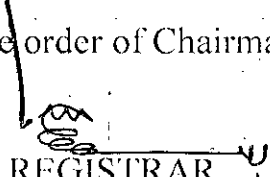


FORM OF ORDER SHEET

Court of _____

Case No. - 520/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1-	08/03/2023	<p>The appeal of Mr. Haroon ur Rashid resubmitted today by Mr. Zartaj Anwar Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Haroon-ur-Rashid Assistant District Population Welfare Officer received today i.e. on 28.02.2023 is incomplete on the following score which is returned to the co Counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of appellant is incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1074.
- 2- Copy of final rejection order of departmental appeal dated 3.2.2023 mentioned in para-9 of the memo is not attached with the appeal which may be placed on it.
- 3- Page Nos. 14, 15, 22 & 24 to 28 are illegible which may be replaced by legible/better one.


No. 824 /S.T,

Dt. 1-3- /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zartaj Anwar Adv.
High Court Peshawar.

In rejection order is attached at
page 21 of the appeal and which
mistakenly mentioned date 3, feb 2022
as the same is 3, feb 2023.


01-3-23.

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 520/2023

Haroon-ur-Rashid Assistant District Population Welfare
Officer/Admin Officer in Population Welfare Department.
(Appellant)

VERSUS

Govt of Khyber Pakhtunkhwa through Chief Secretary, Civil
Secretariat, Peshawar and others.....
(Respondents)

INDEX

S. NO	Description of documents	Annexure	Page No
1	Memo of Appeal + Affidavit		1- 6
2	Copy of the Working papers	A	7- 9
3	Copy of the rules	B	10-13
4	Copies of seniority list	C	14-15
5	Copy of letter dated 03.11.2022 and 31.08.	D & E	16-17
6	Copy of the departmental appeal and rejection order	F	18-21
7	Copy of the letter dated 29.12.2020	G	22
8	Other documents		23-34
9	Vakalatnama		35

Appellant

Through

ZARTAJ ANWAR

Advocate High Court

Office FR , 3-4 Forth

Floor Bilour Plaza

Peshawar Cantt.

Cell: 0331-9399185

Email: Zartaj9@yahoo.com

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. ____/2023

Haroon-ur-Rashid Assistant District Population Welfare
Officer/Admin Officer in Population Welfare Department.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Govt of Khyber Pakhtunkhwa through Secretary Establishment Department Civil Secretariat, Peshawar.
3. Govt of Khyber Pakhtunkhwa through Secretary Population, welfare Department Civil Secretariat, Peshawar.
4. Director General, Directorate Population Welfare Department Khyber Pakhtunkhwa Peshawar
5. Sarfaraz khan Superintendent BPS 17, DG, Directorate, Population Welfare Department KP, Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, whereby the respondents are not promoting the appellant on regular basis, against which the appellant filed his departmental appeal vide dated 08.11.2022, which has not been responded despite the lapse of 90 days of statutory period.

Prayer in appeal:

On acceptance of this appeal the appellant may please be promoted to the post of Assistant District Population Welfare Officer/Admin Officer BPS-17 on regular basis W.e.f 15.04.2022, with all consequential benefits, the appellant is working on the post of Assistant District Population Welfare Officer/Admin Officer on acting charge basis since 31.03.2021, furthermore Junior colleagues of the appellant were promoted on regular basis

on 03.11.2022, the inaction on the part of the respondents is illegal, unlawful and without lawful authority, or any other remedy which is not specifically asked for may also be awarded in favor of the appellant.

Respectfully Submitted:

1. That the appellant was appointed on the post of Senior Scale Stenographer BPS-15 on the recommendation of the Khyber Pakhtunkhwa Public Service Commission on 23.08.2005, which was later on upgraded to BPS-16 through general upgradation.
2. That since his appointment the appellant performed his duties with great zeal and devotion to the entire satisfaction of his superiors without any complaint whatsoever regarding his performance.
3. That appellant having all the requisite eligibility criteria for further promotion to the post of Assistant District Population Welfare Officer/Admin Officer BPS-17, working papers were prepared and submitted but instead of regular promotion he was selected for Acting Charge basis. *(Copy of the Working papers is attached as annexure A).*
4. That the appellant since his appointment/promotion on acting charge basis performing his duties on the post of Assistant District Population Welfare Officer/Admin Officer BPS-17.
5. That according to the rules for promotion the of Assistant District Population Welfare Officer/Admin Officer BPS-17 shall be filled on the basis of Seniority cum fitness with the ratio of 40% amongst the Assistants with at least 5 years' service as such, 20 % amongst the Statistical Assistants with at least 5 years' service, 20 % amongst the Senior Scale Stenographer with at least 5 years' service and 20% amongst the projectionist and photographers. *(Copy of the rules are attached as annexure B)*
6. That to determine the calculated quota for promotion separate seniority list amongst all the categories were maintained for the fair and transparent of observance of quota, the appellant being senior most amongst his category and stood first at the

seniority list of Senior Scale Stenographer, while having such position the appellant was promoted on acting charge basis while having the vacant position, eligibility criteria and fitness for such promotion. *(Copies of seniority list is attached as annexure C).*

7. That other similarly placed colleagues who were also promoted to the next high scale on acting charge basis along with the present appellant were regularized/regular promoted to the post but kept hanging the position of the appellant.
8. That it is worth to mentioned here upon the appeal of the appellant the case were considered by the answering respondent delaying the matter without any lawful justification but at the same time considered the regular promotion/regularization of other colleagues who were also serving the department with various nomenclature on acting charge basis were regularized/promoted on regular basis vide order dated 03.11.2022 being the blue eyed ones and refusing the same to the appellant hence discriminating treatment meted out to the present appellant. *(Copy of letter dated 03.11.2022 and 31.08.2022 are attached as D & E)*
9. That being aggrieved from the acts and omission of the respondent by not promoting the appellant on regular basis the appellant submitted his departmental appeal vide dated 08.11.2022 which was rejected/turn down on 03.02.2023 *(Copy of the departmental appeal and rejection order is attached as annexure F)*
10. That the act of the respondents by not sending her for mandatory training and not including the name of the appellant in the seniority list , is illegal unlawful against law and facts the appellant file this service appeal inter alia on the following grounds:-

GROUND OF SERVICE APPEAL:

- A. That the appellant has not been treated in accordance with law and hence her rights secured and guaranteed under law and constitution are badly violated.
- B. That appellant having all the requisite eligibility criteria for further promotion to the post of Assistant District Population

Welfare Officer/Admin Officer BPS-17, working papers were prepared and submitted but instead of regular promotion he was selected for Acting Charge basis.

Welfare Officer/Admin Officer BPS-17, working papers were prepared and submitted but instead of regular promotion he was selected for Acting Charge basis.

- C. That according to the rules for promotion the of Assistant District Population Welfare Officer/Admin Officer BPS-17 shall be filled on the basis of Seniority cum fitness with the ratio of 40% amongst the Assistants with at least 5 years' service as such, 20 % amongst the Statistical Assistants with at least 5 years' service, 20 % amongst the Senior Scale Stenographer with at least 5 years' service and 20% amongst the projectionist and photographers.
- D. That it is worth to mentioned here upon the appeal of the appellant the case were considered by the answering respondent delaying the matter without any lawful justification but at the same time considered the regular promotion/regularization of other colleagues who were also serving the department with various nomenclature on acting charge basis were regularized/promoted on regular basis vide order dated 03.11.2022 being the blue eyed ones and refusing the same to the appellant hence discriminating treatment meted out to the present appellant
- E. That upon the departmental representation the office of the Directorate General Population Welfare department while commenting upon the case of the appellant along with his colleagues address a letter to the secretary Population Welfare department dated 29.12.2022, as the appellant along with his 4 more colleagues promoted on acting charge basis against the vacant positions are fit and eligible to be regularized w.e.f the same date as the counterpart were regularized to meet the norm of justice and to avoid the department from future unnecessary litigations. *(Copy of the letter dated 29.12.2020 is attached as annexure G)*
- F. That the appellant was promoted on acting charge basis despite of availability of the vacant post is illegal, unlawful and without lawful authority and also violative upon the rights of the appellant.
- G. That the appellant is performing his duties on the post of Assistant District Population Welfare Officer/Admin Officer BPS-17 and not promoting the appellant on regular basis is

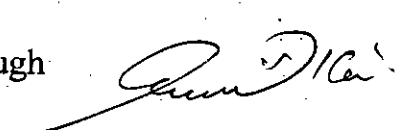
illegal, unlawful and without lawful authority and also violative upon the rights of the appellant.

- H. That the appellant has not been treated as per notified gazetted rules by the respondents which deprived the appellant from his due right of seniority, promotion.

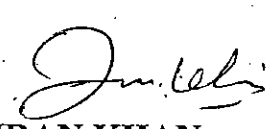
It is, therefore, humbly prayed that On acceptance of this appeal the appellant may please be promoted to the post of Assistant District Population Welfare Officer/Admin Officer BPS-17 on regular basis as the appellant is working on the post of Assistant District Population Welfare Officer/Admin Officer on acting charge basis since 31.03.2021, furthermore the promotion/regularization against the post w.e.f the date of acting charge basis with all consequential benefits, the reluctance on the part of the respondents is illegal, unlawful and without lawful authority, or any other remedy which is not specifically asked for may also be awarded in favor of the appellant.


Appellant

Through


ZARTAJ ANWAR
Advocate Supreme Court
Of Pakistan

&


IMRAN KHAN
Advocate High Court
Peshawar

Certificate

It is certified that no such appeal on the same matter has earlier been filed before this tribunal

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. _____/2023

Haroon-ur-Rashid Assistant District Population Welfare
Officer/Admin Officer in Population Welfare Department.

(Appellant)

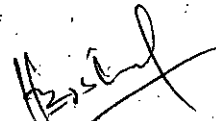
VERSUS

Govt of Khyber Pakhtunkhwa through Chief Secretary & other

Respondents

AFFIDAVIT

I, **Haroon-ur-Rashid** Assistant District Population Welfare Officer/Admin Officer in Population Welfare Department., do hereby solemnly affirm and declare that the contents of the above appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.


Deponent

268 2

April 2011 A

WORKING PAPER

Subject:-

REGULARIZATION AND PROMOTION OF SENIOR SCALE STENOGRAPHERS / ASSISTANTS (BPS-16) STATISTICAL ASSISTANTS (BPS-12) AND PROJECTIONIST (BPS-13) TO THE POST OF ASSISTANT DISTRICT POPULATION WELFARE OFFICERS/ADMN OFFICERS/ PRIVATE SECRETARY & SUPERINTENDENT (BPS-17) AND STATISTICAL INVESTIGATOR MONITORING & EVALUATION OFFICER (BPS-16).

There are 16 sanctioned posts of Assistant District Population Welfare Officers/Admn Officers/Superintendent and Private Secretary (BPS-17) in the Population Welfare Department Khyber Pakhtunkhwa (Annex-I). At the moment 06 posts are lying vacant 04 already occupied by promotees on acting charge basis (Annex-II) and 01 occurred after retirement of Mr. Gohar Ali and other newly created post of Private Secretary (BPS-17) Annex-III Details of share of promotion for all 16 posts as per service rules of the department.

2. SERVICE RULES FOR SUPERINTENDENT (BPS-17) (ANNEX-IV).

In terms of Serial No.13, column Nos. 2 & 5 of Government of Khyber Pakhtunkhwa Population Welfare Department Notification No. SOE (PWD) 4-10/06/Vol-II/430-40 dated 19.02.2009, the following method of recruitment has been prescribed for filling of post of Superintendent (BPS-17)

- (i) By promotion, on the basis of seniority-cum-fitness, from amongst Assistants with at least Five Years' service as such; and
- (ii) If no suitable candidate is available for promotion, then by transfer.

3. SERVICE RULES FOR PRIVATE SECRETARY (BPS-17) (Annex-IV).

In terms of Serial (16) against, column No. 5 of Government of Khyber Pakhtunkhwa Population Welfare Department Notification No. SOE (PWD)4-10/06/ Vol-II/430-40 dated 19.02.2009, the following method of recruitment has been prescribed for filling of post of Private Secretary (BPS-17)

- (i) By promotion on the basis of seniority -cum fitness from amongst the Senior Scale Stenographers with at least five years' service as such.

4. SERVICE RULES FOR STATISTICAL INVESTIGATOR MONITORING & EVALUATION OFFICER (BPS-16) (ANNEX-IV).

In terms of Serial (16) against, column No. 5 of Government of Khyber Pakhtunkhwa Population Welfare Department Notification No. SOE (PWD)4-10/06/ Vol-II/430-40 dated 19.02.2009 the following method of recruitment has been prescribed for filling of post of Statistical Investigator Monitoring & Evaluation Officer (BPS-16)

- (i) By promotion on the basis of seniority -cum fitness from amongst the Statistical Assistants with at least five years' service as such; and
- (ii) If no suitable candidate is available for promotion, then by transfer.

5. SERVICE RULES FOR ADPWO/ADMN OFFICERS (BPS-17) (ANNEX-V).

In terms of Serial No.11, column Nos. 2 & 5 of Government of Khyber Pakhtunkhwa Population Welfare Department Notification No. SOE (PWD) 4-10/2016-17/Vol-IV/1471-81 dated 17.02.2011, the following method of recruitment has been prescribed for filling of posts of Assistant District Population Welfare Officers/Admn Officers (BPS-16)

- i) Forty Percent (40%) by promotion, on the basis of seniority-cum fitness from amongst the Assistants with at least five years' service as such;
- ii) Twenty Percent (20%) by promotion, on the basis of seniority-cum fitness from amongst the Statistical Assistants with at least five years' service as such;
- iii) Twenty Percent (20%) by promotion, on the basis of seniority-cum fitness from amongst the Senior Scale Stenographers with at least five years' service as such;
- iv) Twenty Percent (20%) by promotion, on the basis of seniority-cum fitness from amongst the Projectionist and Photographers with at least five years' service as such;

6. The details of share of promotion of all 16 sanctioned posts of Assistant District Population Welfare Officers/Admn Officers/Superintendent / Private Secretary (BPS-17) and Statistical Investigator Monitoring & Evaluation Officer (BPS-16) as mentioned below in the table.

Continuous on page No.2/c

S.#	Post	Share of each cadre	Quota reserved for	Percentage %	Vacant at the moment
1	Superintendent (BPS-17)	01	Assistant (BPS-16)	(100%)	01
2	Private Secretary (BPS-17)	02	S.S.Stenographer (BPS-16)	(100%)	01
3	ADPWO/Admn Officer (BPS-17)	04	Assistant (BPS-16)	40%	00
		02	Statistical Assistant (BPS-12)	20%	01
		02	S.S.Stenographer (BPS-16)	20%	02 ✓
		03	Projectionist (BPS-13)	20%	01
4	Statistical Investigator (BPS-16)	01	Statistical Assistant (BPS-12)	100%	00
5	M & E. Officer (BPS-16)	01			
Total Posts:-		16			06

The detail of the Promotee viz-a-viz directly recruited Officers holding the posts is given in (Annex-VI).

According to the seniority lists (Annex: -VII). The following are senior most i.e. Assistant (BPS-16) Statistical Assistant (BPS-12), Senior Scale Stenographers (BPS-16) and Projectionist (BPS-13) in their respective cadres who are due for promotion to the post Assistant District Population Welfare Officers/Admn Officers/Superintendent/ Private Secretary (BPS-17) Statistical Investigator and Monitoring & Evaluation Officer (BPS-16).

(A) ASSISTANT (BPS-16):-

S.#	Name of official	Qualif;	Post & BPS	Date of regular Appointment	Whether he has completed 05 years' service	Whether eligible for promotion	Proposed for the post of
1	Sarfraz Khan Already on acting charge basis. (Annex-II)	M.A.	Assistant (BPS-16)	11.01.2012	Yes	Yes	Superintendent (BPS-17) on regular basis

(B) SENIOR SCALE STENOGRAPHER (BPS-16):-

S.#	Name of official	Qualif;	Post & BPS	Date of regular Appointment	Whether he has completed 05 years' service	Whether eligible for promotion	Proposed for the post of
1	Mr. Haroon-ur-Rashid Already on acting charge basis. (Annex-II)	M.A.	S.S. Stenographer (BPS-16)	23.08.2005	Yes	Yes	ADPWO/Admn Officer (BPS-17) on regular basis
2	Mr. Muhammad Israr	B.A	S.S. Stenographer (BPS-16)	06.03.2012	Yes	Yes	ADPWO/Admn Officer (BPS-17) on regular basis
3	Mr. Fayaz	B.A	S.S. Stenographer (BPS-16)		Yes	Yes	Private Secretary (BPS-17) On regular basis

(C) STATISTICAL ASSISTANT (BPS-12):-

S.#	Name of official	Qualif;	Post & BPS	Date of regular Appointment	Whether he has completed 05 years' service	Whether eligible for promotion	Proposed for the post of
1	Mr. Shafiq Alam Already on acting charge basis. (Annex-II).	M.Sc	Statistical Assistant (BPS-16)	24.09.2009	Yes	Yes	ADPWO/Admn Officer (BPS-17) On regular basis

Continues on page No.3c

(D) PROJECTIONIST (BPS-13):-

9

270

Name of official	Qualif;	Post & BPS	Date of regular Appointment	Whether he has Completed 05 years' Service	Whether eligible for promotion	Proposed for the post of
Mr. Khuda Bakhsh Already on acting charge basis (Annex-II).	Matric	Projectionist (BPS-13)	17.03.1990	Yes	Yes	ADPWO/Admn Officer (BPS-17) On regular basis

Attested copies of the synopsis from the ACRs along with complete and up to date original dossier / Bio data of the officials concerned are placed on board.

It is certified that all officials included in the panel for promotion:-

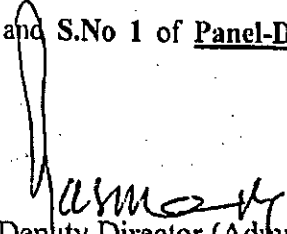
- Hold the lower post on regular basis and none of them is holding the post on Adhoc basis.
- Have the prescribed minimum length of qualifying service/ experience as required under the service recruitment rules.
- No departmental/professional examination has been prescribed.
- Seniority of the following cadres are final and not disputed. (Annex-VII).

- Senior Scale Stenographers (BPS-16).
- Projectionists (BPS-13)
- Statistical Assistants (BPS-12)
- Assistants (BPS-16)

It is further certified:-

- That neither any disciplinary/departmental proceeding/anti-corruption case/judicial inquiry is pending against any of the above officials, recommended for promotion nor has any penalty been imposed on any of them.
- That neither any official involved in any NAB case nor entered any plea bargaining agreement with NAB authority in the past.
- That the above officials are regular member of the service/cadre and presently serving in the respective service/cadre.

The Departmental Promotion Committee is requested to determine the suitability of six (06) officials vide Para-8 at S.No. 1 of Panel-A proposed for promotion to the post of superintendent (BPS-17) on regular basis and S.No. 1&2 of Panel-B to the post of Admn Officer/ADPWO & .03 to the post of Private Secretary (BPS-17) on regular basis, S.No. 1 of Panel-C to the post of Admn Officer/ADPWO (BPS-17) and S.No 1 of Panel-D to the post of Admn Officer/ADPWO (BPS-17) on regular basis with immediate effect.


Deputy Director (Admn)

Deputy Director (Admn).
Population Welfare Department,
Khyber Pakhtunkhwa,
Peshawar



**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT**

NOTIFICATION

Dated the Peshawar 17th February, 2017.

No. SOE(PWD)4-10/2016-17/Vol-IV/177⁻⁸¹ in pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1999, the Population Welfare Department, in consultation with the Establishment Department and the Finance Department hereby directs that, in this Department's Notification No.SOE(PWD)4-10/06/Vol-III, dated 19th February, 2009, the following amendments shall be made, namely:

AMENDMENTS

in the Appendix,-

(i) against serial No.2, for the existing entries, the following shall be substituted in the respective columns, namely:

2.	3.	4.	5.
Director (Non-Technical), District Population Welfare Officer.			(i) By Promotion on the basis of seniority-cum- fitness, from amongst the Deputy Directors (Non-Technical), District Population Welfare Officers and Senior Instructors (Non-Technical) with twelve years service as such, in BPS-17 and above: Provided that if no suitable candidate is available for promotion, then by transfer from amongst the suitable officers of the Provincial Government. Note: For the purpose of promotion, a joint seniority list shall be maintained from amongst the Deputy Directors (Non-Technical), District Population Welfare Officers and Senior Instructors (Non-Technical).

(ii) against serial No.3, for the existing entries, the following shall be substituted in the respective columns, namely:

2.	3.	4.	5.

Amended B
10
Page 10/3

Officers

*Sister Tutor.	A Grade Nurse with, (i) Diploma in Nursing from a recognized institute; and (ii) two years relevant experience from any Government recognized institute.	22 to 35 years	(i) Fifty percent (50%) by promotion on the basis of seniority-cum-fitness from amongst the Assistant Sister Tutors with five year service as such. Provided that if no suitable candidate is available for promotion then by initial recruitment; and (ii) Fifty percent (50%) by initial recruitment.
----------------	--	----------------	---

(viii) against serial No. 9, the existing entries in the respective column shall be deleted;

(ix) against serial No. 10 in column No. 2 and 4, for the existing entries, the following shall respectively be substituted, namely:

2	4
*Woman Medical Officer/ Deputy District Population Welfare Officer (Technical)/ Instructor (Technical)/ NSV Surgeon.	22 to 35 years

(x) against serial No. 11, the existing entries in the respective columns shall be deleted;

(xi) against serial No. 12, in column No. 2, 3 and 5, for the existing entries, the following shall respectively be substituted, namely:

2	3	5
*Assistant District Population Welfare Officer/ Admn. Officer.	At least Second Class Master's Degree or equivalent qualification from a recognized University in Sociology /Social Work/ Anthropology/ Psychology /Business Administration (MBA)/ Public Administration (MPA) /Economics /Statistics /Political Science/ Population Studies.	(i) Forty percent (40%) by promotion on the basis of seniority-cum-fitness from amongst the Assistants with at least five years service as such; (ii) Twenty percent (20%) by promotion on the basis of seniority-cum-fitness from amongst the Statistical Assistants with at least five years service as such; (iii) Twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with at least five years service as such; and (iv) Twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Projectionists and Photographers with at least five years service as such.

		Provided that if no suitable candidate is available for promotion, then by initial recruitment.
--	--	---

(xii) against serial No.14, in column No.5; for the existing entries, the following shall be substituted, namely:

Method of recruitment.	
5.	
(i)	Eighty percent (80%) by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Assistants with five years service as such: Provided that if no suitable candidate is available for promotion, then by initial recruitment; and
(ii)	Twenty percent (20%) by initial recruitment.

(xiii) against serial No.17, in column No.5, for the existing entries, the following shall be substituted, namely:

5.	
By promotion, on the basis of seniority-cum-fitness from amongst the Family Welfare Counselors and Female Wardens with five years service as such, who have successfully completed four months Advance Training Course of Field Technical Officer. Provided that if no suitable candidate is available for promotion, then by transfer.	

(xiv) against serial No.18, in column No.3 and 5, for the existing entries, the following shall be substituted, namely:

3.	5.
<ul style="list-style-type: none"> (i) Second Class Bachelor's Degree from a recognized University; (ii) a speed of seventy (70) words per minute in shorthand in English and 45 words per minute in typing; and (iii) knowledge of computer in using Microsoft Word and Microsoft Excel. 	<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Scale Stenographers with at least five years service as such; Provided that if no suitable candidate is available for promotion, then by initial recruitment.*</p>

13

20

(xix) against serial No. 38, in column No. 3 and 4, for the existing entries, the following shall be substituted, namely:-

3.	4.
(i) Primary Pass; and	18 to 40 years."
(ii) two years relevant experience.	

(xx) against serial No. 39, for the existing entries in column No. 3, the following shall be substituted, namely:

3.
"18 to 40 years."

(xxi) against serial No. 40, in column No. 3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
"Primary pass"	18 to 40 years." and

(xii) after serial No. 40, the following new serial No. 41 and the entries in the respective column shall be inserted in the following manner, namely:

1.	2.	3.	4.	5.
41	Cook	Literate with knowledge in cooking.	18 to 40 years	By initial recruitment."

Signature

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Dated Peshawar the 17th February, 2017.

Endst No. SOE(PWD)4-10/2016-17/Vol-IV/1471-81

- Copy forwarded for information & necessary to the:-
- Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
 - Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.

Annex VII

677-5

Government of Khyber Pakhtunkhwa
Directorate General Education
14th Floor, Government Secretariat Building,
Islamabad

Amir Bilal C
14/47/104

FOR THE YEAR 1988-89, THE LIST OF PERSONNEL OF CATEGORY 'B' EMPLOYED IN THE GOVT. SCHOOLS AND COLLEGES IN THE PROVINCE OF KHYBER PAKHTUNKHWA AND SERVICES RENDERED BY THEM DURING THE YEAR 1988-89, THE FINAL SET OF LIST OF ASSISTANT (BPS-18) AS ON 31.03.2000 DATED 26.07.2000

Sl No	Name	Date of Birth	Domicile	Qualif.	Direct Promotions	Date of Joining Govt. Service	Lower Grade/Previous Post	Grade	Appn. Serial
1	Abdul Karim	16/04/1973	Peshawar	B.A.	Promotion	03/09/2001	10/09/2001	10/09/2001	20/2001
2	Abdul Karim	14/04/1978	Peshawar	B.A.	Promotion	04/09/2001	24/09/2001	24/09/2001	20/2001
3	Abdul Karim	11/11/1965	Chitral	B.A.	Promotion	15/07/1995	15/11/2001	15/11/2001	20/2001
4	Abdul Karim	09/03/1963	Peshawar	B.A.	Promotion	17/07/1996	11/11/2001	11/11/2001	20/2001
5	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001
6	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001
7	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001
8	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001
9	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001
10	Abdul Karim	03/02/1967	Peshawar	B.A.	Promotion	01/06/1994	03/02/2001	03/02/2001	20/2001

GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE

OFFICE ORDER

F No. 4/15/2016-20/Admin: In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants, Appointment (Promotion & Transfer) Rules, 1989, the Final Seniority list of Assistant (BPS-16) (As stood on 28.01.2020 Directorate General Population Welfare Khyber Pakhtunkhwa.

S No	Name	Date of Birth	Domicile	Qualif;	Direct/Promotee	Date of Joining Govt Service	Lower Grade	Present Grade	Date of regularization	Place	Remarks
1.	Sarfaraz Khan	01.07.1972	Khyber Agency	MA	Promotee	01.09.2001	01.09.2001	11.01.2012			
2.	Ashiq Nabi	16.04.1973	Peshawar	BA	Promotee	03.09.2001	03.09.2001	11.01.2012	21.05.2014		
3.	Abid Akbar	14.04.1978	Peshawar	BA	Promotee	04.09.2001	04.09.2001	11.01.2012	26.10.2016		
4.	Mr Khan Sher	11.11.1965	Peshawar	Matric	Promotee	11.11.2006	11.11.2006	30.09.2018	30.05.2018		
5.	Mr Hidayatullah	09.03.1963	Charsadda	FA	Promotee	11.11.2008	11.11.2008	30.05.2018	20.05.2018		
6.	Mr Taib Khan	26.02.1965	Malakanad	BA	Promotee	02.02.2006	02.02.2006	30.05.2018	13.05.2018		Become Civil Servant of the Province as per request of the (sic)
7.	Mr Zahid Khan	15.06.1967	Peshawar	Matric	Promotee	11.10.2010	11.10.2010	30.05.2018	30.05.2018		
8.	Mr Abdul Jamil	06.09.1967	Peshawar	Matric	Promotee	11.10.2010	11.10.2010	30.05.2018	30.05.2018		
9.	Mr Zahid Tanveer	01.11.1967	Nowshera	BA	Promotee	11.10.2010	11.10.2010	30.05.2018	30.05.2018		
10	Mr Fazal-e-Qadir	10.09.1967	Peshawar	MA	Promotee	07.03.2012	07.03.2012	08.03.2019	08.03.2015		
11	Mr Muhammad Bashir Khan	27.10.1968	L. Marwat	BA	Promotee	07.03.2012	07.03.2012	08.03.2019	06.03.2019		
12	Mr Nageebullah	01.10.1968	L. Marwat	MA	Promotee	07.03.2012	07.03.2012	08.03.2019	06.03.2019		

Name	Date of Birth	Domicile	Qualif.	Direct/ Promoter	Date of joining Govt. Service	Lower Grade/ Private Trade	Date of Registration
13. Mr. M. M. M. M.	14.10.1972	Tank	F A	Promotee	30.03.1983	5012018	28.07.83
14. Mr. M. M. M. M.	13.02.1963	Peshawar	M.B.A.	Promotee	13.04.1983	5012019	28.07.83
15. Mr. M. M. M. M.	16.03.1972	Peshawar	B.A.	Promotee	05.05.1983	14102015	28.07.83
16. Mr. M. M. M. M.	13.11.1966	North Waziristan	B.A.	Promotee	05.05.1983	14102016	28.07.83

- 1. Mr. Director At Peshawar RTI/AT DPWOS PIVD KP for information with the records
- 2. Mr. Director General, Population Welfare Department Govt. of Khyber Pakhtunkhwa
- 3. Officials concerned for information

48

S No	Name	Date of Birth	Domicile	Qualif.	Direct/Promotee	Date of Joining Govt Service	Lower Grade	Present Grade	Date of regularization	Place	Remarks
13	Mr Muhammad Zulfiqar	14.10.1972	Tank	FA	Promotee	30.03.1993	07.03.2012	08.03.2019	08.03.2019		
14	Mr Muhammad Mu'shtaq Saeed	13.03.1968	Peshawar	Matric	Promotee	13.04.1993	07.03.2012	08.03.2019	08.03.2019		
15	Mr Imtiaz Khan	16.08.1972	Peshawar	BA	Promotee	05.05.1993	08.03.2019	08.03.2019	08.03.2019		
16	Afsar Khan	13.04.1966	North Waziristan	BA	Promotee	06.05.1993	07.03.2012	08.03.2019	08.03.2019		

1. All Directors All Principals RTI / AKLL DPWOs, PWD, KP, for information with the request to distribute the same amongst the concerned officials.
2. PS to Director General, Population Welfare Department, Govt of Khyber Pakhtunkhwa, Peshawar
3. Officials concerned for information.



GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT
A-Block Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar
Ph: 922323, Fax: 9223622

No. SOE (PWD) 4-42(A)/Promotion2021-22
Dated Peshawar the, 31st August, 2022/10/9/30

16 Amended D

To

The Director General,
Population Welfare Khyber Pakhtunkhwa,
Peshawar.

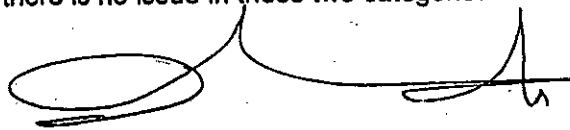
SUBJECT:- WORKING PAPER FOR PROMOTION OF ASSISTANT. SENIOR SCALE STENOGRAPHER (BPS-16), PROJECTIONIST (BPS-13) AND STATISTICAL ASSISTANT (BPS-12) WHO WERE PROMOTED / APPOINTED ON ACTING CHARGE BASIS TO THE POST OF ASSISTANT DISTRICT POPULATION WELFARE OFFICERS / ADMIN OFFICERS / SUPERINTENDENT (BPS-17) AND PRIVATE SECRETARY (BPS-17) AND STATISTICAL INVESTIGATOR, M&E OFFICER (BPS-16).

The undersigned is directed to refer to your letter No. 4(5)/2022/HR/5996-99 dated 04-08-2022 on the subject noted above and to state that the Service Rules of the ADPWO / Admn Officers amended in 2017 are defective with regard to column-3 and 5 of the said rules, which needs to be placed before the Standing Services Rules Committee (SSRC) for necessary amendments.

02. Further, the Service Rules of the Family Welfare Worker amended vide Notification No. SOE(PWD)4-10/2018/SSRC dated 30-03-2021 with regard to maintaining of joint seniority of Family Welfare Assistant (Female) (BPS-07), Aya's, Helpers and Dais (BPS-03) also needs to be amended being unjustified and discriminatory.

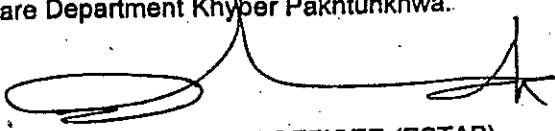
03. Therefore working papers for necessary amendments in the above service rules may be submitted for placement before the Standing Services Rules Committee (SSRC) for consideration and approval.

04. It is pertinent to mention that Promotion cases of Superintendent and Private Secretary (BPS-17) will be discussed in the Departmental Promotion committee (DPC) meeting scheduled on 13-09-2022 as there is no issue in these two categories.


O/C (SHAH BAKHT YOUSAFZAI)
SECTION OFFICER (ESTAB)

ENDST: OF EVEN NO. & DATE:

Copy is forwarded to the:
PS to Secretary Population Welfare Department Khyber Pakhtunkhwa.


O/C SECTION OFFICER (ESTAB)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT**

02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

Dated Peshawar the 03rd November 2022

NOTIFICATION

No. SOE (PWD) 4-42/2022-23/DPC:- On the recommendations of the Departmental Promotion Committee and with approval of the Competent Authority i.e. Chief Secretary, Khyber Pakhtunkhwa, the following ADPWOs/Admn Officer (BS-17), Accountant (BS-17) and Statistical Investigator (BS-16) are promoted against the posts of Assistant Directors / TPWO / DDPWO (Non-Tech) / Instructors (Non-Tech) / Accounts Officer (BS-17) on regular basis, whereas Mr. Sarfaraz Khan, Superintendent (BPS-17) (a.c.b) at S. No. 12 is promoted to the post of Superintendent (BPS-17) on regular basis with immediate effect:

SN	Name & Designation of officer	Promoted on regular basis to the Post
1	Mr. Muhammad Aqeel Babar, ADPWO/Admn Officer (BPS-17)	AD / TPWO / DDPWO (NT) / Instructor (NT) / Accounts Officer (BS-17)
2	Mr. Mir Baiz Khan, ADPWO/Admn Officer (BPS-17)	-do-
3	Mr. Iqbal Khan, ADPWO/Admn Officer (BPS-17)	-do-
4	Mr. Mohammad Daud Khan Afridi, ADPWO/Admn Officer (BPS-17)	-do-
5	Mr. Nazar Ali, Statistical Investigator (BPS-16)	-do-
6	Mr. Muhammad Tariq, Accountant (BPS-17)	-do-
7	Mr. Muhammad Amanullah, Accountant (BPS-17)	-do-
8	Mr. Muhammad Khalid Usman, Accountant (BPS-17)	-do-
9	Mr. Shaukat Ali, Accountant (BPS-17)	-do-
10	Mr. Abdul Sami, Accountant (BPS-17)	-do-
11	Mr. Naeem Khan, Accountant (BPS-17)	-do-
12	Mr. Sarfaraz Khan, Superintendent (BPS-17) (a.c.b)	Superintendent (BPS-17)

02. The officers will remain on probation for a period of one year in terms of Rules of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 extendable for another year.

03. Posting / transfer orders will be issued later on.

SECRETARY

POPULATION WELFARE DEPARTMENT

ENDST: OF EVEN NO. & DATE:

Copy is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa
2. Director General Population Welfare Department, Peshawar
3. Principal Regional Training Institute, Peshawar
4. District Population Welfare Officer, Peshawar, Mardan, Kohistan (S), FATA, Gilgit Swat, Chitral (L), D. Khan and Kohat
5. District Accounts Officer, Peshawar, Mardan, Kohistan (S), FATA, Gilgit Swat, Chitral (L), D. Khan and Kohat
6. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
7. PS to Special Assistant to Chief Minister, PWD, Peshawar
8. PS to Special Assistant to Chief Minister, PWD, Peshawar
9. PS to Secretary, Population Welfare, Peshawar
10. Officer in-charge
11. Masterfile

(SARFARAZ KHAN) (SARFARAZ KHAN)
Superintendent (BPS-17) (a.c.b)
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE
DISTRICT POPULATION WELFARE OFFICER
DISTRICT KHYBER

Main Landikotal Road, Near Taddi Bazar New
Abadi,
Batti Muhammad Irshad, District Khyber.

Amir F
18

No. 1(1)/Admn/2021/DPWO-K/921-23

Dated Khyber the 08th November, 2022

To,

The Director General,
Directorate General Population Welfare,
Khyber Pakhtunkhwa, Peshawar.

01/11/2022

Subject: - DEPARTEMENTAL REPRESENTATION / APPEAL AGAINST THE
REGULARIZATION NOTICIATION OF SUPERINTENDENT (BS-17) ISSUED BY THE
SECTION OFFICER (ESTT), POPULATION WELFARE DEPARTMENT VIDE
NOTIFICATION NO. SOE (PWD) 4-42/2022-23/DPC DATED 03-11-2022.

Respected Madam,

Kindly refer to the subject noted above and to enclose herewith
Departmental Representation / Appeal dated 08-11-2022 alongwith its enclosures
submitted by Mr. Harron-ur-Rashid, DDPWO (BS-17) for consideration of the Competent
Authority or as deemed appropriate please.

Yours faithfully,

Encls: As above.

(Aqeel Babar)
District Population Welfare Officer
District Khyber

No. 1(1)/Admn/2021/DPWO-K/

Dated: 08th November, 2022

Copy forwarded for information to the: -

- 1- PS to Secretary to Government of Khyber Pakhtunkhwa, Population Welfare
Department Peshawar.
- 2- Master file.

District Population Welfare Officer
District Khyber

D. No.
10666
dt.
10-11-22

To,

19
The Secretary to Government of Khyber,
Population Welfare Department,
Peshawar.

Through: PROPER CHANNEL

Subject: - DEPARTMENTAL REPRESENTATION / APPEAL AGAINST THE REGULARIZATION NOTIFICATION OF SUPERINTENDENT (BS-17) ISSUED BY THE SECTION OFFICER (ESTT), POPULATION WELFARE DEPARTMENT VIDE NOTIFICATION NO. SOE (PWD)4-42/2022-23/DPC DATED 03/11/2022

Dear Sir,

With due respect and humble submission I beg to submit the following few points for your kind favourable consideration please:-

- i. As per recommendation of the Departmental Promotion Committee made in its meeting held on 09/02/2021, the undersigned alongwith the following were appointed as ADPWO / Admn Officer (BS-17) and Superintendent (BS-17) on acting charge basis with immediate effect due to less length of service of the predecessors vide (DPC minutes at Annex-I):-
 - a. Mr. Sarfaraz Khan, Superintendent on acting charge basis;
 - b. Mr. Haroon-ur-Rashid, ADPWO / Admn Officer on acting charge basis;
 - c. Mr. Gohar Ali, ADPWO / Admn Officer on acting charge basis;
 - d. Mr. Khuda Bakhsh; ADPWO / Admn Officer on acting charge basis;
 - e. Mr. Shafiq Alam, ADPWO / Admn Officer on acting charge basis;
- ii. At the time of my appointment as ADPWO / Admn Officer (BS-17) on acting charge basis I fulfill all the criteria required for promotion vide (working paper placed before the DPC meeting at Annex-II);
- iii. The Department regularized the services of our predecessors as Assistant Director / TPWO (BS-17) vide Notification No. SOE(PWD)4-42/(A)2021/DPC dated 15/04/2022 vide (Annex-III) which shows clearly that posts of ADPWO / Admn Officer (BS-17) are fallen vacant for promotion on regular basis;
- iv. The Directorate General Population Welfare, Khyber Pakhtunkhwa submitted working paper to the Administrative Department for regular promotion of ADPWO / Admn Officer and Superintendent which was observed by the Section Officer (Estt) Population Welfare that Service Rules of the ADPWO / Admn Officer are defective vide letter No.SOE(PWD)4-42(A)/Promotion2021-22/1049-50 dated 31/08/2022 vide (Annex-IV), but on the other hand the Department promoted mostly the ADPWO / Admn Officer as Assistant Director / TPWO (BS-17) with the defective service rules vide Notification dated 03/11/2022 (Annex-V) which shows dishonesty, nepotism / favoritism;
- v. The undersigned having regular date of appointment in the lower scale is 23/08/2005 and the regular date of appointment in lower scale of Mr. Sarfaraz Khan is 11-01-2012 as evident from the seniority lists at (Annex-VI and VII) respectively;

H. Zaid
08/11/22

- vi. In facts, the cadres of Superintendent and ADPWO / Admn Officer having joint seniority in BS-17 and if the services of one officer in one batch (being junior having regular date of appointment is 11/01/2012) is regularized and ignoring the senior (having regular date of appointment is 23/08/2005) as well as Rule-17 of the Government of Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989, which states that the seniority inter-se of civil servants selected on promotion to higher post in one batch shall, on their promotion to the higher post, retain inter-se seniority as in the lower post vide (Annex-VIII);
- vii. In this regard the undersigned submitted applications / requests to the Competent Authority vide (Annex-IX & X) respectively for consideration of my appointment on regular basis from the date of regularization of my predecessor, but no response has been received so far.

Keeping in view the above mentioned documentary proof / facts, the regularization Notification so issued by the Section Officer (Estt) Population Welfare Department vide (Annex-V) concealing the facts and rules, is void and illegal. Your goodself is therefore, very earnestly requested to very kindly reconsider my case sympathetically being senior having regular date of appointment is 23/08/2005 in light of the Government of Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989 (Annex-VIII) and the illegal and mandatory notification vide (Annex-V) regarding regularization of Mr. Sarfaraz Khan, Superintendent (being junior having regular date of appointment is 11-01-2012) so issued by the Section Officer (Estt) may very kindly be set aside and I may very kindly be regularized from the date of the regularization of my predecessor. Your this act of kindness will enable me to help my younger ailing brother totally dependent upon me and school going children in these hard days of dearness. I shall be very grateful and thanks.

Thanking you in anticipation sir.

Yours faithfully,

Encls: As above

of
 (Haroon-ur-Rashid)
 ADPWO/Admn Officer
 Posted as DDPWO (NT)
 District Khyber

Copy to the:-

1. Director General, Directorate General Population Welfare, Khyber Pakhtunkhwa, Peshawar.
2. Section Officer (Estt), Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.

of
 ADPWO/Admn Officer
 Posted as DDPWO (NT)
 District Khyber
 Cell No. 0300-5911622
 Dated: 08/11/2022



21
GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

SOE(PWD) 4-103/2022/Appeal/1213-15
Dated Peshawar the 03rd February, 2022

To

Mr. Haroon-Ur-Rasheed, Admn Officer,
Regional Training Institute (RTI),
Peshawar.

Subject: - DEPARTMENTAL REPRESENTATION / APPEAL AGAINST THE
REGULARIZATION NOTIFICATION OF SUPERINTENDENT (BS-17)
ISSUED BY THE SECTION OFFICER (ESTT) POPULATION WELFARE
DEPARTMENT VIDE NOTIFICATION NO. SOE(PWD)/4-42/2022-23/DPC
DATED 03-11-2022.

With reference to your Appeal dated 08-11-2022 on the subject noted above and to intimate that seniority is determined from the date of regular promotion and not from the date of promotion on acting charge basis as explained in rule-17 of Appointment Promotion Rules, 1989.

02. I am therefore, directed to inform you that no further action can be initiated on your representation/ appeal in light of the rules ibid.

(SHAH BAKHT YOUSAFZAI)
SECTION OFFICER (ESTT)

ENDST: OF EVEN NO. & DATE:

Copy is forwarded to the:-

1. Director General, Population Welfare Khyber Pakhtunkhwa w/r 4(4)/2022/HR/7473-75 dated 29-12-2022.
2. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (ESTT)



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE

Plot No. 18, Sector E-K, Phase-7, Hayatabad, Peshawar

Annex G
22

E No 444/2022/HR/15/15
Dated Peshawar 29-12-2022.

To:

The Secretary to Government of Khyber Pakhtunkhwa,
Population Welfare Department,
Peshawar.

- Bcc -

DEPARTMENTAL REPRESENTATION / APPEAL AGAINST THE
REGULARIZATION NOTIFICATION OF SUPERINTENDENT (BS-17) ISSUED
BY THE SECTION OFFICER (ESTD) POPULATION WELFARE
DEPARTMENT VIDE NOTIFICATION NO. SOE (PWD)4-42/2022-23/DPC
DATED 03-11-2022

Dear Sir

I am directed to refer the Section Office (Estt), Population Welfare Department letter No.SOE(PWD)4-103/2022 Appeal/1106-7 dated 06-12-2022 on the subject cited above and to state that the following five incumbents were promoted as ADPWO/Admin Officer (BS-17) on acting charge basis in the Departmental Promotion Committee meeting held on 09-02-2021 vide Notification No.SOE(PWD)4-42(A)/2021/DPC dated 31-03-2021 (Annex-A) :-

1. Mr. Sarfaraz Khan, Superintendent.
2. Mr. Haroon-ur-Rashid, ADPWO, Admn Officer.
3. Mr. Gohar Ali, ADPWO / Admn Officer.
4. Mr. Khuda Bakhsh, ADPWO / Admn Officer.
5. Mr. Shafiq Alam, ADPWO / Admn Officer.

Later on upon availability of vacant posts, the case for regularization of above-mentioned officers was submitted to Admn Deptt. Population Welfare vide this office letter No.4(51)/2022/HR dated 06-07-2022 (Annex-B). Consequently Admn Deptt. Population Welfare has regularized the services of incumbent at Sr.No.1 above vide Notification No.SOE(PWD)4-42/2022-23/DPC dated 03-11-2022 (Annex-C) while the regularization in respect of the rest of incumbents is still pending with Admn Deptt. Population Welfare for unknown reasons. Resultantly incumbents at Sr.No.2,4&5 have submitted their presentations/appeals vide (Annex-D,E&F) against the regularization of incumbent at Sr.No.1 above.

In-light of the above explained scenario, this Directorate is of the view that the services of incumbents at Sr.No.2,4&5 may be regularized w.e.f. the same date as their counterpart was regularized to meet the norms of justice and to avoid the Department from future unnecessary litigation.

Encl. as above

Yours faithfully,

Assistant Director (HR)

Forwarded to the:-

1. PS to Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
2. Master File.

Assistant Director (HR)



GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION COMMISSION
7th Floor, Tasneem Plaza, Near Benevolent Fund Building,
6th Saddar Road, Peshawar
Email: complaints.kprti@kp.gov.pk

Ph: 92-91-9212643
Fax: +92-91-9211163

No: RTIC/AR/1-10028/23
Dated: 26 JAN 2023

18893
98

To

The Deputy Secretary (Admn)/PIO,
Population Welfare Department,
Peshawar.

Subject: COMPLAINT AGAINST NON-SUPPLY OF INFORMATION
(COMPLAINT NO: 10028)

Memo:

I am directed to state that a citizen Mr. Haroon ur Rashid has filed an information request with your department for seeking some information, however the same was not provided to him within prescribed time limit, therefore, he has filed a complaint before the KP Information Commission. (Copy attached)

It is to direct to respond to Para 2 to the Commission within ten working days of the receipt of this letter.

Assistant Registrar,
KP. Information Commission,
Peshawar.

Copy to:-

1. PS to Chief Information Commission, KP Information Commission, Peshawar.
2. Mr. Haroon ur Rashid (Complainant)

Assistant Registrar,
KP. Information Commission,
Peshawar



**GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT**
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

No. SOE (PWD) 4-70/2020/RTI/ **993-95**
Dated Peshawar the 30th November, 2022

To

Mr. Haroon-Ur-Rasheed,
Admn officer, Regional Training Institute,
Peshawar.

Subject: - **PROVISION OF DOCUMENTS UNDER RIGHT TO INFORMATION ACT 2013.**

With reference to your application dated 04-11-2022 on the subject noted above and to inform you that your request cannot be acceded to under Section-19 of the Right to Information (RTI) Act 2013.

SECTION OFFICER (ESTT:) / PIO
POPULATION WELFARE DEPARTMENT

ENDST: OF EVEN NO. DATED:

Copy is forwarded to the: -

1. Commissioner Right to Information Commission, Khyber Pakhtunkhwa.
2. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (ESTT:) / PIO
POPULATION WELFARE DEPARTMENT

24
Dated Peshawar 01-12-2022

The Secretary to Government of Khyber Pakhtunkhwa,
Population Welfare Department,
Peshawar.

Subject: - DEPARTMENTAL REPRESENTATION / APPEAL AGAINST THE
REGULARIZATION NOTIFICATION OF SUPERINTENDENT (BS-
17) ISSUED BY THE SECTION OFFICER (ESTT), POPULATION
WELFARE DEPARTMENT VIDE NOTIFICATION NO.SOE(PWD)4-
42/2022-23/DPC DATED 03-11-2022

Dear Sir,

I am directed to enclosed herewith a copy of District Population Welfare Officer, Khyber letter No.1(1).Admn,2021/DPWO-K/921-23 dated 08-11-2022 on the subject cited above alongwith a through proper channel Departmental Representation / Appeal (in-original) in-respect of Mr. Haroon-ur-Rashid, DDPWO (BS-17), DPW-Office, Khyber, now Admn Officer (BS-17), Regional Training Institute, Peshawar for further necessary action.

Encl: as above

Yours faithfully,

/
Assistant Director (HR)

Copy forwarded to the: -

1. Mr. Haroon-ur-Rashid, Admn Officer, RTI, Peshawar for information.
2. PS to Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
3. Master File.


Assistant Director (HR)

9 Lite



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
33rd Floor, Abdul Wali Khan Multistore, Civil Secretariat, Peshawar

Dated Peshawar the, 20th November, 2020

NOTIFICATION

NO. SOE (PWD) 4-42(A)/2020/DPC; Consequent upon recommendations of Departmental Promotion Committee and approval by the Competent Authority on 09/11/2020, the following Assistant District Population Welfare Officers / Admn Officers Superintendent / Private Secretary (BPS-17) are hereby appointed to the post of Assistant Director / TPWO / DDPWO(NT) / Instructor (NT) / Accounts Officer (BPS-17) on acting charge basis, with immediate effect:

1. Mr. Hussain Khan, ADPWO / Admn Officer;
 2. Mr. Rashid Ahmad, ADPWO / Admn Officer;
 3. Mr. Hamid Ail, ADPWO / Admn Officer;
 4. Mr. Arif Abbas, Superintendent;
 5. Mr. Muhammad Hussain; ADPWO / Admn Officer.
2. They will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
3. Posting / transfer of the above mentioned officers will be issued separately.

-sd-

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Encls: SOE (PWD) 4-42(A)/2020/DPC/551-78 Dated Peshawar the, 20th Nov: 2020

Copy forwarded for information & necessary action to the; -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
3. Principal, RTI, Peshawar.
4. District Population Welfare Officers, Dir Lower and Mansehra.
5. District Accounts Officer, Dir Lower and Mansehra.
6. PS to Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
7. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
8. Officers concerned.


SECTION OFFICER (STT)
PHONE No. 091-922-1121

MINUTES

Subject:-

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 09-02-2021 REGARDING PROMOTION OF ASSISTANT (BS-16), SENIOR SCALE STENOGRAPHER (BS-16), PROJECTIONIST (BS-13) AND STATISTICAL ASSISTANT (BS-12) TO THE POST OF SUPERINTENDENT AND ASSISTANT DISTRICT POPULATION WELFARE OFFICER / ADMN OFFICER (BS-17) ON REGULAR / ACTING CHARGE BASIS

A meeting of the Departmental Promotion Committee regarding promotion of Assistant (BS-16), Senior Scale Stenographer (BS-16), Projectionist (BS-13) and Statistical Assistant (BS-12) to the post Of Superintendent and Assistant District Population Welfare Officer / Admn Officer (BS-17) On Regular / Acting Charge Basis under the prescribed quotas in the Directorate General Population Welfare, Khyber Pakhtunkhwa was held on 09th February, 2021 at 10.00 A.M. under the Chairmanship of Secretary Population Welfare Department in his office. The following attended the meeting:-

Mr. Asghar Ali,
Secretary, Population Welfare Department,
Khyber Pakhtunkhwa, Peshawar.

In Chair

Mr. Muhammad Yousof Khan,
Deputy Secretary (Reg-III),
Establishment Department,
Khyber Pakhtunkhwa, Peshawar.

Member

Mr. Muhammad Ayaz Khan,
Deputy Secretary (Admn),
Population Welfare Department

Member

Mr. Raheel Khan,
Section Officer (SR-II) Finance Department,
Khyber Pakhtunkhwa, Peshawar

Member

Mr. Haseeb Khan,
Director (A&P),
Directorate General Population Welfare,
Khyber Pakhtunkhwa, Peshawar

Member

Mr. Haseeb Khan,
Section Officer (Gen-III),
Khyber Pakhtunkhwa, Peshawar

The meeting started with the recitation of Allah Almighty. The chair welcomed the participants of the meeting and briefed them about aims and objective of the meeting and asked the members of Establishment Department and Finance Department

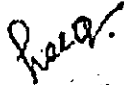
3. In response, the representative of Establishment Department has observed that why the five posts have been proposed to be filled through acting charge basis and one post on regular basis.

5. The representative of the Directorate General, Population Welfare clarified that the predecessors of these five posts were promoted to the post of Assistant Director / Tehsil Population Welfare Officer / Dy. District Population Welfare Officer (NT) / Deputy Demographer / Accounts Officer (BS-17) on acting charge basis due to non-completion of three years length of service. While promotion proposed against one regular post, the predecessor of the said post has retired from service, therefore Mr. Khair Muhammad, Statistical Assistant is due for promotion on regular basis.

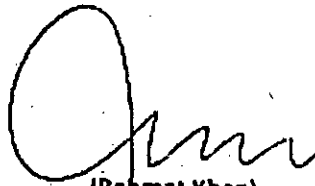
6. After thorough discussion, the Departmental Promotion Committee unanimously recommended the suitability of following six senior most officials on the panel of promotion on acting charge / regular basis against one post of Superintendent (BS-17) and five posts of Assistant District Population Welfare Officer / Admn Officer (BS-17) with immediate effect:-

S. No.	Name of official and designation	Remarks / recommendation
1.	Mr. Sarfaraz Khan, Assistant	Recommended for appointment as Superintendent (BS-17) on acting charge basis
2.	Mr. Khair Muhammad, Statistical Assistant	Recommended for promotion as Assistant District Population Welfare Officer / Admn Officer (BS-17) on regular basis
3.	Mr. Haroon-ur-Rashid, Sr. Scale Stenographer	Recommended for appointment as Assistant District Population Welfare Officer / Admn Officer (BS-17) on acting charge basis
4.	Mr. Gohar Ali, Sr. Scale Stenographer	do
5.	Mr. Khuda Bakhs, Projectionist	do
6.	Mr. Shafiq Alam, Statistical Assistant	do

The meeting ended with a vote of thanks from and to the Chair



(Hakeem Khan)
Section Officer (General)
Population Welfare Department,
Khyber Pakhtunkhwa
(Member)



(Rehmat Khan)
Section Officer (SR-I),
Finance Department, Khyber Pakhtunkhwa
(Member)



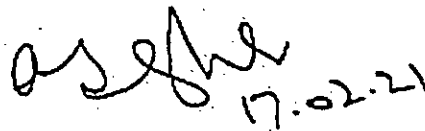
(Muhammad Ayaz Khan)
Deputy Secretary (Admn)
Population Welfare Department
Khyber Pakhtunkhwa
(Member)



(Muhammad Yousaf Khan)
Deputy Secretary (Reg-III),
Establishment Department, Khyber
Pakhtunkhwa
(Member)



(Hidayat Khan)
Director (A&P),
Directorate of Population Welfare
Khyber Pakhtunkhwa
(Member)



17.02.21

(Asghar Ali)
Secretary to Govt. of Khyber-Pakhtunkhwa
Population Welfare Department
(Chairman)

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Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare,
Plot No. 18, Sector E-9, Phase-7, Hayatabad, Peshawar

OFFICE ORDER

In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 and with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989, the Draft Final Seniority list of Senior Scale Stenographers (BPS-16), (As stood on 31/12/2021) Population Welfare, Khyber Pakhtunkhwa is hereby ordered/circulation for general information.

Date Peshawar The 21/02/2022

S.No.	Name	Qualification	Date of Birth	Domicile	Direct / Promotee	Date of joining Govt.	Lower grade	Present grade	Posting	Remarks
I	II	III	IV	V	VI	VII	VIII	IX	X	XI
1	Mr. Haroon-ur-Rashid	M.A.	04.04.1976	Peshawar	Promotee	15.04.1998	-	23.03.2005	DPW Office, Khyber	The official is already appointed as ADPW/Admn Officer (BPS-17) on acting charge basis vide Notification No. SOE (PWD)-4-42(A)/2021/DPC dated 31.03.2021
2	Mr. Gohar Ali	B.A.	14.04.1962	Peshawar	Promotee	02.02.1986	02.02.1986	11/01/2012	DPW Office, Kohat	-do-
3	Mr. Mohammad Israr	B.A.	15.04.1965	Dir (lower)	Promotee	04.02.1986	04.02.1986	30/12/2015	DPW Office, Dir (Lower) adjusted as TPWO	
4	Mr. Fayaz	B.A.	03.09.1967	Charsadda	Promotee	04.02.1986	04.02.1986	30/12/2015	DPW Office, Charsadda	
5	Mr. Sahib Zada	B.A.	02.02.1967	Peshawar	Promotee	09.02.1986	09.02.1986	30/05/2017	DG Office, Peshawar.	On Deputation in Project PWTI
6	Mr. Fazal Syab	B.A.	08.05.1964	Dir (lower)	Promotee	10.03.1986	10.03.1986	30/05/2017	RTI, Malakand	
7	Mr. Naeemullah	M.A.	02.11.1967	Peshawar	Promotee	24.06.1987	24.06.1987	30/05/2017	RTI, Peshawar	
8	Mr. Muhammed Ali	FA	13.04.1966	Mardan	Promotee	07.11.1987	07.11.1987	09/11/2017	DPW Office, Mardan adjusted as ADPWO	
9	Mr. Naeem Jan	MA (Urdu) MA (IR)	02.10.1977	Charsadda	Promotee	01.09.2000	01.09.2000	09/11/2017	DPW Office, Charsadda adjusted against the post of FTO	

Wahab						01.09.2000	08.11.2017	DG Office, Peshawar	
11	Mr. Mehmood-ul-Hassan	B.A	10.04.1976	Peshawar	Promotee	24.01.1995	01.09.2000	30.05.2018	RHS, Training Centre LRH, Peshawar
12	Mr. Sharifullah Khan	B.A	01.03.1981	L.Marwat	Promotee	01.09.2000	01.09.2000	30.05.2018	DG Office, Peshawar adjusted against the post of PS to DG in his own pay and scale
13	Mr. Zaristan	B.A	05.03.1978	Charsadda	Promotee	04.09.2000	04.09.2000	30.05.2018	DG Office, Peshawar
14	Mr. Shahid Iqbal	MA	08.01.1976	Bannu	Promotee	17.04.1996	15.03.2004	12.11.2019	DPW Office, Bannu
15	Mr. Israr Khan	B.A	01.11.1974	Peshawar	Promotee	20.02.1995	20.02.1995	15.03.2004	30.11.2021 DGS, Office, Peshawar Promoted to the post of Senior Scale Stenographer (BPS-16) Vide Notification No. F.No. 4(5)/2020/HR dated 30.11.2021

Sd/-
(Director General)
Population Welfare Department
Khyber Pakhtunkhwa

Copy forwarded to the:-

- All Directors/All Principal, RTIs/ All DPWOs including MDs, Population Welfare, Khyber Pakhtunkhwa with the request to circulate the same amongst the all concerned and submit a certificate to the effect that the instant seniority list has been circulated amongst all officials concerned within week positively to this office for record after the receipt.
- PS to Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
- All concerned officials for information and with the direction that after the receipt of the same, submit objections (if there is any errors/clerical mistake/ommissions on the attached proforma, as the case may be) no objection certificate within 30 days through their respective controlling officers. No response within the stipulated period of time will be considered as tacit/implicit no objection on the instant seniority list and no claim/objection will be entertained after the stipulated period.
- Master File Admn Section

(Arif Abbas)
Assistant Director (Admn)

31

To,

The Secretary to Government of Khyber Pakhtunkhwa,
Population Welfare Department,
Peshawar.

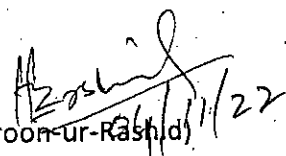
Subject: - **PROVISION OF DOCUMENTS UNDER RIGHT TO INFORMATION ACT, 2013**

Dear Sir,

I have the honour to refer to the subject noted above and to request your good honour to kindly provide the following documents to the undersigned under Right to Information Act, 2013 please: -

- i. Working Paper of the regularization case of superintendent notified vide Notification No. SOE(PWD4-42/2022-23/DPC dated 03/11/2022;
- ii. Minutes of the DPC meeting regarding regularization of Superintendent.


Yours faithfully,


(Haroon-ur-Rashid)
ADPWO / Admn Officer
Posted as DDPWO (NT),
District Khyber.

Copy of information and necessary action to the:

1. The Commissioner, Right to Information Commission, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.

10627
06-11-2022


ADPWO / Admn Officer
Posted as DDPWO (NT);
District Khyber.

To,

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The Hon'able Commissioner,
Khyber Pakhtunkhwa, Right to Information Commission,
Near BRT Station, Jabir Flats,
University Road, Tehkal Peshawar.

Subject: - **PROVISION OF DOCUMENTS UNDER RIGHT TO INFORMATION ACT, 2013**

Dear Sir,

Kindly refer to the subject noted above and to submit that the undersigned had submit a request to the Population Welfare Department, Khyber Pakhtunkhwa with a copy to the RTI Commission (copy enclosed) requesting therein to provide the following documents: -


1. Working paper of the regularization case of Superintendent notified vide Notification No. SOE(PWD)4-42/2022-23/DPC dated 03/11/2022;
2. Minutes of the DPC meeting regarding regularization of Superintendent.

2. In this regard, the Department informed the undersigned that your request cannot be acceded to under Section-19 of the RTI Act, 2013 vide letter No. SOE(PWD)4-70/2020/RTI/993-95 dated 30-11-2022 (copy enclosed), but conceal the other part of Section-19 sub-section (2) (c) which states that exception in sub-section (1) shall not apply where the third part is or was an official of a public body and the information relates to his function as a public official.

3. It is pertinent to mention that the Department regularized the most junior officer ignoring the senior one appointed in one batch and cannot retain the seniority as per rule 17 of the Government of Khyber Pakhtunkhwa Civil Servants (APT), Rules, 1989.

4. In light of the above your good honour is therefore requested to kindly direct the Population Welfare Department, Khyber Pakhtunkhwa to provide the same to the undersigned for legal procedure in the Court of Law as I am the senior and aggrieved from the regularization of the Superintendent being junior please.

Yours faithfully,


(Haroon-ur-Rashid)
Admn Officer
Regional Training Institute,
Population Welfare Department,
Khyber Pakhtunkhwa, Peshawar.
Cell No. 03005911622
CNIC No. 17301-1294254-7
Dated 07/12/2022

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GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

SOE(PWD) 4-103/2022/Appeal/
Dated Peshawar the 06th December, 2022

To

The Director General,
Directorate General Population Welfare,
Khyber Pakhtunkhwa, Peshawar.

Subject: -

DEPARTMENTAL REPRESENTATION / APPEAL AGAINST THE
REGULARIZATION NOTIFICATION OF SUPERINTENDENT (BS-17)
ISSUED BY THE SECTION OFFICER (ESTT), POPULATION WELFARE
DEPARTMENT VIDE NOTIFICATION NO. SOE(PWD)/442/2022-23/DPC
DATED 03-11-2022

Dear Madam,

I am directed to refer to your letter No. 4(5)/2022/HR/7168-71 dated 01-12-2022 on the subject noted above and to request to furnish your views / comments on the subject representation / appeal, please.

Yours faithfully,

(SHAH BAKHT YOUSAFZAI)
SECTION OFFICER (ESTT)

ENDST: OF EVEN NO. & DATE:

Copy is forwarded to the:-

PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (ESTT)



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

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Dated Peshawar the, 15th April, 2022

NOTIFICATION

NO. SOE (PWD) 4-42(A)/2021/DPC: Consequent upon recommendations of Departmental Promotion Committee and with the approval of the competent authority i.e. Muhammad Zia Ul Haq, Secretary to Govt: of Khyber Pakhtunkhwa, Population Welfare Department, the following five (05) officers (ADPWO/Admn Officer/ Superintendent) are hereby promoted to the post of Assistant Director / TPWO / DDPWO (NT) / Instructor (NT) / Accounts Officer (BS-17) on regular basis, with immediate effect.

S.NO.	NAME OF OFFICERS AND PRESENT PLACE OF POSTING (a.c.b)
1	Mr. Hussain Khan, DDPWO (NT) (BS-17), DPW Office Dir Lower
2	Mr. Rashid Ahmad, Accountant, (BS-17) Directorate General PW Peshawar
3	Mr. Hamid Ali, DDPWO (NT) (BS-17), DPW Office Mansehra.
4	Mr. Arif Abbas, Assistant Director (Admn) (BS-17) Directorate General PW Peshawar
5	Muhammad Hussain, TPWO (BS-17) DPW Office Swabi

2. They shall remain on probation for a period of one year extendable for further one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
3. The services of the officers promoted will be actualized against their respective posts already occupied.

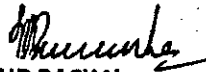
(MUHAMMAD ZIA UL HAQ)
SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Endst: SOE (PWD) 4-42(A)/2021/DPC/

Dated Peshawar the, 15th April, 2022

Copy forwarded for information & necessary action to the; -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
3. District Population Welfare Officers, Dir (Lower), Mansehra, Swabi.
4. District Accounts Officers, Dir (Lower), Mansehra, Swabi.
5. PS to Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
6. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
7. Officers concerned.


(SAID BACHA)
SECTION OFFICER (ESTT)
PHONE No. 091-9223623

POWER OF ATTORNEY

In the Court of KPK Service Tribunal Peshawar
Matoon ur Rashid

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of KPK w/ other

} Defendant
} Respondent
} Accused
}

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

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

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

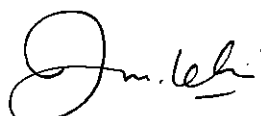
AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

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

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

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year _____

Executant/Executants _____
Accepted subject to the terms regarding fee _____



IMRAN KHAN
Advocate High Court
Mob: 0345-9090648



ZARAJ ANWAR
Advocate High Courts

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt
Mobile-0331-9399185
BC-10-9851
CNIC: 17301-1610454-5