pakhtunkhwa Public Service Commission, Peshawar. Copy of appointment Notification is attached as annexure **A.**
- 2- That appellant since from the date of appointment till date is serving the respondent department quite efficiently, whole heartedly and up to the entire satisfaction of his superiors.
- 3- That the respondent Department issued Notification dated 18-04-2018 whereby proper service structure for the employees of the respondent Department has been approved/ notified and according to the said service structure the employees of respondent Department have been categorized in twenty Five (25) different cadres for the purposes of seniority and their prospects of promotions. Copy of Notification is attached as annexure **B.**
- 4- That, in the above mentioned notified service rules/structure the posts of Deputy Directors Soil Conservation, Deputy Director Planning, Deputy Director Soil survey and District Officers Soil Conservation shown at Serial No.3 of the appendix has been given the method of recruitment under Column No.5 which is as under:
“by promotion on the basis of seniority-cum-fitness from amongst the Assistant Directors (planning Supervisory), Soil Conservation assistants, Soil Conservation assistants (Technical), Soil survey Research Officer and Assistant Soil Survey Research Officer having five years service as such with minimum qualification as prescribed in column No.2, against serial No.4 of the said Notification through joint seniority list”. Copy of the Notification is attached as annexure C.
- 5- That according to the above mentioned service rules employees belonging to the said mentioned cadres were promoted from time to time on the basis of joint seniority lists.
- 6- That unfortunately vide impugned Notification dated 18.9.2019 the 100% promotion quota reserved for the

appellant has been reduce to 75% and as such the rest of 25% has been allocated to the cadre of Field Assistant which would certainly affect the seniority and promotion of the appellant and the other cadres to BPS-18 because according to the mentioned rules a Field assistant (BPS-9) with a diploma course of three years after metric will be promoted to BPS-18 and run the DDO office without a specialized degree will not validate the running of post of purely technical in nature and supervising over post Graduates and PhD Degree holders. Copy of the impugned Notification is attached as annexure **D.**

7- That the amendment in service rules will also pave way for awarding charge of the DDO post to incapable Field assistants in own pay and scale. That a simple bachelor degree holder will hold the post of Director/ District Officer Soil & water Conservation (BPS-18) without any relevant field/professional degree. Copies of the service structures are attached as annexure **E.**

8- That feeling aggrieved from the Vires of the impugned notification/service structure dated 18-09-2018 the appellant filed Departmental Appeal/Representation before the competent authority i.e. respondent No.1 on which no response have so far been received. That so much so after filing the said Departmental appeals the respondent No.5 starts pressurizing the appellant on one way or on the other. Copies of Departmental Appeal and other related documents are attached as annexure **F and G.**

9- That the appellant and his colleagues feeling aggrieved from the inaction of the respondents by not deciding the departmental appeal of the appellant and his colleagues and having the apprehension regarding promotion of the other cadre, knocked the door of Peshawar High Court but during the pendency of the said writ petition the statutory period of ninety days has been elapsed. Copy of the writ petition is attached as annexure **H.**

10- That, appellant having no other adequate remedy but to file the instant writ petition on the following grounds amongst the others.

GROUND:

A- That the impugned notification/service Rules issued vide dated 18-09-2019 is Ultra Vires, facts, law, norms of

natural justice and materials on the record hence not tenable and liable to be modified/amended.

- B-** That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C-** That the treatment meted out to the appellant is a clear violation of the Fundamental Rights of the appellant as enshrined in the Constitution of Pakistan 1973.
- D-** That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- E-** That the impugned Notification dated 18.9.2019 due to which the promotion quota of the appellant has been reduced to 75% and as such the rest of 25% has been allocated to the cadre of Field Assistant is not tenable under the law and rules and would certainly affect the seniority and promotion of the appellant and the other cadres to BPS-18 because according to the mentioned rules a Field assistant (BPS-9) with a diploma course of three years after metric will be promoted to BPS-18 and run the DDO office without a specialized degree will not validate the running of post of purely technical in nature and supervising over post Graduates and PhD Degree holders.
- F-** That according to Article-38 (e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earnings of individuals including persons in the services of the Federation. That in light of the mentioned Article the appellant is on strong footing.
- G-** That the respondents acted in arbitrary and malafide manner while issuing the impugned Notification dated 18.9.2019.
- H-** That the amendment in service rules will also pave way for awarding charge of the DDO post to incapable Filed assistants in own pay and scale. That a simple bachelor degree holder will hold the post of Director/ District Officer Soil & water Conservation (BPS-18) without any relevant field/professional degree.

- I-** That the impugned Notification dated 18.9.2019 of the respondent department is violative Section-9 of the Civil Servant Act, 1973 read with Rule-7 of the Appointment, Promotion and Transfer Rules, 1989.
- J-** That the petitioner seeks permission to advance other grounds and proofs at the time of hearing.


It is therefore most humbly prayed that the appeal of the appellant may kindly be accepted as prayed for.

Dated: 20.01.2020

APPELLANT


SAMI ULLAH

Through:


NOOR MOHAMMAD KHATTAK
Advocate, High Court,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M. NO. _____/2020

IN

APPEAL NO. _____/2020

SAMI ULLAH

VS

GOVT: OF KPK & OTHERS

APPLICATION FOR RESTRAINING THE RESPONDENTS
NOT TO ACT UPON THE IMPUGNED NOTIFICATION
DATED 18.9.2019 TILL THE DISPOSAL OF THE ISNATNT
SERVICE APPEAL

R.SHEWETH:

1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
2. That, appellant filed the above mentioned service appeal against the impugned Notification dated 18.9.2019 whereby the 100% promotion quota reserved for the cadre of the appellant has been reduced to 75% and as such the rest of 25% has been allocated to the cadre of field assistant.
3. That, all the three ingredients required for grant of stay are in favor of the appellant.
4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to act upon on the impugned Notification dated 18.9.2019 till the disposal of the instant service appeal.

APPELLANT

Sami Ullah
SAMI ULLAH

THROUGH:

Noor Mohammad Khattak
NOOR MOHAMMAD KHATTAK

ADVOCATE,

High Court Peshawar

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT
DATED Peshawar the September 7, 2018

NOTIFICATION

NO. SOE(AA)9-5/2015/SC: - On recommendation of the Khyber Pakhtunkhwa Public Service Commission, the competent authority is pleased to appointed the following candidate as Soil Conservation Assistant in BS-17 (rs. 30370-2300-76370) (plus Usual allowances as admissible under the rules) in the Soil and Water Conservation Wing of Agriculture Department on regular basis with immediate effect on the terms and condition mentioned below:-

1. Bilal Ahmad s/o Nadir Khan, Village & P.O Mandani tehsil Tangi District Charsadda.
2. Naseem Khan s/o Zarbab Khan, Village Warmando Mela, Tehsil Jamrud, Khyber Agency
3. Mrl.; Sajjad Hussain s/o Muhammad Haroon, Village & PO Gufrah, Tehsil Matta, District Swat.
4. Mr. Aqib Nouman s/o Gul Hassan Khan, village & P.O. Sarat Khel, Tehsil & District Karak.
5. Ayesha Riaz d/o Muhammad Riaz, Mohallah Babgar Coloy Garhi, Habibullah Tehsil Balakot, District Mansehra.
6. Noor Muhammad Khan s/o Hazrat Ullah Khan, village Penowrai P.O. Dardyal, Tehsil Kabal District Swat.
7. Sami ullah s/o Khyali Gul, House No. 235, Mohallah Zargarabad, Yakatoot, Peshawar.
8. Abdullah Khan S/o Saddiq Ullah, Station Koroon P.O Serdheri, Tehsil and District Charsadda.
9. Umar rehman s/o Rozi Bakhtan, Village Lilownai P.O Lilownai, Tehsil Alpurai, District Shangla.
10. Naveed Hashim s/o Muhammad Hashim, Starzay, Shah Savray, P.O Pashat SRO Wana, Tehsil Salarzy, District Bajaur Agency.
11. Asad Ullah s/o Hamza Khan Village Shami Khel, P.O Mian Mandi Tehsil Haleemzay, District Mohmand Agency.
12. Muhammad Amir Alam s/o Muhammad alam, Mohallah Khalid Latif, Canal Road, Bjili Ghar, Mardan.

TERMS & CONDITIONS:

- i. Their services will be consider regular and are entitre of General provident Fund in such a manner and at such rates as may be prescribed by the Government under Khyber Pakhtunkhwa Civil Servant (Amendments) Act, 2013.
- ii. Their Services will be liable for termination on one month's notice from either side. In case of resignation without notice, their two month's pay/allowance shall be refunded to Government.
- iii. They will be on-probation for a period of one year extendable for another one year.
- iv. They will be governed under such rules and regulations as may be issued from time to time by the Government.
- v. Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period. In case of misconduct, they will be proceeded against the Khyber Pakhtunkhwa Government Servants. (E&D) Rules, 2011 and the Rules framed there under from time to time.
- vi. No TA/DA will be allowed to the appointees for joining their duty.
- vii. If they accepts the post on these conditions, they should report to the Directorate General, Soil and Water Conservation, Khyber Pakhtunkhwa within thirty (30) days of the issuance of this notification.
- viii. A copy of Charge report be submitted to this office for record.



Peshawar, the September 7, 2015

A-7
[Handwritten signature]

NOTIFICATION

NO. SOE(AD)9-5/2015/SC:-

On recommendation of the Khyber Pakhtunkhwa Public Service Commission, the Competent Authority is pleased to appoint the following candidates as Soil Conservation Assistant in BS-17 (Rs 30370-23000-76370) (plus usual allowances as admissible under the rules) in the Soil and Water Conservation Wing of Agriculture Department on regular basis with immediate effect on the terms and condition mentioned below:-

1. Bilal Ahmad S/O Nadir Khan, Village & P/O Mandani Tehsil Tangi District Charsadda.
2. Naseem Khan S/o Zarbab Khan, Village Warmando Mela, Tehsil Jamrud, Khyber Agency
3. Mr. Sajjad Hussain S/o Muhammad Haroon, village & PO Currah, Tehsil Matta, District Swat.
4. Mr. Aqib Nouman S/o Gul Hassan Khan, Village & Post Office Sarat Khel, Tehsil and District Karak.
5. Ayesha Riaz, D/O Muhammad Riaz, Mohallah Babar Colony Garhi Habibullah Tehsil Balakot, District Manshera.
6. Noor Muhammad Khan S/o Hazrat Ullah Khan, Village Penosrai P.O Dardyal, Tehsil Kubal District Swat.
7. Sami Ullah S/o Khyali Gul, House No. 2357, Mohallah Zargorabad, Yakatoot, Peshawar.
8. Abdullar Khan S/o Saadiq Ullah, Station Korooni P/O Sardhen, Tehsil and District Charsadda.
9. Umar Rannan S/o Rozi Bakhtan, Village Lilownai P/O Lilownai Tehsil Alporai, District Shangla.
10. Naveed Hashim S/o Muhammad Hashim, Salarzay, Shah Saryay, P/O Pashar SRO Wana, Tehsil Salarzy, District Bajaur Agency.
11. Ahsan Ullah S/o Hamza Khan, Village Shami Khel, P/O Aman Mandi, Tehsil Haleemzay, District Mohmand Agency.
12. Muhammad Amir Alam S/o Muhammad Alam, Mohalla Khalid Ugr Canal Road, Bijli Char, Mardan.

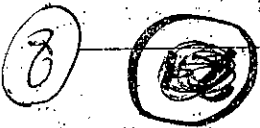
TERMS AND CONDITIONS.

- i. Their services will be considered regular and are entitled to General Provident fund in such a manner and at such rates as may be prescribed by the Government under Khyber Pakhtunkhwa Civil Servants (Amendments) Act, 2013.
- ii. Their services will be liable for termination on one month's notice from either side. In case of resignation without notice, their two month's pay/allowance shall be refunded to Government.
- iii. They will be on probation for a period of one year extendable for another one year.
- iv. They will be governed under such rules and regulations as may be issued from time to time by the Government.
- v. Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period. In case of misconduct, they will be proceeded against the Khyber Pakhtunkhwa Government Servants (E.R.D) Rules, 2011 and the Rules framed there under from time to time.
- vi. No TA/DA will be allowed to the appointees for joining their duty.
- vii. If they accept the post on these conditions, they should report to the Directorate General, Soil and Water Conservation, Khyber Pakhtunkhwa within thirty (30) days of the issuance of this notification.
- viii. A copy of Charge report be submitted to this office for record.

[Handwritten signature]

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT

BETTER COPY OF PAGE:



S No	Name of Candidates	Place of Posting
1	Mr. Bilal Ahmad s/o Nadir Khan	Assistant Soil Survey Research Officer (BPS-17) in the office of Director General Soil and Water Conservation Khyber Pakhtunkhwa Peshawar
2	Naseem Khan s/o Zarab Khan	Assistant Director Planning (BPS-17) in the office of the Director General Soil and Water Conservation Khyber Pakhtunkhwa Peshawar
3	Mr. Sajjad Hussain s/o Muhammad Haroon	Soil Conservation Assistant BPS-17 in the office of District Officer Soil Conservation Karakoram
4	Mr. Aqib Nouman s/o Gul Hassan Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Karakoram
5	Miss Ayesha Riaz d/o Muhammad Riaz	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Mansehra
6	Mr. Noor Muhammad s/o Hazrat Ullah Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Bannu
7	Mr. Saqir Ullah s/o Khayali Gul	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Dir Upper
8	Mr. Abdullah Khan s/o Saddiq Ullah	Soil Conservation Assistant (BPS-17) in the office of Director General Soil and Water Conservation Khyber Pakhtunkhwa, Peshawar
9	Mr. Umar Rehman s/o Rozi Bakhtan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Shangla
10	Mr. Naveed Hashim s/o Muhammad Hashim	Soil Conservation Assistant (BPS-17) in the office of Director General Soil and Water Conservation Khyber Pakhtunkhwa, Peshawar
11	Mr. Asad Ullah s/o Hamza Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Dir Lower
12	Mr. Muhammad Amir Alam s/o Muhammad Alam	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Swat

SD/-XX

Secretary Agriculture

Endt. Of even No. & Date

Copy forwarded for information and necessary action to:-

1. The Accountant general, Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, PR Sub office, Peshawar.
3. The District Accounts Officer concerned
4. The Director General, soil and water conservation, Khyber Pakhtunkhwa, Peshawar.
5. The Manager, Government Printing Press, Khyber Pakhtunkhwa, Peshawar.
6. PS to Minister for Agriculture, Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar.
7. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
8. The Web Admin/GIS, Agriculture Department for uploading on the official website of Agriculture Department
9. PS to Secretary Agriculture Khyber Pakhtunkhwa, Peshawar.
10. PA to DS (Admn), Agriculture Department.
11. Officers concerned.
12. Personal File.
13. Master File

Manzoor Ahmad Afridi

Handwritten mark at the top of the page.



(10) (8)

2. On their appointment, they are hereby posted/adjusted as follow:-

S. No.	Name of Candidates	Place of Posting
1.	Mr. Bilal Ahmad S/O Nadir Khan	Assistant Soil Survey Research Officer (BPS-17) in the office of Director General Soil and Water Conservation Khyber Pakhtunkhwa, Peshawar.
2.	Naseem Khan S/O Zarbab Khan	Assistant Director Planning (BPS-17) in the office of Director General Soil And Water Conservation Khyber Pakhtunkhwa, Peshawar.
3.	Mr. Sujud Hussain S/O Muhammad Haroon	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Swat.
4.	Mr. Aqib Nouman S/O Gul Hassan Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Karak.
5.	Miss. Ayesha Riaz D/O Muhammad Riaz	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Mansehra.
6.	Mr. Noor Muhammad S/O Hazrat Ullah Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Buner.
7.	Mr. Sami Ullah S/O Khayali Gul	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Dir Upper.
8.	Mr. Abdullah Khan S/O Saddiq Ullah	Soil Conservation Assistant (BPS-17) in the office of Director General Soil And Water Conservation Khyber Pakhtunkhwa, Peshawar.
9.	Mr. Umar Rehman S/O Rozi Bakhtan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Shangla.
10.	Mr. Naveed Hashim S/O Muhammad Hashim	Soil Conservation Assistant Technical (BPS-17) in the office of Director General Soil And Water Conservation Khyber Pakhtunkhwa, Peshawar.
11.	Mr. Asad Ullah S/O Hamza Khan	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Dir Lower.
12.	Mr. Muhammad Amir Alam S/O Muhammad Alam	Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Swabi.

Sd/-XXX
 SECRETARY AGRICULTURE

Endst. of even No. & Date.

Copy forwarded for information and necessary action to:-

1. The Accountant General, Khyber Pakhtunkhwa Peshawar.
2. The Accountant General PR Sub Office, Peshawar.
3. The District Accounts Officers concerned.
4. The Director General Soil and Water Conservation, Khyber Pakhtunkhwa, Peshawar.
5. The Manager, Government Printing Press, Khyber Pakhtunkhwa Peshawar.
6. PS to Minister for Agriculture, Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar.
7. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
8. The Web Admin / GIS, Agriculture Department for uploading on the official website of Agriculture Department.
9. PS to Secretary Agriculture, Khyber Pakhtunkhwa, Peshawar.
10. PA to DS (Admin), Agriculture Department.
11. Officers concerned.
12. Personal files.
13. Master File.

(MANZOOR AHMAD AFRIDI)
 SECRETARY AGRICULTURE

Handwritten initials and marks on the left side of the page.

Handwritten mark at the bottom center of the page.



**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURAL LIVESTOCK AND
COOPERATION DEPARTMENT**

B-9

NOTIFICATION

Peshawar, dated the 18th April, 2018

No. SOE(AD)II(2)429/2015-16/SC: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules, 1989 and in supersession of all previous Notifications issued in this behalf, the Agriculture, Livestock and Co-operation Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment qualification and other conditions specified in column No.3 to 5 of the Appendix appended to this Notification, which shall be applicable to the posts mentioned in column No.2 of the said Appendix in the Directorate of Soil Conservation.

**APPENDIX
PART-I
PROFESSIONAL STAFF**

S. No	Nomenclature of the post.	Minimum qualification for appointment by Initial recruitment.	Age Limit.	Method of Recruitment.
1	2	3	4	5
1.	Director General.	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Directors Soil Conservation and Directors Soil Survey with at least five years' service as such in BPS-19 or seventeen years' service in BPS-17 and above, having undergone Senior Management Course. Note: A joined seniority list of Director Soil Conservation and Director Soil Survey shall be maintained for the purpose of promotion.
2.	Director Soil Conservation/ Director Soil Survey.	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Directors Soil Conservation, Deputy Directors (Planning), Deputy Directors Soil Survey and District Officers Soil Conservation, having seven years' service in BPS-18 or twelve years' service in BPS-17 and above. Note: A joined seniority list of Deputy Directors Soil Conservation, Deputy Directors (Planning), Deputy Directors Soil Survey and District Officers Soil Conservation, shall be maintained for the purpose of promotion.
3.	Deputy Directors Soil Conservation, Deputy Directors Planning, Deputy Directors Soil Survey/ District Officers Soil Conservation.	--	--	By Promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Directors (Planning Supervisory), Soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Survey Research Officer and Assistant Soil Survey Research Officer having five years' service as such, with minimum qualification, as prescribed in column No. 2, against serial No.4 of this Notification. Note: A joined seniority list of Assistant Directors (Planning Supervisory), Soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Survey Research Officer and Assistant Soil Survey Research Officer shall be maintained for the purpose of promotion.

4.	Assistant Director (Planning Supervisory)/ Soil Conservation Assistant, Soil Conservation Assistant (Technical). <i>BPS-17</i>	(i) At least Second Class Master's Degree in Agriculture (Soil Sciences) or Second Class Bachelor's (Hons) Degree in Agriculture with (Soil Sciences) as major subject from a recognized University; or (ii) at least Second Class Bachelor's Degree in Agricultural Engineering from a recognized University.	21 to 32 Years.	(a) Twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Field Supervisors, having five years' service as such or twenty years' total service as Field Assistant and above; (b) seventy five percent by initial recruitment.
5.	Soil Survey Research Officer/ Assistant Soil Survey Research Officer.	At least Second Class Master's Degree in Agriculture (Soil Sciences) or Bachelor's (Hons) Degree in Agriculture with (Soil Sciences) as major subject from a recognized University.	21 to 32 years.	By initial recruitment.
6.	GIS Analyst.	At least Second Class Master's Degree in Geography or equivalent qualification from a recognized university with one year post Graduate Diploma in Geographic Information System, Remote Sensing from a recognized institute. <i>Note:</i> Experience in Global Positioning System, Data collection and Google Earth will be preferred and computer proficiency is mandatory.	21 to 32 years.	By initial recruitment.
7.	Field Supervisor. <i>BPS-16</i>		--	By promotion, on the basis of seniority-cum-fitness, from amongst the Soil Conservation Inspectors having three years' service as such or fifteen years' total service as Soil Conservation Inspectors and Field Assistants.
8.	Soil Conservation Inspector. <i>BPS-11</i>		--	By promotion, on the basis of seniority-cum-fitness, from amongst the Field Assistants having seven years' service as such with three years Diploma of Field Assistant or two years Field Assistant Training Course supplemented with six months condensed course for Field Assistants from a recognized Agriculture Training Institute.
9.	Field Assistant. <i>BPS-9</i>	(i) At least Second Class Secondary School Certificate with (Science) from a recognized Board; and (ii) three years Diploma of Field Assistant from a recognized Agricultural Training Institute.	20 to 32 years.	By initial recruitment.

[Handwritten signatures and marks]

PART-II

MINISTERIAL STAFF

(11)

10.	Assistant Account Officer.	--	--	By Promotion, on the basis of seniority-cum-fitness, from amongst the Administrative Officers and Superintendents.
11.	Administrative Officer.	--	--	By Transfer, from amongst the Superintendents.
12.	Superintendent.	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants and Senior Scale Stenographers, with at least five years' service as such. Note:- For the purpose of promotion, a joined seniority list of the Assistants and Senior Scale Stenographers shall be maintained.
13.	Senior Scale Stenographer.	(i) At least Second Class Bachelor's Degree, from a recognized University; (ii) a speed of Seventy words per minute in shorthand in English and forty-five words per minute in typing; and (iii) knowledge of computer in using MS Words, and MS Excel.	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers, with at least five years' service' as such; Provided that if no suitable Stenographer is available for promotion, then by initial recruitment;
14.	Assistant.	At least Second Class Bachelor's Degree, from a recognized University.	20 to 32 years.	(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least five years' service as Junior and Senior Clerks; and (b) twenty five percent by initial recruitment;
15.	Computer Operator.	(i) At least Second Class Bachelor's Degree in Computer Science or Information Technology (BCS /BIT four years) or equivalent qualification from a recognized university; or (ii) at least Second Class Bachelor's Degree, from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	21 to 32 years.	By initial recruitment.
16.	Stenographer.	(i) At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board; (ii) a Speed of fifty words per minute in short hand in English and thirty-five words per minute in typing; and (iii) knowledge of computer in using MS-Word, MS-Excel.	18 to 32 years.	By Initial recruitment.
17.	Senior Clerk.	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with at least two years' service as such.

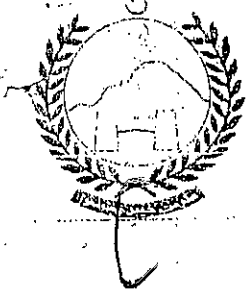
18.	Junior Clerk.	(i) At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) a speed of thirty words per minute in typing.	18 to 30 years.	(a) Thirty three percent by promotion, on basis of seniority-cum-fitness from amongst the Naib Qasid, Chowkidar and Sweeper with two year service as such, who have passed Secondary School Certificate from recognized Board; and (b) sixty-seven percent by initial recruitment. Note: For the purpose of promotion, there shall be maintained a joined seniority list of the officials i.e Naib Qasid, Chowkidar and Sweeper with reference to the dates of their acquiring the Secondary School Certificate: Provided that:- (a) If two or more officials having acquired the Secondary School Certificate in the same session, the inter-se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; and (b) where a senior official does not possess the requisite qualification at the time of filling of the vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.
19.	Driver.	Literate having valid LTV driving license. Preference shall be given to those who have sufficient experience in driving, repairing and maintenance of vehicles.	18 to 32 years.	By initial recruitment.
20.	Tracer.	At least Second Class Secondary School Certificate with (Science) from a recognized Board.	18 to 32 years.	By initial recruitment.
21.	Khlasi.	Literate.	18 to 40 years.	By initial recruitment.
22.	Field Watcher.	Literate.	18 to 40 years.	By initial recruitment.
23.	Naib Qasid.	Literate.	18 to 40 years.	By initial recruitment.
24.	Chowkidar.	Literate having sound physique.	18 to 40 years.	By initial recruitment.
25.	Sweeper.	Literate.	18 to 40 years.	By initial recruitment.

SD/-
SECRETARY AGRICULTURE

Copy forwarded for information and necessary action to :-

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Director General, Soil Conservation, Khyber Pakhtunkhwa.
6. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
7. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
8. P.S to Secretary Agriculture.
9. P.A to Deputy Secretary-Admn: Agriculture Department.

(MANZOOR AHMAD AFRIDI)
SECTION OFFICER-ESTT



KP - Agri. Engineering

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

Peshawar, dated the July 16, 2019

TO
C-13

NOTIFICATION

No. SOE(AD)II(2)429/2015-16/Engg:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf of the technical and ministerial staff to the extent of Agricultural Engineering Wing, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in Column No. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts mentioned in Column No. 2 of the said Appendix born in the Directorate of Agriculture Engineering of the Agriculture, Livestock and Cooperation Department.

APPENDIX

TECHNICAL STAFF

S. no.	Nomenclature of the Post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1	2	3	4	5
1.	Director, Agricultural Engineering (BPS-19).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Agricultural Engineers, Deputy Directors Agricultural Engineering, Deputy Directors (Planning) with at least twelve years service in (BPS-17) and above.
2.	Agricultural Engineer, Deputy Director Agricultural Engineering, Deputy Director (Planning) (BPS-18).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Agricultural Engineers, Assistant Directors Planning with at least five years service as such.
3.	Assistant Agricultural Engineer, Assistant Director Planning (BPS-17).	At least Second Class Bachelor of Science (B.Sc) Degree in Agricultural Engineering from a recognized University.	24-32 years.	(a) Thirty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Unit Supervisors having Bachelor of Science (B.Sc) Degree in Agricultural Engineering with at least three years service as such and have passed the departmental examination, if any.

16/7/19

4

4.	Store Officer (BPS-16).			<p>Provided that if no suitable person is available for promotion, then by initial recruitment; and</p> <p>(b) seventy percent by initial recruitment.</p> <p>By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Store Keepers, with at least five years service as such or ten years service as Senior Store Keeper and Junior Store Keeper and have passed the departmental examination, if any.</p> <p>By promotion, on the basis of seniority-cum-fitness, from amongst the Unit Supervisors, having at least Second Class Diploma of Associate Engineer in Mechanical or Automobile Technology with five years service as such and have passed the departmental examination, if any.</p>
5.	Senior Supervisor (BPS-16).			
6.	Unit Supervisor (BPS-12).	<p>(a) At least Second Class Diploma of Associate Engineer in Mechanical or Automobile Technology from a recognized Board of Technical Education; or</p> <p>(b) at least Second Class Degree in Agricultural Engineering from a recognized University.</p>	18-32 years.	<p>(a) Twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Mechanics having Second Class Diploma of Associate Engineer in Mechanical or Automobile Technology from a recognized Board of Technical Education with five years service as such and have passed the departmental examination, if any.</p> <p>Provided that if no suitable person available for promotion, then by initial recruitment; and</p> <p>(b) seventy five percent by initial recruitment.</p> <p>Note: A separate seniority list of Mechanics having Diploma of Associate Engineer in Mechanical or Automobile Technology shall be maintained for the purpose of promotion.</p> <p>By promotion, on the basis of seniority-cum-fitness, from amongst the non Diploma</p>
7.	Foreman (BPS-12).			

(14)

~~15~~

18/7/19

4

			holders in Mechanics with five years service as such.
			Note: A separate seniority list of non Diploma holder in Mechanics shall be maintained for the purpose of promotion, if any.
8.	Power Driller (BPS-12).		By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Power Drillers with at least three years service as such.
9.	Assistant Power Driller (BPS-08).		By promotion, on the basis of seniority-cum-fitness, from amongst the Mechanic Borers with at least two years service as such.
10.	Mechanic (BPS-08).	(i) Middle pass with five years experience in overhauling of Diesel and Petrol Engines in a workshop of repute; or (ii) at least Second Class Diploma of Associate Engineer in Mechanical, Automobile Technology from a recognized Board of Technical Education.	18-32 years. (a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the: (i) Assistant Mechanics with at least two years service as such; and (ii) Helpers with at least ten years service as such. Provided that if no suitable person is available for promotion, then by initial recruitment; and (b) fifty percent by initial recruitment.
11.	Dozer Operator (BPS-07).		By promotion, on the basis of seniority-cum-fitness, from amongst the Dozer Greasers with at least five years service as such.
12.	Mechanic Borer (BPS-07).		By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Mechanic Borers, and Air Compressor Operators with at least three years experience in installation and drilling of Tube Well. Note: A joint seniority list of the Assistant Mechanic Borers, Air Compressor Operators shall be maintained for the purpose of promotion.
13.	Senior Store Keeper (BPS-07).		By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Store Keepers with at least three

15

10/7/24

9

EXTRAORDINARY
GOVERNMENTREGISTERED NO. P.III
GAZETTE

16

KHYBER PAKHTUNKHWA
PUBLISHED BY AUTHORITYPESHAWAR, TUESDAY, 24TH SEPTEMBER, 2019GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK AND COOPERATION DEPARTMENT
NOTIFICATION

Peshawar, dated the 18/09/2019

No. SOE(AD)II(2)429/2019/SC: in pursuance of the provision contained in sub-rule () of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Agriculture, Livestock & Cooperative Department, in continuation with the establishment Department and the Finance Department hereby directs that in this Departments Notification No. SOE(AD)II(2)429/2015-16/SC dated 18th April, 2018, the following amendments shall be made namely:

AMENDMENTS

In the Appendix,

(a) in PART-I under the heading PROFESSIONAL STAFF: -

(i) for the existing entries, against serial no. 03 the following shall be submitted in the respective columns, namely.

1	2	3	4	5
3	Deputy Director Soil Conservator, Deputy Directors (Planning), Deputy Director Soil Survey, District officers Soil Conservation			<p>(a) Seventy five percent by promotion on the basis of seniority-cum-fitness, from amongst the soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Conservation Assistant Soil Survey Research Officer, having at least Second Class master's Degree in Agriculture(soil Sciences), or at least Second Class Bachelor's Degree (Hons) in Agriculture with (Soil Sciences) from a recognized University with five years Service as such; and</p> <p>(b) Twenty-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Soil Conservation Assistants, having at least Second class Bachelor's Degree from a recognized University with twenty-five year total service as field Assistant and above.</p> <p>Note: for the purpose of promotion, a joint seniority list of the soil conservation Assistant, soil Conservation Assistants (Technical) Soil Conservation Officers, Soil Survey Research Officers and Assistant Soil Survey Research Officers, shall be maintained; and</p>

(ii) against Serial No. 4 in Column No. 2, for the words "Assistant Director (Planning Supervisor)", the work "Soil Conservation Officer Shall be substituted; and



EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.H.I.

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24TH SEPTEMBER, 2019.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK AND COOPERATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the 18 / 09 / 2019

No. SOE(AD)II(2)429/2019/SC. - In pursuance of the provisions contained in sub-rules(2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Agriculture, Livestock & Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. SOE(AD)II(2)429/2015-16/SC, Dated: 18th April, 2018, the following amendments shall be made, namely:

AMENDMENTS

In the Appendix.

(a) in PART I. under the heading PROFESSIONAL STAFF, -

(i) for the existing entries, against Serial No. 03, the following shall be substituted in the respective columns, namely:

1	2	3	4	5
3.	Deputy Directors Soil Conservation, Deputy Directors (Planning), Deputy Director (Monitoring), Deputy Directors Soil Survey, District Officers Soil Conservation.			<p>(a) Seventy-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Conservation Officers, Soil Survey Research Officers and Assistant Soil Survey Research Officers having at least Second Class Master's Degree in Agriculture (Soil Sciences); or at least Second Class Bachelor's Degree (Hons) in Agriculture with (Soil Sciences) from a recognized University with five years service as such; and</p> <p>(b) twenty-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Soil Conservation Assistants, having at least Second Class Bachelor's Degree from a recognized University with twenty-five years total service as Field Assistant and above.</p> <p>Note: For the purpose of promotion, a joint seniority list of the Soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Conservation Officers, Soil Survey Research Officers and Assistant Soil Survey Research Officers, shall be maintained." and</p>

(ii) against Serial No. 4, in column No. 2, for the words "Assistant Director (Planning supervisory)", the words "Soil Conservation Officer" shall be substituted; and

in Column No. 2, for the words "Assistant

(b) in PART-II, under the heading MINISTERIAL STAFF, -

(i) against Serial No. 12, in Column No. 5, for the existing entries, the following be substituted, namely:

5

"By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants and Senior Scale Stenographer with at least five years service as such or twelve years total service as Junior Clerk, Senior Clerk and Assistant.

Note: For the purpose of promotion, a joint seniority list of the Assistants and Senior Scale Stenographers to the post of Superintendent shall be maintained:

Provided that if the date of continuous officiating of an Assistant and Senior Scale Stenographer is the same, the Assistant shall rank senior to the Senior Scale Stenographer."; and

(ii) against Serial No. 18, in Column No. 5, for the existing entries, the following be substituted, namely:

5

(a) Thirty-three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids, Chowkidars, Field Watchers, Khalasis and Sweepers having Secondary School Certificate from a recognized Board with two years service as such; and

(b) sixty seven percent by initial recruitment.

Sd/-
SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK AND
COOPERATION DEPARTMENT.

Research => Live Stock & Dairy Develop.

KP

GOVERNMENT OF KHYBER PAKHTUNKHWA
 AGRICULTURE LIVESTOCK & COOPERATIVE
 DEPARTMENT



Dated Peshawar the 20th December, 2017

NOTIFICATION

NO:SO(LFG)AD-EI(286)/2017: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous notifications issued in this behalf, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column No. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts specified in column No. 2 of the said Appendix born in the Khyber Pakhtunkhwa Directorate General (Research) Livestock and Dairy Development and its subordinate offices.

APPENDIX
 PART-I

(PROFESSIONAL AND PARA PROFESSIONAL STAFF)

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Director General (BPS-20)			By promotion, on the basis of seniority-cum-fitness, from amongst the Directors Livestock Research and Development, Directors Veterinary Research Institute, Principal Research Officers, Directors, Regional Directors and Station Directors having ten years service in BPS-19 or seventeen years service in BPS-17 or above and having five Research Publications.
2.	Director Livestock Research and Development, Director Veterinary Research Institute (BPS-19)			By transfer, from amongst the Principal Research Officers, Station Directors and Regional Directors.

(MIRFAN 20/12/2017)

EIT
 27/12/17

(Handwritten signature)

(Handwritten signature)

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	2.	3.	4.	5.
3.	Principal Research Officer, Director, Regional Director, or Station Director. (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Research Officers and Senior Biochemists, having Degree of Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University with three Research Publications and valid registration with Pakistan Veterinary Medical Council, having seven years service in BPS-18 or twelve years service in BPS-17 and above in their respective cadre.
4.	Senior Research Officer. (BPS-18)	<p>(i) At least Second Class Ph.D Degree, in Veterinary, Animal, Poultry Sciences, Microbiology, Biochemistry, Biotechnology, or Molecular Biology from a recognized University with two Research Publications, after at least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University; or</p> <p>(ii) At least Second Class M.Sc (Hons), M.Phil. or M.S Degree in Veterinary, Animal, Poultry Sciences, Microbiology, Biochemistry, Biotechnology or Molecular Biology from a recognized University with two Research Publications and Valid registration with Pakistan Veterinary Medical Council, after at least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification from a recognized University, having three years experience as such.</p>	28-45 years.	<p>(a) Seventy five percent, by promotion, on the basis of seniority-cum-fitness, from amongst the Research Officers, Farm Managers, Farm Feed Mill Managers, Administrative Officers and Biochemists having at least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University with two Research Publications and valid registration with Pakistan Veterinary Medical Council having five years service as such; and</p> <p>(b) Twenty five percent, by initial recruitment.</p>

(M.IRFAN 20/12/2017)

139

The Director Agriculture and Livestock

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	Senior Biochemist. (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst the Biochemists having M.Sc. Degree in Biochemistry with two Research Publications and five years service as such.
6.	Deputy Director Agriculture and (Fodder) or Senior Research Officer (Fodder). (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst the Agriculture Officers, Assistant Fodder Botanists and Research Officers (Fodder) with five years' service as such, having two Research Publications.
7.	Deputy Director (Statistics and Economics). (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst the Statistical Officers with five years' service as such.
8.	Research Officer or Farm Manager. (BPS-17)	At least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University having valid registration with Pakistan Veterinary Medical Council.	21-32 years.	By initial recruitment.
9.	Farm Feed Mill Manager or Administrative Officer. (BPS-17)	(i) At least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University having valid registration with Pakistan Veterinary Medical Council, with Diploma in Feed Technology from a recognized Institute; or (ii) At least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University having valid registration with Pakistan Veterinary Medical Council with two years experience in Feed Mill Operation.	21-32 years.	By initial recruitment.

(MIRFAN 20/12/2017)

140

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	2.	3.	4.	5.
10.	Biochemist. (BPS-17)	(i) At least Second Class Master's Degree in Biochemistry after at least Second Class Degree in Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences from a recognized University having valid registration with Pakistan Veterinary Medical Council; or (ii) At least Second Class M. Phil or MS Degree in Biochemistry or equivalent qualification from a recognized University.	21-32 years.	By initial recruitment.
11.	Agriculture Officer, Assistant Botanist Fodder or Research Officer (Fodder). (BPS-17)	At least Second Class M. Sc. (Hons) or M.Phil or MS Degree in Agronomy or equivalent qualification from a recognized University.	21-32 years.	By initial recruitment.
12.	Pharmacist. (BPS-17)	At least Second Class Pharm-D's Degree or equivalent qualification from a recognized University having valid registration with the Pharmacy Council of Pakistan.	21-32 years.	By initial recruitment.
13.	Statistical Officer. (BPS-17)	At least Second Class Master's Degree in Statistics or Economics with Statistics as a compulsory subject in B.A. B.Sc or equivalent qualification from a recognized University.	21-32 years.	By initial recruitment.
14.	Electrical-Cum- Mechanical Technician, Mechanical-Cum-Electric Supervisor. (BPS-13)	At least Second Class three years Diploma in Electrical or Mechanical Engineering from a recognized Board of Technical Education.	18-32 years.	By initial recruitment.
15.	Laboratory Supervisor. (BPS-11)	-----	----	By promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Technicians with two years service as such.
16.	Artificial Insemination Technician. (BPS-10)	(i) At least Second Class Secondary School Certificate with Science from a recognized Board; and (ii) At least two years Veterinary Assistant Course with six weeks Artificial Insemination Training from a recognized Institute.	18-32 years.	By initial recruitment.

(MIRFAN 20/12/2017)

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	2.	3.	4.	5.
	Laboratory Technician. (BPS-10)			By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Laboratory Assistants having two years service as such.
18.	Veterinary Assistant. (BPS-09)	(i) At least Second Class Secondary School Certificate with Science from a recognized Board; and (ii) At least two years Veterinary Assistant Course from a recognized Institute.	18-32 years.	By initial recruitment.
19.	Field Assistant. (BPS-09)	(i) At least Second Class Secondary School Certificate with Science from a recognized Board with at least three years Field Assistant Training from a recognized Institute.	18-32 years.	By initial recruitment.
20.	Senior Laboratory Assistant. (BPS-09)			By promotion, on the basis of seniority-cum-fitness, from amongst the Laboratory Assistants having Secondary School Certificate from a recognized Board with five years' service as such.
21.	Boiler Engineer. (BPS-08)	(i) At least Second Class Secondary School Certificate from a recognized Board with at least Second Class Boiler Engineer Certificate from a recognized Board. Note: Practical experience of Boiler Operation will be preferred.	18-32 years.	By initial recruitment.
22.	Laboratory Assistant. (BPS-06)	At least Second Class Secondary School Certificate with Science from a recognized Board with at least two years Certificate in Laboratory Techniques from a recognized Veterinary or Medical Institute.	18-32 years.	(a) Fifty percent, by promotion, on the basis of seniority-cum-fitness, from amongst the Laboratory Attendants having Secondary School Certificate from a recognized Board with five years' service as such; and (b) Fifty percent, by initial recruitment.
23.	Laboratory Attendant. (BPS-03)	At least Second Class Secondary School Certificate with Science from a recognized Board.	18-40 years	By initial recruitment.

(M.IRFAN 20/12/2017)

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

PART-II
MINISTERIAL AND OTHER SUPPORTING STAFF

1.	2.	3.	4.	5.
No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
24.	Estate Manager, Procurement Officer, Superintendent or Account Officer. (BPS-17)			(a) Seventy five percent, by promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with at least five years service as such; and (b) twenty five percent, by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with five years' service as such: Provided that if no suitable Official is available in one clause, promotion will be made from the other clause of the above Officials.
25.	Assistant (BPS-16)	At least Second Class Bachelor's Degree or equivalent qualification from a recognized University.	21-32 years.	(a) Seventy five percent, by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with five years' service as Junior and Senior Clerk; and (b) Twenty five percent, by initial recruitment.
26.	Senior Scale Stenographer. (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers having five years service as such.
27.	Computer Operator. (BPS-16)	(i) At least Second Class Bachelor's Degree in Computer Science, Degree in Information Technology (BCS or BIT four-years) or equivalent qualification from a recognized University; or (ii) At least Second Class Bachelor's Degree or equivalent qualification from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	21-32 years.	By initial recruitment.
28.	Senior Clerk (BPS-14)			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks and Store Keepers with five years' service as such. Note: for the purpose of promotion, a joint seniority list of Junior Clerks and Store Keepers shall be maintained.

(MIRFAN 20/12/2017)

143

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
29.	Stenographer. (BPS-14)	(i) At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board; (ii) A speed of fifty words per minute in short-hand in English and thirty-five words per minute in Typing; and (iii) Knowledge of computer in using MS-Word and MS-Excel.	18-32 years.	By initial recruitment.
30.	Junior Clerk. (BPS-14)	(i) At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board; and (ii) A speed of thirty words per minute in typing.	18-32 years.	(a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Daftaris, Naib Qasids, Chowkidars, Field Workers, Grass Cutters, Packers, Shepherds, Ploughmans, Animal Attendants, Cattle Attendants, Irrigation Attendants, Gawalas, Head Gawalas, Sweepers, Malis, Gardeners, Milk Men, Feed Mill Labours, Cook, Attendants and Shed Attendants having Secondary School Certificate or equivalent qualification from a recognized Board with two years service as such; and (b) sixty seven percent by initial recruitment. Note: For the purpose of promotion, there shall be maintained a joint seniority list of the Daftaris, Naib Qasids, Chowkidars, Field Workers, Grass Cutters, Packers, Shepherds, Ploughmans, Animal Attendants, Cattle Attendants, Irrigation Attendants, Gawalas, Head Gawalas, Sweepers, Malis, Gardeners, Milk Men, Feed Mill Labours, Cook, Attendants and Shed Attendants with reference to the dates of their acquiring the Secondary School Certificate or equivalent qualification: Provided that: (i) if two or more officials have acquired the Secondary School Certificate or equivalent qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; and (ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

(M.IRFAN 20/12/2017)

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
1.	2.	3.	4.	
31.	Librarian. (BPS-11)	At least Second Class Master's Degree in Library Science from a recognized University.	21-32 years.	By initial recruitment.
32.	Store Keeper. (BPS-10)			By promotion on the basis of seniority-cum-fitness from amongst the Assistant Store Keepers with at least five year service as such.
33.	Pesh Imam. (BPS-09)	At least Second Class Sanad of Shadat-ul-Aalamia or equivalent qualification from a recognized Wafaq-ul-Madaris Pakistan or Tanzeem-ul-Madaris Pakistan.	18-35 years.	By initial recruitment.
34.	Assistant Store Keeper. (BPS-07)	(i) At least Second Class Secondary School Certificate from a recognized Board; and (ii) A typing speed of thirty words per minute in English.	18-32 years.	By initial recruitment.
35.	Telephone Operator. (BPS-07)	(i) At least Second Class Secondary School Certificate from a recognized Board; and (ii) A Professional Certificate in telephone operation or telecommunication from a recognized Institute having proficiency in the trade.	18-32 years.	By initial recruitment.
36.	Plumber. (BPS-07)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with three months Certificate in the relevant trade from a recognized technical, vocational Institute having proficiency in the trade.	18-32 years.	By initial recruitment.
37.	Tractor Driver. (BPS-06)	Literate, having valid tractor driving License with proficiency in the trade. Note: preference shall be given to those having experience in driving repairing and maintenance of vehicles.	18-32 years.	By initial recruitment.
38.	Driver. (BPS-04)	Literate, having valid light transport vehicle driving license with experience in driving repairing and maintenance of vehicle.	18-40 years.	By initial recruitment.

(M.IRFAN 20/12/2017)

26



145

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

S.No.	Nomenclature of the post.	Minimum qualification prescribed for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
39.	Carpenter. (BPS-05)	At least Second Class Secondary School Certificate from a recognized Board with Certificate in the relevant trade from a recognized technical training Institute, having proficiency in the trade.	18-32 years.	By initial recruitment.
40.	Cold Storage Mechanic. (BPS-05)	At least Second Class Secondary School Certificate from a recognized Board with Certificate in the relevant trade from a recognized Board of Technical Education having proficiency in the trade.	18-32 years.	By initial recruitment.
41.	Assistant Estate Manager. (BPS-05)	(i) At least Second Class Secondary School Certificate from a recognized Board; or (ii) A retired person from Army, Frontier Corps, Air Force services as Lance Naik, Naik or Hawaldar rank, with good health and character having Second Class Secondary School Certificate from a recognized Board.	18-32 years.	By initial recruitment.
42.	Electrician or Assistant Electrician. (BPS-03)	(i) At least Second Class Secondary School Certificate from a recognized Board; and (ii) one year Certificate in Electrician from a recognized technical, training Institute having proficiency in the trade.	18-35 years.	By initial recruitment.
43.	Tube-well Operator. (BPS-03)	Literate, having three months Certificate in the relevant trade from a recognized technical, vocational Institute with proficiency in the trade.	18-40 years.	By initial recruitment.
44.	Daftari. (BPS-04)	At least Middle Pass, having proficiency in photocopier operation.	18-40 years.	By initial recruitment.
45.	Field Worker, Naib Qasid, Chowkidar, Grass Cutter, Packer, Shepherd, Ploughman, Animal Attendant, Cattle Attendant, Irrigation Attendant, Gawala, Head Gawala, Sweeper, Mali, Gardener, Milk Man, Feed Mill Labour, Cook, Attendant or Shed Attendant. (BPS-03)	Literate. Note: Preference will be given to the candidate having practical experience in the relevant field.	18-40 years.	By initial recruitment.

(M.IREFAN 20/12/2017)



146

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

Sd/-
SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK AND
COOPERATION DEPARTMENT

Endst of Even No & Dare

Copy of the above is forwarded to the:-

1. Additional Chief Secretary, FATA Secretariat, Warsak Road Peshawar.
2. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
3. Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
4. Secretary to Government of Khyber Pakhtunkhwa, Law Department.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
6. Chairman, Khyber Pakhtunkhwa, Public Service Commission.
7. Director General (Research), Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar.
8. Manager Government Printing Press, Peshawar for publication in Official Gazette Notification and also to provide ten (10) copies of the same.
9. PS to Special Assistant to Chief Minister for Livestock, Fisheries & Cooperatives, Khyber Pakhtunkhwa.
10. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
11. PS to Secretary, Agriculture, Livestock & Cooperative Department.
12. Web Administrator for uploading on the official website of Agriculture, Livestock & Cooperatives Department.

(DR MIR AHMAD KHAN)
SECTION OFFICER (LIVESTOCK, FISHERIES & COOPERATIVES)
AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT
PH: 091-9210973

(MIRFAN 20/12/2017)

To

Dated: 16th October, 2019

The Chief Secretary
Government of Khyber Pakhtunkhwa, Peshawar.

Through: Proper Channel.

Subject: **DEPARTMENTAL APPEAL AGAINST IMPUGNED NOTIFICATION DATED 18/9/2019 WHERE BY THE PROMOTION QUOTA OF SOIL CONSERVATION ASSISTANTS/SOIL CONSERVATION OFFICERS / SOIL SURVEY RESEARCH OFFICERS/ASSISTANT SOIL SURVEY RESEARCH OFFICERS (THROUGH INITIAL RECRUITMENTS) HAS BEEN REDUCED FROM 100% TO THAT OF 75% IN UTTER VIOLATION OF LAW AND RULES.**

Respected Sir,

With veneration it is submitted that I was initially recruited for the post of Soil Conservation Assistant (BPS-17) in the office of District Officer Soil Conservation Dir Upper, a wing of Agriculture Department Khyber Pakhtunkhwa, in September, 2018. The Service Rules at that time for the promotion of the said posts to Deputy Director/ District Officer Soil and Water Conservation (BPS-18) at S. No. 03 stated as follows;

"By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Directors, Soil Conservation Assistant, Soil Survey Research Officers, Assistant Soil Survey Research Officers having five year service as such, with minimum qualification, as per serial No 4. of this notification", Notified vide notification No. SOE (AD) II (2) 429/2015-16/SC, dated: 18th April 2018, Peshawar.

The Service Rules, however, have been recently amended (18/9/2019) for promotion to the post of Deputy Director/ District Officer Soil and Water Conservation (BPS-18) wherein at S. No 03, column 5 para "b", states that;

"twenty-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Soil Conservation Assistants, having at least second class Bachelors degree from a recognized University with twenty-five years total service as field Assistant und above", notified vide notification No. SOE (AD) II (2)429/2019/SC, dated: 18/9/2019, Peshawar.

The revised Service Rules affect my seniority for promotion to BPS-18 and suffer my professional rights because according to the amended rules, a Field Assistant (BPS-06) with a diploma course of three years after Matric will be promoted to BPS-18 and run the DDO office. Without a specialized degree (a simple graduation, as per the recent amendment in service rules, in languages or arts) will not validate the running of post of purely technical nature and supervising over post-graduates and PhD degree holders. The said service rules will also pave way for awarding charge of the DDO post to incapable Field Assistants in Own Pay and Scale. It will reduce my chances of promotion to BPS-18 by a staggering 25% before I fulfill the criteria for promotion to BPS-18. Furthermore, professional qualification has not been considered for the said post. A simple Bachelor's Degree for the post of Deputy Director/ District Officer Soil and Water Conservation (BPS-18) without any relevant field degree does not do justice to the job responsibilities. It needs a mention that the service rules have been amended without the knowledge of any officer of the department.

Moreover, the relevant Service Rules regarding the promotion of Field Assistants in the sister departments have no provision for promotion of Field Assistants to BPS-18. The Service Rules of:

(1) Directorate General Livestock (Research) and Dairy Development vide notification NO.SO(LFC)AD-EI(236)/2017 dated Peshawar, the 20th December 2017,

APPROVED

CA

- (2) Directorate of Extension wing of the Agriculture Department vide notification NO.SOE(AD)2(2)429/2011 dated Peshawar, the April 20, 2012,
- (3) Directorate of Agriculture Engineering of the Agriculture vide notification NO.SOE(AD)II(2)429/2015-16/Eng dated the Peshawar July 16, 2019
- (4) On Farm Water Management wing of Agriculture Department vide notification NO.SOE(AD)2(2)429/2011 dated Peshawar the April 29, 2014.

In view of the above, it is very humbly requested that on acceptance of this departmental appeal, the matter may kindly be reviewed in the best interest of the employees of my cadre.

Thanking you in anticipation.

Sincerely,


Sami Ullah

Soil Conservation Officer (BPS-17)
Directorate General Soil and Water
Conservation
Khyber Pakhtunkhwa, Peshawar.

CC to;

- The Secretary, Agriculture, Livestock and Cooperatives Department, Government of Khyber Pakhtunkhwa,
- The Director General Soil and Water Conservation Khyber Pakhtunkhwa

for information, please.


Sami Ullah

Soil Conservation Officer (BPS-17)
Directorate General Soil and Water
Conservation
Khyber Pakhtunkhwa, Peshawar.

ATTESTED


6
29

G-30

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. _____ / 2018

- 1- Mr. Naseem Khan, Soil Conservation Assistant (BPS-17),
O/O the Director General Soil & Water Conservation,
Khyber Pakhtunkhwa, Peshawar.
- 2- Mr. Bilal Ahmad, Soil Conservation Assistant (BPS-17),
O/O the Director General Soil & Water Conservation,
Khyber Pakhtunkhwa, Peshawar.
- 3- Mr. Sajjad Hussain, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Swat,
- 4- Mr. Aqib Nouman, Soil Conservation Assistant (BPS-17),
O/O the District officer Soil Conservation, District Karak.
- 5- Mst: Ayesha Riaz, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Mansehra.
- 6- Mr. Noor Muhammad, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Buner
- 7- Mr. Samiullah, Soil Conservation Assistant (BPS-17),
O/O the District officer Soil Conservation, District Dir Upper.
- 8- Mr. Umar Rehman, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Shangla.
- 9- Mr. Naveed Hashim, Soil Conservation Assistant (BPS-17),
O/O the Director General Soil & Water Conservation,
Khyber Pakhtunkhwa, Peshawar.
- 10- Mr. Asadullah, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Dir Lower.
- 11- Mr. Muhammad Amir Alam, Soil Conservation Assistant (BPS-17),
O/O the District Officer Soil Conservation, District Swabi.

..... **PETITIONERS**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief
Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Establishment Department, Civil Secretariat,
Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Civil Secretariat, Khyber
Pakhtunkhwa, Peshawar.
- 4- The Secretary Live Stock & Co-Operative Department, Khyber
Pakhtunkhwa, Peshawar.
- 5- The Director General Soil & Water Conservation Department,
Khyber Pakhtunkhwa, Peshawar.

..... **RESPONDENTS**

4

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973 AS AMENDED UP TO DATE**

**R/SHEWETH:
ON FACTS:**

- 1- That petitioners are the bonafide & Law abiding citizens of Pakistan and hailing from respectable families of their localities. Copies of the CNIC's are attached as annexure **A.**
- 2- That petitioners were appointed as Soil Conservation assistants (BPS-17) vide Notification dated 7.9.2018 through proper recommendations of the Khyber Pakhtunkhwa Public Service Commission, Peshawar. Copies of appointment Notification is attached as annexure **B.**
- 3- That petitioners since from the date of appointment till date are serving the respondent department quite efficiently, whole heartedly and up to the entire satisfaction of their superiors.
- 4- That the respondent Department issued Notification dated 18-04-2018 whereby proper service structure for the employees of the respondent Department has been approved/ notified and according to the said service structure the employees of respondent Department have been categorized in twenty Five (25) different cadres for the purposes of seniority and their prospects of promotions. Copy of Notification is attached as annexure **C.**
- 5- That, in the above mentioned notified service rules/structure the posts of Deputy Directors Soil Conservation, Deputy Director Planning, Deputy Director Soil survey and District Officers Soil Conservation shown at Serial No.3 of the appendix, has been given the method of recruitment under Column No.5 which is as under:
"by promotion on the basis of seniority-cum-fitness from amongst the Assistant Directors (planning Supervisory), Soil Conservation assistants, Soil Conservation assistants (Technical), Soil survey Research Officer and Assistant Soil Survey Research Officer having five years service as such with minimum qualification as prescribed in column No.2, against serial No.4 of the said Notification

B2

through joint seniority list". Copy of the Notification is attached as annexure D.

- 6- That according to the above mentioned service rules employees belonging to the said mentioned cadres were promoted from time to time on the basis of joint seniority lists.
- 7- That unfortunately vide impugned Notification dated 18.9.2019 the 100% promotion quota reserved for the petitioners has been reduce to 75% and as such the rest of 25% has been allocated to the cadre of Field Assistant which would certainly affect the seniority and promotion of the petitioners and the other cadres to BPS-18 because according to the mentioned rules a Field assistant (BPS-9) with a diploma course of three years after metric will be promoted to BPS-18 and run the DDO office without a specialized degree will not validate the running of post of purely technical in nature and supervising over post Graduates and PhD Degree holders. Copy of the impugned Notification is attached as annexure E.
- 8- That the amendment in service rules will also pave way for awarding charge of the DDO post to incapable Filed assistants in own pay and scale. That a simple bachelor degree holder will hold the post of Director/ District Officer Soil & water Conservation (BPS-18) without any relevant field/professional degree. Copies of the service structures are attached as annexure F.
- 9- That feeling aggrieved from the Vires of the impugned notification/service structure dated 18-09-2018 the petitioners filed Departmental Appeal/Representation before the competent authority i.e. respondent No.1 on which no response have so far been received. That so much so after filing the said Departmental appeals the respondent No.5 starts pressurizing the petitioners on one way or on the other. Copies of Departmental Appeal and other related documents are attached as annexure G and H.
- 10- That, petitioners having no other adequate remedy but to file the instant writ petition on the following grounds amongst the others.

GROUND:

- A- That the impugned notification/service Rules issued vide dated 18-09-2019 is Ultra Vires, facts, law, norms of

natural justice and materials on the record hence not tenable and liable to be modified/amended.

- B- That petitioners have not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That the treatment meted out to the petitioners is a clear violation of the Fundamental Rights of the petitioners as enshrined in the Constitution of Pakistan 1973.
- D- That, the petitioners have been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- E- That the impugned Notification dated 18.9.2019 due to which the promotion quota of the petitioners have been reduced to 75% and as such the rest of 25% has been allocated to the cadre of Field Assistant is not tenable under the law and rules and would certainly affect the seniority and promotion of the petitioners and the other cadres to BPS-18 because according to the mentioned rules a Field assistant (BPS-9) with a diploma course of three years after metric will be promoted to BPS-18 and run the DDO office without a specialized degree will not validate the running of post of purely technical in nature and supervising over post Graduates and PhD Degree holders.
- F- That according to Article-38 (e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earnings of individuals including persons in the services of the Federation. That in light of the mentioned Article the petitioners are on strong footing.
- G- That the respondents acted in arbitrary and malafide manner while issuing the impugned Notification dated 18.9.2019.
- H- That the amendment in service rules will also pave way for awarding charge of the DDO post to incapable Filed assistants in own pay and scale. That a simple bachelor degree holder will hold the post of Director/ District Officer Soil & water Conservation (BPS-18) without any relevant field/professional degree.

- I- That the impugned Notification dated 18.9.2019 of the respondent department violated Section-9 of the Civil Servant Act, 1973 read with Rule-7 of the Appointment, Promotion And Transfer Rules, 1989.
- J- That the petitioner seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that on acceptance of this writ petition the impugned Notification dated 18.9.2019 may kindly be declared as Ultra Vires, illegal, unconstitutional and ineffective upon the rights of the petitioners. That the respondents may kindly be directed to restored the 100% promotion quota of the petitioners to the posts of Deputy Directors Soil Conservation, Deputy Director Planning, Deputy Director Soil survey and District Officers Soil Conservation (BPS-18) **OR** the respondents may kindly be restrained not to act upon on the impugned Notification dated 18.9.2019 till the disposal of the Departmental appeals of the petitioners or till the expiry of ninety days period on the Departmental appeals of the petitioners.


Any other remedy which this august Court deems fit that may also be awarded in favor of the petitioner.

INTERIM RELIEF:

That the respondents may kindly be restrained not to act upon on the impugned Notification dated 18.9.2019 till the disposal of the Departmental appeals of the petitioners or till the expiry of ninety days period on the Departmental appeals of the petitioners.

Dated: 28.11.2019

PETITIONERS



NASEEM KHAN & OTHERS

Through:

NOOR MOHAMMAD KHATTAK

Advocate, High Court,
Peshawar

VERIFICATION:

It is verified that no other earlier writ petition was filed between the parties.



DEPONENT



VAKALATNAMA

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

_____ OF 2020

Sami Ullah

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt: of KP & Others

(RESPONDENT)
(DEFENDANT)

I/We Sami Ullah

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, 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 cost. 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.

Dated. ____/____/2020



CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK

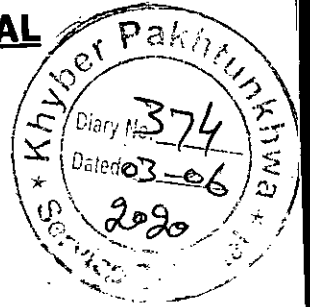

SHAHZULLAH YOUSAFZAI


&
MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



put up to the court with
relevant appeal.

C.M NO. _____/2020

IN

APPEAL NO. _____/2020

Reudi
SAMI ULLAH

3/6/20

VS

GOVT. OF KP & OTHERS

**APPLICATION FOR EARLY HEARING OF THE ABOVE
MENTIONED APPEAL**

*Be fixed on 8/6/2020.
Notice.*

R/SHEWETH:

- 1- That the above mentioned appeal is pending adjudication before this Honorable Tribunal which is fixed for hearing on 17.06.2020.
- 2- That appellant alongwith his other colleagues filed the above mentioned service appeal against the impugned Notification dated 18.09.2019 whereby the 100% promotion quota reserved for the cadre of the appellant has been reduced to 75% and as such the rest of 25% has been allocated to the cadre of Field Assistant.
- 3- That now the respondent department have issued letter dated 28.05.2020 for holding PSB in the first week of the June, 2020, and asking for submission of working paper/agenda items to the establishment department by Wednesday, the 03rd June, 2020 without fail incorporating/calculating the PERs of 2019 of the officer (s) in the panel along with fresh items complete in all respect. Copy of the letter is attached as annexure.....A.
- 4- That if the Abovementioned PSB is held and conducted by the respondent department the appellant would face with irreparable loss and as such the instant service appeal of the appellant would become anfractuous, therefore, the aforementioned appeals pending before this august Tribunal need to be heard as soon as possible.
- 5- That the interest of justice demands that such like matter be heard as early as possible to meet the ends of justice and also to meet the principles of access to justice.

It is therefore, most humbly prayed that on acceptance of this application the above mentioned appeals may be heard on an earlier date to meet the ends of justice.

Dated: 03.06.2020.

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK

&

**MIR ZAMAN SAFI
ADVOCATES**

MOST IMMEDIATE

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**



No. SO(PSB)(ED)1-1/2020(1)
Dated Peshawar 28.05.2020

To

All Administrative Secretaries to Government
Of Khyber Pakhtunkhwa

SUBJECT: - MEETING OF PROVINCIAL SELECTION BOARD

Dear Sir,

I am directed to refer to the subject noted above and to say that the competent authority has desired to hold PSB meeting (list enclosed) in the 1st week of June 2020 in which all items included in previous PSB meeting which was scheduled on 20.2.2020 and was subsequently postponed will be discussed. The working papers included in the said meeting agenda were returned to your respective departments for inclusion of PERs 2019, which had become due;

2. It is, therefore, requested that all the working papers/agenda items as per enclosed list may be submitted to Establishment Department by Wednesday, the 03rd June, 2020 without fail incorporating/calculating the PER of 2019 of the officer (s) in the panel alongwith fresh item, if any, complete in all respect.

3. The above directive of the competent authority be given top priority.

Yours faithfully,

[Signature] 28/5/2020
SECTION OFFICER (PSB)

Copy to:

1. PS to Chief Secretary Khyber Pakhtunkhwa.
2. PS to Secretary Establishment.
3. PS to Secretary Administration.
4. PS to Special Secretary (Estab) Establishment Department.
5. PS to Special Secretary (Regulation) Establishment Department.
6. All Additional Secretaries, Deputy Secretaries and Section Officers with the request to prepare themselves for PSB/Pre PSB. Moreover, any new item pending in their respective wing/section may be cleared immediately.

[Signature] 28/5/2020
SECTION OFFICER (PSB)

BEFOR THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 534 TO 544 OF /2020

NASEEM KHAN & OTHER VS GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS

INDEX

S.NO	DOCUMENTS	ANNEXURE	PAGE
1	Comments	-	1-5
2	Health department service rules	A	6-12
3.	Establishment Department Notification	B	13-18
4.	Training	C	19-33

(1)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Service Appeal NO. 537 OF 2020

Mr. Samiullah, Soil Conservation Assistant (BPS-17),
O/O the District Officer, Soil Conservation, District Upper.

APPELLANTS

Verses

1. The Government of Khyber Pakhtunkhwa through
Chief Secretary Khyber Pakhtunkhwa Civil Secretariat, Peshawar
2. The Secretary Establishment Department Khyber Pakhtunkhwa.
3. The Secretary Finance, Department Khyber Pakhtunkhwa.
4. The Secretary Agriculture, Livestock & Dairy Development &
Fisheries Department Khyber Pakhtunkhwa
5. The Director General, Soil & Water Conservation
Department Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.01 to 5

Preliminary Objections:

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. That the appellant has concealed the material facts from this Hon'ble Tribunal.
4. That the appellant has no cause to challenge the rules.

RESPECTFULLY SHEWETH:

FACT

1. Correct
2. Correct
3. No comments
4. Correct but on the basis of the same notification dated 18/04/2018 at serial No.4 column No;4 recruitment of Assistant Director Planning (Supervisor) Soil Conservation Assistant and Soil Conservation (Technical),(a) 25 % quota has been fixed on the basis of seniority cum fitness from amongst Field Supervisor having 5 years as such or 25 years total service as Field Assistant & above (b) 75% by initial recruitment.

- 5. Correct.
- 6. Incorrect. From time to time, amendments in the service rules are made by Government. As the said Notification dated 18.09.2019 regarding revised service rules has been passed by the government in consultation with the Establishment, Law & Finance Department in the best interest of public service and for better opportunities to the employees. From the Notification dated 18.09.2019, no one has been affected from their promotion. As the appellants have less than 2 years service, as per seniority list, at this stage, they are not entitled for promotion to the post of Deputy Director, Soil Conservation, Deputy Director (Monitoring), Deputy Director, Soil Survey, District Officers Soil Conservation. In the said Notification, 75% quota have been reserved for the cadre of the appellants. They will avail benefit of promotion according to seniority-cum-fitness, having at least Second Class Master's Degree in Agriculture (Soil Services) or at least Second Class Bachelor's Degree (Hons) in Agriculture with (Soil Science) from a recognized University with five years as such.

7. Incorrect. It is the responsibility of the state to provide enabling environment to all its cadres' employees which include ensuring of better promotion opportunities across the board. According to Notification No.SOE (AD)II (2) 429/2019/SC, Deputy Director, Soil Conservation , Deputy Directors (Planning). Deputy Director (Monitoring) Deputy Directors Soil Survey, District Officers Soil Conservation.

(a) Seventy five percent by promotion on the basis of seniority -cum fitness, form amongst the Soil Conservation Assistant Soil Conservation Assistant (Technical). Soil Conservation Officers Soil Survey Research Officers and Assistant Soil Survey Research officers having at least Second class Master's Degree in Agriculture (Soil Sciences) or at least Second Class Bachelor's Degree (Hons) in Agriculture with (Soil Sciences) from a recognized University with five years' service as such and.

(b) Twenty- five percent by promotion on the basis of seniority- cum fitness form amongst the Soil Conservation Assistant having at least Second class Bachelor's Degree from a recognized University with twenty five years total service as Field Assistant and above.

Note: For the purpose of promotion a joint seniority list of the Soil Conservation Assistant Soil Conservation Assistant (Technical). Soil Conservation Officers and Assistant Soil Survey Research Officers and Assistant Soil Survey Research Officers, shall be maintained and.

This is not the first case but such cases had already been existing in various department of the Government of Khyber Pakhtunkhwa like Health, Police and Civil Secretariat. In Health department Technologist & PHC Technologist can be promoted to senior Technologist (BPS-18) and on 50% share by promotion on the basis of seniority cum fitness among the technologist & PHC Technologist with 5 years' service as such the relevant technology with at least BS honor/ BS (04 years) in relevant Technology . Nurse & ASI can got promotion to BS 20 & BS 18 in health & Police department respectively.(Copy attached annexure "A") Similarly there are evidences of the recruiters appointed as Personal Assistant, Private Secretary & senior private secretary who are enjoying the Additional private Secretaries (BPS-19) (Copy attached Annexure "B") in the important administrative departments of the civil Secretariat of Khyber Pakhtunkhwa.

The Field Assistant, Soil Conservation Inspector , Field Supervisor promoted to Soil Conservation Assistant (BPS-17) with at least Bachelor Degree from university also supplemented by at least 20 years technical field experience in soil conservation are quite capable/ office and to run independent office of soil conservation at district level.

During the 3 years diploma course the field Assistant are thought the basic course soil science, water Management Agriculture Engineering, Plant protection, Agriculture Extension, Food Technology , Horticulture and Livestock etc.

The incumbents (Field Assistant, Soil Conservation Inspector, Field Supervisor) and Soil Conservation Assistant can't directly got promoted to the post of Deputy Director Soil Conservation, Deputy Director Planning, Deputy Director Monitoring, Deputy Director Soil Survey and District Officer Soil Conservation BPS-18 but for the post of Soil Conservation Assistant (BPS-17) and then promoted to the post of Deputy Director Soil Conservation, Deputy Director Planning, Deputy Monitoring, Deputy Soil Survey and District Conservation Assistant BPS-18.

The Field Assistant, Field Supervisor check technical feasibilities prepare Engineering estimates, supervise the construction works on site in addition to maintain working relations with all stake holder .

- 8. Incorrect. The departmental appeal of the appellants was considered by the department. In the said Notification, 75% promotion quotas have been reserved for promotion to the appellant. The respondent No.5 has never pressurized the Petitioners but always thought for their better future carrier planning which is evident from the nominations of the petitioners for various technical courses at regional / national levels. (copies of nominates attached- Annexure- C)
- 9. Incorrect. The appellant has not aggrieved from the inaction of the respondent department, they will be treated according to rules and regulation.
- 10. No comments.

GROUND:

- A) Incorrect. The said Notification is in accordance with law & Rues, which has been issued in Consultation with Establishment & Finance Departments.
- B) Incorrect. The appellant has been treated according to Law and rules and will be treated as per government policy.
- C) Incorrect. No violation has been made by the respondent department to the appellants.
- D) Incorrect. No discrimination has been done by the respondent department.
- E) Incorrect. The Notification dated 18.09.2019 has been issued in accordance with law and rules.
- F) First portion of the Para is legal, however last sentence is completely incorrect and the appellant has no strong footing.

- G) As mentioned in Para-E above.
- H) Incorrect hence denied. According to the Notification dated 18.09.2019, seventy five percent promotion quota have been reserved amongst the Soil Conservation Assistants, Soil Conservation Assistants (Technical), Soil Conservation Officers, Soil Survey Research Officers and Assistant Soil Survey Research Officers having at-least second class Master's Degree in Agriculture (Soil Sciences) or at least Second Class Bachelor's Degree (Hons) in Agriculture with (Soil Sciences) from a recognized University with five years' service as such and twenty five percents quota have been reserved for promotion amongst the Soil Conservation Assistants having at least Second class Bachelor's Degree from a recognized University with twenty five years total service as Field Assistant and above.
- I) Incorrect there is no violation of Section-9 of Civil Servant Act-1973 read with rules of the appointment, promotion & Transfer Rules,1989.
- J) Legal.

It is, therefore, prayed that the appeal of the appellants is devoid any legal footings, may kindly be dismissed with costs.

Respondent No.1

Chief Secretary,
Government of Khyber Pakhtunkhwa.

Respondent No.2

Secretary to
Government of Khyber Pakhtunkhwa,
Establishment Department

Respondent No.3

Secretary to
Government of Khyber Pakhtunkhwa,
Finance Department.

Respondent No.4

Secretary to
Government of Khyber Pakhtunkhwa,
Agriculture, Livestock & Coop;
Department,

Respondent No.5

Director General,
Soil & Water Conservation
Department,
Khyber Pakhtunkhwa, Peshawar.

Director General
Soil Conservation
Khyber Pakhtunkhwa
Peshawar

Annex - A

6

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 10TH MAY, 2016

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NOTIFICATION

Peshawar, dated the 10th May, 2016.

No. SOI-III/ID/3-5/2014 - In pursuance of the provision contained in sub-rule (2) of rule 5 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all Notifications issued in this behalf by the Health Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 5 of the Appendix to the posts of Paramedical Staff in the Health Department specified in column 2 of the said Appendix.

APPENDIX

S. No.	Nomenclature of the post.	Qualification for appointment by initial recruitment.	Age limits.	Method of recruitment.
1	Principal Technologist (BS-9.0) (i) Principal Clinical Technologist Dental; (ii) Principal Clinical Technologist Pharmacy; (iii) Principal Clinical Technologist Radiology; (iv) Principal Clinical Technologist Pathology;			By promotion, on the basis of seniority-cum-fitness, from amongst the Chief Technologists and Chief PIC Technologists with five years service in BS-19 or seventeen years service in BS-17 and above as such in the relevant technology.

Scanned by CamScanner

Annex - I

- Principal Clinical Technologist Anesthesia;
- Principal Clinical Technologist Cardiology;
-) Principal Clinical Technologist Surgical;
-) Principal Clinical Technologist Dialysis;
- Principal Clinical Technologist
Physiotherapy;
- Principal Clinical Technologist
Pulmonology;
- Principal Clinical Technologist
Gastroenterology; and
-) Principal Clinical Technologist
Ophthalmology / otorhinolaryngology; and

e. PHC Technologist

- Principal PHC Technologist (Multi Purpose); and
- Principal PHC Technologist (MCH).

Technologist (BS-19)

- Chief Clinical Technologist Dental;
- Chief Clinical Technologist Pharmacy;
- Chief Clinical Technologist Radiology;
- Chief Clinical Technologist Pathology;
- Chief Clinical Technologist Anesthesia;
- Chief Clinical Technologist Cardiology;
-) Chief Clinical Technologist Surgical;
-) Chief Clinical Technologist Dialysis;
- Chief Clinical Technologist Physiotherapy;
- Chief Clinical Technologist Pulmonology;
- Chief Clinical Technologist
Gastroenterology; and
-) Chief Clinical Technologist Ophthalmology/
Otorhinolaryngology; and

By promotion, on the basis of seniority-cum-fitness, from amongst Senior Technologists and Senior PHC Technologists with seven years service in BPS-18 or twelve years service in BPS-17 and above as such in the relevant technology.

8

<u>Chief PHC Technologist</u>			
(i) Chief PHC Technologist (Multi-Purpose); and (ii) Chief PHC Technologist (MCH).			
3 <u>Senior Technologist</u> (BS-18) (i) Senior Clinical Technologist Dental; (ii) Senior Clinical Technologist Pharmacy; (iii) Senior Clinical Technologist Radiology; (iv) Senior Clinical Technologist Pathology; (v) Senior Clinical Technologist Anesthesia; (vi) SCT Senior Clinical Technologist Cardiology; (vii) Senior Clinical Technologist Surgical; (viii) Senior Clinical Technologist Dialysis; (ix) Senior Clinical Technologist Physiotherapy; (x) Senior Clinical Technologist Pulmonology; (xi) Senior Clinical Technologist Gastroenterology; and (xii) Senior Clinical Technologist Ophthalmology/Otorhinolaryngology; and <u>Senior PHC Technologist</u> (i) Senior PHC Technologist (Multi-Purpose); and (ii) Senior PHC Technologist (MCH).	At least Second Class Master's Degree or B.SC Honours/ BS (04-years) in the relevant technology or equivalent qualification from a recognized University/ Institution.	20-35 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Technologists and PHC Technologists with five years service as such in the relevant technology; and (b) fifty percent by initial recruitment.
<u>Technologist</u> (BS-17) (i) Clinical Technologist Dental; (ii) Clinical Technologist Pharmacy; (iii) Clinical Technologist Radiology; (iv) Clinical Technologist Pathology;	At least Second Class Bachelor's Degree in the relevant Technology from a recognized University/ Institution.	18-32 years	(a) Forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Technicians and Chief PHC Technicians with five years service as such in the relevant technology

Scanned by CamScanner

<p>(vi) Clinical Technologist Cardiology; (vii) Clinical Technologist Surgical; (viii) Clinical Technologist Dialysis; (ix) Clinical Technologist Physiotherapy; (x) Clinical Technologist Pulmonology; (xi) Clinical Technologist Gastroenterology; and (xii) Clinical Technologist Ophthalmology / Otorhinolaryngoogy); and</p> <p><u>IC Technologist</u></p> <p>(i) PHC Technologist (Multi-Purpose), and (ii) PHC Technologist (MCH).</p>		<p>(b) twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Chief Technicians, Senior Technicians and Technicians having qualification prescribed for initial recruitment with three years service as such in the relevant technology.</p> <p><u>Note:</u> For the purpose of promotion, there shall be maintained a joint seniority list of Chief Technicians, Senior Technicians and Technicians with reference to the dates of their acquiring qualification prescribed for initial recruitment as in column No. 3:</p> <p>Provided that if two or more officials acquired the qualification prescribed for initial recruitment in the same session, then the official who obtains the highest marks or grade in the examination shall be deemed to be senior to the other officials; and</p> <p>(c) forty percent by initial recruitment.</p>
<p><u>Technician (BS-18)</u></p> <p>(i) Chief Clinical Technician Dental; (ii) Chief Clinical Technician Pharmacy; (iii) Chief Clinical Technician Radiology; (iv) Chief Clinical Technician Pathology; (v) Chief Clinical Technician Anesthesia; (vi) Chief Clinical Technician Cardiology; (vii) Chief Clinical Technician Surgical; (viii) Chief Clinical Technician Dialysis; (ix) Chief Clinical Technician Physiotherapy; (x) Chief Clinical Technician Pulmonology; (xi) Chief Clinical Technician Gastroenterology; and</p>		<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Technicians and Senior PHC Technicians with at least two years service as such in the relevant technology.</p>

10

Scanned by CamScanner

<p>Clinical Technician Ophthalmology, Otorhinolaryngology); and <u>HC Technician</u></p>			
<p>Chief PHC Technician (Multi-Purpose); and Chief PHC Technician (MCH). <u>Technician (BS-14)</u> Senior Clinical Technician Dental; i) Senior Clinical Technician Pharmacy; ii) Senior Clinical Technician Radiology; iii) Senior Clinical Technician Pathology; iv) Senior Clinical Technician Anesthesia; v) Senior Clinical Technician Cardiology; vi) Senior Clinical Technician Surgical; vii) Senior Clinical Technician Dialysis; viii) Senior Clinical Technician Physiotherapy; ix) Senior Clinical Technician Pulmonology; x) Senior Clinical Technician Gastroenterology; and xi) Senior Clinical Technician Ophthalmology/ Otorhinolaryngology); and <u>PHC Technician</u> i) Senior PHC Technician (Multi-Purpose); and ii) Senior PHC Technician (MCH).</p>			<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Technicians and PHC Technicians with at least two years service as such in the relevant technology.</p>
<p><u>Technician (BS-12)</u> i) Clinical Technician Dental; ii) Clinical Technician Pharmacy; iii) Clinical Technician Radiology; iv) Clinical Technician Pathology; v) Clinical Technician Anesthesia; vi) Clinical Technician Cardiology; vii) Clinical Technician Surgical; viii) Clinical Technician Dialysis; ix) Clinical Technician Physiotherapy; x) Clinical Technician Pulmonology;</p>	<p>(i) <u>Technician/PHC Technician</u> : At least Second Division Secondary School Certificate with Science from a recognized Board with Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical technology from any recognized institution; provided that the same is registered with the Medical Faculty Khyber</p>	<p>18-30 years</p>	<p>By initial recruitment</p>

28

<p><u>PHC Technician</u></p> <p>(i) PHC Technician (Multi-Purpose); and (ii) PHC Technician (MCH).</p>	<p>(ii) <u>PHC Technician (MCH):</u> Secondary School Certificate with at least Second Division in Science from a recognized board and Diplomas of LHV and Midwifery from recognized Nursing Examination Board.</p>		
--	---	--	--

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
HEALTH DEPARTMENT.

Printed and published by the Manager,
State & Fug. Deptt., Khyber Pakhtunkhwa, Peshawar

Scanned by CamScanner

HEALTH

PHN NO: 03120572

17 MAR 2016 13:51

GOVT OF PAKISTAN FEDERAL GOVERNMENT HEALTH DEPARTMENT

No. to Date given

Copy forwarded for information and necessary action to:
1. The Director General Health Services Khyber Pakhtunkhwa
2. The Director Provincial Health Services Academy, Khyber Pakhtunkhwa
3. The District Health Officer, Khyber Pakhtunkhwa
4. The Director Health Services FATA
5. All Hospital Directors/Medical Directors of Autonomous Institutions in Khyber Pakhtunkhwa
6. All Medical Superintendents DGHQ Hospitals of Khyber Pakhtunkhwa
7. All the Principals of Medical Colleges in Khyber Pakhtunkhwa
8. The Deputy Health Secretary, Khyber Pakhtunkhwa
9. The Director Information Khyber Pakhtunkhwa
10. The Deputy Director Health Services Khyber Pakhtunkhwa
11. The Director (IT) Health, Khyber Pakhtunkhwa
12. The Secretary, Medical Faculty, Khyber Pakhtunkhwa, Peshawar
13. The Principal, Post Graduate Paramedical Institute, Peshawar
14. The Principal, Post Graduate College of Nursing, Hayatabad Peshawar
15. The Council Member, Examination Board, Peshawar
16. The Chief Secretary Khyber Pakhtunkhwa
17. The Additional Chief Secretary (P&T) Peshawar
18. The Secretary to Government Khyber Pakhtunkhwa
19. The Secretary to Government of Establishment Department
20. The Secretary to Government of Finance Department
21. The Secretary to Government of Law Department
22. The Secretary, Public Service Commission, Khyber Pakhtunkhwa
23. The Director, Government Printing Press, Peshawar

Dated Peshawar, 17/05/2016

(Asfandyar Khattak)
Deputy Secretary-II

(19)

13

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

NOTIFICATION

Peshawar dated the 6th December 2012.

No SOE-IV(E&AD)/1-35/2012:- In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

PART-I
GENERAL

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Civil Secretariat (Private Secretaries) Service Rules, 2012.

(2) These rules shall apply to the recruitment and promotion of Stenographers, Senior Scale Stenographers, Personal Assistants, Private Secretaries and Senior Private Secretaries in the Secretariat, subject to the provisions of rule 5 of these rules.

(3) These shall come into force at once.

2. **Definitions.**---(1) In these rules, unless the context otherwise requires, the following expression shall have the meaning hereby respectively assigned to them that is to say:

(a) "existing Personal Assistants" mean Personal Assistants, who were serving as such on regular basis in Secretariat on the date of commencement of these rules;

(b) "existing Private Secretaries" mean Private Secretaries, who were serving as such in BPS-16 on regular basis in the Secretariat on the date of commencement of these rules;

- (14)
- (c) "Schedule" means Schedule attached to these rules;
- (d) "Secretariat" means Civil Secretariat as defined in clause (r) of rule (2) of the Khyber Pakhtunkhwa Rules of Business, 1985; and
- (e) "service" means the Secretariat (Private Secretaries) service.

(2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act XVIII of 1973), and Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989, or any other rules of Government for the time being in force.

PART-II RECRUITMENT

3. **Composition of service.**---The service shall comprise of the posts specified in the Schedule and such other posts as may be determined by Government from time to time.

4. **Method of appointment.**---Method of appointment, qualifications and other conditions applicable to a post in the service shall be such as laid down in column 3 to 5 of the Schedule.

5. **Option as one time exercise.**---(1) The existing Private Secretaries (BS-16) shall, within a period of sixty (60) days of the notification of these rules, exercise their option to join Provincial Management Service, failing which they shall be deemed to have opted for the *service*. Those Private Secretaries who opt for Provincial Management Service shall remain in BPS-16. However, their promotion to Provincial Management Service shall be governed according to the Provincial Management Service rules. The option once exercised shall be final.

(2) The existing Personal Assistants shall, within sixty (60) days of the notification of these rules, exercise their option to join Provincial Management Service,

(15)

... shall be deemed to have opted for the service. The option once exercised shall be final.

(3) A joint seniority of such existing Private Secretaries and Personal Assistants who opt for Provincial Management Service shall be maintained and the Private Secretaries shall rank senior to the Personal Assistants:

Provided that their inter se seniority shall remain intact.

(4) The Personal Assistants, on their promotion, from Senior Scale Stenographer, within sixty (60) days, shall exercise option to join Provincial Management Service and those who do not exercise such option shall remain in the service. The option once exercised shall be final.

(5) The seniority of the Personal Assistants who opt for Provincial Management Service shall separately be maintained for the purpose of their promotion as Provincial Management Service officer according to their ratio specified for the said Service in the Provincial Management Service rules.

6. **Application of general rules.**---In all matters not expressly provided for in these rules, the terms and conditions of service of persons in the Khyber Pakhtunkhwa Civil Secretariat (Private Secretaries) service shall be such as have been provided in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), and Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989 or rules, as may be prescribed by Government from time to time.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

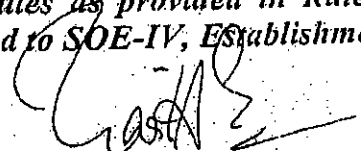
Endst: No. SOE-IV(E&AD)/1-35/2012, dated 6th December, 2012

Copy forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.

2. The Addl: Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
4. The Senior Member of Board of Revenue.
5. Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. The Chairman to Khyber Pakhtunkhwa Service Tribunal Peshawar.
9. The Director, STI, Establishment Department, Khyber Pakhtunkhwa, Peshawar
10. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
11. The Private Secretary to Secretary Establishment Department.
12. The PA to Special Secretary (Estt), Establishment Department.
13. The P.A to Addl: Secretary (Estt/ Reg), Establishment Department.
14. The P.A to Addl: Secretary (HRD Wing) Establishment Department.
15. All the Deputy Secretaries in Establishment Department.
16. The Section Officers (E-II & Reg-IV), Establishment Department *with the request to take further necessary action as far as they are concerned.*
17. The Section Officer to Military Secretary to Governor, Governor's House, Khyber Pakhtunkhwa, Peshawar.
18. The Manager Government Printing Press for publication in the Extra Ordinary Gazette.
19. All Section Officers (Admn/Estt/Gen/) of the concerned Administrative Department of Civil Secretariat.

Note:- *The existing Private Secretaries/ Personal Assistants to exercise their options within 60 days of notifications of these rules as provided in Rule 5 through their respect Departments/ Offices addressed to SOE-IV, Establishment Department.*

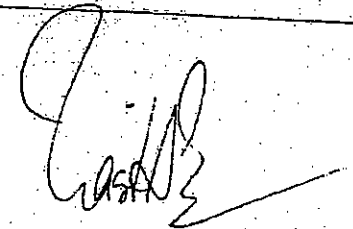

(NASIR AMAN)
SECTION OFFICER (E.IV)

SCHEDULE
(See Rule 3 & 4)

17

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Senior Private Secretary.	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Private Secretary with atleast five years service as such.
2.	Private Secretary.	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Personal Assistant with atleast two years service as such.
3.	Personal Assistant.	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Senior Scale Stenographers with atleast three years service as such.
4.	Senior Scale Stenographer.	(i) Second Class Bachelor's Degree, from a recognized University; (ii) a speed of 70 words per minute in shorthand in English and 45 words per minute in typing, and (iii) knowledge of computer in using MS Word, MS Excel.	20 to 32 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers, with atleast five years service as such: Provided that if no suitable candidate is available for promotion, then by initial recruitment.

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
5.	Stenographer.	<p>(i) Intermediate or equivalent qualifications from a recognized Board; and</p> <p>(ii) a speed of 50 words per minute in shorthand in English and 35 words per minute in typing; and</p> <p>(iii) knowledge of computer in using MS Word, MS Excel.</p>	18 to 30 years.	By initial recruitment.



(NASIR AMAN)
SECTION OFFICER (E.IV)

19

115



DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, opposite Islamia College, Jamrud Road Peshawar, Pakistan.
Phone: 091-9224331 • Fax: 091- 5842912 <http://soilconservation.kp.gov.pk> Email: directorsoilconservation@hotmail.com



Save Soil and Water!

No. 4689 /DGSWC/KP
Dated: 18/11 /2019

To

The Section Officer (Admn.),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT TRAINING PROGRAM SCHEDULE FOR THE MONTH OF NOVEMBER

Memo; Reference is made to your letter No.SOG(AD)/1-3/Trg/2019-20 dated: 24-10-2019 on the subject noted above.

The following officer is hereby nominated for the subject training course noted as under.

S.No.	Name & Designation of Officer	Name of Course	Period
1.	Mr. Naseem Khan, Soil Conservation Officer, HQ.	Application of Project Management in MS Project	19-21 November, 2019 (3 Days)

Course relevancy certificate of the nominee is attached. Submitted for further necessary action, please.

Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

20



DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, opposite Ismailia College, Jinnah Road Peshawar, Pakistan.
Phone: 001-0224331 Fax: 001- 5842917 <http://soilconservation.kp.gov.pk> Email: directorsoilconservation@hotmail.com
Save Soil and Water



No. 3582-83 /DGSWC/KP
Dated: 17/07 /2019

To

The Section Officer (Admin),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT TRAINING COURSES FOR 1st QUARTER (JULY TO SEPTEMBER, 2019).

Memo: Reference is made to your letter No.SOG(AD)/1-3/Trg/2018-19 dated: 28-06-2019 on the subject noted above.

The following officers are hereby nominated for the training courses given below held at Pakistan Planning and Management Institute (PPMI), Islamabad from July to September, 2019.

S.No	Name of training course	Name of Officer	Period
1.	Project Appraisal and Risk Management	MS. Shagufta Banno, Deputy Director Planning, Soil and Water Conservation (HQ).	21-23 August, 2019
2.	Preparation of PC-I	Mr. Naseem Khan, Soil Conservation Officer (Planning) (HQ)	28-30 August, 2019.

CV's of the nominees are attached. Submitted for further necessary action, please.

RLS
Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

Endst of even No. and date.

CC:
• The Director General, Pakistan Planning and Management Institute, Islamabad.

(2)

Dated: 24/07/2019

To

The Section Officer (Admn.),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT NOMINATION FOR THE TRAINING ON "BUILDING SOCIAL ACCOUNTING MATRIX" (SAM) FOR KHYBER PAKHTUNKHWA.

Memo: Reference is made to your letter No.SOG(AD)/1-3/Trg/2019-20 dated: 10-07-2019 on the subject noted above.

The following officers are hereby nominated for the subject training course.

S.No	Name of Officer		Period
1.	Mr. Farmanullah Khan	Deputy Director (Planning) Soil and Water Conservation (HQ).	24-25 July, 2019.
2.	Mr. Naseem Khan	Soil Conservation Officer (Planning) (HQ).	Two Days.

Course relevancy certificate of the nominees are attached. Submitted for further necessary action, please.

Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

(Signature)

22

DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKIWA
Agriculture Training Institute Campus, opposite Islamia College, Jamrud Road Peshawar, Pakistan.
Phone: 091-9224331 Fax: 091-5842912 http://soilconservation.kp.gov.pk Email: directorsoilconservation@hotmail.com



Save Soil and Water!

No. 937 /DGSWC/KP
Dated: 18/03 /2020

To
The Section Officer (Admn.),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT TRAINING COURSE ON MANAGING PROJECT TIME AND COST
OVERRUN AT PPMI FROM DECEMBER, 2019 TO APRIL 2020.

Memo; Reference is made to your letter No.SOG(AD)/1-3/Trg/2019-20 dated:
07-01-2020 on the subject noted above.

The following officer is hereby nominated for the subject training course noted
as under.

S.No	Name & Designation of Officer	Name of Course	Contact No. & Email	Period
1.	Mr. Naseem Khan, Soil Conservation Officer, HQ.	Managing Contracts in Project	0344-9267926 naseem@aup.edu.pk	13-17 April. 2020 (5 Days)

Course relevancy certificate of the nominee is attached. Submitted for further
necessary action, please.

O/C
Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

CC:
Copy forwarded to the Director General, Pakistan Planning and Management
Institute (PPMI), Complex, Street No.1, Sector H-8/1, Islamabad.

10/10


COURSE RELEVANCE CERTIFICATE

Course title:

Planning and Management Skills for efficient and effective service delivery, April 15-18, 2019

1. Mr. Sami Ullah, is Soil Conservation Officer Technical in head quarter Peshawar. He is working in estimates preparation and other planning activities in the developmental projects.
2. Mr. Umar Rahman, is Soil Conservation Assistant in the office of District Officer Soil and Water Conservation, Shangla. He is working in estimates preparation, Budget Allocation and different planning works.

It is certified that the above mentioned officers are relevant to the nominated training course.


 Director General
 Soil and Water Conservation
 Khyber Pakhtunkhwa.

24

11

GOVERNMENT OF PAKISTAN
MINISTRY OF PLANNING, DEVELOPMENT AND REFORM
PAKISTAN PLANNING AND MANAGEMENT INSTITUTE
 PPMI Complex, Street No. 1, Sector H-8/1, Islamabad. Tel: 051-9269883, Fax: 051-9269882.

No. 1(348-354)PPMI/PD/2018-19 Islamabad, the 26th December, 2018

Director General,
 Directorate General Soil & Water Conservation Khyber Pakhtunkhwa,
 Agriculture Training Institute Campus,
 Opposite Islamia College,
 Jamrud Road Peshawar.

SUBJECT: TRAINING COURSES FOR 3RD QUARTER (JANUARY – MARCH, 2019)

Dear Sir,
 Please refer to your letter No. 3654/DGSWC/KP, dated 24th December, 2018. Following officers are confirmed to participate in the course on the subject cited above.

S#	NAME AND DURATION OF TRAINING COURSE	NAME OF PARTICIPANT	DESIGNATION
1.	Financial & Audit Management in Public Sector (01-04 January, 2019)	Mr. Ahmad Zeb	District Officer
		Mr. Sajjad Hussain	Soil Conservation Officer
		Mr. Aqib Nouman	Soil Conservation Officer
2.	Project Preparation and Management in Public Sector (15-18 January, 2019)	Mr. Taib Khan	Director Soil Survey (HQ)
		Mr. Samiullah Jan	District Officer
		Mr. Abdullah Khan	Soil Conservation Officer (HQ)
3.	Human Resource Management in Public Sector (22-25 January, 2019)	Mr. Fazal Rabi	District Officer
		Mr. Naveed Hasham	Soil Conservation Officer (HQ)
		Mr. Umar Rehman	Soil Conservation Officer
4.	Project Management for PDs of PSDP Funded Projects (04-08 February, 2019)	Mr. Zahoor Ahmad Khattak	Director General
		Mr. Farmanullah Khan	Deputy Director Planning
		Mr. Yaseen Khan	District Officer
5.	Financial Management Procedures/ Policies in Public Sector (12-15 February, 2019)	Mr. Muhammad Nazeer	District Officer
		Mr. Nazeer Muhammad	District Officer
		Mr. Noor Muhammad	Soil Conservation Officer
6.	Development of Key Performance Indicators (KPIs) (13-15 March, 2019)	Mr. Khalid Gohar Khan	District Officer
		Dr. Bismillah Jan	District Officer
		Ms. Ayesha Riaz	Soil Conservation Officer
7.	* M.S. Project (20-22 March, 2019)	Ms. Shagufta Bano	Deputy Director
		Mr. Awais Ali	Soil Conservation Officer
		Mr. Naseem Khan	Assistant Director Planning
8.	Dealing Tax Matter in Government Departments (27-29 March, 2019)	Ms. Bushra Bano	Deputy Director
		Mr. Amir Alam	Soil Conservation Officer
		Mr. Samiullah	Assistant Director Planning

2. Timings of the training course will be 09:00-13:30 hours. The nominee(s) has/have to participate in all sessions to be eligible for certificate and soft Training Material on email.

Cont. P/2

25 113

DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, opposite Islamia College, Jamrud Road Peshawar, Pakistan.
Phone: 091-9224331 Fax: 091-5842912 <http://soilconservation.kp.gov.pk> Email: directorsoilconservation@hotmail.com



Save Soil and Water!

No. 859 /DGSWC/KP
Dated: 11-03 /2020

To

The Chairman
Agricultural Engineering Department
University of Engineering & Technology, Peshawar

SUBJECT ONE DAY TRAINING SESSION ON DESIGN OF SOLAR SYSTEMS FOR IRRIGATION AND OTHER WATER SUPPLY SCHEMES ON 12 MARCH, 2020

Mcmo; Reference is made to your email dated 10-03-2020 and letter No.4998/Agri dated: 09-03-2020 on the subject noted above.

The following officer is hereby nominated for the subjected training course;

S.No	Name of Officer	Designation	Venue and time
1.	Engr. Noor Mohammad	Soil Conservation Assistant, Buner	Video conference Hall of UET Peshawar at 09:30 to 13:00 on 12-03-2020

[Signature]
Director General
Soil and Water Conservation

Copy to:

- Engr. Noor Mohammad, Soil Conservation Assistant, Buner with the direction to attend the training on said date an time

*File in Noor Mahamud
Personel File*

26



DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, opposite Islamic College, Jamrud Road Peshawar, Pakistan.
Phone: 091-9224331 Fax: 091-5842912 <http://soilconservation.kp.gov.pk> Email: directorsoilconservation@hotmail.com
Save Soil and Water!



No. 2084 /DGSWC/KP
Dated: 21/02 /2019

To

The Section Officer (Admn.),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT NOMINATION FOR THE TRAINING COURSES.

Memo: Reference is made to your letter No.SOG(AD)/1-3/Trg/2018-19 dated: 15-02-2019 on the subject noted above.

The following officer is hereby nominated for the training course noted as under.

S. No	Name and Designation	Name of the Training Course	Period
1.	Engr. Abdullah Khan Soil Conservation Officer (Technical) (HQ)	Environmental Impact Assessment for Developmental Projects.	March 25-29, 2019. Five-Day
2.	Mr. Bilal Ahmad Assistant Soil Survey Research Officer	Environmental Impact Assessment for Developmental Projects.	March 25-29, 2019 Five-Day

Submitted for further necessary action, please.

Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

DIRECTORATE GENERAL SOIL CONSERVATION KHYBER PAKHTUNKHWA
Agricultural Training Institute, Jamrud, Road Peshawar
Phone 091-9224331 Fax 091-9842012 E-mail: directorgeneral@soilconservationkhyber.gov.pk



THE FOLLOWING PARTICIPANTS HAVE ATTENDED THE TRAINING ON
13-04-2019 TO 19-04-2019 IN VARIOUS DISTRICTS OFFICES OF SOIL AND WATER
CONSERVATION DEPARTMENT.

S.No.	Name	Designation	Signature
1.	Yaseen Khan	Director General, Soil and Water Conservation, Khyber Pakhtunkhwa	
2.	Shah Alam Khan	Director Planning & Development, Soil and Water Conservation, Khyber Pakhtunkhwa.	
3.	Taib Khan	Director, Soil and Water Conservation, Kohat.	
4.	Arwaiz Ali	Deputy Director (Planning), Soil and Water Conservation HQ.	
5.	Sami Ullah	Soil Conservation Officer, HQ.	
6.	Naveed Hasham	Soil Conservation Officer, HQ.	
7.	Jaffar Shah	District Officer, Soil and Water Conservation, Peshawar.	
8.	Khalid Gohar Khan	District Officer, Soil and Water Conservation, Nowshera.	
9.	Muhammad Yahya	Computer Operator, HQ.	
10.	Sajjid Ahmad	Superintendent, HQ.	
11.	Fazle Raziq	Field Supervisor, Soil and Water Conservation, Nowshera.	
12.	Naseer Khan	Soil Conservation Inspector, Peshawar.	
13.	Aqib Noman	Soil Conservation Assistant, Kohat.	
14.	Wajeed Ullah	Field Assistant, Peshawar.	
15.	Kooh ul Amin	Tracer, Soil Survey, HQ.	

23



DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, opposite Islamia College, Jinnah Road Peshawar, Pakistan.
Phone: 091-9224331 Fax: 091-3842912 <http://aowc.kp.gov.pk> Email: director@soilconservation.kp.gov.pk



Save Soil and Water

No. 2290 /DGSWC/KP
Dated: 22/3/2019

To

The Section Officer (Admin),
Government of Khyber Pakhtunkhwa
Agriculture Livestock and Cooperative Department, Peshawar.

SUBJECT NOMINATION FOR THE TRAINING COURSES.

Memo; Reference is made to your letter No.SOG(AD)/1-3/1'rg/2018-19 dated: 08-03-2019 on the subject noted above.

The following officers are hereby nominated for the training course noted as under.

S.No	Name and Designation	Name of the Training Course	Period
1.	Mr. Sami Ullah Soil Conservation Officer (HQ)	Planning & Management Skills for Efficient & Effective Service Delivery.	April 15-18, 2019 Four-Day
2.	Mr. Umar Rahman, Soil Conservation Assistant, Shangla.		

Submitted for further necessary action, please.

(Signature)

Director General
Soil and Water Conservation
Khyber Pakhtunkhwa, Peshawar.

29

DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute Campus, Opposite Islamia College, Jamrud Road Peshawar, Pakistan.
Phone: 091-9224331 Fax: 091-5842912 <http://soilconservation.kp.gov.pk> Email: directorsoilconservation@hotmmail.com
Conserving Soil and Water Resources in Khyber Pakhtunkhwa.



No. 2172 /DGSWC/KP

Dated: 7/3 /2019

To,

The Director,
Climate, Energy, and Water Research Institute,
National Agriculture Research Center, Islamabad.

SUBJECT:

INVITATION FOR PARTICIPATION IN THE PROJECT END WORKSHOP OF COLLABORATIVE PROJECT TITLED "IMPROVING SKILLS FOR PROMOTING SUSTAINABLE WATERSHED MANAGEMENT PRACTICES IN SOUTH ASIA" ON MARCH 19 TO 21, 2019 AT ISLAMABAD HOTEL, G-6, CIVIC CENTER, ISLAMABAD.


Memo:

Reference is made to your letter, Dated: 05-03-2019 on the subject mentioned above.

The following officers are hereby nominated for the subject training course.

S. No.	Name of the Officer	Designation	Contact No.
1	Engr. Abdullah Khan	Soil Conservation Officer Technical, HQ	0312-9915244
2	Engr. Noor Muhammad	Soil Conservation Assistant (BS-17), Buner.	0346-9479551

It is submitted for further necessary action please.


% Director General
Soil and Water Conservation
Khyber Pakhtunkhwa

DIRECTORATE GENERAL SOIL & WATER CONSERVATION KHYBER PAKHTUNKHWA

Agriculture Training Institute (ATI) Campus, Opposite Islamia College, Jinnah Road, Peshawar.

Phone: 091-9224331, Fax 091-5842912; Email: dgswhkp@gmail.com

Save Soil and Water!

No. 2793 / DGSWC

Dated: 19 / 04 / 2019



COURSE RELEVANCY CERTIFICATE

Name of officer: Naseem Khan
 Course title: Project Proposal Development & Implementation
 Course duration: Three days
 Date: April 23-25, 2019

Mr. Naseem Khan, Soil Conservation Officer (Planning), is working in planning cell in Directorate General Soil and Water Conservation. He is involved in PC-1 preparation. Therefore, the upcoming training "Project Proposal Development & Implementation" is quite relevant to his job.

It is certified that the above mentioned officer is relevant to the nominated training course.

[Signature]
 Director General
 Soil & Water Conservation
 Khyber Pakhtunkhwa
 Peshawar.

31

~~17~~

(17)

COURSE RELEVANCY CERTIFICATE

Course title:


Human Resource Management in Public Sector, 22-25 January, 2019

1. Mr. Fazal Rubi, District Officer Soil and Water Conservation is working as drawing and disbursing Officer who deals with administrative and human resource management at district level.

2. Mr. Naveed Hasham is working as Soil and Water Conservation Technical Officer in the Directorate General Soil and Water Conservation Peshwar. He is concerned with the technical and administrative matters of all the districts of Khyber Pakhtunkhwa.

3. Mr. Umar Rehman, Soil and Water Conservation Officer is working as technical field officer in district Shangla and stand 2nd in command and is responsible for all the activities deal by the district head in his absence.

It is certified that the above mentioned officers are relevant to the nominated training course.


Director General
Soil and Water Conservation
Khyber Pakhtunkhwa.

32

29

COURSE RELEVANCY CERTIFICATE

Course title:

M.S. Project, 20-22 March, 2019

1. Ms. Shagufta Bano, Deputy Director Soil and Water Conservation deals with technical, financial and audit matters of all the districts.

2. Mr. Awais Ali, Deputy Director Planning, is working in planning cell in Directorate General Soil and Water Conservation. He is involved in PC-1 preparation.

3. Mr. Naseem Khan, Assistant Director Planning, is working in planning cell in Directorate General Soil and Water Conservation. He is involved in PC-1 preparation. Therefore, the upcoming training "M.S. Project, 20-22 March, 2019" is quite relevant to his job.

It is certified that the above mentioned officers are relevant to the nominated training course.


Director General
Soil and Water Conservation
Khyber Pakhtunkhwa.

33

No. SOU/AD/01-UT/2019/20
 Dated: 20/10/2019

To

The Section Officer (Admin),
 Government of Khyber Pakhtunkhwa
 Agriculture Livestock and Cooperative Department, Peshawar

SUBJECT

NOMINATION FOR THE TRAINING COURSES

Memo:

Reference is made to your letter No. SOU/AD/01-UT/2019/20 dated 12-09-2019 on the subject noted above.

The following officers are hereby nominated for the training courses given below:

S.No.	Name and Designation	Name of the Course	Period
1.	Mr. Bilal Ahmad, Soil Conservation Officer (BS-17), (HQ)	Community Mobilization for Rural Development	Oct 01-03, 2019 Three Days
2.	MS. Bushra Banno, Deputy Director, Soil Survey Khyber Pakhtunkhwa.	Natural Resource Management through Community Participation in context of Rural Development	Oct 14-18, 2019 Five Days
3.	Mr. Naseem Khan, Soil Conservation Officer Planning (BS-17), HQ	Promotion of Chinese Model of Sustainable Rural Development	Oct 29-31, 2019 Three Days

Submitted for further necessary action, please.

Director General
 Soil and Water Conservation
 Khyber Pakhtunkhwa, Peshawar.

Copy forwarded to:

- Mr. Bilal Ahmad, Soil Conservation Officer, HQ
- Mr. Naseem Khan, Soil Conservation Officer (Planning), HQ.
- MS. Bushra Banno, Deputy Director Soil Survey Khyber Pakhtunkhwa, Peshawar.

For information.