


14.02.2023

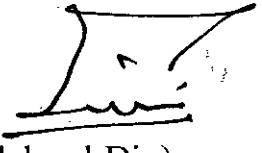
Syed Noman Ali Bukhari, Advocate for the appellant present.

Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 14.04.2023 before the D.B.

SCANNED  
POST  
Peshawar

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

28.09.2022

Appellant present in person. Muhammad Jan,  
learned District Attorney for official respondents present.

Former requested for adjournment as his counsel is  
busy before Hon'ble Peshawar High Court, Peshawar.  
Adjourned. To come up for arguments on 25.11.2022  
before D.B



(Farceha Paul)  
Member (I)

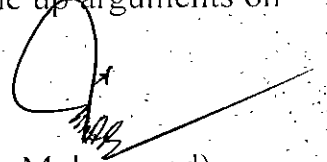


(Rozina Rehman)  
Member (J)

25.11.2022

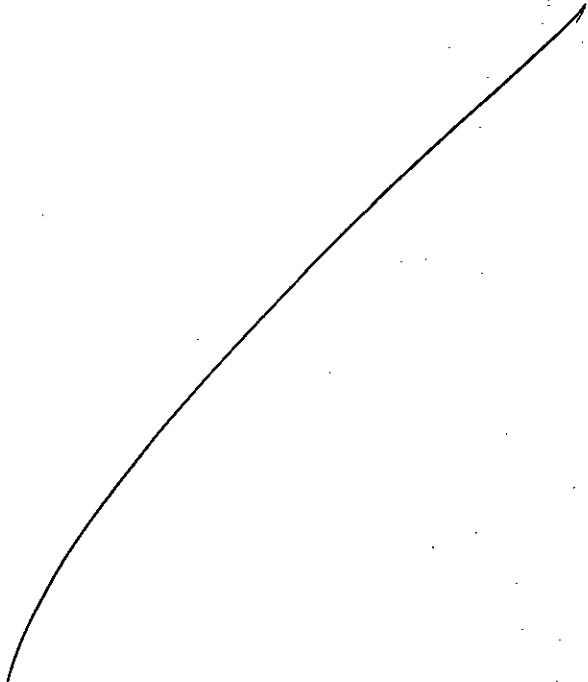
Learned counsel for the appellant present. Mr. Asif Masood Ali  
Shah, Deputy District Attorney for the respondents present.

Learned Member Judicial Mr. Salah-ud-Din is on leave,  
therefore, bench is incomplete. Adjourned. To come up arguments on  
14.02.2023 before the D.B.



(Mian Muhammad)  
Member (E)

SCANNED  
KPBT  
Peshawar



08.06.2022

Appellant in person present. Mr. Haider Ali, Senior Clerk as representative on behalf of official respondents No. 1 to 5 alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General present. None present on behalf of official respondent No. 6 as well as private respondents No. 7 to 9.

Para-wise comments on behalf of official respondents No. 1 to 5 submitted, which are placed on file and copy of the same handed over to the appellant.

Previous date was changed on Reader Note, therefore, notices be issued to official respondent No. 6 as well as private respondents No. 7 to 9 through registered post for submission of reply/comments on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for submission of reply/comments on behalf of respondents No. 6 to 9 as well as arguments on 29.08.2022 before the D.B.

*Respondent (6) was put on notice while rest of the said was residing outside. Perhaps, therefore they were not put on Notice.*



(Fareeha Paul)  
Member (E)



(Salah-ud-Din)  
Member (J)

29.08.2022

Bench is incomplete, therefore, case is adjourned to ~~28-09~~ 2022 for the same as before.



Reader

Stipulated period passed reply not submitted.


29.07.2021


Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

09.11.2021

Junior of learned counsel for the appellant present. Mr. Nabi Gul, Superintendent alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 11.02.2022.

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

  
(Salah-Ud-Din)  
Member (J)

*Due to retirement of the hon'ble  
Chairman the case is adjourned to  
come up for the same as before on  
8-6-22*

  
A. Raza

22.06.2021

Counsel for the appellant present.

In term of normal procedure, the appeal appears to be time barred but in view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. This appeal having been filed after promulgation of the said Act, is not affected by bar of limitation. Points raised need consideration. The appeal is admitted to regular hearing. 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 in office within 10 days of the receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 09.11.2021 before the D.B.

Appellant Deposited  
Security & Process Fee  
01/07/21

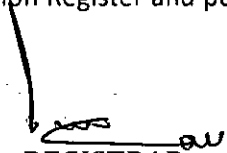


  
Chairman

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1226 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/01/2021	<p>The appeal of Mr. Ziaullah presented today by Mr. Muhammad Asif Yousafzai 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>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15/03/21</u></p> <p style="text-align: right;"> CHAIRMAN.</p>
	15.03.2021	<p>Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 22.06.2021 before S.B.</p> <p style="text-align: right;"> Reader</p>

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 1226 /2021

Zia Ullah


V/S Social Welfare, SE & WE Department etc.

**INDEX**

S.NO.	Documents	Annexure	Page No.
1.	Memo of appeal	-----	01-04
2.	Copy of Appointment Order	---A---	05
3.	Copy of Office Order dt: 08.06.2007	---B---	06
4.	Copy of seniority list 2017	---C---	07-11
5.	Copy of Rules	---D---	12-18
6.	Copy of letter dt: 25.7.2020	---E---	19-21
7.	Copy of order dt: 30.7.2020	---F---	22-24
8.	Copy of departmental appeal	---G---	25-26
16.	Vakalat Nama	-----	27

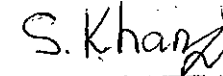
**APPELLANT**

THROUGH:

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT  
OF PAKISTAN,

  
(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT,

(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT,

&   
(SHAHKAR KHAN YOUSAFZAI)  
ADVOCATE PESHAWAR.

Room No. Fr-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar Cantt:  
Contact No. 03339103240

①

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

SERVICE APPEAL NO. \_\_\_\_\_/2021

Zia Ullah S/O Saiful Wali, Chowkidar.  
Darul Kafala for beggar Dalazak Road, Peshawar

**(APPELLANT)**

**VERSUS**

1. The Chief Secretary, Civil Secretariat Peshawar, Government of Khyber Pakhtunkhwa.
2. The Secretary, Social Welfare, Special Education and Women Empowerment Department, Khyber Pakhtunkhwa.
3. The Director, Directorate of Social Welfare and Women Development Department, Khyber Pakhtunkhwa.
4. The Deputy Director (Admn), Social Welfare, Special Education and Women Development Department, Khyber Pakhtunkhwa.
5. The District Officer Social Welfare Department, Peshawar.
6. The Deputy Commissioner, Peshawar.
7. Mr. Umar Ali Khan, Junior Clerk,  
Office of the Welfare Home Bannu.
8. Mr. Sajid Ali, Junior Clerk.  
Office of the Directorate of Social Welfare Peshawar.
9. Mr. Naeem Kokar, Junior Clerk.  
Office of the GIB (M) Peshawar.

**(Respondents)**

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**APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 30.07.2020 WHEREBY JUNIORS TO THE APPELLANT UMAR ALI KHAN, SAJID ALI AND NAEEM KOKAR WERE PROMOTED TO THE POST OF JUNIOR CLERK AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELANT WITHIN STATUTORY PERIOD OF 90-DAYS.**



**PRAYER:**

**THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 30.07.2020 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO CONSIDER THE APPELLANT FOR PROMOTION TO THE POST OF JUNIOR CLERK W.E.F 30.07.2020 WHEN HIS JUNIORS WERE PROMOTED. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT.**

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant was appointed as Chowkidar in the ADP Scheme of the Department titled "Darul Kafala for beggar Dalazak Road, Peshawar" under the Directorate of Social Welfare and Women Development Department, Peshawar on fixed pay basis. That the appellant has throughout good and clean service record. **(Copy of Appointment Order is attached as Annexure - "A")**.
2. That under the office order dated 08.06.2007 the service of the appellant along with other employees from the ADP Scheme were regularized with effect from 01.07.2007. **(Copy of Office Order is attached as Annexure - "B")**.
3. That the appellant was at Sr. No. 23 while the private respondent No. 7 at Sr. No. 30 Private respondent No. 8 at Sr. No. 38 and Private respondent No. 9 in the seniority list issued on 31.07.2017. **(Copy of Seniority List is attached as Annexure - "C")**.
4. That the respondent Department issued notification/rules on 25.09.2019 wherein 30% quota by promotion on the basis of seniority cum-fitness from amongst Daftaris, Naib Qasids, Chowkidars, Sweepers, Malis, Security Guards, Cooks & Attendants with 02-years service as such who have passed F.A/F.Sc examination from recognized Board has been fixed for promotion to the post of Junior Clerk. **Copy of notification/rules is attached as Annexure-D.**

5. That 25.07.2020 a letter was issued to all the District Officers Social Welfare of Khyber Pakhtunkhwa for submission of ACRs of officials included in the panel of promotion against the post of Junior Clerk (BPS-11). (Copies of letter dated 25.07.2020 is attached as Annexure - "E").
6. That on 30.07.2020 a promotion order was issued in which the junior to the appellant namely: Umar Ali Khan, Sajid Ali and Naeem Kokar were promoted as junior clerks BPS-11. (Copy of Promotion Order dated 30.07.2020 is attached as Annexure - "F").
7. That the appellant feeling aggrieved from the order dated 30.07.2020 filed departmental appeal against the injustice against him. But no action has been taken on the departmental appeal of the appellant till date. (Copy of Departmental Appeal is attached as Annexure - "G").
8. That now the appellant comes to this august tribunal for redressal of his grievances on the following grounds.

**GROUND:**

- A) That the impugned order dated 30.07.2020 and not deciding the departmental appeal of the appellant within 90 days are against the law, facts, norms of justice and material on record. Therefore, not tenable and the order dated 30.07.2020 is liable to be set-aside to the extent of private respondents.
- B) That the appellant was senior to the private respondent No. 7 to 9 and therefore it is his legal right to be promoted in the impugned order dated 30.07.2020.
- C) That the appellant has fulfilled the criteria for promotion to the post of junior clerk and has legitimate expectancy to be promoted to the post of Junior Clerk but the respondent department has promoted junior to the appellant in an arbitrary manner which is against the principle of legitimate expectancy and natural of justice.
- D) That by not promoting the appellant from the date when his junior were promoted will effect his future promotion which will caused irpariable loss to the appellant in the shape of pension and other monitoring benefits.

- E) That the appellant has not been treated as per law and rules, and has been deprived from his due rights by exercising authority in a fanciful manner.
- F) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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

*[Signature]*  
**APPELLANT**

THROUGH:

*[Signature]*  
**(M. ASIF YOUSAFZAI)**  
**ADVOCATE SUPREME COURT**  
**OF PAKISTAN,**

*[Signature]*  
**(TAIMUR ALI KHAN)**  
**ADVOCATE HIGH COURT,**

**(SYED NOMAN ALI BUKHARI)**  
**ADVOCATE HIGH COURT,**

*[Signature]*  
**& S. Khan**  
**(SHAHKAR KHAN YOUSAFZAI)**  
**ADVOCATE PESHAWAR.**

A  
5

**GOVERNMENT OF NWFP  
DIRECTORATE OF SOCIAL WELFARE AND  
WOMEN DEV: JAMRUD ROAD PESHAWAR.**

Dated Peshawar the 24/03/2005.

**ORDER**

**No.E-17/65/DSWI. 637-43** On the recommendation of Departmental Selection Committee and in pursuance of Administrative Department letter No. SOIII (SWD)/VII-1/04-1307 dated 15-3-05. Mr Zia Ullah S/O Saiful wali, Resident of Sherdad Kalay Peshawar is hereby appointed as Chowkidar in the ADP Scheme of the Department titled "Darul Kafala for Beggars Peshawar" on the following terms and conditions:

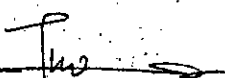
- I- That this appointment shall be purely on fixed pay basis initially for the period upto 30<sup>th</sup> June, 2005, however is likely to be extendible on yearly basis.
- II- That the official shall be entitled to get pay Rs. 3325/- (Three Thousand three hundred and Twenty Five only) per month.
- III- That the contract can be terminated without assigning any reasons.
- IV- That the contract can be terminated at one month written notice from either side.
- V- That this appointment shall automatically be terminated on abolition of the Project.
- VI- That no TA / DA shall be admissible for joining the duty.
- VII- That this appointment is subject to medical fitness.
- VIII- That this appointment is subject verification of documents/testimonials
- IX- On expiry / completion of the contract / project, services of the appointee in the project shall stand terminated and shall not confer on the individual any right of absorption elsewhere or regularization of his/her services.
- X- Rest of terms and conditions will be the same as mentioned in the agreement deed to be properly executed between the appointee and the Directorate of Social Welfare & Women Development NWFP Peshawar.
- XI- That the appointee is required to join his/her duty within 15 days of this offer letter failing which the contract will be automatically cancelled.

(Dr.Fakhr-ul-Islam)  
Director  
Social Welfare & Women  
Development NWFP.

**Endst: No. & date even.**

**Copy forwarded to:**

- 1- The Distinct Account Office, Peshawar.
- 2- The District Officer, Social Welfare Department, Peshawar.
- 3- The Planning Officer, Directorate of Social Welfare NWFP Peshawar.
- 4- The Section Officer II, Social Welfare Department Peshawar.
- 5- The Section Officer- (III), Social Welfare Department NWFP Peshawar w/r to his letter No. SOIII (SWD)/VII-1/04-1307 dated 15-3-05.
- 6- PS to Secretary Social Welfare & WDD, Peshawar.
- 7- Superintendent, Darul Kafala for Beggars Peshawar.
- 8- Official Concerned

  
Director  
Social Welfare & Women  
Development NWFP.

Dated Peshawar the 08-6-2007.

OFFICE ORDER.

6

B

Consequent upon shifting of Darul Kafala for Male Beggars Peshawar from ADP Scheme to regular budget and on creation of posts on current budget side w.e.f 01.07.2007 vide Finance Department Notification No. BOVIII/FD/1-5/2006-7/SNE Peshawar, dated 03.05.2007 and Govt. of NWFP Directorate of Social Welfare & Women Development Department letter No. DSW/PO/Regul./06-07/2561-72, dated 28.3.2007, the services of the following existing staff of Darul Kafala for Male Beggars Peshawar are regularized with effect from 01.07.2007 and are adjusted against the said post.

They will be civil services servants for all other government benefits except pension w.e.f 01.07.2007. In lieu of pension they would be entitled to receive contributory fund as per government rules.

S.No	Name	Designation	BPS
1	Ashna Gul	Instructor (Tailor)	11
2	Lal Rahim	Instructor (Carpenter)	11
3	Imranullah	Instructor (Electrician)	11
4	Muhammad Islam	Junior Clerk	05
5	Nacem Khan	Driver	04
6	Muhammad Usman	Naib Qasid	01
7	Ziaullah	Chowkidar	01
8	Naseemullah	Chowkidar	01
9	Nazar Gul	Chowkidar	01
10	Sajid Khan	Chowkidar	01
11	Hussain Khan	Chowkidar	01
12	Noroz Khan	Chowkidar	01
13	Sartaj	Cook	01
14	Gulzar	Sweeper	01

District Coordination Officer,  
Peshawar.

Endst: Even No & Date.

Copy to:-

1. The Accountant General, NWFP Peshawar.
2. The Director, Social Welfare Department NWFP Peshawar.
3. The District Accounts Officer, Peshawar.
4. The District Officer, Social Welfare Department Peshawar.
5. The PS to Minister, Social Welfare Zakat Ushr Deptt: NWFP Peshawar.
6. The PS to Secretary Social Welfare Zakat Ushr NWFP Peshawar.
7. The Official concerned. Hussain Khan

District Coordination Officer,  
Peshawar.

TENTATIVE SENIORITY LIST OF CLASS-IV EMPLOYEES OF SOCIAL WELFARE, SPECIAL EDUCATION  
AND WOMEN EMPOWERMENT; GOVERNMENT OF KHYBER PAKHTUNKHWA WHO POSSESS THE  
QUALIFICATION OF S.S.C ( AS STOOD ON 31-07-2017)

S.#	Name of official	F/ Name	Date of birth	Domicile	Designation	Qualification	Year of Passing Matriculate Examinatio..	Date of 1 <sup>st</sup> Entry into Govt Service	Name of Office
1	Muhammad Ilyas	Amir Ali	16-01-1967	DI Khan	Workshop Attendant	Matric	1985 (A)	5/1/1984	GIB DI Khan
2	Munir Ahmad	Abdul Aziz	3/2/1967	DI Khan	Chowkidar	Matric		20-07-1967	DO SW DI Khan
3	Munhir Mashri Bhatti	Maqbool Mashri	30-04-1969	DI Khan	Sweeper	Matric	1989	13-08-1995	GIB DI Khan
4	Aziz Rehmat	Abdur Rahira	3/3/1962	Chitral	Naib Qasid	Matric	1982(A)	1/2/1997	DO, SW Chitral
5	Zahid Hussain	Ghulam Hussain	15-8-1971	Mansehra	Chowkidar	Matric	1997(A)	16-3-1995 26-4-2003 Re-instated	DO, SW Mansehra
6	Zafar Alam	Mir Alam	4/4/1974	Abottdaba	Chowkidar	Matric (A)	1990	19-06-1999	Superintendent Darul
7	Zafar Iqbal	Rab Nawaz	23-09-1970	DI Khan	Naib Qasid	Matric	2002	15-08-1995	GIB DI Khan
8	Kadir Muhammad Khan	Gul Zaman Khan	9/5/1972	Dir Lower		Matric	1992	9/2/2004	GSDC Timargara
9	Liaqat Mehmood	Yousaf Muhammad	1/4/1983	Dir Lower	Naib Qasid	Matric	2003	9/2/2004	GSDC Timargara
10	Yar Kamran Khan	Khan Muhammad	15-2-1981	Dir Lower	Chowkidar	Matric	1999 (A)	23-2-2004	DO, SW Dir Lower
11	Muhammad Anan	Awar Khan	1/10/1984	Kohat	Naib Qasid	Matric/BA	2003 (A)	1/7/2004	Welfare Home Kohat
12	Muhammad Sajid	Ghulam Saddiq	2/4/1986	DI Khan	Workshop	M.A	2002	2/9/2005	GIB DI Khan
13	Aghar Munir	Mir Hassan Khan	6/2/1984	Mardan	Chowkidar	Matric	2001 (S)	24-4-2006	DO, SW Mardan
14	Hussain Ahmad	Shabir Ahmad	29-09-1977	DI Khan	Sweeper	B.A	1996	1/7/2006	RCDA DI Khan
15	Muhammad Zahid	Ghulam Qasim	2/4/1983	DI Khan	Naib Qasid	Matric		1/7/2006	RCDA DI Khan
16	Rasool Bilal	Abdul Qadir	3/3/1978	Charsadda	Naib Qasid	Matric	2008(A)	18-6-2007	DO Office Charsadda
17	Farid Khan	Farid Muhammad	3/1/1968	Peshawar	Chowkidar	B.A	1985 (S)	1/7/2007	WCC Peshawar
18	Wahid U Rehman	Wahid U Rehman	14-6-1970	Peshawar	Chowkidar	Matric	1989	1/7/2007	WCC Peshawar
19	Gulzar Ahmad	Fazal Khan	16-1-1973	Peshawar	Sweeper	Matric	1994 (A)	1/7/2007	Darul Kafala Peshawar
20	Muzafar Khan	Hayat Khan	5/5/1977	Peshawar	Sweeper	B.A	1996(S)	1/7/2007	RCDA Peshawar
21	Inayat Khan	Inayat Khan	20-2-1980	Peshawar	Chowkidar	B.A	1999(S)	1/7/2007	Darul Kafal Peshawar

S.#	Name of official	F/ Name	Date of birth	Domicile	Designation	Qualification	Year of Passing Matriculate Examination	Date of 1 <sup>st</sup> Entry into Govt Service	Name of Office
22	Jan Gul	Sham-Ur- Rehman	2/1/1982	Peshawar	Mali	Matric	2003	1/7/2007	G.I.B (Boys) Peshawar
23	Zia Ullah	Saif-Ul-Wali	20-4-1985	Peshawar	Chowkidar	Matric	2003(A)	1/7/2007	Darul Kafaia Peshawar
24	Akhtar Munir	M.Anwar	15-11-1976	Peshawar	Cook	Matric	1996(S)	5/10/2007	G.I.B (Boys) Peshawar
25	Zahid Ullah	Roiyat Khan	30-11-1986	Kohat	Chowkidar	Matric/FA	2004(A)	10/10/2007	DO SW Kohat
26	Zakir Ullah	Abdul Malik	15-12-1969	Mardan	Chowkidar	Matric	1987 (A)	15-11-2007	DO, SW, Mardan
27	Khalid Khan	Sher Alam	15-2-1978	Mardan	Sweeper	Matric	1995 (S)	31-1-2008	Darul Aman Mardan
28	Ahmer Nawaz	Shah Nawaz	1/1/1972	Tank	Chowkidar	M.A		7/2/2008	DO (SW) Tank
29	Qamar Ali Khan	Gul Nawaz Khan	12/6/1966	Bannu	Naib Qasid	Matric	1987 (A)	30-6-2008	W.H Bannu
30	Umar Ali Khan	Ghazi Marjan	20-7-1970	Bannu	Chowkidar	Matric/FA	1989	30-6-2008	W.H Bannu
31	M.Abdul	Abdul Hamid Khan	5/3/1971	Peshawar	Chowkidar	Matric	1988(A)	1/7/2008	Welfare Home Peshawar
32	Abdul Mateen	Abdul Hamid	30-05-1973	DI Khan	Naib Qasid	M.A	1989	1/7/2008	Child WH DI Khan
33	Azmat Ullah	Adam Khan	1/5/1977	Charsaddha	Chowkidar	Matric	1997(A)	1/7/2008	DO Office Charsaddha
34	Muhammad Nabi	Muhammad Siraj	3/1/1981	Malakand	Naib Qasid	MA	1999 (A)	1/7/2008	GSDC Dargai Malakand
35	Daud Khan	Muhammad Feroz Khan	6/12/1981	Dir Lower	Naib Qasid	Matric	1999 (A)	1/7/2008	RCDA Dir Lower
36	Royan Ullah	Umer Khan	30-5-1985	Peshawar	Chowkidar	Matric	2003(S)	1/7/2008	ITC Pawaka Peshawar
37	Hussain Gul	Hazrat Gul	4/1/1986	Malakand	Chowkidar	Matric	2003 (A)	1/7/2008	GSDC Dargai Malakand
38	Sajid Ali	Akhtar Gul	20-5-1986	Peshawar	Naib Qasid	F.A	2002(A)	1/7/2008	DSW
39	Muhammad Javed	Abdul Hanan	1/7/1967	DI Khan	Chowkidar	Matric	2008 (A)	1/7/1988	GIB DI Khan
40	Tauseef Gul	Umar Draz Gul	15-04-1988	Karak	Chowkidar	Matric	2008 (A)	13-10-2006	DO, SW, Karak
41	Rugia Perveen	Rahim Dad	10/4/1987	Nowshera	Naib Qasid	Matric	2005(S)	1/7/2008	DO(SW) Nowshera
42	Ajmal Sadio	Shah Zarin	15-3-1986	Malakand	Chowkidar	Matric	2008 (A)	30-11-2008	DO, SW, Malakand
43	M.Tariq	Misri Khan	10/2/1970	Peshawar	Naib Qasid	Matric	1987 (A)	30-1-2009	DO Office Peshawar
44	Samiullah	Yaghi Jan	15-1-1982	Peshawar	Chowkidar	Matric	1999 (S)	31-1-2009	Welfare Home Peshawar
45	Daud Khan	M.Ayaz	2/2/1989	Peshawar	Chowkidar	Matric	2007(S)	31-01-2009	W H Peshawar
46	Mukaram	Khan Muhammad	1/1/1978	Peshawar	Naib Qasid	Matric	2000(S)	4/2/2009	DO Office Peshawar
47	Naeem Khokhar	Bona Masih	15-4-1987	Peshawar	Sweeper	F.A	2005 (A)	2/10/2009	G.I.B (Boys) Peshawar
48	Asim Khan	Hamayoon Khan	1/2/1989	Abbottabad	Chowkidar	FA	2005(A)	21-10-2009	DO, SW, Abbottabad
49	Abdus Salam	Ramazan Khan	10/1/1983	Chitral	Chowkidar	Matric	2001 (S)	31-12-2009	DO, SW, Chitral

S.#	Name of official	F/ Name	Date of birth	Domicile	Designation	Matriculate Examination	Govt. Service	Post	
50	Hamayun Khan	Akbar Nawaz Khan	13-01-1975	Bannu	Chowkidar	Matric D.Com.	1992 (S)	13-3-2010	DO, SW, Bannu
51	Sikandar Khan	Fazle Qadir	13-3-1982	Peshawar	Mali	F.A	2000 (A)	4/6/2010	GSDC Gulbahar Peshawar
52	Adil Khan	Raees Khan	5/1/1990	Peshawar	M. Sweeper	B.A	2007 (A)	26-08-2010	ALW
53	Hayum Jan	Sadiq Masih	6/5/1973	Bannu	Sweeper	Matric	1990 (S)	18-10-2010 Adjusted from SPP	DO, SW, Bannu
54	Noor Badshah	Lal Badshah	10/4/1982	Dir Lower	Naib Qasid	Matric. BA	1998 (S)	24-10-2010	DO, SW Dir Lower
55	Abd Ullah	Roie Zameen Khan	3/6/1989	Dir Lower	Chowkidar	Matric. FA	2006 (A)	24-10-2010	DO, SW Dir Lower
56	Shakeel Ansar	Punal Khan	13-02-1983	DI Khan	Attendant	Matric	2006	1/2/2011	DO SW DI Khan
57	Atta ur Rehman	Rasam Ali Khan	2/1/1987	Kohat	Chowkidar	Matric	2009 (A)	6/4/2011	RCDA Kohat
58	Jihan Sarwar	Ghulam Sarwar	1/4/1977	Buner	Chowkidar	Matric	1994 (S)	16-4-2011	DO, SW Buner
59	Faid Sultan	Sher Sultan	9/1/1987	Swabi	Naib Qasid	matric	2003 (A)	27-04-2011	DSW
60	Ghulam Saeed	Sultan Saeed	4/1/1989	Swabi	Water Man	Matric	2006 (S)	27-04-2011	DO Swabi
61	Abdullah Jan	Sher Muhammad	11/2/1992	Charsadda	Chowkidar	F.A	2008(A)	9/5/2011	DHQ Hospital Charsadda
62	Akbar Ali	Amir Sultan	12/2/1965	Swat	Naib Qasid	Matric	1981 (S)	1/7/2011	Darul kafala Swat
63	Gabril	Amir Hatim Jan	16-2-1970	Swat	Cook	F.Sc	1987 (A)	1/7/2011	Supdt: Darul kafala Swat
64	Qadar Khan	Abdul Wadood	1/5/1974	Swat	Chowkidar	Matric. FA	1990 (A)	1/7/2011	Supdt: Darul kafala Swat
65	Amir Nawab	Pir Said	15-10-1975	Swat	Chowkidar	Matric	2008 (A)	1/7/2011	Supdt: Darul kafala Swat
66	Shah Saad	Abdul Hassan	1/5/1979	Nowshera	Conductor	Matric	1995(S)	1/7/2011	MRPH Nowshera
67	Noor Dali Khan	Fazal Khan	2/1/1984	Nowshera	Watch Man	Matric	2001	1/7/2011	MR&PH Nowshera
68	Gohar Shah	Sayyed Ali Shah	10/3/1986	Charsadda	Naib Qasid	Matric	2002 (S)	1/7/2011	DO Office Peshawar
69	Iftikhar Ahmad	Sahib Zada	25-3-1986	Swat	Sweeper	F.A	2003 (A)	1/7/2011	Supdt: Darul kafala Swat
70	Noor Ullah	Abdul Rab	12/3/1988	Charsadda	Chowkidar	FA	2003 (S)	1/7/2011	Welfare Home Nowshera
71	Waheed Murad	Umar Khan	15-4-1975	Mardan	Chowkidar	Matric	1996 (A)	13-8-2011	GIB Mardan
72	Muhammad Farooq Khan	Gul Akbar Khan	6/6/1979	Bannu	Chowkidar	MA-B.Ed	1996 (A)	11/11/2011	DO, SW, Bannu
73	Jehan Badshah	Juma Gul	4/5/1973	Peshawar	Sweeper	Matric	1993 (S)	15-11-2011	G.I.B (Boys) Peshawar
74	Nawab Khan	Gulab Khan	1/1/1980	Peshawar	Chowkidar	Matric	2004(A)	16-11-2011	DO SW Peshawar
75	Iftikhar Ali	Sher Bahadur	6/3/1984	Mardan	Chowkidar	B.A	2003.(A)	26-12-2011	Supdt Darul Kafala
76	Zakir Ullah	Ghulam Muhammad	10/2/1988	Mardan	Chowkidar	B.A	2006 (A)	26-12-2011	Supdt Darul Kafala
77	Sadiq Nawaz	Sher Nawaz	14-3-1989	Lakki Marwat	Chowkidar	F.A	2005 (A)	29-12-2011	DO, SW, Lakki Marwat



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S.#	Name of official	F/ Name	Date of birth	Domicile	Designation	Qualification	Year of Passing Matriculate Examination	Date of 1 <sup>st</sup> Entry into Govt Service	Name of Office
78	Muhammad Sohail	Asmat uliah	5/4/1992	Malakand	Chowkidar	F A	2010 (A)	28-1-2012	DO, Malakand
79	Amir Khan	Kabir Khan	4/5/1993	Peshawar	Naib Qasid	F.A	2009	1/2/2012	DSW
80	Shaheen Naiz	Naiz Muhammad	15-11-1966	Kohat	Naib Qasid	Matric	8/2/2012	22-9-1994	DO, SW Kohat
81	Ghulam Naseer	Munsif ur Rehman	8/10/1984	Abbottabad	Chowkidar	Matric	2002 (A)	2/4/2012	Supdt Darul Aman Abbottabad
82	Mrs. Rashida Bibi	Khan Badshah	12/3/1987	Dir Lower	N.Q (Female)	FA	2004 (S)	10/4/2012	DO, SW Dir Lower
83	Arshad Khan	Mian Gul Khan	3/2/1988	Peshawar	Chowkidar	F.A	2005(A)	2/5/2012	Darul Kafala Peshawar
84	Muhammad Imran	Malik Dad	14-01-1982	DI Khan	Assistant Cook	Matric	1999	14-06-2012	GIB DI Khan
85	Imtiaz Khan	Sher Afzal	15-1-1979	Peshawar	Chowkidar	Matric	1997(S)	1/7/2012	DO office Peshawar
86	Zoya Ali Khan	Shahid Ali Khan	26-3-1991	Shangla	Naib Qasid	F.A	2007 (A)	1/7/2012	DO Shangla
87	Imtiaz	Khan Muhammad	15-6-1979	Abbottabad	Sweeper	Matric	2012(A)	27-5-2010	DO, SW Abbottabad
88	Shahid Ullah	Midrar Ullah	15-2-1988	Mardan	Chowkidar	Matric	2012(A)	26-12-2011	Supdt Darul Kafala
89	Rawada	Gul Bad Khan	5/3/1992	Nowshera	Naib Qasid	Matric	2010(A)	30-07-2012	DO(SW) Nowshera
90	Samad Khan	Rahman Gul	6/2/1984	Mardan	Chowkidar	Matric	2001 (A)	31-10-2012	DO, SW, Mardan
91	Rabia Bibi	Ameer Khan	24-1-1986	Mardan	Naib Qasid	F.A	2012 (A)	31-10-2012	DO, SW, Mardan
92	Zahir Ullah	Jehangir Khan	2/1/1981	Charsaddha	Chowkidar	F.A	1997(A)	1/11/2012	Welfare Home
93	Zarshad	Sher Ali	2/4/1986	Charsaddha	Chowkidar	Matric	2003(A)	1/11/2012	DO Office Charsaddha
94	Akhtar Munir	Hussain Ahmad	24-7-1988	Charsaddha	Naib Qasid	B.A	2005(A)	1/11/2012	Welfare Home
95	Roz Ali	Hayat Khan	20-11-1965	Nowshera	Chowkidar	Matric	1982(A)	11/12/2012	DO(SW) Nowshera
96	Saira Bibi	Zafar Ahmad	14-08-1985	Nowshera	Naib Qasid	Matric	2003(S)	11/12/2012	DO(SW) Nowshera
97	Muhammad Asif	Qadir Baksh	24-11-1991	DI Khan	Naib Qasid	Matric	2011	12/12/2012	DO SW DI Khan
98	Bilal	Wahid Gul	15-4-1993	Dir Lower	Chowkidar	FA	2010	12/12/2012	W.H Dir Lower
99	Irfan Jamil	Jamil Ahmad	12/12/1983	Kohat	Naib Qasid	B.A	1999(A)	14-12-2012	DO, SW Kohat
100	Tahir Ullah	Raiyat Khan	19-9-1994	Kohat	Naib Qasid	Matric	2011 (S)	14-12-2012	DO, SW, Kohat
101	Sultan Muhammad	Muhammad Razaq	12/4/1982	Dir Lower	Cook	Matric	2013 (A)	1/7/2008	RCDA Dir Lower
102	Amjad Ali Khan	Mir Ahmad Khan	28-03-1983	Peshawar	Chowkidar	Matric	2013(A)	14-10-2009	DSW
103	Zai Gul	Akbar Khan	1/1/1989	Buner	N.O/Aya	Matric	2013(A)	18-4-2011	DO, SW Buner
104	Ali Shah	Hazrat Usman Shahid	6/3/1990	Swat	Assistant Cook	Matric, FA	2013 (A)	1/7/2011	Supdt: Darul kafala Swat

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S.#	Name of official	F/ Name	Date of birth	Domicile	Designation	Qualification	Year of Passing Matriculate Examination	Date of 1 <sup>st</sup> Entry into Govt Service	Name of Office
105	Rashid Ali	Johar Shah	15-1-1991	Mardan	Chowkidar	Matric	2010 (S)	10/2/2014	DO, SW, Mardan
106	Shah Fahad	Witayat Shah	12/3/1992	Mardan	Workshop Atten	Matric	Annual 2012	29-4-2014	GIB Mardan
107	Waheed Ahmad	Naseer Ahmad	24-9-1988	Peshawar	Chowkidar	FA	2010	5/5/2014	DO Office Peshawar
108	Shafi Ullah	Ibad ullah	9/4/1972	Peshawar	Chowkidar	Matric	1989(S)	28-5-2014	GIB Peshawar
109	Noor Niaz Khan	Mir Hakim Khan	3/9/1994	Bannu	Chowkidar	Matric	Annual 2013	28-5-2014	DO Bannu
110	Bus Bibi	Juma Gul	3/3/1979	Peshawar	AYA	Matric	1996(A)	29-5-2014	MR&PHC Peshawar
111	Zeba Zahir	Zahir Khan	28-3-1995	Peshawar	AYA	Matric	2011(S)	29-5-2014	G.I.B (Girls) Peshawar
112	Yaseen Khan	M.Zakir	1/1/1995	Peshawar	Cook	Matric	2014(A)	30-5-2014	Welfare Home Peshawar
114	M.Hilal Khan	Haji Ayub Khan	23-3-1994	Peshawar	Naib Qasid	M.A	2009(A)	3/6/2014	DSW
115	Sana ullah	Dost Muhammad Khan	1977	Swat	Sweeper	Matric	2014 (A)	2/8/2011	RCDA Swat
116	M.Anees	Noor Muhammad Khan	1982	Torghar	Chowkidar	Matric (A)	2008(A)	9/6/2014	DO Office Tor Ghar
117	Muhammad Zahid	Hameed Gul	20-02-1985	Kohat	Chowkidar	Matric	Annual 2008	13-8-2014	GHSDC Kohat
118	Muhammad Umar	Ashraf Ali	21-4-1995	Kohat	Chowkidar	Matric/FA	Annual 2013	13-6-2014	GHSDC Kohat
119	Faisal Jawad	Abdul Nabi	10/3/1985	Charsadda	Chowkidar	B.A	2001	20-07-2016	GIB Mardan

Assistant Director (Estab)

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**SOCIAL WELFARE, SPECIAL EDUCATION AND WOMEN EMPOWERMENT DEPARTMENT**

**NOTIFICATION**

*Peshavar, dated the September, 25<sup>th</sup> 2019*

**No: SOII/SWD/II-12/Service Rules/2019-20: 320-52** In pursuance to 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 Notifications issued in this behalf, the Social Welfare, Special Education and Women Empowerment Department Khyber Pakhtunkhwa, 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 this Notification, which shall be applicable to all the posts in the strength of Directorate of Social Welfare, Special Education and Women Empowerment Khyber Pakhtunkhwa (Social Welfare Side) specified in column 2 of the said Appendix:

**APPENDIX**

S.No:	Nomenclature	Minimum qualification for initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1	Director (BPS-19)	---	---	By transfer of PCS/PMS/PAS Officer of the Provincial Government.
2	Deputy Director (BPS-18)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Social Welfare Officers, Managers, Rehabilitation Officers and Assistant Directors with at least five years service as such. <b>Note:</b> A joint seniority list of Social Welfare Officers, Managers, Rehabilitation Officers and Assistant Directors shall be maintained for the purpose of promotion.
3	Assistant Director (BPS-17)	At least Second Class Master's Degree or equivalent qualification from a recognized University.	21-35 years	(a) Thirty per cent (30 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendent with at least three years service as such and have qualification of graduation from a recognized University; and  (b) Seventy per cent (70 %) by Initial recruitment.

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4	Manager (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Anthropology or equivalent qualification from a recognized University.	21-35 years	(a) Ten per cent (10 %) by promotion, on basis of seniority-cum-fitness, from amongst the Administrative Officers with at least three years services as such; and (b) ninety per cent (90 %) by initial recruitment.
5	Rehabilitation Officer (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Psychology, Anthropology or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
6	District Officer Social Welfare (BPS-17)	---	---	By transfer from amongst the officers in BPS-17 of Directorate of Social Welfare, Khyber Pakhtunkhwa, on social welfare side.
7	Social Welfare Officer (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Anthropology or equivalent qualification from a recognized University.	21-35 years	(a) Ten per cent (10 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Field Officers with at least five years service as such; and (b) ninety (90) % by initial recruitment.
8	Medical Officer (BPS-17)	---	---	By transfer from Health Department on deputation basis.
9	Psychologist (BPS-17)	---	---	By transfer from Health Department on deputation basis.
10	Superintendent (BPS-17)	---	---	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:-A joint seniority list of Assistants and Senior Scale Stenographers shall be maintained for the purpose of promotion.
11	Administrative Officer (BPS-17)	At least Second Class Master's Degree or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
12	Field Officer (BPS-16)	At least Second Class Master's Degree in Social Work, Sociology or Anthropology or equivalent qualification from a recognized University.	21-35 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Vocational Teachers with at least three years service as such.

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13	Senior Scale Stenographer (BPS-16)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Scale Stenographers with at least five years service as such.
14	Assistant (BPS-16)	At least Second Class Bachelor's Degree or equivalent qualification from a recognized University.	20-32 years	(a) Forty per cent (40 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Instructors Trades with at least five years service as such; (b) thirty five percent (35 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks and Accountants with at least five years service as such and (c) twenty five per cent (25 %) by initial recruitment.
15	Computer Operator (BPS-16)	(i) At least Second Class Bachelor's Degree in Computer Science, Information Technology (BIT/BCS 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 the Board of Technical Education.	21-35 years	By initial recruitment.
16	I.T Teacher Female (BPS-16)	At least Second Class Bachelor's Degree in Computer Science, Information Technology (BIT/BCS four years) or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
17	Hostel Warden (BPS-15)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Hostel Wardens having at least five years service as such.
18	Instructor all Trades (BPS-14)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Instructors (Electrical), Instructors (Tailoring) and Instructors (Carpenter) with at least five years service as such Note: A joint seniority list of Instructors (Electrical), Instructors (Tailoring) and Instructors (Carpenter) shall be maintained for the purpose of promotion.

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19	Junior Scale Stenographer (BPS-14)	(i) At least Second Division Intermediate Certificate or equivalent qualification from a recognized Board; (ii) Fifty (50) words per minutes in English Short Hand and thirty (35) words per minutes in typing; and (iii) knowledge of Computer in using MS Word and MS Excel.	18-30 years	By initial recruitment.
20	Senior Clerk (BPS-14)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst Junior Clerks with at least two years service as such.
21	Senior Vocational Teacher (BPS-12)	At least Second Division Secondary School Certificate from a recognized Board along-with three years Diploma in Women Vocational from the Board of Technical Education.	18-32 years	(a) Forty per cent (40 %) by promotion, on the basis seniority-cum-fitness, from amongst the Needle Cra Instructors with at least five years services as such; (b) five per cent (05 %) by promotion, on the basis seniority-cum-fitness, from amongst the Juni Vocational Teachers with at least five years service such; (c) five per cent (05 %) by promotion, on the basis seniority-cum-fitness, from amongst the Beautici Instructors with at least three years services as such; an (d) fifty per cent (50 %) by initial recruitment.
22	Assistant Hostel Warden (BPS-12)	---	---	By promotion, on the basis of seniority-cum-fitness, fro amongst the Junior Hostel Warden having three years service such.
23	Pharmacy Technician (BPS-12)	---	---	By transfer from Health Department on deputation basis.
24	Orthotic and Prosthetic Technician (BPS-12)	---	---	By transfer from Health Department on deputation basis.
25	Lady Health Visitor (BPS-12)	---	---	By transfer from Health Department on deputation basis.

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26	Junior Clerk (BPS-11)	(i) FA / FSc with second division or equivalent qualification from a recognized board; and  (ii) A speed of thirty (30) words per minute in typing	18-32 years	(a) Thirty per cent (30 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Daftaris, Naib Qasids, Chowkidars, Sweepers, Malis, Security Guards, Cooks and Attendants with two years service as such, who have passed FA / FSc Examination from a recognized Board;  (b) thirty per cent (30 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Auxiliary Workers having at least three years service as such;  (c) ten per cent (10 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Store Keepers having at least three years service as such; and  (d) thirty per cent (30 %) by initial recruitment.  Note: A joint seniority list of Daftaris, Naib Qasids, Chowkidars, Sweepers, Malis, Security Guards, Cooks and Attendants shall be maintained for the purpose of promotion.
27	Instructor (Electrical) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with one year Diploma in Electrical Technology from the Board of Technical Education or Secondary School Certificate from recognized Board with three years Diploma in Electrical Technology.	18-28 years	By initial recruitment.
28	Instructor (Tailoring) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with at least one year diploma in vocational skills from the Board of Technical Education with three years experience as Tailor.	18-28 years	By initial recruitment.
29	Instructor (Carpenter) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with one year diploma in relevant field from the Board of Technical Education with three years experience as Carpenter.	18-28 years	By initial recruitment.

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30	Beautician Instructor (Female) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board along with two years Beautician Diploma from the Board of Technical Education.	18-28 years	By initial recruitment.
31	Welfare Teacher (BPS-10)	At least Second Division Intermediate Certificate from a recognized Board.	18-30 years	By initial recruitment.
32	Junior Vocational Teacher (BPS-10)	At least Second Division Secondary School Certificate from a recognized Board along with three years Diploma in Women Vocational from the Board of Technical Education.	18-28 years	By initial recruitment.
33	Junior Hostel Warden (BPS-10)	At least Second Division Intermediate Certificate from a recognized Board having two years experience in the relevant field.	18-32 years	By initial recruitment.
34	Needle Craft Instructor (BPS-09)	At least Second Division Secondary School Certificate from a recognized Board with two years Certificate (G-2) in Vocational skills from the Board of Technical Education.	18-32 years	By initial recruitment.
35	Auxiliary Worker (BPS-07)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board.	18-32 years	By initial recruitment.
36	Nurse Attendant (BPS-07)	At least Second Division Secondary School Certificate from a recognized Board.	18-28 years	By initial recruitment.
37	Store Keeper (BPS-07)	At least Second Division Secondary School Certificate from recognized Board with one year experience in the relevant field.	18-32 years	By initial recruitment.
38	Driver (BPS-06)	Holding LTV/HTV Driving License and preferably literate.	18-40 years	By initial recruitment.
39	Daftari (BPS-04)	---	---	By promotion, on the basis of seniority cum fitness, from amongst the holder of the post of matriculate Naib Qasids with at least three years service.



40	Naib Qasid (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
41	Sweeper (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
42	Chowkidar (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
43	Mali (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
44	Security Guard (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
45	Cook (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
46	Attendant (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.

—Sd—

Secretary to Government of Khyber Pakhtunkhwa  
Social Welfare, Special Education &  
Women Empowerment Department

**Endst: of Even No & Date:**

Copy forwarded for information and further necessary action to the:

1. Secretary to Government of Khyber Pakhtunkhwa, Establishment & Administration, Finance and Law Departments.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. Director Social Welfare, Special Education & Women Empowerment Khyber Pakhtunkhwa.
5. Manager Government Printing Press Khyber Pakhtunkhwa, Peshawar for publication in the office gazette.
6. All District Account Officer Khyber Pakhtunkhwa.
7. PS to Governor Khyber Pakhtunkhwa Peshawar.
8. PS to Chief Minister Khyber Pakhtunkhwa, Peshawar.
9. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
10. PS to Secretary Social Welfare, Special Education & Women Empowerment Department Khyber Pakhtunkhwa Peshawar.

  
Section Officer-II



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Government of Khyber Pakhtunkhwa  
 Directorate of Social Welfare, Special Education and  
 Women Empowerment Opp. Islamia College  
 Jamrud Road, Peshawar  
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 Annex

No. DSW/Promotion/2020-21  
 Dated Peshawar the 25-07-2020

To

All the District Officers,  
 Social Welfare KPK.

Subject: SUBMISSION OF ACRs

I am directed to refer to the subject noted above and to state that the following officials have been included in the panel of promotion against the post of Junior Clerk (BPS-11):

Class-IV:

S. No	Name & designation	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020			Willingness
					Year	Month	Day	
1	Muhammad Aaman, Naib Qasid	W. H Kohat	BA	01/07/2004	16	0	30	Willing
2	Muhammad Sajid, Workshop Attendant	GIB D.I.Khan	M.A	02-09-2005	14	10	29	Willing
3	Hussain Ahmad, Sweeper	RCDA D.I.Khan	B.A	01/07/2006	14	0	30	Willing
4	Sajjad Khan	WCC Peshawar	B.A	01/07/2007	13	0	30	Willing
5	Muzafar Khan	RCDA Peshawar	B.A	01/07/2007	13	0	30	Willing
6	Noroz Khan	Darul Kafala Peshawar	B.A	01/07/2007	13	0	30	Willing
7	Zahid Ullah, Chowkidar	DO SW Kohat	FA	10/10/2007	13	0	30	Willing
8	Ahmad Nawaz	DO SW Tank	M.A	07/02/2008	12	5	24	
9	Umar Ali Khan	W.H Bannu	FA	30-06-2008	12	0	01	Willing
10	Abdul Mateen	W.H D.I.Khan	M.A	01/07/2008	12	0	30	Willing
11	Muhammad Nabi, Naib Qasid	GSDC Malakand	M.A	01/07/2008	12	0	30	Willing
12	Sajid Ali, Naib Qasid	DSW	F.A	01/07/2008	12	0	30	Willing

Auxiliary Worker:

S. No	Name & designation	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020			Willingness
					Year	Month	Day	
1	Mr. Shakirullah	Peshawar	FA	25.05.1982	38	02	06	Willing
2	Mr. Mujeebullah	DIKhan	FA	01.06.1982	38	01	30	Willing subject to posting at DI Khan
3	Mst: Parveen Begum	Mardan	SSC	11.07.1984	36	00	20	Willing
4	Mst: Attiya Rasool	Peshawar	SSC	17.08.1985	34	01	14	Willing
5	Mst: Asmat Begum	Mardan	SSC	19.08.1985	34	01	12	Willing
6	Mr. Imranullah	Charsadda	BA	24.08.1985	34	01	07	Willing

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787	Mst. Rehana Yasmin	DIKhan	SSC	13.10.1985	34	03	19	Unwilling
8	Mr. Miskhar Ahmad	Charsadda	FA	11.11.1985	34	04	20	Willing
9	Mst. Sadqat Hameed	Mansehra	SSC	01.02.1987	33	05	30	Willing
10	Mr. Hidayatullah	Malakand	BA	09.02.1987	33	05	23	Willing
11	Mr. Kifayatullah	DIKhan	SSC	31.12.1987	32	05	00	Willing subject to posting at DI Khan
12	Mr. Akbar Nawaz	Peshawar	FA	01.09.1988	31	02	30	Willing
13	Mr. Mansoor Ahmad	Mardan	BA	22.10.1988	31	03	09	Willing
14	Asad Khan	Mardan	BA	24.10.1988	31	03	07	Willing
15	Faiz Muhammad	Mansehra	FA	13.07.1990	30	00	11	Willing
16	Muhammad Farooq	DIKhan	D.Com	28.09.2001	18	02	04	Willing

**Store Keeper:**

S. No	Name & designation	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020			Willingness
					Year	Month	Day	
	2	3	4	5	6			
1	Mr. Abdul Qadir	DO Bunir	SSC	24-11-1984	35	04	07	Willing
2	Mr. Shamsul Arafin	HIC Gulbahar Peshawar	SSC	26-01-1987	33	06	05	Unwilling
3	Mr. Sadat Mughal	GIB Abbottabad	SSC	22-07-1990	30	00	09	Willing
4	Mr. Sadiq Akbar	GIB Swat	SSC	23-03-1992	28	04	08	Willing
5	Mr. Nasrullah	GIB (M) Peshawar	SSC	04-07-1993	27	00	27	Willing
6	Mr. Nasrullah	DI Khan	SSC	21-07-1993	27	00	03	Willing
7	Mr. Raheem Gul	GIB Swabi	FSc	28-05-2009	11	02	03	Willing
8	Mr. Junaid Ali	GIB Mardan	FSc	26-06-2015	05	01	05	Willing
9	Mst Qurait ul Aain	GIB (G) Peshawar	SSC	29-06-2015	05	01	02	Unwilling

**Junior Clerk:**

S. No	Name & designation	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020			Willingness
					Year	Month	Day	
	2	3	4	5	6			
1	Akbar Ali	Mardan	MA	14-05-1991	29	02	11	Willing
2	Taqweem Ul Haq	Dir Lower	FA	18-05-1991	29	02	07	Willing
3	Muhammad Altaf	Mansehra	BA	25-05-1991	29	02	00	Willing
4	Hamayun Khan	Peshawar	BA	01-10-1991	28	03	00	Willing
5	Sajid Rashid	Kohat	SSC	03-02-1992 (As J/C)	28	05	22	Willing
6	Saeed Ijaz	Swabi	SSC	08-02-1992	28	05	17	Willing
7	Nadeem Ashraf	Abbottabad	SSC	23-2-1992	28	05	02	Willing
8	Ghani Ur Rahman	Dir Lower	BA	01-04-1992	28	03	24	Willing
9	Aslam Khan	Peshawar	MA	16-06-1992	28	01	09	Willing
10	Akbar Khan	Swat	FA	04-07-1993	27	00	21	Willing

21

**Senior Clerk:**

S. No	Name designation &	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020			Willingness
					Year	Month	Day	
1	Azam Khan	SEC Hayatabad Peshawar	BA	01/07/2004	16	0	30	Willing
2	Zahid Bakhsh	Welfare Home Kohat	SSC	09-10-2007	12	03	15	Willing
3	Khan Sahib	DSW,	D.Com	18-06-2011	09	01	09	Willing
4	Tilawat Shah	MR & PHC Peshawar	BA	18-06-2011	09	01	09	Willing

**Instructor:**

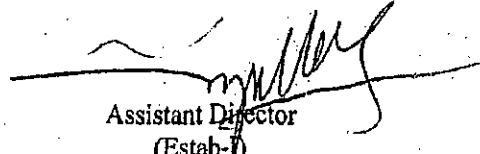
S. No	Name designation &	Present place of posting	Qualification	Date of initial appointment	Total Service up to 31-07-2020		
					Year	Month	Day
1	Lal Rahim	Darul Kafala Peshawar	SSC + Diploma	1.7.2007	13	00	23
2	Mr. Muhammad Iqbal	RCDA Peshawar	MA + Diploma	01/07/2007	13	00	23
3	Mr. Fazal Rabi	RCDA Peshawar	FA + Diploma	01/07/2007	13	00	23
4	Syed Imran Shah	SEC Peshawar	BA + Diploma	01/07/2007	13	00	23
5	Bahrawar Shad	RCDA Dir Lower	BA + Diploma	01/08/2008	11	01	23

The District Officers Social Welfare concerned are requested to furnish ACRs for the last five years (2015-2019) in respect of the Officials included in the panel of promotion by Monday positively through special messenger.

  
Assistant Director  
(Estab-1)

Copy for information to:-

1. PA to Director SW

  
Assistant Director  
(Estab-1)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF SOCIAL WELFARE, SPECIAL  
EDUCATION AND WOMEN EMPOWERMENT  
JAMRUD ROAD PESHAWAR.

Dated Peshawar the 30-07-2020.

**ORDER**

No. E-17/56/Vol-III/DSW/ 862-73. On recommendations of the Departmental promotion Committee in its meeting held on 30-07-2020, the following officials are hereby promoted to the post as recorded against their names with immediate effect.

**1- JUNIOR CLERK BPS-11 TO BE PROMOTED AS SENIOR CLERK (BPS-14)**

S. No.	Name of Official	Place of present posting
1.	Mr. Akbar Ali	GIB, Mardan
2.	Mr. Taqweem Ul-Haq	DO (SW) Office Dir Lower
3.	Mr. Muhammad Altaf	DO (SW) Office Mensehra
4.	Mr. Hamayun Khan	MR 2 PHC Peshawar
5.	Mr. Sajid Rashid	SDC Kohat

**2- AUXILIARY WORKER (BPS-7) TO THE POST OF JUNIOR CLERK (BPS-11)**

S. No.	Name of Official	Place of present posting
1.	Mr. Shakirullah	DO (SW) Office Peshawar
2.	Mr. Mujeebullah	DO (SW) Office D.I.Khan
3.	Mst. Atiya Rasool	DO (SW) Office Peshawar
4.	Mst. Asmat Begum	DO (SW) Office Mardan
5.	Mr. Imranullah	DO (SW) Office Charsadda
6.	Mst. Rehana Yasmin	DO (SW) Office D.I.Khan
7.	Mr. Iftikhar Ahmad	DO (SW) Office Charsadda
8.	Mr. Hidayatullah	DO (SW) Office Malakand
9.	Mr. Kifayatullah	DO (SW) Office D.I.Khan
10.	Mr. Akbar Nawaz	DO (SW) Office Peshawar
11.	Mr. Mansoor Ahmad	DO (SW) Office Mardan
12.	Mr. Asad Khan	DO (SW) Office Mardan
13.	Mr. Faiz Muhammed	DO (SW) Office Mensehra
14.	Mr. Shazadi Neelofar	DO (SW) Office Peshawar
15.	Mst. Yasmin Begum	DO (SW) Office Mardan
16.	Mr. Javed Iqbal	DO (SW) Office Swat
17.	Mr. Shah Zeb	DO (SW) Office Mardan

**a- STORE KEEPERS (BPS-6-8) TO THE POST OF JUNIOR CLERK (BPS-11)**

S. No.	Name of Official	Place of present posting
1.	Mr. Abdul Qadir	DO (SW) Office Buner
2.	Mr. Shamsul Arifeen	School for Deaf Children Gulbazar Peshawar
3.	Mr. Sadiq Akbar	GIB Swat
4.	Mr. Nasrullah	GIB (Male) Peshawar
5.	Mr. Nasrullah	GIB D.I.Khan

**b- CLASS-IV TO THE POST OF JUNIOR CLERK (BPS-11)**

S. No.	Name of Official	Place of present posting
1.	Mr. Muhammad Sajid Workshop Attendant	GIB D.I.Khan
2.	Mr. Hussain Ahmad Sweeper	RCDA D.I.Khan
3.	Mr. Sajjad Khan Chowkidar	Women Crises Centre Peshawar
4.	Mr. Noroz Khan Chowkidar	Darul Kafala Peshawar
5.	Mr. Muhammad Aman Naib Qasid	Welfare Home Kohat
6.	Mr. Umar Ali Khan Chowkidar	Welfare Home Bannu
7.	Mr. Sajid Ali Naib Qasid	Directorate of Social Welfare
8.	Mr. Naeem Kokar Sweeper	GIB (M) Pesh

2- The officials on promotion will remain on probation for a period of one year extendable for a further period of one year in terms of Rules 6 (2) of the Khyber Pakhtunkhwa Civil Servant Act 1973 read with Rule 15 (1) of the Khyber Pakhtunkhwa Government Servant (Appointment, Promotion & Transfer) Rules 1989.

3- Consequent upon of their promotions, the officials are hereby posted upon the post as mentioned against their names below.

**Posting of Senior Clerks (BPS-14)**

S. No	Name & Designation of Official	Place of Posting
1	Mr. Akbar Ali, Senior Clerk (BPS-14)	Directorate of Social Welfare
2	Mr. Taqweem Ul Haq Senior Clerk (BPS-14)	CDC Chakdara Dir Lower
3	Mr. Muhammad Altaf Senior Clerk (BPS-14)	GIB Abbottabad
4	Mr. Hamayun Khan Senior Clerk (BPS-14)	GIB D.I. Khan
5	Mr. Sajid Rashid Senior Clerk (BPS-14)	GSDC Kohat

**Posting of Junior Clerks (BPS-11)**

S. No	Name & Designation of Official	Place of Posting
1	Mr. Shakirullah, Junior Clerk (BPS-11)	District office SW Peshawar
2	Mr. Mujeebullah, Junior Clerk (BPS-11)	Deaf School Karak
3	Mst. Attiya Rasool, Junior Clerk (BPS-11)	District office SW Peshawar
4	Mst. Asmat Begum, Junior Clerk (BPS-11)	GSDC (F) Mardan
5	Mr. Imranullah, Junior Clerk (BPS-11)	Bacha Khan Vocational Center Charsadda
6	Mst. Rehana Yasmin, Junior Clerk (BPS-11)	District office SW D.I. Khan
7	Mr. Ifikhar Ahmad, Junior Clerk (BPS-11)	RCDA Charsadda
8	Mr. Hidayatullah, Junior Clerk (BPS-11)	RCDA Malakand
9	Mr. Kifayatullah, Junior Clerk (BPS-11)	RCDA D.I. Khan
10	Mr. Akbar Nawaz, Junior Clerk (BPS-11)	Directorate of Social Welfare
11	Mr. Mansoor Ahmad, Junior Clerk (BPS-11)	Bacha Khan Vocational Center Nowshera
12	Mr. Asad Khan, Junior Clerk (BPS-11)	District Office SW Swabi
13	Mr. Faiz Muhammad, Junior Clerk (BPS-11)	District Office SW Torghar
14	Mst. Shahzadi Neelofar, Junior Clerk (BPS-11)	District office SW Charsadda
15	Mst. Yasmin Begum, Junior Clerk (BPS-11)	GSDC Swabi
16	Mr. Javed Iqbal, Junior Clerk (BPS-11)	District office SW Swat
17	Mr. Shah Zeb, Junior Clerk (BPS-11)	MR&PH Swabi
18	Mr. Abdul Qadir, Junior Clerk (BPS-11)	Welfare Homs Buner
19	Mr. Shamsul Arifeen, Junior Clerk (BPS-11)	District Office SW Abbottabad
20	Mr. Sadiq Akbar, Junior Clerk (BPS-11)	GIB Malakand

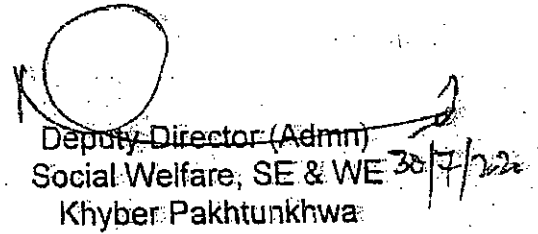
24

21	Mr. Nasrullah, Junior Clerk (BPS-11)	GIB (M) Peshawar
22	Mr. Nasrullah, Junior Clerk (BPS-11)	District office SW Chitral
23	Mr. Muhammad Sajid, Junior Clerk (BPS-11)	Bacha Khan Women Vocational Center Karak
24	Mr. Hussain Ahmad, Junior Clerk (BPS-11)	District Office SW D.I. Khan.
25	Mr. Sajjad Khan, Junior Clerk (BPS-11)	Welfare Home Hangu.
26	Mr. Noroz Khan, Junior Clerk (BPS-11)	SSMC Chakdara Dir (Lower)
27	Mr. Muhammad Aman, Junior Clerk (BPS-11)	GSDC Kohat.
28	Mr. Umar Ali Khan, Junior Clerk (BPS-11)	District Office SW Lakki Marwat
29	Mr. Sajid Ali, Junior Clerk (BPS-11)	Directorate of Social Welfare
30	Mr. Naeem Kokar, Junior Clerk (BPS-11)	Welfare Home Buner

Sd—  
Director  
Social Welfare, Spl: Edu: & WE  
Khyber Pakhtunkhwa

Copy to:

- 1- The Accountant General, Khyber Pakhtunkhwa
- 2- The Concerned District Account Officer in Khyber Pakhtunkhwa
- 3- PS to Minister for Social Welfare, Special Education & Women Empowerment, Department, Khyber Pakhtunkhwa
- 4- PS to Secretary, Social Welfare, Special Education & Women Empowerment, Khyber Pakhtunkhwa
- 5- The Concerned District Officer, Social Welfare in Khyber Pakhtunkhwa
- 6- Deputy Director (MIS) Social Welfare Department, Khyber Pakhtunkhwa
- 7- The concerned Incharge of institute of Social Welfare in Khyber Pakhtunkhwa
- 8- PA to Director, Social Welfare, Special Education & Women Empowerment, Khyber Pakhtunkhwa
- 9- Assistant Director (E-1), Directorate of Social Welfare
- 10- All the official concerned
- 11- Personal file

  
Deputy Director (Admin)  
Social Welfare, SE & WE  
Khyber Pakhtunkhwa  
30/7/22

Amir G  
25

*[Handwritten signature]*

29/08/200  
ISSUE BRANCH  
CHIEF SECRETARY  
Govt. of Khyber Pakhtunkhwa  
Peshawar

7576

To,

1. The Honorable Chief Secretary,  
Government of Khyber Pakhtunkhwa, Peshawar,
2. The Secretary to, Government of Khyber Pakhtunkhwa,  
Social Welfare, Special Education and Women Empowerment Deptt:  
Khyber Pakhtunkhwa, Peshawar.

Subject APPEAL AGAINST INJUSTICE.

With due respect, it is stated that, the appellant was appointed as *Chowkidar* on 31-05-2004, in ACP scheme *Do-sul-Kotala* Center for Drug Addicts, Peshawar", Social Welfare, Special Education and Women Empowerment Department, Khyber Pakhtunkhwa. On 1<sup>st</sup> July 2007, the service of appellant, regularized. The appellant is Intermediate employee.

1. Your kind attention is invited to fact of matter, that, on 12-05-2015 a meeting of Departmental Promotion Committee was held, to promote Matriculate Class-IV to the post of Junior Clerk according to reserved quota of 33%. In continuation of Departmental Promotion Committee, two junior Class-IV to appellant were promoted to the post of Junior clerk, vide Notification No E-17/56/DSWVol-III/2175-84, dated Peshawar the 26-06-2015; the junior class-IV namely Mr. Zahid Khan and Mr. Fazle Qadar whom were promoted, although, the appellant highlighted his grievances before competent authority but no heed was paid, and the appellant was deprived discriminately without assign any reason. (Annexure A)

On dated, 20-07-2020, the administrative department circulated a letter vide NoE-17/64/DSW, to ask willingness from class-IV including appellant, whom were to be promoted to the post of junior clerk, where the appellant was at serial No-05 (Annexure B). The appellant submit his willingness for promotion to the post of Junior clerk, in this regard an-other letter was issued vide No DSW/Promotion/2020-21, dated 25-07-2020, to submit A.C.R's for promotion in this letter the appellant was also at serial No, 05. On 30-07-2020, administrative department issued promotion order vide No, E-17/56/Vol-III/DSW/862-73, in pursuance of meeting of departmental Promotion Committee was held on 30-07-2020 (Annexure C), But astonishingly, once again the appellant has been deprived from promotion and again the junior to appellant namely Mr. Noor Khan at serial No-06, Mr. Umar Ali Khan at serial No-09, Mr Sajid Ali at serial No-12, and Mr. Naeem khokhar at serial No-13, were promoted to the post of junior clerk.



At the score of this discrimination, the appellant was retorted with the pretence that this promotions have been made by first acquiring F.A qualification when questioned this discrimination before the competent authority. It is brought in your kind notice that no any condition has been laid down in service rules as such (Annexure D) and it is also clarified in Esta-Code Khyber Pakhtunkhwa , in civil servant APT rules 1989, in chapter VI, Explanation-III/4, regarding seniority,

"The inter-se-seniority of civil servant in a certain cadre to which promotion is made from different lower post, carrying same pay scale shall be determined from the date of regular appointment /promotion of the civil servant in the lower post."

On dated, 04-08-2020, appellant submitted a written application for re-consideration of promotion but yet no response founded. (Annexure E)

In view of above circumstances, therefore, it is requested to direct the authority concern to promote the appellant as junior clerk from the date of promotion of junior and place as senior in seniority list prior to my junior colleagues.

*Handwritten signature*

29/09/2020

*Handwritten signature*

Zia Ullah

(Appellant)

Rehabilitation Centre for Drug  
Addicts, Peshawar

**VAKALAT NAMA**

NO. \_\_\_\_\_/20

IN THE COURT OF K.P SERVICE TRIBUNAL PESHAWAR

Zia Ullah (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Social Welfare, SE & WE Deptt. etc. (Respondent)  
(Defendant)

I/we, Zia Ullah

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

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

Dated \_\_\_\_\_/20

Zia Ullah

(CLIENT)

ACCEPTED

M. Asif Yousafzai

**M. ASIF YOUSAFZAI**  
Advocate Supreme Court

Taimur Ali Khan

**TAIMUR ALI KHAN**  
ADVOCATE HIGH COURT

S. Noman Ali Bukhari

**S. NOMAN ALI BUKHARI**  
ADVOCATE HIGH COURT

S. Khan

**SHAHKAR KHAN YOUSAFZAI**  
ADVOCATE

**OFFICE:**

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar  
Cell: (0333-9103240)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Mr. Zia Ullah----- (Appellant)

Versus

Government of Khyber Pakhtunkhwa

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2.	Reply/comments	2-4
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5	Annex-III	9-15



DEPONENT

CNIC No.17101-0377128-9

Cell# 0346-9148582

1

**BEFORE THE PESHAWAR SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 1226 of 2021**

**Mr. Zia Ullah ..... (Appellant)**

**Versus**

**Government of Khyber Pakhtunkhwa**

**AFFIDAVIT**

I Syed Nabi Gul, Superintendent (Lit), Directorate of Social Welfare, Special Education & Women Empowerment Khyber Pakhtunkhwa, do hereby solemnly affirm and declare on oath that the contents of the accompanying reply/comment are true and correct to the best of my knowledge and belief and that nothing has been concealed therein from this Hon'ble Tribunal.

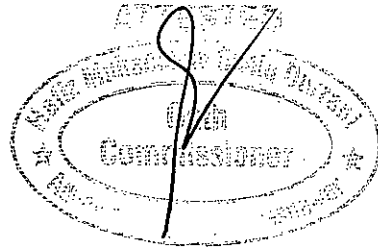
*Signature*

**DEPONENT**

**CNIC No.17101-0377128-9**

**Cell# 03469148582**

**07 JUN 2022**



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

**Service appeal No. 1226/2021**

Mr. Zia ullah S/O Saiful Wali, Chowkidar Darul Kafala for beggar Dalazak Road,  
Peshawar.....**APPELLANT**

**VERSUS**

1. The Chief Secretary, Civil Secretariat Peshawar, Government of Khyber Pakhtunkhwa.
2. The Secretary, Social Welfare, Special Education & Women Empowerment Department, Khyber Pakhtunkhwa..
3. The Director, Directorate of Social Welfare, and Women Development Department Khyber Pakhtunkhwa.
4. The Deputy Director ( Admn), Social Welfare, Special Education and Women Development Department Khyber Pakhtunkhwa.
5. District Officer (DO), Social Welfare Department, Peshawar.
6. The Deputy Commissioner, Peshawar.
7. Mr. Umar Ali Khan, Junior Clerk, Office of the Welfare Home Bannu.
8. Mr. Sajid Ali, Junior Clerk, Office of the Directorate of Social Welfare Peshawar.
9. Mr. Naeem Kokar, Junior Clerk, Office of the GIB (M) Peshawar.

**RESPONDENTS**

**PARA-WISE COMMENTS ON BEHALF OF THE RESPONDENTS NO. 1 to 5.**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS:**

1. The appellant has got no cause of action to file the present service appeal.
2. The appeal is not maintainable in its present form.
3. The appeal is based on malafide intentions.
4. The appellant has no locus standi.
5. The appeal in hand is badly time barred.
6. The appellant has not come to Honorable Tribunal with clean hands.
7. The appellant has concealed the material facts from this Honorable Tribunal, hence liable to be dismissed.
8. The appeal is liable to be dismissed for non joinder & misjoinder of necessary parties.
9. The appeal is against the prevailing laws & rules.

**FACTS**

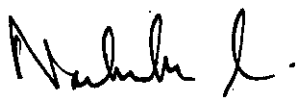
1. Correct with clarification that the appellant was initially appointed as Chowkidar in ADP scheme of the Department titled 'Darul Kafala for Beggars Dalazak Road Peshawar" vide order No. E-17/65/DSW/637-43 dated 24-03-2005 (**Annex-I**).
2. Correct with clarification that pursuant to the upgradation of Junior Clerk from BPS-07 to BPS-11, Service rules of the respondent department were revised and only those class-IV employees were declared fit for promotion to the post of Junior Clerk (BPS-11), who had availed a minimum of FA/F.SC Qualification. Revised Seniority Lists were prepared on the basis of date of acquisition of the prescribed qualification i.e FA/F.Sc. It is worth to narrate here that the Petitioner stood at S. No. 49 of the revised Seniority Lists prepared on the basis of revised Service Rules (**Annex-II**).
3. Correct with clarification that pursuant to the amendment in Service Rules vide Notification No. SO-II/SWD/II-12/Service Rules/2019 dated the 25<sup>th</sup> September 2019, Seniority Lists were amended on the basis of date of acquisition of the prescribed qualification i.e FA/F.Sc. The Petitioner stood at S. No. 49 of the revised Seniority Lists prepared on the basis of revised Service Rules (**Annex-II**).
4. As explained above.
5. Correct with clarification that there are certain standards which are required to be considered for promotion. Among them important are 1. Prescribed qualification 2. Prescribed length of service and 3. Seniority cum fitness. For ascertaining fitness of a candidate for promotion, Annual Confidential Reports (ACRs) are important documents, as such, ACRs of prospective candidates for promotion to the position of Junior Clerk were solicited. Since the petitioner stood at S. No. 49 of the revised Seniority List, as such, he was not considered for promotion.
6. Incorrect, hence denied. As explained above, the petitioner was not promoted as he stood at S. No. 49 of the amended Seniority Lists prepared on the basis of amended Service Rules (**Annex-III**). Had the Seniority List been impugned in the eyes of the Petitioner, he should have challenged it at appropriate forum.
7. Incorrect, hence denied. As explained above
8. In light of the above facts the department requests to dismiss the appeal on the following grounds.


**GROUND**


- A) Incorrect, hence denied. The order dated 30-07-2020 has been issued in light of prevailing service rules.
- B) Incorrect, hence denied. The factual position has been explained in above Paras.


- C) Incorrect, hence denied. As explained above, the appellant was not promoted to the post of Junior Clerk (BPS-11) as he was at S. No. 49 of the amended Seniority Lists amended on the basis of revised Service Rules at **Annex-II**.
- D) Incorrect, hence denied. The appellant will be promoted subject to his Seniority and fitness for promotion.
- E) Incorrect, hence denied. The factual position has been explained in above Paras.
- F) The respondent seeking permission to advance other grounds and proofs at the time of hearing.

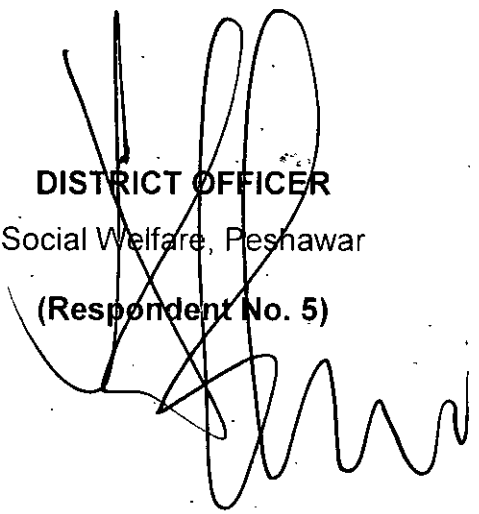
Keeping in view the above facts and grounds, it is requested to dismiss the instant service appeal being meritless.

  
**for CHIEF SECRETARY to**  
 Govt. of Khyber Pakhtunkhwa  
**(Respondent No. 1)**

  
**SECRETARY TO**  
 Govt. of Khyber Pakhtunkhwa  
 Social Welfare, Special Education &  
 Women Empowerment, Peshawar  
**(Respondent No. 2)**

  
**DIRECTOR**  
 Social Welfare, Special Education &  
 Women Empowerment  
**(Respondent No. 3)**

  
**Deputy Director (Admn),**  
 Social Welfare, Special  
 Education & Women  
 Empowerment Department  
 Khyber Pakhtunkhwa  
**(Respondent No.4)**

  
**DISTRICT OFFICER**  
 Social Welfare, Peshawar  
**(Respondent No. 5)**

Annex I (5)

GOVERNMENT OF NWFP  
DIRECTORATE OF SOCIAL WELFARE AND  
WOMEN DEV: JAMRUD ROAD PESHAWAR.

A

Dated Peshawar the 24/03/2005.

ORDER

No.E-17/65/DSWI. 637-43 On the recommendation of Departmental Selection Committee and in pursuance of Administrative Department letter No. SO/II (SWD)/II-1/04-1307 dated 15-3-05. Mr Zia Ullah S/O Sarf ul wall Resident of Sherdad Kalay Peshawar is hereby appointed as Chowkidar in the ADP Scheme of the Department titled "Darul Kafala for Beggars Peshawar" on the following terms and conditions:

- I- That this appointment shall be purely on fixed pay basis initially for the period upto 30<sup>th</sup> June, 2005, however is likely to be extendible on yearly basis.
- II- That the official shall be entitled to get pay Rs. 3325/- (Three Thousand three hundred and Twenty Five only) per month.
- III- That the contract can be terminated without assigning any reasons.
- IV- That the contract can be terminated at one month written notice from either side.
- V- That this appointment shall automatically be terminated on abolition of the Project.
- VI- That no TA / DA shall be admissible for joining the duty.
- VII- That this appointment is subject to medical fitness.
- VIII- That this appointment is subject verification of documents/testimonials.
- IX- On expiry / completion of the contract / project, services of the appointee in the project shall stand terminated and shall not confer on the individual any right of absorption elsewhere or regularization of his/her services.
- X- Rest of terms and conditions will be the same as mentioned in the agreement deed to be properly executed between the appointee and the Directorate of Social Welfare & Women Development NWFP Peshawar.
- XI- That the appointee is required to join his/her duty within 15 days of this offer letter failing which the contract will be automatically cancelled.

(Dr. Fakhr-ul-Islam)  
Director  
Social Welfare & Women  
Development NWFP

Endst: No. & date even.

Copy forwarded to:

- 1- The Distinct Account Office, Peshawar.
- 2- The District Officer, Social Welfare Department, Peshawar.
- 3- The Planning Officer, Directorate of Social Welfare NWFP Peshawar.
- 4- The Section Officer-II, Social Welfare Department Peshawar.
- 5- The Section Officer-(III), Social Welfare Department NWFP Peshawar w/r to his letter No. SO/II (SWD)/II-1/04-1307 dated 15-3-05.
- 6- PS to Secretary Social Welfare & WDD, Peshawar.
- 7- Superintendent, Darul Kafala for Beggars Peshawar.
- 8- Official Concerned

  
Director  
Social Welfare & Women  
Development NWFP





Government of Khyber Pakhtunkhwa  
Directorate of Social Welfare, Special Education and  
Women Empowerment Jamrud Road Peshawar.

Dated Peshawar the 08/07/2020

091-9224253

ORDER

No. E-17/56/DSW/Vol-II

20-21

In pursuance of section 8 (1) of Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule 17 of Khyber Pakhtunkhwa Civil Servants Appointment, Promotion & Transfer) Rules 1989, final Seniority List of Class-IV Employees BPS(3-5) of Social Welfare, Special Education & Women Empowerment Khyber Pakhtunkhwa who have attain the Intermediate Certificate from recognized Board, as stood on 31-03-2020 is hereby notified for the information of all concerned.

S.#	Name of official	F- Name	Designation	Date of birth	Domicile	Qualification	Year of Passing Matriculate Examination	Date of 1 <sup>st</sup> Entry into Govt Service	Name of Office	Remarks
1	Muhammad Sajid	Ghulam Saddiq	Workshop Atten.	2/4/1986	DI Khan	M.A	2002	2/9/2005	GIB DI Khan	FSc (2005)
2	Hussain Ahmad	Shabir Ahmad	Sweeper	29-09-1977	DI Khan	B.A	1996	1/7/2006	RCDA DI Khan	FA(2006)
3	Sajjad Khan	Fateh Muhammad	Chowkidar	3/1/1968	Peshawar	B.A	1985 (S)	1/7/2007	WCC Peshawar	FA (1990)
4	Noroz Khan	Inayat Khan	Chowkidar	20-2-1980	Peshawar	B.A	1999(S)	1/7/2007	Darul Kafal Peshawar	FA (2003)
5	Muhammad Aman	Awal Khan	Naib Qasid	1/10/1984	Kohat	Matric-BA	2003 (A)	1/7/2004	Welfare Home Kohat	FA (2008)
6	Umar Ali Khan	Ghazi Marjan	Chowkidar	20-7-1970	Bannu	Matric-FA	1989	30-6-2008	W.H Bannu	FA(1989)
7	Muhammad Nabi	Muhammad Siraj	Naib Qasid	3/1/1981	Malakand	MA	1999 (A)	1/7/2008	GSDC Malakand	FA(2001)
8	Sajid Ali	Akhtar Gul	Naib Qasid	20-5-1986	Peshawar	F.A	2002(A)	1/7/2008	DSW	FA(2005)
9	Naeem Khokhar	Bona Masih	Sweeper	15-4-1987	Peshawar	F.A	2005 (A)	2/10/2009	G.I.B (Boys) Peshawar	FA (2008)
10	Asim Khan	Hamayoon Khan	Chowkidar	1/2/1989	Abbottabad	FA	2005(A)	21-10-2009	DO, SW, Abbottabad	FA(2007)
11	Abdul Mateen	Abdul Hamid	Naib Qasid	30-05-1973	DI Khan	M.A	1989	1/7/2008	W.H DI Khan	FA(2010)
12	Hamayun Khan	Akbar Nawaz Khan	Chowkidar	13-01-1975	Bannu	Matric D.Com	1992 (S)	13-3-2010	DO, SW, Bannu	DO didn't provide passing session of D.Com
13	Adil Khan	Raees Khan	M. Sweeper	5/1/1990	Peshawar	B A	2007 (A)	26-08-2010	ALW	FA(2009)
14	Noor Badshah	Lal Badshah	Naib Qasid	10/4/1982	Dir Lower	Matric.BA	1998 (S)	24-10-2010	DO, SW Dir Lower	FA(2007)
15	Abd Ullah	Roie Zameen Khan	Chowkidar	3/6/1989	Dir Lower	Matric .FA	2006 (A)	24-10-2010	DO, SW Dir Lower	FA(2008)
16	Ahmer Nawaz	Shah Nawaz	Chowkidar	1/1/1972	Tank	M.A		7/2/2008	DO (SW) Tank	FA(2011)
17	Gabril	Amir Hatim Jan	Cook	16-2-1970	Swat	F Sc	1987 (A)	1/7/2011	Darul kafala Swat	FA(1990)
18	Qadar Khan	Abdul Wadood	Chowkidar	1/5/1974	Swat	Matric. FA	1990 (A)	1/7/2011	Darul kafala Swat	FA(1992)
19	Noor Ullah	Abdul Rab	Chowkidar	12/3/1988	Charsadda	FA	2003 (S)	1/7/2011	W H Nowshera	FA(2006)
20	Syed Mubashir Habib	Syed Habib Shah	Chowkidar	1/2/1992	Peshawar	F.A	2014(A)	16-11-2011	DO Peshawar	FA (2011)
21	Ifikhar Ali	Sher Bahadur	Chowkidar	6/3/1984	Mardan	B.A	2003 (A)	26-12-2011	Darul Kafala Mardan	FA(2005)
22	Muzafar Khan	Hayat Khan	Sweeper	5/5/1977	Peshawar	B.A	1996(S)	1/7/2007	RCDA Peshawar	FA (2012)
23	Zakir Ullah	Ghulam Muhammad	Chowkidar	10/2/1988	Mardan	B.A	2006 (A)	26-12-2011	Darul Kafala Mardan	FA(2009)
24	Sadiq Nawaz	Sher Nawaz	Chowkidar	14-3-1989	Lakki Marwa	F.A	2005 (A)	29-12-2011	DO, SW, Lakki Marwa	FA(2006)

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Annex 1/3

25	Ali Khan	Shahid Ali Khan	Naib Qasid	26-3-1991		FA	2007 (A)	1/7/2012	DO Shangla	FA(2009)
26	Jah Saood	Abdul Hassan	Conductor	01.05.1989		FA	1995 (A)	9/7/2011	MR & PH Nowhsara	FA (2005)
27	Bibi	Ameer Khan	Naib Qasid	24-1-1986	Mardan	FA	2012 (A)	31-10-2012	DO, SW, Mardan	FA(2012)
28	Zahir Ullah	Jehangir Khan	Chowkidar	2/1/1981	Charsaddha	FA	1997(A)	1/11/2012	W.H Charsaddha	FA(2012)
29	Akhtar Munir	Hussain Ahmad	Naib Qasid	24-7-1988	Charsaddha	B.A	2005(A)	1/11/2012	W.H Charsaddha	FA(2005)
30	Sikandar Khan	Fazle Qadir	Mali	13-3-1982	Peshawar	FA	2000 (A)	4/6/2010	GSDC Gulbahar Peshawar	FA (2013)
31	Muhammad Sohail	Asmat ullah	Chowkidar	5/4/1992	Malakand	FA	2010 (A)	28-1-2012	DO, Malakand	FA(2013)
32	Bilal	Wahid Gul	Chowkidar	15-4-1993	Dir Lower	FA	2010	12/12/2012	W.H Dir Lower	FA(2013)
33	Irfan Jamil	Jamil Ahmad	Naib Qasid	12/12/1983	Kohat	B.A	1999(A)	14-12-2012	DO, SW Kohat	FA(2005)
34	Khurshid Ali	Bakht Jehan	Naib Qasid	1/1/1978	Swat	F.A, JDPE	2012 (SSC)	29-08-1996	GIB Swat	FA(2014)
35	Abdullah Jan	Sher Muhammad	Chowkidar	11/2/1992	Charsadda	FA	2008(A)	9/5/2011	D.O SW Charsaddha	FA(2014)
36	Naseer Ahmad	Sahib Zada	Sweeper	25-3-1986	Swat	FA	2003 (A)	1/7/2011	Darul kafala Swat	FA(2014)
37	Wahheed Ahmad	Naseer Ahmad	Chowkidar	24-9-1988	Peshawar	FA	2010	5/5/2014	DO SW Peshawar	FA (2013)
38	Bus Bibi	Juma Gul	AYA	3/3/1979	Peshawar	B.A, B.Ed	1996(A)	25-5-2014	MR&PHC Peshawar	FA(2000)
39	Noor Niaz Khan	Mir Haikm Khan	Chowkidar	3/9/1994	Bannu	FA	2013	28/05/2014	DO(SW)Bannu	FA(2013)
40	M.Hilal Khan	Haji Ayub Khan	Naib Qasid	23-3-1994	Peshawar	M.A	2009 (A)	3/6/2014	DSW	FA(2011)
41	Muhammad Zahid	Raiyat Khan	Chowkidar	20/2/1985	Kohat	Matric(2008)+ Shadatul alamiah		13/06/2014	GSDC Kohat	Shadatul Alamiah (2006)
42	Zahid Ullah	Roiyat Khan	Chowkidar	30-11-1986	Kohat	Matric-FA	2004(A)	10/10/2007	DO SW Kohat	FA(2015)
43	Zai Gul	Akber	Naib Qasid/Aya	1/1/1989	Buner	FA	2013	18/04/2011	DO(SW) Buner	FA(2015)
44	Ali Shah	Hazrat Usman Shah	Assistant Cook	6/3/1990	Swat	Matric, FA	2013 (A)	1/7/2011	Darul kafaia Swat	FA(2015)
45	Muhammad Umer		Chowkidar		Kohat	FA		14/06/2014	DO(SW)Kohat	FA(2015)
46	Faisal Jawad	Abdul Nabi	Chowkidar	10/3/1985	Charsadda	B.A	2001	20-07-2016	GIB Mardan	FA(2003)
47	Sharifa Zarin	Huzoor Khan	AYA	15-03-1989	Chitral	FA	2006	27-07-2016	MRPH Chitral	FA(2008)
48	Qadir Khan	Rahim Khan	Chowkidar	8/4/1991	Mardan	FA		25/10/2016	Mardan	FA(2016)
49	Ziaullah	Saiful Wali	Chowkidar	20/4/1985	Peshawar	FA		2005	Darul Kafala Peshawar	FA (2017)
50	Saddam Hussain	Ihsan Ullah	Chowkidar	13-05-1996	Peshawar	D.Com	2013	10/5/2017	Darul Kafala Peshawar	FA (2015)
51	Mr. Fazal Akber	Abdul Manan	Naib Qasid	3/4/1988	Dir Lower	FA		11/5/2017	Dir Lower	FA(2010)
52	Muhammad Saeed	Fazle Kareem	Naib Qasid	8/2/1986	Mardan	FA		7/7/2017	Mardan	FA(2005)
53	Bilal Ahmed	Inyatullah	Sweeper	3/3/1998	Dir Lower	FA		17/07/2017	Dir Lower	FA(2016)
54	Suleman Khan	Naseer Khan	Naib Qasid	3/5/1997	Dir Lower	FA		11/5/2017	Dir Lower	FA(2018)
55	Noor Muhammad	Muhammad Sulema	Sweeper	26/2/1998	Kohat	FA		17/07/2017	Kohat	FA 2018
56	Shah khalid	Aman ud Din	Naib Qasid	10-04-1984	Charsadda	B.A	2001(A)	05-03-2018	GSDC Charsadda	FA(2003)
57	Muhammad Nawaz Khan	Rab Nawaz Khan	Chowkidar	22-05-1976	Mardan	MA	15-06-1996	15-06-1996 as Chowkidar (absorbed 12/01/2018)	SEC Mardan	FA (1995, Devoted)

(8)

8	Muhammad Sabir Khan	Muhammad Iqbal Khan	Attendant	1/3/1989	Mardan	FA	8/3/2012	16-01-2010 as Attendant (Absorbed 12/01/2015)	Hostel Mardan	FA(2005)
9	Ijaz Muhammad	Wali Muhammad	Chowkidar	29/10/1973	Swabi	FA				
10	Muhammad Sabir Khan	Akbar Khan	Chowkidar	02-10-1999	Swat	F.A	2015	1/12/1991	DO(SW) Swabi	FA(2018)
11	Mehreen	Obaid	AYA	1/1/1988	Mardan	FA		25-08-2018	D.O SW Swat	FA(2018)
12	Ihsan Khan	Umar Rehman	Chowkidar	15-05-1996	Swat	F.A	2013	6/9/2018	Mardan	FA(2007)
13	Fouzia Naz	W/O Jamshed Khan	AYA	01-01-1983	Mardan		2000	01-10-2018	D.O SW Swat	FA(2014)
14	Zakir Khan	Amin Khan	Sweeper	5/4/1988	Swabi	M.A		07-09-2018	DO SW Mardan	FA(2005)
15	Sabir Khan	Akber Khan	Chowkidar	2/10/1999	Swat	FA		24/9/2018	DO(SW) Swabi	FSc(2007)
16	Saddam	Rahman Gul	Mali	25/3/2000	Swabi	FA		24/9/2018	DO (SW)Swat	FSc 2018
17	Faisal Saleh Hayat	Sardar Ali	Mali	22-02-1988	Peshawar	B.A	2004	25/9/2018	DO(SW) Swabi	FSc(2018)
18	Irfan Ahmad	Muhammad Qayum	Mali	19-11-1999	Peshawar	F.Sc	F.A	28-09-2018	MR & PH Peshawar	FA(2006)
19	Majid Mehmood	Ghulam Mustafa	Naib Qasid	19-01-1991	Haripur	M.A	2010	01-10-2018	GIB (G), Peshawar	FA (2018)
20	Junaid Khan	Gul Manan	Naib Qasid	20-09-1994	Bannu	M.A	2011	10-10-2018	DO SW Haripur	FA(2012)
21	Salman Khan	Umar Daraz Khan	Naib Qasid	01-08-1995	Bannu	F.A	2014	10-10-2018	D.O SW Bannu	FA(2018)
22	Umnair Muhammad	Nazar Muhammad	Conductor	20-02-1997	Swabi	M.A	2013	10-10-2018	MR & PH Bannu	FA(2018)
23	Pir Musharaf Shah	Pir Maqbool Shah	Security Guard	11/2/1985	Mardan	FA		10-10-2018	GSDC Swabi	FA(2018)
24	Qamar Zaman	Gulshan	Attendant	1/5/1994	Peshawar	BA	2010	7/2/2018	Mardan	FA(2019)
25	Abid Ali	Muhammad Anwer	Mali	8/3/1983	Mansehra	FA+CT	2003	1/8/2019	SSEC Peshawar	FA(2014)
26	Waqas	Habib Ur Rehman	Sweeper	12/1/1988	Mansehra	BA+DIT	2005	15/01/2009	MR&PH Mansehra	
27	Muhammad Anees	Muhammad Nazir	Chowkidar	25/01/1990	Mansehra	Matric	2005	29/05/2014	MR&PH Mansehra	

## Copy forward to:

- 1- The Section Officer-General, SW,SE&WE, Khyber Pakhtunkhwa.
- 2- The Assistant Director (Admn) Directorate of SW, SE&WE Khyber Pakhtunkhwa.
- 3- Manager Artificial Limbs Workshop KTH Peshawar.
- 4- All District Officer, Social Welfare Khyber Pakhtunkhwa

The officers at S.No. 2,3 & 4 above are requested to circulate the above Tentative seniority list amongst the incumbents and submit any objection / correction / addition within 15 days of the receipt of this letter

Sd/- Director (SW,SE&amp;WE)

Assistant Director  
(Establishment-I)

(9)

Annex III



GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
SOCIAL WELFARE, SPECIAL EDUCATION AND WOMEN EMPOWERMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the September, 25<sup>th</sup> 2019

No: SOII/SWD/II-12/Service Rules/2019-20: 320-52 In pursuance to 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 Notifications issued in this behalf, the Social Welfare Education and Women Empowerment Department Khyber Pakhtunkhwa, 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 this Notification, which is applicable to all the posts in the strength of Directorate of Social Welfare, Special Education and Women Empowerment Khyber Pakhtunkhwa (Welfare Side) specified in column 2 of the said Appendix:

APPENDIX

S.No:	Nomenclature	Minimum qualification for initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1	Director (BPS-19) ✓			By transfer of PCS/PMS/PAS Officer of the Government.
2	Deputy Director (BPS-18) ✓			By promotion, on the basis of seniority-cum-fitness amongst the Social Welfare Officers, Managers, Rehabilitation Officers and Assistant Directors with at least five years as such. <u>Note:</u> A joint seniority list of Social Welfare Managers, Rehabilitation Officers and Assistant Directors be maintained for the purpose of promotion.
3	Assistant Director (BPS-17) ✓	At least Second Class Master's Degree or equivalent qualification from a recognized University.	21-35 years	(a) Thirty per cent (30 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Superintending Officers with at least three years service as such a qualification of graduation from a recognized University and (b) Seventy per cent (70 %) by Initial recruitment.

Refers to E-II section PG

11/07/19

AD E II  
AD B I

10. Proper case for publication in Govt Gazette.  
30/9

Directorate of Social Welfare  
Distt No. 40323  
Dated 30-09-2019

5-17(80)12

4	Manager (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Anthropology or equivalent qualification from a recognized University.	21-35 years	(a) Ten per cent (10 %) by promotion, on basis of seniority-cum-fitness, from amongst the Administrative Officers with at least three years services as such; and (b) ninety per cent (90 %) by initial recruitment.
5	Rehabilitation Officer (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Psychology, Anthropology or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
6	District Officer Social Welfare (BPS-17)	---	---	By transfer from amongst the officers in BPS-17 of Directorate of Social Welfare, Khyber Pakhtunkhwa, on social welfare side.
7	Social Welfare Officer (BPS-17)	At least Second Class Master's Degree in Social Work, Sociology, Anthropology or equivalent qualification from a recognized University.	21-35 years	(a) Ten per cent (10 %) by promotion, on the basis of seniority-cum-fitness, from amongst the Field Officers with at least five years service as such; and (b) ninety (90) % by initial recruitment.
8	Medical Officer (BPS-17)	---	---	By transfer from Health Department on deputation basis.
9	Psychologist (BPS-17)	---	---	By transfer from Health Department on deputation basis.
10	Superintendent (BPS-17)	---	---	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:-A joint seniority list of Assistants and Senior Scale Stenographers shall be maintained for the purpose of promotion.
11	Administrative Officer (BPS-17)	At least Second Class Master's Degree or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
12	Field Officer (BPS-16)	At least Second Class Master's Degree in Social Work, Sociology or Anthropology or equivalent qualification from a recognized University.	21-35 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Vocational Teachers with at least three years service as such.

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13	Senior Scale Stenographer (BPS-16)	---	---	By promotion, on the basis of seniority-cum-fir amongst the Junior Scale Stenographers with at least service as such.
14	Assistant (BPS-16)	At least Second Class Bachelor's Degree or equivalent qualification from a recognized University.	20-32 years	(a) Forty per cent (40 %) by promotion, on th seniority-cum fitness, from amongst the Inst Trades with at least five years service as such: (b) thirty five percent (35 %) by promotion, on tl seniority-cum-fitness, from amongst the Sen and Accountants with at least five years servic and (c) twenty five per cent (25 %) by initial recruitment
15	Computer Operator (BPS-16)	(i) At least Second Class Bachelor's Degree in Computer Science, Information Technology (BIT/BCS 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 the Board of Technical Education.	21-35 years	By initial recruitment.
16	I.T. Teacher Female (BPS-16)	At least Second Class Bachelor's Degree in Computer Science, Information Technology (BIT/BCS four years) or equivalent qualification from a recognized University.	21-35 years	By initial recruitment.
17	Hostel Warden (BPS-15)	---	---	By promotion, on the basis of seniority-cum-fitness, f amongst the Assistant Hostel Wardens having at least service as such.
18	Instructor all Trades (BPS-14)	---	---	By promotion, on the basis of seniority-cum-fir amongst the Instructors (Electrical), Instructors (Tai Instructors (Carpenter) with at least five years service Note: A joint seniority list of Instructors ( Instructors, (Tailoring) and Instructors (Carpenter maintained for the purpose of promotion.

19	Junior Scale Stenographer (BPS-14)	(i) At least Second Division Intermediate Certificate or equivalent qualification from a recognized Board;  (ii) Fifty (50) words per minutes in English Short Hand and thirty (35) words per minutes in typing; and  (iii) knowledge of Computer in using MS Word and MS Excel.	18-30 years	By initial recruitment.
20	Senior Clerk (BPS-14)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst Junior Clerks with at least two years service.
21	Senior Vocational Teacher (BPS-12)	At least Second Division Secondary School Certificate from a recognized Board along with three years Diploma in Women Vocational from the Board of Technical Education.	18-32 years	(a) Forty per cent (40 %) by promotion, on the seniority-cum-fitness, from amongst the Next Instructors with at least five years services as such;  (b) five per cent (05 %) by promotion, on the seniority-cum-fitness, from amongst the Vocational Teachers with at least five years such;  (c) five per cent (05 %) by promotion, on the seniority-cum-fitness, from amongst the Instructors with at least three years services as such;  (d) fifty per cent (50 %) by initial recruitment.
22	Assistant Hostel Warden (BPS-12)	---	---	By promotion, on the basis of seniority-cum-fitness amongst the Junior Hostel Warden having three years such.
23	Pharmacy Technician (BPS-12)	---	---	By transfer from Health Department on deputation basis.
24	Orthotic and Prosthetic Technician (BPS-12)	---	---	By transfer from Health Department on deputation basis.
25	Lady Health Visitor (BPS-12)	---	---	By transfer from Health Department on deputation basis.

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26	Junior Clerk (BPS-11)	<p>(i) FA / FSc with second division or equivalent qualification from a recognized board; and</p> <p>(ii) A speed of thirty (30) words per minute in typing</p>	18-32 years	<p>(a) Thirty per cent (30 %) by promotion, on the seniority-cum-fitness, from amongst the Daftra Qasids, Chowkidars, Sweepers, Malis, Security Cooks and Attendants with two years service who have passed FA / FSc Examination recognized Board;</p> <p>(b) thirty per cent (30 %) by promotion, on the seniority-cum-fitness, from amongst the Workers having at least three years' service as s</p> <p>(c) ten per cent (10 %) by promotion, on the seniority-cum-fitness, from amongst the Store having at least three years service as such; and</p> <p>(d) thirty per cent (30 %) by initial recruitment.</p> <p>Note: A joint seniority list of Daftaris, Naib Chowkidars, Sweepers, Malis, Security Guards, C Attendants shall be maintained for the pu promotion.</p>
27	Instructor (Electrical) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with one year Diploma in Electrical Technology from the Board of Technical Education or Secondary School Certificate from recognized Board with three years Diploma in Electrical Technology.	18-28 years	By initial recruitment.
28	Instructor (Tailoring) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with at least one year diploma in vocational skills from the Board of Technical Education with three years experience as Tailor.	18-28 years	By initial recruitment.
29	Instructor (Carpenter) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board with one year diploma in relevant field from the Board of Technical Education with three years experience as Carpenter.	18-28 years	By initial recruitment.



30	Beautician Instructor (Female) (BPS-11)	At least Second Division Intermediate Certificate from a recognized Board along-with two years Beautician Diploma from the Board of Technical Education.	18-28 years	By initial recruitment.
31	Welfare Teacher (BPS-10)	At least Second Division Intermediate Certificate from a recognized Board.	18-30 years	By initial recruitment.
32	Junior Vocational Teacher (BPS-10)	At least Second Division Secondary School Certificate from a recognized Board along-with three years Diploma in Women Vocational from the Board of Technical Education.	18-28 years	By initial recruitment.
33	Junior Hostel Warden (BPS-10)	At least Second Division Intermediate Certificate from a recognized Board having two years experience in the relevant field.	18-32 years	By initial recruitment.
34	Needle Craft Instructor (BPS-09)	At least Second Division Secondary School Certificate from a recognized Board with two years Certificate (G-2) in Vocational skills from the Board of Technical Education.	18-32 years	By initial recruitment.
35	Auxiliary Worker (BPS-07)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board.	18-32 years	By initial recruitment.
36	Nurse Attendant (BPS-07)	At least Second Division Secondary School Certificate from a recognized Board.	18-28 years	By initial recruitment.
37	Store Keeper (BPS-07)	At least Second Division Secondary School Certificate from recognized Board with one year experience in the relevant field.	18-32 years	By initial recruitment.
38	Driver (BPS-06)	Holding LTV/HTV Driving License and preferably literate.	18-40 years	By initial recruitment.
39	Daftari (BPS-04)	---	---	By promotion. on the basis of seniority cum fit amongst the holder of the post of matriculate Naib Q at least three years service.

(15)

40	Naib Qasid (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
41	Sweeper (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
42	Chowkidar (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
43	Mali (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
44	Security Guard (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
45	Cook (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.
46	Attendant (BPS-03)	Preferably literate.	18-40 years	By initial recruitment.

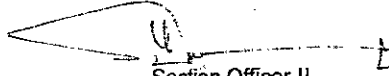
-Sd-

Secretary to Government of Khyber Pakhtunkhwa  
Social Welfare, Special Education &  
Women Empowerment Department

**Endst: of Even No & Date:**

Copy forwarded for information and further necessary action to the:

1. Secretary to Government of Khyber Pakhtunkhwa, Establishment & Administration, Finance and Law Departments.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. Director Social Welfare, Special Education & Women Empowerment Khyber Pakhtunkhwa.
5. Manager Government Printing Press Khyber Pakhtunkhwa, Peshawar for publication in the office gazette.
6. All District Account Officer Khyber Pakhtunkhwa.
7. PS to Governor Khyber Pakhtunkhwa Peshawar.
8. PS to Chief Minister Khyber Pakhtunkhwa, Peshawar.
9. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
10. PS to Secretary Social Welfare, Special Education & Women Empowerment Department Khyber Pakhtunkhwa Peshawar.



Section Officer-II

**BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR**

**SERVICE APPEAL NO. 1226/2021**

Zia Ullah

V/S

Social welfare Deptt.:

**REJOINDER ON BEHALF OF THE  
APPELLANT IN RESPECT OF THE REPLY  
SUBMITTED BY RESPONDENT NO. 1 to 5**

**RESPECTFULLY SHEWETH:**

**Preliminary Objections:**

(1-09) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

**FACTS:**

1. Admitted correct by the respondent department.
2. Not replied accordingly hence denied. Moreover, the F.A FSC is only eligibility for the purpose of promotion, that the determination of seniority should consider from the dated of regular appointment as per APT rule and Civil servant Act, 1973 and according to latest judgment of Hon'able Service Tribunal, Peshawar.
3. Incorrect hence denied. While para-3 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in above para-2.

4. Incorrect hence denied. While para-4 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in above para-2.
5. The contention of respondent is incorrect hence denied. While para-5 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in above para-2.
6. Incorrect hence denied. While para-6 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in above para-2.
7. Incorrect hence denied. While para-7 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in above para-2.
8. Incorrect hence denied. . the appeal of the appellant may be accepted as prayed for.

**GROUND:**

- A. Incorrect, hence denied. While Para-A of the grounds of the appeal is correct as mentioned in the main of the appellant.
- B. Incorrect, hence denied. While Para-B of the grounds of the appeal is correct as mentioned in the main of the appellant.
- C. Incorrect. Denied. Para-C of the grounds of the appeal is correct. Moreover, the F.A FSC is only eligibility for the purpose of promotion, that the determination of seniority should consider from the dated of regular appointment as per APT rule and Civil servant Act, 1973 and according to latest judgment of Hon'able Service Tribunal, Peshawar. Further it is added that the said seniority list is not circulated before promotion. Hence has no legal value in the eye of law.
- D. Incorrect. Denied. Para-D of the grounds of the appeal is correct.
- E. Incorrect. Denied. Para-E of the grounds of the appeal is correct and the appellant has not been treated as rules and

policy and there is no malafide on part of the appellant but only on part of the replying respondent as already explained in the above paras of the rejoinder.

- F. Appellant also seeks permission of this august Tribunal to produce additional grounds at the time of main arguments.

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

**APPELLANT**



Ziaullah

THROUGH:



(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT OF PAKISTAN,



(SYED NOMAN ALI BUKHARI)

ADVOCATE HIGH COURT,

&

(SHAHKAR KHAN YOUSAFZAI)

ADVOCATE PESHAWAR.

**AFFIDAVIT**

It is affirmed and declared that the contents of the rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the honourable Tribunal.



DEPONENT