


FORM OF ORDERSHEET

Court of _____

Case No. 585/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.03.2023	<p>As per direction of the Worthy Chairman the present appeal is fixed for preliminary hearing before Single Bench at Peshawar on _____. Counsel for the appellant be informed accordingly.</p> <p style="text-align: right;"> REGISTRAR</p>

Respected Sir,

It is submitted that the present appeal was received on 02.03.2023, which was returned to the counsel for the appellant for removing objections (Flag-A). Today i.e. 16.03.2023 he re-filed the same without removing the objection no.7.

The appeal is now submitted to your honor under rules 7 (c) of the Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.

REGISTRAR


Worthy Chairman

The appeal of Miss: Durdana Ayub Computer Operator Finance Department received today i.e. on 02.03.2023 is incomplete on the following score which is returned to the co Counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal be got signed by the appellant. ✓
- 2- Copy of check list is not attached with the appeal. ✓
- 3- Appeal has not been flagged /marked with annexures marks. ✓
- 4- Annexures of the appeal be attested. ✓
- 5- Affidavit be got attested by the Oath Commissioner. ✓
- 6- Annexure-C of the appeal is missing. ✓
- ⑦ All the annexures/documents attached with the appeal are illegible which may be replaced by legible/better one. ✓
- 8- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal. ✓

No. 873 /S.T.


Dt. 05-03 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Asif Yousafzai Adv.
High Court Peshawar .

- ① Removed
- ② Removed
- ③ Removed
- ④ Removed
- ⑤ Removed
- ⑥ Removed
- ⑦ Removed
- ⑧ Removed

file Resubmitted


16/3/23

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: _____

v/s _____

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: _____	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: M. ASIF YOUSAFZAI

Signature: Asif

Dated: _____

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 85 /2023

Miss. Durdana Ayub

V/S

Govt: of KP & etc.

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Durdana
APPELLANT

THROUGH:

M. Asif Yousafzai
M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

Asad Mahmood
Asad Mahmood
Advocate High Court

Syed Noman Ali Bukhari
&
(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 585/2023

Miss. Durdana Ayub, Computer operator (BPS-16)
Finance Department Khyber Pakhtunkhwa.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4007

Dated 2/3/2023

(Appellant)

VERSUS

1. The Chief Secretary to Govt KP Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Govt KP Establishment Deptt: Peshawar, Khyber Pakhtunkhwa.
3. The Standing Rules Committee (SSRC) through its Chairman/ Secretary (Establishment, Civil Secretariat KP, Peshawar.

(Respondents)

.....
APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED PROVINCIAL MANAGEMENT SERVICE RULES 2007, LASTLY AMENDED ON 10.10.2022 FOR DECLARING THE SAME AS IRRATIONAL, ILLOGICAL, DISCRIMINATORY, IMPROPER , NOT BASED ON INTELLIGIBLE DIFFERENTIA TO THE EXTENT OF NON INCLUSION/ALLOCATION OF PROPER PROMOTION QUOTA ON THE BASIS OF SANCTIONED POSTS OF COMPUTER OPERATORS WHEREAS OTHER PROVINCIAL EMPLOYEES HAVE BEEN BENEFITED AND AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

File to stay
Report
2/3/2023

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL:

- (I)- **THE IMPUGNED PROVINCIAL MANAGEMENT SERVICE RULES 2007 AMENDED FROM TIME TO TIME MAY BE DECLARED AS IRRATIONAL, ILLOGICAL, DISCRIMINATORY, IMPROPER , NOT BASED ON INTELLIGIBLE DIFFERENTIA TO THE EXTENT OF NON-INCLUSION/NON ALLOCATION OF PROPER PROMOTION QUOTA ON THE BASIS OF SANCTIONED POSTS OF COMPUTER OPERATORS WHEREAS OTHER PROVINCIAL EMPLOYEES HAVE BEEN BENEFITED .**
- (II)- **TO DIRECT THE RESPONDENTS TO MAKE THE RULES LOGICAL, RATIONAL, PROPER AND BENEFICIAL BY INCLUDING APPELLANT'S CADRE BY MAKING NECESSARY AMENDMENTS IN THE IMPUGNED PROVINCIAL MANAGEMENT SERVICE RULES 2007 AS PER SPIRIT OF ARTICLE 2A, 4, 25 AND 38(E) OF THE CONSTITUTION 1973 AND TO INCLUDE/ ALLOCATE PROPER PROMOTION QUOTA ON THE BASIS OF SANCTIONED POSTS OF COMPUTER OPERATORS AND TO MAKE THEM AT PAR WITH SISTER CADRES WORKING ON THE STRENGTH OF ESTABLISHMENT DEPARTMENT SECRETARIAT.**
- (III)- **ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.**

RESPECTFULLY SHEWETH:

FACTS:

1. That appellant was appointed as Computer Operator in prescribed manner through Khyber Pakhtunkhwa Public Service Commission after fulfilling all requirements and having qualification BCS (Honor) in Computer Science in 2013. The appellant is presently working as computer operator in BPS-16. **Copy of appointment order is attached as Annexure – A.**

2. That despite lapse of almost 11 years long service, appellant is still serving as Computer Operator without having any single chance of promotion and have no career progression in the existing Service Rules of IT Cadre 2006.
3. That the Provincial Government Notified the Khyber Pakhtunkhwa Provincial Management Service Rules in the year 2007. Amended from time to time Schedule-I of the said rules provides the following scheme of PMS posts distribution:
 - i. 50% by Initial Recruitment through Public Service Commission;
 - ii. 17% by Promotion From amongst graduate Tehsildars, having 05 (five) years service as such on passing the prescribed Departmental Examination;
 - iii. 20% by Promotion from amongst graduate Superintendents/Private Secretaries on training of 09- weeks at the Provincial Management Academy/Provincial Staff Training Institute; and
 - iv. 10% by selection on merit on the basis of competitive examination, to be conducted by Public Service Commission, from amongst the Ministerial Staff of Civil Secretariat i.e. Superintendents, Private Secretaries, Personal Assistants, Senior Scale Stenographers, Assistants, Stenographers, Data Entry Operators, Computer Operators (Appellant in this case), Senior/Junior Clerks, who possess the post graduate qualification having 05 years service under Government.
 - v. 03% by Promotion from amongst graduate Superintendents/Private Secretaries in the offices of Divisional Commissioner and D.Cs on seniority cum fitness basis. **Copy of PMS Rules is attached as annexure B.**

4. That following is the detail of total existing scheduled posts of PMS in BPS-17 and the criteria set for distribution of such posts amongst PAS officers, PMS Officers, Tehsildars and Ministerial staff of Civil Secretariat, Khyber Pakhtunkhwa is depicted below:

Total existing posts of PMS in BPS-17 : 742

Existing scheme of posts distribution of PMS in BPS-17:

Post reserved for	No of PMS Post in BPS-17	Quota reserved in PMS rules
PAS officers	48	-
Initial recruitment	347	50%
Promotion of Tehsildars	139	20%
Promotion of superintendents	83	12%
Promotion of private secretaries/PA, who opted for PMS	56%	8%
Promotion for in-service employees of Secretariat through exam,	69	10%

Copy of table is attached as Annexure – C.

5. That detail of existing strength and sanctioned posts of different cadres along with their PMS quota distribution in BPS-17 is as under:

cadre	Sanctioned post	PMS Quota POSTS	PMS quota in %age
Teshildars	104	139	20%
Superintendents	179	83	12%
Private Secretaries	95	56	08%
Computer Operators(appellant)	192	0	0%

6. That from the above narrated facts it become clear that the impugned PMS Rules are irrational, not based on intelligible differentia and discriminatory because many employees have been benefited twice or thrice in different shapes despite having their own promotion channels, especially the BOR Establishment, and other employees of the Secretariat, whereas, the appellant's cadre has been restricted to 10% only, despite the fact that the appellant's

cadre have the highest number of sanctioned posts as mentioned above.

7. That the appellant, feeling aggrieved, file a writ petition No.4233-P/2017 in Peshawar High Court Peshawar which was heard by the Peshawar High Court Peshawar on 03/04/2019 and dismissed the writ petition on merit as well as maintainability. **Copy of high court judgment is attached as annexure-D.**
8. That the appellant challenged the same before the supreme Court of Pakistan in C.P. No. 2700/2019 and the CP was decide in following manner: - *The learned counsel for the appellant submits that in view of the bar contained in Article 212 of the Constitution, he does not press this petition challenging the Provincial Management Service Rules, 2007 ("Rules") but reserves the right to approach the competent forum for redress. Allowed. The impugned judgment of the learned High Court shall not influence the outcome of the proceedings undertaken by the petitioner. Dismissed as not pressed.* **Copy of S.C order is attached as Annexure - E.**
9. That thereafter upon obtaining the copy of the Hon'able Supreme Court's order, the appellant filed departmental appeal within time but the department did not respond the departmental appeal of the appellant within statutory period of 90 day. Hence the present appeal on following grounds amongst other: **Copy of departmental appeal is attached as annexure-F.**

GROUND:

- A) That the Provincial Management Service (PMS) Rules, 2007 (amended from time to time) are irrational, illogical, improper, discriminatory, not based on intelligible differentia and in violation of Article 2A, 4, 25, 38(e) of the Constitution, 1973. Hence, liable to be declared as such.
- B) That not including/ allocating separate quota in the Provincial Management Service Rules for the appellant's cadre, despite being Provincial Govt: employee and despite having highest number of sanctioned posts is an act of discrimination which is the violation of Article- 2A, 4, 25 and 38(e) of the Constitution, 1973.
- C) That the discriminatory treatment is also evident from the facts that all other employees who have their own promotion channels in

their rules but despite that they have been benefited twice and thrice in the impugned PMS Rules, thus the plea of the respondents of having own service promotion channel is become baseless and a lame excuse. Copies of the Rules and other officials Rules are attached as Annexure - G, H, I, J.

- D) That according to Article 38(e) of the Constitution of Pakistan 1973 the state is bound to reduce disparity in the income and earnings of individuals including persons in the Civil Service of the Federation, so in light of the above Article of the Constitution of Pakistan 1973 the appellant reserves the right for allocation of promotion quota in the PMS Service Rules on the analogy of other cadres of the Secretariat.
- E) That the service structure of the IT staff is not sufficient and capable of providing promotion opportunities. However, other cadres have been provided double lines of promotion, fast tracking their promotion manifolds, so much so that Junior Clerk appointed at the time of the appointment of the appellant has been promoted to the post of Deputy Secretary (BPS-18). This proves the aspect that the impugned PMS Rules are irrational and not based on intelligible differentia.
- F) That the appellant have not been treated in accordance with law and rules by the respondents and as such the respondents violated the fundamental right of the appellant protected under Article 2A, 4, 25 and 27 and 38(e) of the Constitution of the Islamic Republic of Pakistan.
- G) That as per Superior Courts' judgments the impugned rules can be examined by the Tribunal under judicial review. (1991 SCMR-1041, 2022 SCMR-201, 2022 PLC 209, 2022 PLC 383, 2021 SCMR 1230.
- H) That the total strength of IT Cadre (Computer Operator) in Civil Secretariat Peshawar is 193, however, their promotion as per existing Rules is very slow and at snail's pace. A number of qualified Computer Operators have been retired in same scale and many are waiting since 20 long years for their single promotion in their entire service.
- I) That the action of the respondents, by restricting the appellant and not providing promotion quota with other ministerial staff of Civil Secretariat in the impugned rules is totally discriminatory,

irrational, against the law, facts, unjustifiable, irrational classification and norms of natural justice, which has created a great sense of disparity amongst the computer operators. Hence, not tenable and liable to be modified.

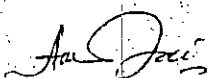
- J) That not treating Computer Operators at par with sister cadres for promotion in PMS Rules, 2007 (amended from time to time) is also against the equality and equity .
- K) That the whole exercise is a nullity in the eye of law as before framing the rules the deptt: has neither followed the spirit of Section 23 of the General Clauses Act nor considered all the aspects and without rationalizing the strength of cadres and no exercise has been done before making service rules. So. The whole impugned action of the respondents is void ab initio and not sustainable in the eye of law.
- L) That the appellant has not been treated according to law and rules.
- M) 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.

APPELLANT


Miss. Durdana Ayub

THROUGH:


M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

&


(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. _____/2023

Miss. Durdana Ayub

V/S

Govt. of KP & etc.

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.

DEPONENT

LIT. OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE
3. Any other case law as per need.

Dayub
APPELLANT

THROUGH:

M. Asif Yousafzai
M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

Asad Mahmood
Asad Mahmood
Advocate High Court

& Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. _____/2023

Miss. Durdana Ayub

V/S

Govt: of KP & etc.

AFFIDAVIT

I, Miss. Durdana Ayub, Computer operator (BPS-16), Finance Department Khyber Pakhtunkhwa (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this Honorable Tribunal.

Durdana Ayub
DEPONENT

Miss. Durdana Ayub



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

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Dated Peshawar, the March 27, 2013

ORDER

NO.SOE-V(E&AD)/5-1/2012:- On the recommendation of the Khyber Pakhtunkhwa Public Service Commission and acceptance of terms & conditions laid down in offer, Miss Durdana Ayub D/o Muhammad Ayub Khan is hereby appointed as Computer Operator (BPS-12) in the Khyber Pakhtunkhwa Civil Secretariat, with effect from the date of her arrival i.e. 13-03-2013.


2. The inter-se-seniority of the aforesaid recommendee will be declared as per policy.
3. Consequent upon her appointment as Computer Operator (BPS-12), she is transferred/posted in Finance Department, Govt. of Khyber Pakhtunkhwa with effect from 13-03-2013, in the public interest.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Endst: No. & Date Even.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Secretary (Admn), Administration Department, Govt. of Khyber Pakhtunkhwa.
4. Section Officer (Admn)/(Secret) /Estate Officer/ Librarian E & A Department.
5. PS to Secretary Establishment.
6. Official concerned.
7. Personal file.
8. Master file.


(IFAT AMBREEN)
Section Officer (E-V)

B
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GOVERNMENT OF THE ¹[Khyber Pakhtunkhwa]
ESTABLISHMENT DEPARTMENT

NOTIFICATION

Dated Peshawar the 11.05.2007.

No.SOE.II(ED)2(14)2007.---In exercise of the powers conferred by section 26 of the ²[Khyber Pakhtunkhwa] Civil Servant Act, 1973 (³[Khyber Pakhtunkhwa] Act XVIII of 1973), the Chief Minister of the ⁴[Khyber Pakhtunkhwa] is pleased to make the following rules, namely:-

THE ⁵[Khyber Pakhtunkhwa] PROVINCIAL MANAGEMENT SERVICE RULES, 2007

1. **Short title and commencement.**---(1) These rules may be called the ⁶[Khyber Pakhtunkhwa] Provincial Management Service Rules, 2007.
 - (2) These rules shall come into force at once.
2. **Definitions.**---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:
 - (a) "appointing authority" means the appointing authority as specified in rule 5 of these rules;
 - (b) "Commission" means the ⁷[Khyber Pakhtunkhwa] Public Service Commission;
 - (c) "Department" means the Establishment and Administration Department;
 - (d) "Departmental Examination" means the prescribed examination to be conducted by the Department for confirmation within probationary period or for promotion to higher post, as the case may be;
 - (e) "Departmental Training" means any training prescribed by Government, the successful completion whereof is necessary for promotion to BS-18 and BS-19;
 - (f) "Schedule" means the Schedule appended to these rules;
 - (g) "Service" means the Provincial Management Service;
 - (h) "Secretariat" means the ⁸[Khyber Pakhtunkhwa] Civil Secretariat as defined in rule 2(r) of the ⁹[Khyber Pakhtunkhwa] Government Rules of Business, 1985; and
 - (i) "share" means the share specified for distribution between All Pakistan Unified Group and Provincial Officers as per Schedule III.
3. **Non-attendance of the posts.**---The Service shall consist of the posts as specified in Schedule-I.

¹ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
² Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
³ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁴ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁵ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁶ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁷ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁸ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011
⁹ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011

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GOVERNMENT OF THE ¹[Khyber Pakhtunkhwa]
ESTABLISHMENT DEPARTMENT

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 - (e) "Departmental Training" means any training prescribed by Government, the successful completion whereof is necessary for promotion to BS-18 and BS-19;
 - (f) "Schedule" means the Schedule appended to these rules;
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 - (i) "share" means the share specified for distribution between All Pakistan Unified Group and Provincial Officers as per Schedule-III.
3. Nomenclature of the posts.--The Service shall consist of the posts as specified in Schedule-I.

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⁴ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
⁵ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
⁶ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
⁷ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
⁸ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
⁹ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

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4. **Method of recruitment.** (1) The method of recruitment, minimum qualification, age limit and other matters related thereto for the Service shall be as given in Schedule-I.

(2) Fifty per cent of posts in BS-17 shall be filled in by initial recruitment through Commission and remaining by promotion. Ten per cent of Secretariat posts in BPS-17 to 19 shall be reserved for officers of technical departments on rotation basis. Government may reserve twenty per cent posts for leave, deputation and training etc in each pay scale.

(3) Posts specified in Schedule-II shall be filled in by Officers borne on Provincial Management Service and All Pakistan Unified Group in the ratio prescribed in Schedule-III.

¹⁰[4-A. Training.--- On appointment to the post borne on the service in BS-17, whether by initial recruitment or by promotion, every officer so appointed shall successfully complete one and a half year's mandatory training including one year training at the Provincial Services Academy as per Module specified in Schedule-IV and six months training attachment as specified in Schedule-V. The training will be followed by Departmental Examination to be conducted by the Provincial Services Academy as specified in Schedule-VI.

5. **Appointing Authority.**---The Chief Minister, ¹¹[Khyber Pakhtunkhwa] shall be the appointing authority for posts borne on the Provincial Management Service specified in Schedule-I.]

6. **Saving.**---In all other matters not expressly provided for in these rules, the members of the Service shall be governed by the ¹²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and any other rules pertaining to terms and conditions of service made or deemed to have been made under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (¹³[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

7. **Transitional.**---The condition of graduation as laid down in para 2(a) and (b) of column-5 against serial No. 1 of Schedule-I shall not apply for a period of seven years from the date of coming into force of these rules to the existing incumbents for promotion against BS-17 posts.]

8. **Repeal.**---The ¹⁴[Khyber Pakhtunkhwa] Provincial Civil Service (Secretariat/Executive Group) Rules, 1997 shall stand repealed after the retirement of existing incumbents of both the cadres. Separate seniority list of both the cadres shall be maintained under the existing rules and they shall be promoted at the ratio of 50: 50:

¹⁵[Provided that for the purpose of promotion of both the Secretariat Group and the Executive Group of the said service in different pay scales, -

- (i) the incumbents shall continue to be governed by the said service rules till the retirement of the last such incumbent; and
- (ii) the last incumbent of either Group shall rank senior to the first incumbent of the Provincial Management Service.]

SCHEDULE-I

10. Rule 4-A added vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

¹¹ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

¹² Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

¹³ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

¹⁴ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

15. Amended vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

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4. Method of recruitment.—(1) The method of recruitment, minimum qualification, age limit and other matters related thereto for the Service shall be as given in Schedule-I.

(2) Fifty per cent of posts in BPS-17 shall be filled in by initial recruitment through Commission and remaining by promotion. Ten per cent of Secretariat posts in BPS-17 to 19 shall be reserved for officers of technical departments on reciprocal basis. Government may reserve twenty per cent posts for leave, deputation and training etc in each pay scale.

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¹⁰[4-A. Training.— On appointment to the post borne on the service in BS-17, whether by initial recruitment or by promotion, every officer so appointed shall successfully complete one and a half year's mandatory training including one year training at the Provincial Services Academy as per Module specified in Schedule-IV and six months training attachment as specified in Schedule-V. The training will be followed by Departmental Examination to be conducted by the Provincial Services Academy as specified in Schedule-VI.

5. Appointing Authority.—The Chief Minister, ¹¹[Khyber Pakhtunkhwa] shall be the appointing authority for posts borne on the Provincial Management Service specified in Schedule-I.]

6. Saving.—In all other matters not expressly provided for in these rules, the members of the Service shall be governed by the ¹²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and any other rules pertaining to terms and conditions of service made or deemed to have been made under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (¹³[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

7. Transitional.—The condition of graduation as laid down in para 2(a) and (b) of column-5 against serial No. 1 of Schedule-I shall not apply for a period of seven years from the date of coming into force of these rules to the existing incumbents for promotion against BS-17 posts.

8. Repeal.—The ¹⁴[Khyber Pakhtunkhwa] Provincial Civil Service (Secretariat/Executive Group) Rules, 1997 shall stand repealed after the retirement of existing incumbents of both the cadres. Separate seniority list of both the cadres shall be maintained under the existing rules and they shall be promoted at the ratio of 50: 50:

¹⁵[Provided that for the purpose of promotion of both the Secretariat Group and the Executive Group of the said service in different pay scales, -

- (i) the incumbents shall continue to be governed by the said service rules till the retirement of the last such incumbent; and
- (ii) the last incumbent of either Group shall rank senior to the first incumbent of the Provincial Management Service.]

SCHEDULE-I

10. Rule 4-A added vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007
- ¹¹ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
- ¹² Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
- ¹³ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
- ¹⁴ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.
15. Amended vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

3

S.No.	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit for initial recruitment	Method of recruitment
1	2	3	4	5
1	PMS(BS-17) as per detail at Schedule-II	Z nd Division Bachelor Degree from a recognized University.	21-30 year	<p>1) Fifty per cent by initial recruitment on the recommendations of the Commission based on the result of competitive examination to be conducted by it in accordance with the provisions contained in Schedule - VII.</p> <p>2) Subject to rule 7, by promotion in the following manner:</p> <p>(a) twenty per cent from amongst Tehsildars, who are graduates, on the basis of seniority-completeness, having five years service as Tehsildar and have passed the prescribed Departmental Examination; and</p> <p>(b) twenty per cent from amongst Superintendents /Private Secretaries on seniority-completeness basis, who are graduate and have undergone a training course of 9-weeks at the Provincial Management Academy/Provincial Staff Training Institute. A joint seniority list of the Superintendents and Private Secretaries shall be maintained for the purpose of promotion on the basis of their continuous regular service to the respective posts.</p> <p>3) ten per cent by selection on merit, on the basis of competitive examination, to be conducted by the Commission in</p>

16. The Word Schedule-IV replaced by Schedule VII vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

5	PMS(BS-20) as per detail at Schedule-II	NIL		<p>By promotion on the basis of merit from amongst PMS officers holding posts in BS-20 and having at least 22 years service having undergone course from Federal Administrative Staff College/National Defence College or from any other training institute prescribed by Government.</p>
4	PMS(BS-20) as per detail at Schedule-II	NIL		<p>By promotion on the basis of merit from amongst PMS officers holding posts in BS-17 and above and having at least 22 years service having undergone course from Federal Administrative Staff College/National Defence College or from any other training institute prescribed by Government.</p>
3	PMS(BS-19) as per detail at Schedule-II	NIL		<p>By promotion on the basis of merit from amongst PMS officers holding posts in BS-17 and above and having at least 22 years service having undergone course from Federal Administrative Staff College/National Defence College or from any other training institute prescribed by Government.</p>
2	PMS(BS-18) as per detail at Schedule-II	NIL		<p>By promotion on the basis of merit from amongst PMS officers holding posts in BS-17 and above and having at least 22 years service having undergone course from Federal Administrative Staff College/National Defence College or from any other training institute prescribed by Government.</p>
				<p>By promotion on the basis of merit from amongst PMS officers holding posts in BS-17 and above and having at least 22 years service having undergone course from Federal Administrative Staff College/National Defence College or from any other training institute prescribed by Government.</p>

(14)

13

S.No.	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit for initial recruitment	Method of Recruitment
1	2	3	4	5
1	PMS(BS-17) as per detail at Schedule-U	2 nd Division Bachelor Degree from a recognized University.	21-30 year	<p>1) Fifty per cent by initial recruitment on the recommendations of the Commission based on the result of competitive examination to be conducted by it in accordance with the provisions contained in Schedule - VII.</p> <p>2) Subject to rule 7, by promotion in the following manner:</p> <p>(a) twenty per cent from amongst Tehsildars, who are graduates, on the basis of seniority-cum-fitness, having five years service as Tehsildar and have passed the prescribed Departmental Examination; and</p> <p>(b) twenty per cent from amongst Superintendents/Private Secretaries on seniority-cum-fitness basis, who are graduates and have undergone a training course of 8-weeks at the Provincial Management Academy/Provincial Staff Training Institute. A joint seniority list of the Superintendents and Private Secretaries shall be maintained for the purpose of promotion on the basis of their continuous regular appointment to the respective posts.</p> <p>3) Ten per cent by selection on merit, on the basis of competitive examination, to be conducted by the Commission in</p>

16. The Word Schedule-IV replaced by Schedule VII vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

(74)

				accordance with the provisions contained in Schedule-VII, from amongst persons holding substantive posts of Superintendents, Private Secretaries, Personal Assistants, Assistants, Senior Scale Stenographers, Stenographers, Data Entry Operators, Computer Operators, Senior and Junior Clerks who possess post graduate qualification from a recognized University and have at least five years service under Government.
2.	PMS(BS-18) as per detail at Schedule-II	NIL		By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination.
3.	PMS(BS-18) as per detail at Schedule-II.	NIL		By promotion, on the basis of seniority-cum-fitness, from amongst PMS officers holding posts in BS-18 and having at least 12 years service against posts in BS-17 and above and have passed the prescribed Departmental Training/Examinations.
4.	PMS(BS-20) as per detail at Schedule-II	NIL		By promotion on the basis of selection-on-merit, from amongst PMS officers holding posts in BS-19 and having at least 17 years service against posts in BS-17 and above and have undergone Advance Training Course from NIPA or any other training course prescribed by Government.
5.	PMS(BS-21) as per detail at Schedule-II	NIL		By promotion, on the basis of selection-on-merit from amongst PMS officers holding posts in BS-20 and having at least 22 years service against posts in BS-17 and above and have undergone Course from Pakistan Administrative Staff College/National Defence College or from any other training Institute prescribed by Government.

17. The Word Schedule-IV replaced by Schedule VII vide Establishment Department Notification No. SOE-II(E&AD)3-5/2007/(PMS) Dated 12.11.2007

15

SCHEDULE-II

S.No.	Name of posts	Basic Scale	No. of posts	Total No.
1.	Chief Secretary	21/22	1	8
2.	Additional Chief Secretary	21	2	
3.	Senior Member Board of Revenue	21	1	
4.	Chairman Sarhad Development Authority	21	1	
5.	District Coordination Officer, City District	21	1	
6.	Secretaries, Chairman Governor's Inspection Team/Provincial Inspection Team	21	3	
7.	Secretaries (Settled/FATA)	20	32	74
8.	Member Board of Revenue-I & II	20	2	
9.	Member, Governor's Inspection Team	20	1	
10.	Member, Provincial Inspection Team	20	1	
11.	Director Staff Training Institute	20	1	
12.	Member Public Service Commission	20	1	
13.	Member Service Tribunal	20	2	
14.	District Coordination Officer	20	23	
15.	Presiding Officer Revenue Appellate Court	20	2	
16.	Vice Chairman Provincial Economy Commission	20	1	
17.	Project Director National Urban Development Project	20	1	
18.	Director (General) Sindh Development Authority	20	1	
19.	Managing Director, Small Industries Development Board	20	1	
20.	General Manager, District & Adm. Forest Development Corporation	20	1	
21.	Director, Provincial Secretary Provincial Earthquake Rehabilitation & Reconstruction Agency	20	1	
22.	Secretary, Provincial Development Unit	20	1	
23.	Director, Provincial Financial Management Unit	20	1	
24.	General Manager, Community Infrastructure Project	20	1	
25.	Additional Secretary	19	34	75
26.	Secretary	19	5	
27.	Member, Provincial Inspection Team	19	1	
28.	Member, Provincial Inspection Team	19	1	
29.	Member, Provincial Inspection Team (Pharwa)	19	24	
30.	Member, Provincial Inspection Team	19	1	
31.	Member, Provincial Inspection Team	19	3	
32.	Member, Provincial Inspection Team	19	1	
33.	Member, Provincial Inspection Team	19	1	
34.	Member, Provincial Inspection Team	19	1	
35.	Member, Provincial Inspection Team	19	1	
36.	Member, Provincial Inspection Team	19	1	
37.	Member, Provincial Inspection Team	19	1	
38.	Member, Provincial Inspection Team	19	1	
39.	Member, Provincial Inspection Team	19	1	
40.	Member, Provincial Inspection Team	19	1	
41.	Member, Provincial Inspection Team	19	1	
42.	Member, Provincial Inspection Team	19	1	
43.	Member, Provincial Inspection Team	19	1	
44.	Member, Provincial Inspection Team	19	1	
45.	Member, Provincial Inspection Team	19	1	
46.	Member, Provincial Inspection Team	19	1	
47.	Member, Provincial Inspection Team	19	1	
48.	Member, Provincial Inspection Team	19	1	
49.	Member, Provincial Inspection Team	19	1	
50.	Member, Provincial Inspection Team	19	1	
51.	Member, Provincial Inspection Team	19	1	
52.	Member, Provincial Inspection Team	19	1	
53.	Member, Provincial Inspection Team	19	1	
54.	Member, Provincial Inspection Team	19	1	
55.	Member, Provincial Inspection Team	19	1	
56.	Member, Provincial Inspection Team	19	1	
57.	Member, Provincial Inspection Team	19	1	
58.	Member, Provincial Inspection Team	19	1	
59.	Member, Provincial Inspection Team	19	1	
60.	Member, Provincial Inspection Team	19	1	
61.	Member, Provincial Inspection Team	19	1	
62.	Member, Provincial Inspection Team	19	1	
63.	Member, Provincial Inspection Team	19	1	
64.	Member, Provincial Inspection Team	19	1	
65.	Member, Provincial Inspection Team	19	1	
66.	Member, Provincial Inspection Team	19	1	
67.	Member, Provincial Inspection Team	19	1	
68.	Member, Provincial Inspection Team	19	1	
69.	Member, Provincial Inspection Team	19	1	
70.	Member, Provincial Inspection Team	19	1	
71.	Member, Provincial Inspection Team	19	1	
72.	Member, Provincial Inspection Team	19	1	
73.	Member, Provincial Inspection Team	19	1	
74.	Member, Provincial Inspection Team	19	1	
75.	Member, Provincial Inspection Team	19	1	
76.	Member, Provincial Inspection Team	19	1	
77.	Member, Provincial Inspection Team	19	1	
78.	Member, Provincial Inspection Team	19	1	
79.	Member, Provincial Inspection Team	19	1	
80.	Member, Provincial Inspection Team	19	1	
81.	Member, Provincial Inspection Team	19	1	
82.	Member, Provincial Inspection Team	19	1	
83.	Member, Provincial Inspection Team	19	1	
84.	Member, Provincial Inspection Team	19	1	
85.	Member, Provincial Inspection Team	19	1	
86.	Member, Provincial Inspection Team	19	1	
87.	Member, Provincial Inspection Team	19	1	
88.	Member, Provincial Inspection Team	19	1	
89.	Member, Provincial Inspection Team	19	1	
90.	Member, Provincial Inspection Team	19	1	
91.	Member, Provincial Inspection Team	19	1	
92.	Member, Provincial Inspection Team	19	1	
93.	Member, Provincial Inspection Team	19	1	
94.	Member, Provincial Inspection Team	19	1	
95.	Member, Provincial Inspection Team	19	1	
96.	Member, Provincial Inspection Team	19	1	
97.	Member, Provincial Inspection Team	19	1	
98.	Member, Provincial Inspection Team	19	1	
99.	Member, Provincial Inspection Team	19	1	
100.	Member, Provincial Inspection Team	19	1	
101.	Member, Provincial Inspection Team	19	1	
102.	Member, Provincial Inspection Team	19	1	
103.	Member, Provincial Inspection Team	19	1	
104.	Member, Provincial Inspection Team	19	1	
105.	Member, Provincial Inspection Team	19	1	
106.	Member, Provincial Inspection Team	19	1	
107.	Member, Provincial Inspection Team	19	1	
108.	Member, Provincial Inspection Team	19	1	
109.	Member, Provincial Inspection Team	19	1	
110.	Member, Provincial Inspection Team	19	1	
111.	Member, Provincial Inspection Team	19	1	
112.	Member, Provincial Inspection Team	19	1	
113.	Member, Provincial Inspection Team	19	1	
114.	Member, Provincial Inspection Team	19	1	
115.	Member, Provincial Inspection Team	19	1	
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118.	Member, Provincial Inspection Team	19	1	
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120.	Member, Provincial Inspection Team	19	1	
121.	Member, Provincial Inspection Team	19	1	
122.	Member, Provincial Inspection Team	19	1	
123.	Member, Provincial Inspection Team	19	1	
124.	Member, Provincial Inspection Team	19	1	
125.	Member, Provincial Inspection Team	19	1	
126.	Member, Provincial Inspection Team	19	1	
127.	Member, Provincial Inspection Team	19	1	
128.	Member, Provincial Inspection Team	19	1	
129.	Member, Provincial Inspection Team	19	1	
130.	Member, Provincial Inspection Team	19	1	
131.	Member, Provincial Inspection Team	19	1	
132.	Member, Provincial Inspection Team	19	1	
133.	Member, Provincial Inspection Team	19	1	
134.	Member, Provincial Inspection Team	19	1	
135.	Member, Provincial Inspection Team	19	1	
136.	Member, Provincial Inspection Team	19	1	
137.	Member, Provincial Inspection Team	19	1	
138.	Member, Provincial Inspection Team	19	1	
139.	Member, Provincial Inspection Team	19	1	
140.	Member, Provincial Inspection Team	19	1	
141.	Member, Provincial Inspection Team	19	1	
142.	Member, Provincial Inspection Team	19	1	
143.	Member, Provincial Inspection Team	19	1	
144.	Member, Provincial Inspection Team	19	1	
145.	Member, Provincial Inspection Team	19	1	
146.	Member, Provincial Inspection Team	19	1	
147.	Member, Provincial Inspection Team	19	1	
148.	Member, Provincial Inspection Team	19	1	
149.	Member, Provincial Inspection Team	19	1	
150.	Member, Provincial Inspection Team	19	1	
151.	Member, Provincial Inspection Team	19	1	
152.	Member, Provincial Inspection Team	19	1	
153.	Member, Provincial Inspection Team	19	1	
154.	Member, Provincial Inspection Team	19	1	
155.	Member, Provincial Inspection Team	19	1	
156.	Member, Provincial Inspection Team	19	1	
157.	Member, Provincial Inspection Team	19	1	
158.	Member, Provincial Inspection Team	19	1	
159.	Member, Provincial Inspection Team	19	1	
160.	Member, Provincial Inspection Team	19	1	
161.	Member, Provincial Inspection Team	19	1	
162.	Member, Provincial Inspection Team	19	1	
163.	Member, Provincial Inspection Team	19	1	
164.	Member, Provincial Inspection Team	19	1	
165.	Member, Provincial Inspection Team	19	1	
166.	Member, Provincial Inspection Team	19	1	
167.	Member, Provincial Inspection Team	19	1	
168.	Member, Provincial Inspection Team	19	1	
169.	Member, Provincial Inspection Team	19	1	
170.	Member, Provincial Inspection Team	19	1	
171.	Member, Provincial Inspection Team	19	1	

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SCHEDULE-II

S.No.	Name of posts	Basic Scale	No. of posts	Total No.
1	Chief Secretary	21/22	1	9
2	Additional Chief Secretary	21	2	
3	Senior Member Board of Revenue	21	1	
4	Chairman Serhad Development Authority	21	1	
5	District Coordination Officer, City District	21	1	
8	Secretaries, Chairman Governor's Inspection Team/Provincial Inspection Team	21	3	
7	Secretaries (Sajjad/FATA)	20	32	74
8	Member Board of Revenue-I B II	20	2	
9	Member, Governor's Inspection Team	20	1	
10	Member, Provincial Inspection Team	20	1	
11	Director Staff Training Institute	20	1	
12	Member Public Service Commission	20	1	
13	Member Service Tribunal	20	1	
14	District Coordination Officer	20	2	
15	Presiding officer Revenue Appellate Court	20	23	
16	Vice Chairman Provincial Economy Commission	20	2	
17	Project Director National Urban Development Project	20	1	
18	Director (Finance) Serhad Development Authority	20	1	
19	Managing Director, Small Industries Development Board	20	1	
20	General Manager (Finance & Adm.) Forest Development Corporation	20	1	
21	Director General cum-Secretary Provincial Earthquake Rehabilitation & Reconstruction Authority	20	1	
22	Director General Special Development Unit	20	1	
23	Director General Provincial Management Unit	20	1	
24	Director General Community Infrastructure Project	20	1	
25	Additional Secretary	18	34	75
26	Chief of Section	19	5	
27	Member, Governor Inspection Team	19	1	
28	Member, Provincial Inspection Team	19	1	
29	Executive District Officer (Finance & Planning)	19	24	
30	Deputy Director, Provincial Services Academy	18	1	
31	Presiding Officer Revenue Appellate Court	18	3	
32	Director General, Prosecution	18	1	
33	Director Food	18	1	
34	Director, Civil Defence	18	1	
35	Registrar, Cooperative Societies	18	1	
36	Secretary Provincial Election Commission	18	1	
37	Deputy Relief Commissioner	18	1	
38	Political Agents	18	7	171
39	Settlement officers	18	2	
40	Secretary Public Service Commission	18	1	
41	Secretary Board of Revenue	18	2	
42	Director Land Record	18	2	
43	Administrator Afghan Refugee Organization	18	2	
44	Deputy Secretary	18	71	
45	Assistant Chief, Planning & Development	18	8	
46	Director Anti Corruption Establishment	18	1	
47	Deputy Director Staff Training Institute	18	2	
48	District Officer (Revenue & Estate)	18	24	
49	Assistant Coordination Officer	18	24	
50	District Officer (Finance)	18	24	

16

16

Sr. No.	Name of the post	Basic Scale	No. of posts	Total No.
51.	Secretary Provincial Transport Authority	B8	1	
52.	Section Officer	B7	201	478
53.	Assistant Political Agents.	B7	25	
54.	Deputy District Officer (Revenue.)	B7	50	
55.	Deputy District Officer (Judicial)	B7	30	
56.	Human Resource Development Officer	B7	24	
57.	Secretary District Public Safety Commission	B7	24	
58.	Deputy District Officer (Finance)	B7	48	
59.	Tehsil Municipal Officer.	B7	54	
60.	Secretary District Regional Transport Authority	B7	24	
Total				478

Note

- I. The share of other services of the Province in the Secretariat posts will be 10% in BPS-17 to BS-19 on reciprocal basis which mean that the officers of PMS will also be entitled for posting against equivalent posts @ 10% as reserved for the officers of other services in Secretariat.
- II. The Government may reserve 20% of posts in BS-17 and above for deputation/training/leave.
- III. Government may revise the Schedule from time to time.

SCHEDULE III

The share for distribution between APT & PMS Officers is as under:-

GRADE/BPS	APT	PROVINCIAL OFFICERS
B-21	5%	35%
B-20	10%	40%
B-19	20%	50%
B-18	40%	60%
B-17	25%	75%

Schedule IV

Training Modules for Provincial Management Service, ²⁰[Khyber Pakhtunkhwa] officers

(52 weeks Training including five weeks for study tours)

- Module 1: Public Administration (Three weeks)
- Module 2: Public Administration in Islam (Two weeks)
- Module 3: Human Rights (Two weeks)
- Module 4: Secretariat - Office Management (Six weeks)

18. Note III added vide Establishment Department Notification No. SOE-III(EBAD)3-5/2007/(PMS) Dated 12.11.2007

19. Schedule IV added vide Establishment Department Notification No. SOE-III(EBAD)3-5/2007/(PMS) Dated 12.11.2007

20. Subj. by Khyber Pakhtunkhwa Act No. IV of 2011.

S.No.	Name of posts	Basic Scale	No. of posts	Total No.
51.	Secretary Provincial Transport Authority.	18	1	
52.	Section Officer	17	200	478
53.	Assistant Political Agents.	17	25	
54.	Deputy District Officer (Revenue)	17	50	
55.	Deputy District Officer (Judicial)	17	30	
56.	Human Resource Development Officer.	17	24	
57.	Secretary District Public Safety Commission	17	24	
58.	Deputy District Officer (Finance)	17	48	
58.	Tahsil Municipal Officer.	17	54	
60.	Secretary District Regional Transport Authority	17	24	
Total:				807

Note

- I. The share of other services of the Province in the Secretariat posts will be 10% in BPS-17 to BS-19 on reciprocal basis which mean that the officers of PMS will also be entitled for posting against equivalent posts @ 10% as reserved for the officers of other services in Secretariat.
- II. The Government may reserve 20% of posts in BS-17 and above for deputation/training/leave.
- III. ¹⁸Government may resize the Schedule from time to time.

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SCHEDULE - III

The share for distribution between APUG & PMS Officers is as under:-

GRADE/BPS	APUG	PROVINCIAL OFFICERS.
B-21	65%	35%
B-20	60%	40%
B-19	50%	50%
B-18	40%	60%
B-17	25%	75%

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¹⁹**Schedule IV**
Training Module for
Provincial Management Service, ²⁰[Khyber Pakhtunkhwa] officers

(52 weeks Training including five weeks for study tours)

Module 1:	Public Administration	(Three weeks)
Module 2:	Public Administration in Islam	(Two weeks)
Module 3:	Human Rights	(Two weeks)
Module 4:	Secretariat - Office Management	(Six weeks)

¹⁸ Note III added vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007.

¹⁹ Schedule IV added vide Establishment Department Notification No. SOE-III(E&AD)3-5/2007/(PMS) Dated 12.11.2007

²⁰ Subs. by Khyber Pakhtunkhwa Act No. IV of 2011.

Dated Peshawar, 18/06/2009

NOTIFICATION

No. SOB-II (ED) 2(14)/2009

In exercise of the powers conferred by Section 26 of the North-West Frontier Province Civil Servants Act, 1973 (L.N.V. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa, please to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, the following further amendments, shall be made, namely:

AMENDMENT

In Schedule I, against Serial No. 1, in Column No. 5, the following shall be substituted, namely:

(A) The post shall be selection on merit, on the basis of merit, to be conducted by the Government in accordance with the provisions contained in Schedule I, amongst the persons holding a substantive posts of Superintendent, Private Secretaries, Personal Assistants, Assistants, Stenographers, Typographers, Data Entry Operator, Operators, and other clerical staffs borne on the strength of Government, who possess the qualification from a recognized University with five years age limit.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Encl. No. & date

Copy of the above is forwarded to:

1. Additional Chief Secretary, P&D Deptt., Khyber Pakhtunkhwa.
2. Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Khyber Pakhtunkhwa.
5. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
6. Secretary (Administration & Coordination) Civil Secretariat, P&D.
7. Chairman, Khyber Pakhtunkhwa Public Service Commission.
8. Accountant General, Khyber Pakhtunkhwa, Peshawar.
9. Director, STI, P&A Department.
10. Secretary Khyber Pakhtunkhwa Public Service Commission.
11. Manager, Govt. Printing Press, Khyber Pakhtunkhwa. To be published in the official gazette at an early date, with the to supply 20 printed copies to the undersigned.
12. All Section Officers in P&A Department.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary, Establishment.
15. PAs to all Additional Secretaries/Deputy Secretaries.
16. Office order file.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 01.10.2010

17

NOTIFICATION

No. SEC-II (HD) 2(14)/2009.- In exercise of the powers conferred by Section 26 of the North-West Frontier Province Civil Servants Act, 1973 (Act XVII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2009, the following further amendments, shall be made, namely:-

AMENDMENT

In Schedule I, against Serial No. 1, in Column No. 5, for (3), the following, shall be substituted, namely:

(3) Ten per cent by selection on merit, on the basis of competitive examination, to be conducted by the Commission in accordance with the provisions contained in Schedule I, amongst the persons holding substantive posts of Superintendent, Private Secretaries, Personal Assistants, Accountants, and Stenographers, Stenographers, Data Entry Operators, Computer Operators, Senior and Junior Clerks borne on the strength of Secretariat who possess a minimum qualification from a recognized University with ten years service on merit.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Encls. No. & date given

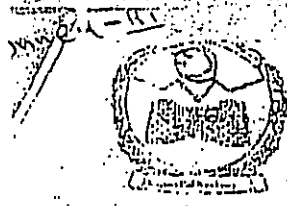
Copy of the above is forwarded to:-

1. Additional Chief Secretary, P&D Deptt., Khyber Pakhtunkhwa.
2. Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Khyber Pakhtunkhwa.
5. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
6. Secretary (Administration & Coordination), Civil Secretariat PATA.
7. Chairman, Khyber Pakhtunkhwa Public Service Commission.
8. Accountant General, Khyber Pakhtunkhwa Peshawar.
9. Director, STI, P&D Department.
10. Secretary Khyber Pakhtunkhwa Public Service Commission.
11. Manager, Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. publication in the official gazette at an early date, with the to supply 20 printed copies to the undersigned.
12. All Section Officers in P&D Department.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment.
15. PAs to all Additional Secretaries/Deputy Secretaries in Establishment.
16. Office order file.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Center copy

17



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 04.10.2010

NOTIFICATION

No. SOE.II (ED) 2(14)/2009- In exercise of the powers conferred by Section 26 of the North-West Frontier Province Civil Servants Act, 1973. (NWFP Act XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007 the following further amendments, shall be made, namely:-

AMENDMENT

In Schedule I, against Serial No.1, in Column No. 5, for clause (3), the following shall be substituted, namely;

"3) Ten per cent by selection on merit, on the basis of competitive examination, to be conducted by the Commission in accordance with the provisions contained in Schedule VII, amongst the persons holding substantive posts of Superintendent, Private Secretaries, Personal Assistants, Assistants, Senior Stenographers, Stenographers, Data Entry Operators, Computer Operators, Senior and Junior Clerks borne on the cadre strength of Secretariat, who possess postgraduate qualification from a recognized University with a five years service (as such)."

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Encls. No. & date even

Copy of the above is forwarded to:-

1. Additional Chief Secretary, P&D Deptt., Khyber Pakhtunkhwa.
2. Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Khyber Pakhtunkhwa.
5. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
6. Secretary (Administration & Coordination) Civil Secretariat, Peshawar.
7. Chairman, Khyber Pakhtunkhwa Public Service Commission.
8. Accountant General, Khyber Pakhtunkhwa, Peshawar.
9. Director, STI, E&A Department.
10. Secretary, Khyber Pakhtunkhwa Public Service Commission.
11. Manager, Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar, for publication in the official gazette at an early date, with the view to supply 20 printed copies to the undersigned.
12. All Section Officers in E&A Department.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment.
15. PAs to all Additional Secretaries/Deputy Secretaries in Establishment Department.
16. Office order file.

(Signature)
SECTION OFFICER

Vertical text on the right margin, possibly a routing slip or file number, including words like 'indentur', 'Personal Assi', 'Khyb', 'Part (he', 'are nu', '1) The', 'Pri', '2) 20%', 'Sec', 'resp', 'go', 'F', 'Secret', 'Stenograpl'.

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(18)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the December, 15, 2011

NOTIFICATION

No. SOE.II (ED) 2(14)/2011.- In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007, the following further amendment shall be made, namely:

AMENDMENT

In Schedule-I, against Sr. No.1, in Column No. 5, in clause (3), the words "Post Graduate Qualification" the words "2nd Class Bachelor Degree" shall be substituted.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Endst. No. & date even

Copy of the above is forwarded to:-

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
5. All Administrative Secretaries, Khyber Pakhtunkhwa.
6. Secretary (Administration & Coordination) Civil Secretariat PATA.
7. Chairman, Khyber Pakhtunkhwa Public Service Commission.
8. Accountant General, Khyber Pakhtunkhwa, Peshawar.
9. Director, STI, E&A Department.
10. Secretary Khyber Pakhtunkhwa Public Service Commission.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretary Establishment.
13. PAs to Additional Secretary (Estt)/Deputy Secretary (Estt) Establishment Department.
14. Office order file

(Signature)
(FAIZAL KAZIM)
SECTION OFFICER (E.II)

15) Office order file.

(Signature)
(KALAMULLAH)
SECTION OFFICER

73

29

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(SECRET SECTION)

Dated Peshawar the 05.03.2012

NOTIFICATION

No. SOS(ED)CR.2/(78)/2011:-

In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007, the following further amendment shall be made, namely:

AMENDMENT

In Schedule-I, against serial No. 1, in column No. 5, in clause (2), in sub-clause (a), for the words "passed the prescribed Departmental Examination", the words "undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Provincial Staff Training Institute" shall be substituted.

CHIEF SECRETARY
GOVERNMENT OF THE
KHYBER PAKHTUNKHWA

ENDST: NO. & DATE EVEN.

A copy is forwarded to the :-

1. Additional Chief Secretary, P&D Department Khyber Pakhtunkhwa.
2. Additional Chief Secretary FATA, FATA Secretariat Peshawar.
3. Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries, Khyber Pakhtunkhwa.
6. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
7. Secretary (Administration & Coordination) Civil Secretariat FATA.
8. All Commissioners in Khyber Pakhtunkhwa.
9. Chairman, Khyber Pakhtunkhwa Public Service Commission.
10. Accountant General, Khyber Pakhtunkhwa, Peshawar.
11. Secretary Board of Revenue Khyber Pakhtunkhwa.
12. Director, STI, E&A Department.
13. Manager, Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar for publication in the official gazette at an early date, with the request to supply 20 printed copies of the gazette Notification to this Department.
14. All Section Officers in E&A Department.
15. PS to Chief Secretary, Khyber Pakhtunkhwa.
16. PS to Secretary Establishment.
17. PAs to all Addl. Secretaries/Deputy Secretaries of Estab & Administration Department.
18. Office order file.

FARHAD KHAN
SECTION OFFICER (SECRET)

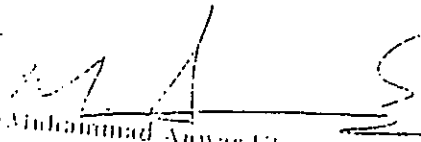
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1. Office order file.

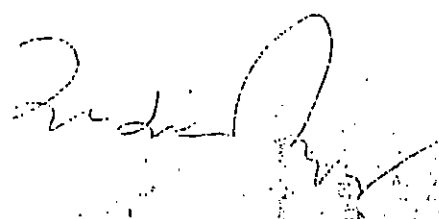
AGREEMENT DEED

This agreement made between Khyber Pakhtunkhwa Secretaries, Personal Assistants & Stenographers Association on the one part (hereinafter called the first party) and the Khyber Pakhtunkhwa Secretariat Superintendents, Assistants & Clerks on the other part (hereinafter called the second party) and that in pursuance of the parties are mutually agreed to the following Terms and Conditions today on 22/

- 1. The Provincial Government may maintain separate seniority lists of Secretaries, Personal Assistants, for the purpose of promotion to the posts of the Secretaries, Personal Assistants, etc.
- 2. The Government may maintain separate seniority lists of Secretaries, Personal Assistants, etc.
- 3. The Government may maintain separate seniority lists of Secretaries, Personal Assistants, etc.
- 4. The Government may maintain separate seniority lists of Secretaries, Personal Assistants, etc.


 Muhammad Anwar Khan Banvi
 Presidents
 Provincial Secretaries, Personal Assistants &
 Stenographers Association


 (Abrar Khan)
 President
 Superintendents, Assistants & Clerks



75



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 01st of June 2012

NOTIFICATION

No. 505-III(FP)2(10)/2012.

In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), The Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007 the following further amendments shall be made, namely:

AMENDMENT

in Schedule I, against Serial No. 1, in column No 5, in clause (a),

(a) to sub-clause (i), the word "and" at the end shall be deleted;

(b) to sub-clause (ii), the word "and" shall be substituted, namely:

(ii) with "per cent" on the basis of seniority and fitness, from among Superintendents, who are graduates having three years service as Superintendents or as Assistant Superintendents and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute; and"

iii) after clause (b), as so amended, the following new clause shall be added, namely:

(c) to be added, namely: "with 'per cent' on the basis of seniority and fitness from among (i) Private Secretaries or Personal Assistants who have opted to join Provincial Management Service and the graduates with three years service as Private Secretary or Personal Assistant and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute."

P.T.O.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 02nd October 2012

NOTIFICATION

(O.SOE-11(ED)2(14)/2012

In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.XVIII of 1973), The Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007, the following further amendments shall be made, namely:

AMENDMENT

in Schedule-I, against Serial No 1, in column (b) in clause (i),

- (i) in sub-clause (a), the word "and" at the end shall be deleted;
- (ii) for sub-clause (ii), the following shall be substituted, namely:

"(ii) twelve per cent, on the basis of seniority-cum-fitness, from amongst Superintendents, who are graduates having three years service as Superintendent or Assistant and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute; and"

- iii) after clause (b), as so amended, the following new clause shall be added, namely:

(c) twelve per cent, on the basis of seniority-cum-fitness, from amongst Private Secretaries or Personal Assistants who have opted to join Provincial Management Service and are graduates with three years service as Private Secretary or Personal Assistant and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute."

W.T.O.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

(KALIMULLAH)
OFFICER (EXT.)

(76)

NOTICE NO. 1111/11/11

Copy of the above is forwarded to:-

- 1. Chief Executive Officer, Khyber Pakhtunkhwa
- 2. Secretary to Government, Khyber Pakhtunkhwa
- 3. Deputy Secretary to Chief Minister, Khyber Pakhtunkhwa
- 4. Member Board of Revenue, Khyber Pakhtunkhwa
- 5. Administrative Secretaries, Khyber Pakhtunkhwa
- 6. Secretary (Administration & Coordination) Civil Secretariat, PAFK
- 7. Secretary General, Khyber Pakhtunkhwa, Peshawar
- 8. Director, Peshawar
- 9. Director, Khyber Pakhtunkhwa Public Service Commission
- 10. Director, Khyber Pakhtunkhwa
- 11. Director, Establishment
- 12. Director, Secretary (PSU), Establishment Department
- 13. Director, Secretary (PSU)/AS(PSU) Deputy Secretary (PSU) Establish

[Signature]
 (NAME) (PLS-SAR)
 OFFICE

9

ENCL. NO. & DATE, IF ANY

Copy of the above is forwarded to:-

- 1. Additional Chief Secretary, Khyber Pakhtunkhwa.
- 2. Secretary to Governor, Khyber Pakhtunkhwa.
- 3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 4. Senate Member Board of Revenue, Khyber Pakhtunkhwa.
- 5. Administrative Secretaries, Khyber Pakhtunkhwa.
- 6. Secretary (Administration & Coordination) Civil Secretariat, FATA.
- 7. Chairman, Khyber Pakhtunkhwa Public Service Commission.
- 8. Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 9. Director, STI, E&A Department.
- 10. Secretary Khyber Pakhtunkhwa Public Service Commission.
- 11. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 12. PS to Secretary Establishment.
- 13. PS to Special Secretary (Estt), Establishment Department.
- 14. PS to Additional Secretary (Estt)/AS(HR)/Deputy Secretary (Estt) Establishment Department.

Office use only.

(Signature)
 (NAJIM US-SAHAR)
 SECTION OFFICER (E.II)

5

SUBSTITUTED WITH NOTIFICATION OF EVEN NUMBER AND DATE

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the November 27, 2015

NOTIFICATION
MED/2014/2015: In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the Provincial Government of Khyber Pakhtunkhwa is directed that in the Khyber Pakhtunkhwa Provincial Management Service Rules, following further amendments shall be made, namely:-

AMENDMENT(S)

Sub-section A, the following shall be substituted, namely;

Training - On appointment on a post borne on the service in BS-17, whether by direct recruitment or by promotion, an officer so appointed shall successfully complete one and a half year's non-leave probationary training course including twelve months training as specified in Schedule IV and six (06) months attachment as specified in Schedule V. The course shall be completed by passing an examination conducted by the selected authority or by the Khyber Pakhtunkhwa Public Service Commission.

Schedule-IV, the following shall be substituted, namely:

"SCHEDULE-IV"

Modules for Provincial Management Service, Khyber Pakhtunkhwa Officers
 Fifty-two (52) weeks Training including five (05) weeks for study tours

Personal/Professional Behaviour	(One week/22 hrs)
E-Government	(Two weeks/44 hrs)
Decision Making	(Two weeks/44 hrs)
Public Administration	(Six weeks/132 hrs)
Legal Frame Work for Public Administration	(Two weeks/44 hrs)
Human Rights Local & Global Perspective	(Three weeks/66 hrs)
Secretariat- Office Management	(Four weeks/88 hrs)
Financial Management & Planning	(Three weeks/66 hrs)
Development Economics	(Three weeks/66 hrs)
Project Management	(Three weeks/66 hrs)
Local Governments	(Five weeks/110 hrs)
Tribal Administration	(Six weeks/132 hrs)
Revenue Administration	(Seven weeks/154 hrs)
	Total 47 weeks/1004 hrs

SUBSTITUTED WITH NOTIFICATION OF EVEN NUMBER AND DATE.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the November 27, 2015

NOTIFICATION

10/2015: In exercise of the powers conferred by Section 26 of the Khyber Civil Servants Act 1973, the Provincial Government of Khyber Pakhtunkhwa is directed that in the Khyber Pakhtunkhwa Provincial Management Service Rules, following further amendments shall be made, namely:-

AMENDMENT(S)

Rule 4-A, the following shall be substituted, namely:

Training.- On appointment into a post borne on the service in BS-17, whether by recruitment or by promotion, every officer so appointed shall successfully complete one and a half year's mandatory pre-service training course including twelve months training as specified in Schedule-IV and six (06) months attachment as specified in Schedule-V. The training shall be followed by a passing out examination conducted by the selected Institution, Academy or Khyber Pakhtunkhwa Public Service Commission.

Schedule-IV, the following shall be substituted, namely:

"SCHEDULE-IV"

Modules for Provincial Management Service, Khyber Pakhtunkhwa Officers
(52) weeks Training including five (05) weeks for study tours

Personal/Professional Behaviour	(One week/22 hrs)
E-Government	(Two weeks/44 hrs)
Decision Making	(Two weeks/44 hrs)
Public Administration	(Six weeks/132 hrs)
Legal-Frame Work for Public Administration	(Two weeks/44 hrs)
Human Rights Local & Global Perspective	(Three weeks/66 hrs)
Secretariat- Office Management	(Four weeks/88 hrs)
Financial Management & Planning	(Three weeks/66 hrs)
Development Economics	(Three weeks/66 hrs)
Project Management	(Three weeks/66 hrs)
Local Governments	(Five weeks/110 hrs)
Tribal Administration	(Six weeks/132 hrs)
Revenue Administration	(Seven weeks/154 hrs)
	(Total 47 weeks/1004 hrs)

Secretary
Establishment &
Administration

8/86/2011 In exercise of the powers conferred by Section 26 of the Khyber
Pakhtunkhwa Act No. XVIII of 1973, the Chief
Secretary, Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa
Provincial Management Service Rules 2007, the following further amendments, shall be made;

AMENDMENTS


- (a) In rule No. 1, column No. 5, in clause (2),-
(i) for the slash (/) appearing after the word "Tehsildar" the word "and" shall be substituted;
(ii) for the word "or" appearing after the word "Superintendent" the word "and" shall be substituted; and
(iii) the following shall be substituted, namely;
(c) Eight persons on the basis of seniority-cum-fitness from amongst those who have opted to join Provincial Management Service and graduates with three years service as Personal Assistant and Senior Scale Stenographer and have undergone a training course of nine weeks at the Pakistan Provincial Service Training Institute".

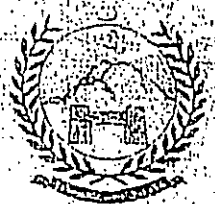
CHIEF SECRETARY
KHYBER PAKHTUNKHWA

For even
Copy is forwarded to:-

- Chief Secretary, Khyber Pakhtunkhwa.
Member Board of Revenue, Khyber Pakhtunkhwa.
Secretary to Government, Khyber Pakhtunkhwa.
Secretary to Government, Khyber Pakhtunkhwa.
Administrative Secretaries, Khyber Pakhtunkhwa.
Provincial Management Service Commission, Khyber Pakhtunkhwa.
(Administrative & Coordination) FATA Secretariat, Khyber Pakhtunkhwa.
Public Service Commission, Khyber Pakhtunkhwa, Peshawar.
Public Service Commission, Khyber Pakhtunkhwa.
Printing Press, Peshawar with the request to publish above letter and supply one hundred copies thereof to the undersigned for

Chief Secretary, Khyber Pakhtunkhwa.
Secretary Establishment, Khyber Pakhtunkhwa.
Secretary (Establishment) Establishment Department.
Deputy Secretary (Establishment) Establishment Department.
For file.


2/7/19
(BEENISH TOAB)
SECTION OFFICER



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 21st July 2019

NOTIFICATION

No. SOL/II (ED) 2(14)/2019:- In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules 2007, the following further amendment shall be made, namely:

AMENDMENTS

In Rule 4-A, in clause (b), in proviso, the full-stop appearing at the end shall be replaced by a colon and thereafter, following new proviso shall be added, namely:

Provided further that the officers, who attained the age of fifty (50) years above shall be exempted from fourteen (14) weeks mandatory training.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Encl. No. & date given

Copy of the above is forwarded to:-

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Deputy Commissioners in Khyber Pakhtunkhwa.
8. Chairman, Khyber Pakhtunkhwa Public Service Commission.
9. Accountant General, Khyber Pakhtunkhwa, Peshawar
10. Director, SFI, E&A Department.
11. Secretary Khyber Pakhtunkhwa Public Service Commission.
12. Manager Government Printing Press, Peshawar with the request to publish above notification in official gazette and supply fifty copies thereof to the undersigned for record.
13. JS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment.
15. PS to Spl. Secretary (Estt) Establishment Department.
16. PA to Deputy Secretary (Estt) Establishment Department.
17. Office order file.

[Signature]
6/7/19

(BLEENISH IOBAN)
SECTION OFFICER (ED)



10000 297
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

257

Dated Peshawar the July 10, 2019

NOTIFICATION

SOE II (ED) 2(14)/2018:- In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007, the following further amendments, shall be made, namely:

AMENDMENTS

In Rule 4-A, in clause (b), in proviso, the full-stop appearing at the end shall be replaced by a colon and thereafter, following new proviso shall be added, namely:

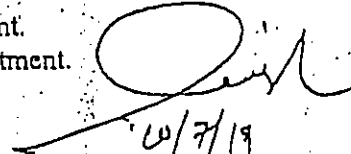
"Provided further that the officers, who attained the age of fifty (50) years or above shall be exempted from fourteen (14) weeks mandatory training"

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Encls. No. & date even

Copy of the above is forwarded to:-

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Deputy Commissioners in Khyber Pakhtunkhwa.
8. Chairman, Khyber Pakhtunkhwa Public Service Commission.
9. Accountant General, Khyber Pakhtunkhwa, Peshawar.
10. Director, STI, E&A Department.
11. Secretary Khyber Pakhtunkhwa Public Service Commission.
12. Manager Government Printing Press, Peshawar with the request to publish above notification in official gazette and supply fifty copies thereof to the undersigned for record.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment.
5. PS to Spl. Secretary (Estt) Establishment Department.
6. PA to Deputy Secretary (Estt) Establishment Department.
7. Office order file.


20/7/19
(BEENISH IQBAL)
SECTION OFFICER (E-II)



(25) F

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 18th OCTOBER, 2022.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

NOTIFICATION

Peshawar, dated the 10th October, 2022.

NO.SOE-II(ED)2(14/2022:- In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa, Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.VIII of 1973); the Chief Minister, Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Provincial Management Service Rules, 2007, the following further amendments, shall be made, namely:

AMENDMENTS

1. In rule-A, in clause (b), after the words "Superintendent and Personal Assistants cadre" the words and slash "or Superintendents and Private Secretaries in the offices of Divisional Commissioners and Deputy Commissioners" shall be inserted.
2. In Schedule-I, against Serial No.1, in Column No.5, in clause (2),-
 - (a) in sub-clause (a), for the word "twenty", the word "seventeen" shall be substituted;
 - (b) in sub-clause (b), the word "and", appearing at the end, shall be deleted; and
 - (c) in clause (c), the full stop, appearing at the end, shall be replaced by semi colon and the word "and", and thereafter the following new sub-clause shall be added, namely:

"(d) three percent from amongst Superintendents and Private Secretaries in the offices of Divisional Commissioner and Deputy Commissioners on seniority-cum-fitness basis and who are Graduate having three years service as Superintendent or Private Secretary.

Note: A joint seniority list of Superintendents and Private Secretaries shall be maintained by the Revenue and Estate Department, for the purpose of promotion on the basis of their continuous regular appointment to the respective posts."
3. In Schedule-VIII, in the title, after the word "TEHSILDARS" the words "SUPERINTENDENTS AND PRIVATE SECRETARIES OF OFFICE OF THE DIVISIONAL COMMISSIONERS AND DEPUTY COMMISSIONERS", shall be added.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

685

Printed and published by the Manager,
Staty. & Pz. Deptt., Khyber Pakhtunkhwa, Peshawar

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21/10

Handwritten signature and date:
21/11/22

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Handwritten initials: G.H.P.

Handwritten initials and date: 11/11/22

C/18
26

DEPARTMENTWISE SANCTIONED STRENGTH, WORKING / VACANT POSITION OF SUPERINTENDENT, ASSISTANT, SENIOR CLERK AND JUNIOR CLERK					
S.No.	Department	Superintendent	Assistant	Senior Clerk	Junior Clerk
		Sanction	Sanction	Sanction	Sanction
1	Agriculture Deptt:	4	10	4	8
2	Auqaf Deptt:	2	4	1	5
3	C&W Deptt:	6	9	7	11
4	C.M's Sectt:	4	16	6	25
5	E&A Deptt:	29	62	27	71
6	E&S Edu: Deptt:	7	17	4	8
7	Environment Deptt:	3	6	1	2
8	Energy & Power Deptt:	3	5	2	7
9	Excise & Taxation Deptt:	3	4	3	6
10	FATA Sectt:	4	37	8	22
11	Finance Deptt:	27	48	18	37
12	Food Deptt:	1	3	1	5
13	Governor's House	2	4	4	4
14	Governor's Sectt:	3	6	6	7
15	Health Deptt:	5	13	4	7
16	Home Deptt:	11	18	3	10
17	Higher Edu: Deptt:	5	13	2	5
18	Housing Deptt:	2	4	1	7
19	Information & PR Deptt:	2	3	1	4
20	Industries Deptt:	3	6	2	3
21	Irrigation Deptt:	3	8	3	7
22	IPC Deptt:	2	4	3	7
23	LG&RD Deptt:	3	11	2	6
24	Law Deptt:	8	13	3	7
25	Labour Deptt:	2	4	1	6
26	Mineral Dev: Deptt:	4	8	3	11
27	P&D Deptt:	8	12	6	14
28	Population Welfare Deptt:	2	2	1	4
29	PHE Deptt:	4	7	9	8
30	Sports Deptt:	2	5	2	3
31	ST&IT Deptt:	3	5	2	6
32	Transport Deptt:	2	4	2	7
33	Zakat, Ushr, S. W. Deptt:	3	8	3	7
34	STI - E&AD	1	2	1	3
35	R.R.S. Deptt.	1	3	1	4
36	Directorate of Aviation	0	0	0	0
	TOTAL:-	174	384	147	354

(27)

9

DEPARTMENTWISE SANCTIONED STRENGTH WORKING / VACANT POSITION OF Sr. PRIVATE SECRETARY, PRIVATE SECRETARY, Sr. SCALE STENOGRAPHER & STENOGRAPHER.						
S.No.	Department	Sr. P.S	P.S.	P.A.	S.S.Steno:	Stenographer
		Sanction	Sanction	Sanction	Sanction	Sanction
1	Agriculture Deptt:	0	1	0	3	10
2	Auqaf Deptt:	0	1	0	2	4
3	C&W Deptt:	0	0	0	3	3
4	C.M's Secretariat	1	2	6	6	27
5	E&A Deptt:	8	29	69	17	43
6	E&S Edu: Deptt:	0	2	4	8	19
7	Environment Deptt:	0	1	0	1	6
8	Energy & Power Deptt;	0	1	0	1	6
9	Excise & Taxation Deptt;	0	1	1	1	2
10	FATA Sectt:	0	7	0	6	7
11	Finance Deptt:	0	2	6	12	42
12	Food Deptt:	0	0	1	0	3
13	Governor's House	0	2	1	1	3
14	Governor's Sectt:	0	6	2	1	5
15	Health Deptt:	0	0	0	8	16
16	Home Deptt:	0	0	0	9	16
17	Higher Edu: Deptt:	0	2	3	6	16
18	Housing Deptt:	0	1	2	1	4
19	Information & PR Deptt:	0	0	0	1	2
20	Industries Deptt:	0	0	0	3	6
21	Irrigation Deptt:	0	0	0	1	8
22	IPC Deptt:	0	1	1	2	4
23	LG&RD Deptt:	0	3	0	2	8
24	Law Deptt:	0	0	0	4	4
25	Labour Deptt:	0	1	0	2	4
26	Mineral Dev: Deptt:	0	1	1	3	7
27	P&D Deptt:	1	1	4	6	15
28	Population Welfare Deptt:	0	1	1	1	3
29	PHE Deptt:	0	1	0	2	2
30	Sports Deptt:	0	0	1	2	6
31	ST&IT Deptt:	0	1	0	1	6
32	Transport Deptt:	0	1	1	0	2
33	Zakat, Ushr & S.W. Deptt:	0	1	1	2	8
34	STI - E&AD	0	1	0	1	2
35	R.R.S.Deptt.	0	1	1	1	3
36	Directorate of Aviation	0	1	4	0	0
	Total:-	10	73	100	120	321

(28)

116

COMPUTER OPERATOR (BS-16)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	P&D Department	16	14	2
2	Finance Department	19	17	2
3	C&W Department	5	4	1
4	E&A Department	8	8	-
5	C.M Secretariat	6	6	-
6	Law Department	7	5	2
7	Home & TAs	3	3	--
8	Excise & Taxation	4	4	--
9	Environment Department	1	1	--
10	Sports & Culture Depart	2	1	1
11	ST&IT Department	4	3	1
12	Information Department	2	2	--
13	Zakat & Ushar /Social Welfare Department	3	2	1
14	IPC Department	1	1	--
15	Transport Department	5	3	2
16	Governor's Secretariat	1	1	--
17	Auqaf Department	1	1	--
18	Higher Education Deptt:	5	4	1
19	Housing Department	2	1	1
20	Agriculture Department	1	1	--
21	Industries Department	4	2	2
22	Irrigation Department	1	1	--
23	Local Govt: & RD Deptt:	3	1	2
24	E&SE Department	8	4	4
25	Minerals development	2	1	1
26	Health department	4	2	2
27	PATA Secretariat	3	2	1
28	PHE Department	2	2	--
29	Food Department	1	1	--
	TOTAL	124	99	25
	(-) On deputation / S.Leave / Lien			15
	GRAND TOTAL			10

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AT

DEPARTMENT WISE VACANT POSITION OF I.T CADRE

DIRECTOR I.T (BS-19)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	Finance Department	1	--	1
2	C&W Department	1	1	--
	Total	02	1	01
	(-) on deputation			01
	GRAND TOTAL			----

DEPUTY DIRECTOR I.T (BS-18)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	Administration Department	1	1	--
2	Health Department	1	1	--
3	E&SE Department	1	1	--
4	C&W Department	1	1	--
5	Higher Education Department	1	--	1
6	Finance Department	1	1	--
7	Home & Tribal Affairs Deptt:	1	--	1
8	P&D Department	1	1	--
9	Social Welfare Department	1	1	--
10	Local Govt: & Rural Dev: Deptt:	1	--	1
11	Excise & Taxation Department	1	1	--
	Total	11	08	03
	(-) on deputation & Extra Ordinary Leave			03
	GRAND TOTAL			----

ASSISTANT DIRECTOR I.T (BS-17)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	CM Secretariat	1	1	--
2	Establishment Department	1	1	--
3	C&W Department	2	--	2
4	Home & TAs Department	1	--	1
5	Local Govt: & Rural Dev: Deptt:	1	1	--
6	Finance Department	7	2	5
7	ST&IT Department	1	1	--
8	Health Department	1	--	1
9	E&SE Department	4	3	1
10	P&D Department	1	--	1

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11	Zakat & Social Welfare Deptt:	1	--	1
12	IPC Department	1	--	1
13	Excise & Taxation Department	1	1	---
14	Higher Education Department	1	1	--
15	Administration Department.	1	--	1
16	Law Department	1	1	---
	Total	26	12	14
	(-) on deputation			01
	GRAND TOTAL			13

ASSISTANT PROGRAMMER (BS-16) (DECLARED AS DYING CADRE)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	Finance Department	4	---	4
2	Social Welfare Department	1	---	1
3	Staff Training Institute	2	2	---
			Sub-Judiced	
4	P&D Department	1	---	1
5	C&W Department	1	1	---
6	CM's Secretariat	1	---	1
	TOTAL	10	03	07

COMPUTER OPERATOR (DATA PROCESSING SUPERVISOR) (BS-16)

S#	Department	Sanctioned Posts	Occupied	Vacant posts
1	E&AD Department	1	1	---
2	C&W Department	2	2	---
3	Home Department	1	1	---
4	Social Welfare Department	1	1	---
5	Finance Department	7	6	1
6	Excise & Taxation Deptt:	1	1	---
7	P&D Department	2	2	---
8	Health Department	1	---	1
9	E&SE Department	1	---	1
10	Local Gov't: & RD Deptt:	1	---	1
	TOTAL	18	14	04

Judgment.
BEFORE PESHAWAR HIGH COURT,
PESHAWAR.

Judicial Department.

Writ Petition 4233-P of 2017.

Syed Habib Ullah & others.....Petitioners.

Vs.

Govt. of Khyber Pakhtunkhwa through Chief Secretary &
 others.....Respondents

Date of hearing.....3rd April, 2019

Petitioner(s) by *Mr. Waqar Muhammad SETH, Advocate.*

Respondent(s) by *Mr. Iqbal Omar Khan D.D.*

WAQAR AHMAD SETH, CJ: - Through this single

judgment / order this Court intends to decide the instant as well

as connected Writ Petition No. 1496-P of 2018, being identical

in nature.

2. By invoking the writ jurisdiction of this Court

under Article-199 of the Constitution of Islamic Republic of

Pakistan, 1973, Syed Habib Ullah & four others, hereinafter

called the petitioners, have filed the petition with prayer: (i) to

direct the respondents to amend / modify the Provincial

Management Service Rules, 2007 to the extent of allocation of

proper promotion quota on the basis of sanctioned posts in

BPS-16 amongst the Ministerial Staff of Civil Secretariat; (ii)

SCANNED

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the respondents may be directed to amend the Provincial Information Technology Group) Service Rules, 2006 as per the analogy of the Steno Cadre who have been given dual opportunity to opt for PMS or otherwise; (iii) the petitioners case may be dealt according to the law of parity and provide equal promotion opportunity as compare to Tehsildar, Steno and Clerical Staff of Civil Secretariat.

3. In essence the case of petitioners is that, they being Computer Operator BPS-16, Governed by Provincial Information Technology Group Service Rules, 2006, are asking for allocation of promotion quota in Provincial Management Service (PMS).

4. The petitioners of writ petition No. 1496-P of 2018 are the employees of Public Service Commission, Khyber Pakhtunkhwa, and seeking inclusion in (in service quota) Provincial Management Service (PMS), so advertised by respondent No.3 herein, on the ground being attached department.

5. We have heard learned counsel for petitioners, Learned AAG on behalf of respondents and available record gone through.

6. Before going into other aspect of the case, first this Court would like to address the issue of maintainability as to whether the writ petitions in the present form are maintainable or otherwise. Perusal of available record would depict that admittedly petitioners in both the petitions are civil servants, so purportedly on issue relating to terms and condition of their service; proper forums are available to them under section -4 of Service Tribunal Act 1974 for redressal of their grievance, in the manner prescribed therein. Petitioners are asking for allotment of quota / promotion quota in the Provincial Management Service (PMS) Officer BS-17 (in service quota) which relates to the terms and condition of their service, having alternate and adequate remedy, and as such Jurisdiction of this Court is barred by the provisions of the Service Tribunals Act, 1974, read with Art. 212 of the Constitution. Moreover, it is the right and prerogative of the Government / employer to make policy / rules. The Government is always empowered to grant reasonably appropriate privileges to its employees within the scope of law and its authority, and similarly it is not a constitutional or legal right of any person in the service of Pakistan to claim such a privilege in addition to the terms and conditions of his service provided under the law and the law is

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that the Courts should not ordinarily interfere in the matters falling within the exclusive domain of Government or nullify its legal and constitutional authority. The courts may not undo the action taken by the Government in its discretion, unless there is infringement of a legal right, rather the Courts in the light of aim and object of the action should broadly regard the authority confided in the Government. Enactment of rules or amendment therein is the prerogative of the Government. It can enact and amend the rules according to the needs and exigencies of service. It is not individual but institutional interest or uplift which shapes its service structure. Its right to improve and update its service structure to keep pace with modern age which is indisputably the age of specialization cannot be restrained or restricted on the ground that at the time of appointment of one or a few civil servants, such qualification was not a requirement for promotion. Higher qualification or a more specialized qualification for a post in a higher scale is a need of the hour which has to be taken care of. The vires or validity of Rules or amendments therein attending to such aspects, cannot, therefore, be looked askance at. The more so when there is absolutely nothing in the Rules to show that they are either


person specific or an off shoot of mala fides. Reliance is placed on PLD 2004 Supreme Court 317 (b) and 2011 SCMR 1864.

7. On merits, record suggests that petitioner's being Computer Operators, BS-16, having their separate promotion channel, as well under the Provincial Information Technology Group Service Rules, 2006, have also been awarded ten-percent quota for the post of PMS Officer BS-17, on the basis of competitive examination to be conducted by the Commission in accordance with the provisions contained in schedule from amongst the persons holding substantive posts of Superintendents, Private Secretary, Personal Assistant, Assistant, Senior Scale Stenographer, Stenographer, Data Entry Operator, Computer Operator, etc, having the requisite length of service. The underlined is by us, to show that petitioners have been provided the opportunity for which they have come to the Court of law. Petitioners are seeking the option as given to Tehsildar & other cadre employees, whose work, function and status are totally different from the petitioners, which in no way can be given keeping in view the criteria on the subject.

8. For the reasons recorded hereinabove this and the connected writ petition are dismissed on merits as well as maintainability.

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Announced.
03.04.2019.


Chief Justice


Judge

DB Mr. Justice Waqar Ahmad Seth, Chief Justice & Justice Ms. Musarrat Hishari, JJ.
Tariq Jan, PS.

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

E
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PRESENT
MR JUSTICE UMAR ATA BANDIAL, CJ
MR JUSTICE SYED Mansoor Ali Shah
MR JUSTICE MUNIR AKHTAR

C.P.2700/2019
Against the judgment dated 01.09.2019 passed
by Peshawar High Court, Peshawar in WP
No 4233 Pol 2017)

Qausar Khan & others Petitioner(s)

Versus

The Government of Khyber Pakhtunkhwa thr
Chief Secretary, Khyber Pakhtunkhwa,
Peshawar & others Respondent(s)

For the Petitioner(s) : Mr. Muhammad Shoaib Shalicon, ASC

For the Respondent(s) : NR

Date of Hearing : 03.08.2022

ORDER

UMAR ATA BANDIAL, CJ - The learned counsel for the petitioners submits that in view of the bar contained in Article 212 of the Constitution, he does not press this petition challenging the Provincial Management Service Rules, 2007 ("Rules") but reserves the right to approach the competent forum for redress. Allowed. The impugned judgment of the learned High Court shall not influence the outcome of the proceedings undertaken by the petitioner. Dismissed as not pressed

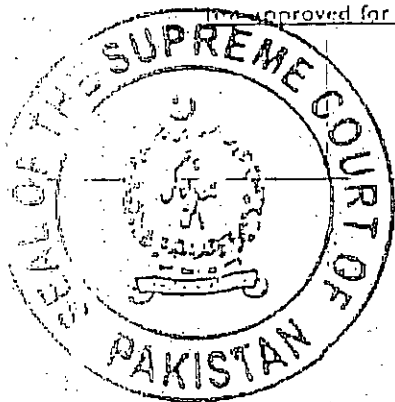
Sd/H CJ
Sd/-J
Sd/-J

Certified to be True Copy

[Signature]
Senior Court Associate
Supreme Court of Pakistan
Islamabad

Islamabad
03.08.2022
Per/...

Approved for reporting



724-1/2022

GR No.:	724-1/2022	Civil Criminal
Date of Presentation	03/08/2022	
No. of Pages	3	
No. of Sd.	3	
Required by	3	
Copy for	1:06	
Cost for	600	
Date of Completion of Copy	6/8/2022	
Date of filing of copy	6/8/2022	
Compared by	[Signature]	
Received by	[Signature]	

E

37

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:
MR. JUSTICE UMAR ATA BANDIAL, CJ
MR. JUSTICE SYED MANSOOR ALI SHAH
MR. JUSTICE MUNIB AKHTAR

C.P. 2700/2019
(Against the judgment dated 03.04.2016 passed
by Peshawar High Court, Peshawar in WP
No.4333-P of 2017)

Qaisar Khan & others ...Petitioner(s)

Verans
The Government of Khyber Pakhtunkhwa thr. ...Respondent(s)
Chief Secretary, Khyber Pakhtunkhwa,
Peshawar & others

For the Petitioner(s) : Mr. Muhammad Shoab Shaheen, ASC

For the Respondent(s) : NR

Date of Hearing : 03.08.2022

ORDER

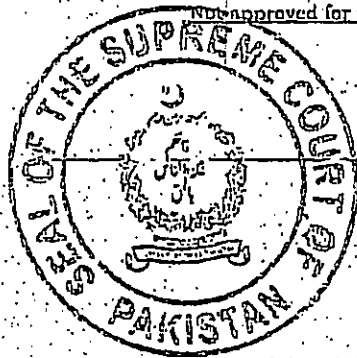
UMAR ATA BANDIAL, CJ - The learned counsel for the petitioner submits that in view of the bar contained in Article 212 of the Constitution, he does not press this petition challenging the Provincial Management Service Rules, 2007 ("Rules") but reserves the right to approach the competent forum for redress. Allowed. The impugned judgment of the learned High Court shall not influence the outcome of the proceedings undertaken by the petitioner. Dismissed as not pressed.

Sd/H CJ
Sd-J
Sd-J

Certified to be True Copy

Senior Court Associate
Supreme Court of Pakistan
Islamabad

Islamabad
03.08.2022
Rushid
Not approved for reporting



724-4/2022
GR No. _____ Civil/Criminal
Date of Presentation 10.8.22
No. of Pages 300
No. of Filings 1
Requesting for 300
Conv. Fee 1000
Court Fee 1000
Date of Completion of Case 6-10-22
Date of Order 15/10/22
Compared by _____
Received by John Muhammad Khan ACI

18/11/20
9/1/30
11.11.23

F
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The Chief Secretary,
Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar

Subject: - DEPARTMENTAL APPEAL FOR PROMOTION QUOTA
PROVINCIAL MANAGEMENT SERVICE FOR COMPUTER
OPERATORS WORKING IN CIVIL SECRETARIAT IN LIGHT OF
JUDGMENT OF SUPREME COURT OF PAKISTAN PASSED IN
2700/2019

1471
21-11-23

Dear Sir,

With due reverence it is submitted that the Supreme Court of Pakistan in following judgment in C.P. No. 2700/2019; -

"Unur Atu Bandial C.J. - The learned counsel for the petitioners submits that in view of the bar contained in Article 212 of the Constitution, he does not press this petition challenging the Provincial Management Service Rules, 2007 ("Rules") but reserves the right to approach the competent forum for redress. Allowed. The impugned judgment of the learned High Court shall not influence the outcome of the proceedings undertaken by the petitioner. Dismissed as not pressed."

CO/EN
18/11
17/11

2. In view of the above reported decision of the August Court, I Durdana Ayub, Computer Operator, Establishment Department, Civil Secretariat Peshawar submit prayer for your kind consideration: -

- (a) That I am appointed in prescribed manner through Khyber Pakhtunkhwa Public Service Commission fulfilling all requirements and having qualification BCS (Hons) & MBA (HR);
- (b) That despite lapse of almost 10 long years, I am still serving as Computer Operator without having single chance of promotion and have no career progression in the existing Service Rules of IT Cadre 2006;
- (c) That my sister cadres i.e. Clerical (Superintendent/Assistant), Steno (PA/Senor Scale Stenographer) and Tehsildars/Naib Tehsildars have due share of promotion in Provincial Management Service Rules, 2007 depriving IT Cadre (Computer Operators);
- (d) That IT Cadre (Computer Operators) have been included in 10% In-Service Quota in PMS Rules, 2007 reserved for Ministerial Staff working at the strength of Establishment Department in Civil Secretariat;
- (e) That in total three (3) numbers of exams conducted by the KPSC for PMS In-Service Quota, the ratio of successful candidates from IT Cadre

ASE 18/11 P.A. ASE 18/11 SPS 17/11

16/11/2019
3/67/02
Date: 16/11/2019

PS/Secy AD KP
Diary No. 9/10/2019
FTS No. 3792 (w/e)
Date: 14-11-2019

The Chief Secretary,
Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar

Section Officer (E-V)
Diary No. 1665/19
Date: 17-11-2019

Subject: DEPARTMENTAL APPEAL FOR PROMOTION - QUOTA - IN PROVINCIAL MANAGEMENT SERVICE FOR COMPUTER OPERATORS WORKING IN CIVIL SECRETARIAT IN LIGHT OF THE JUDGMENT OF SUPREME COURT OF PAKISTAN PASSED IN C.P. 2700/2019

Dear Sir,
With due reverence it is submitted that the Supreme Court of Pakistan passed following judgment in C.P. No. 2700/2019:-

"Union Advocate General C.J. - The learned counsel for the petitioners submits that in view of the bar contained in Article 212 of the Constitution, he does not press this petition challenging the Provincial Management Service Rules, 2007 ("Rules") but reserves the right to approach the competent forum for redress. Allowed. The impending judgment of the learned High Court shall not influence the outcome of the proceedings undertaken by the petitioner. Dismissed as not pressed."

In view of the above reported decision of the August Court, I Syed Saodat Ali Shah, Civil Secretariat Peshawar submit following prayer for your kind consideration:

Legal Es. 16/11/19
Supdt
Secretary
Chief Secretary

- (a) That I am appointed in prescribed manner through Khyber Pakhtunkhwa Public Service Commission fulfilling all requirements and having requisite qualification in 2003;
- (b) That despite lapse of almost 20 long years, I am still serving as Computer Operator without having single chance of promotion and have no career progression in the existing Service Rules of IT Cadre 2006;
- (c) That my sister cadres i.e. Clerical (Superintendent/Assistant), Steno (PA/Senior Steno Stenographer) and Tehsiltdars/Natib Tehsiltdars have due share of promotion in Provincial Management Service Rules, 2007 depriving IT Cadre (Computer Operators);
- (d) That IT Cadre (Computer Operators) have been included in 10% In-Service Quota in PMS Rules, 2007 reserved for Ministerial Staff working at the strength of Establishment Department in Civil Secretariat;
- (e) That in total three (3) numbers of exams conducted by the KPSPSC for PMS In-Service Quota, the ratio of successful candidates from IT Cadre

16/11
ASE
16/11

(Computer Operator) is far much more than the sister cadres according to their strength in Civil Secretariat;

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- (f) That as per the Supreme Court of Pakistan judgment reported in Hayat Hussain, Abdul Basir V/S Government of Khyber Pakhtunkhwa dated 25-02-2016 regarding In-Service Quota, the August Court has clearly mention three Ministerial Cadres of Civil Secretariat including IT Cadre (Computer Operators), however, they are excluded in Promotion Quota under PMS Rules, 2007;
 - (g) That the total strength of IT Cadre (Computer Operator) in Civil Secretariat Peshawar is 193, however, their promotion as per existing Rules is very slow and at snail's pace. A number of qualified Computer Operators have been retired in same scale and many are waiting since 20 long years for their single promotion in their entire service;
 - (h) That your kind attention is invited to the disproportionate shares allotted to sister cadres depriving one important cadre for reason unknown which needs consideration.
 - (i) That treating Computer Operators at par with sister cadres for promotion in PMS Rules, 2007 will require very meager share as per their strength enabling fast promotion of the incumbents;
2. In view of the above submissions, your good-self is humbly requested to kindly direct the quarter concerned i.e. Establishment Department to treat Computer Operators at par with sister cadres working on the strength of Establishment Department Civil Secretariat under Promotion Quota in Provincial Management Service.

3. Thanking you in the anticipation, please.

(Encls. As Above)

Yours faithfully

Durdana Ayub
(Durdana Ayub)
Computer Operator
Establishment Department

Dated Peshawar the 07/11/2022

(Computer Operator) is far much more than the sister cadres according to their strength to Civil Secretariat.

- (f) That as per the Supreme Court of Pakistan Judgment reported in Hayat Hussain, Abdul Basir VS Government of Khyber Pakhtunkhwa dated 25-02-2016 regarding In-Service Quota, the August Court has clearly mention three Ministerial Cadres of Civil Secretariat including IT Cadre (Computer Operator), however, they are excluded in Promotion Quota under PMS Rules, 2007;
- (g) That the total strength of IT Cadre (Computer Operator) in Civil Secretariat Peshawar is 193, however, their promotion as per existing Rules is very slow and at snail's pace. A number of qualified Computer Operator have been retired in same scale and many are waiting since 20 long years for their single promotion in their entire service;
- (h) That your kind attention is invited to the disproportionate shares allotted to sister cadres depriving one important cadre for reason unknown which needs consideration.
- (i) That treating Computer Operators at par with sister cadres for promotion in PMS Rules, 2007 will require very meager share as per their strength enabling fast promotion of the incumbents;

2. In view of the above submissions, your good-self is humbly requested to kindly direct the quarter concerned i.e. Establishment Department to treat Computer Operators at par with sister cadres working on the strength of Establishment Department Civil Secretariat under Promotion Quota in Provincial Management Service.

3. Thanking you in the anticipation, please.

(Encl. As Above)

Yours faithfully

Syed Saad Ali Shah
(Syed Saad Ali Shah)
Computer Operator
Population Welfare
Department.

Dated Peshawar the 07/11/2022

G
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GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT.

NOTIFICATION.

Peshawar, dated 02. 02. 2007.

No. SOR-IV(EDY)3-2/07. In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973), the Chief Minister of the North-West Frontier Province is pleased to make the following rules, namely:

THE NORTH-WEST FRONTIER PROVINCE
(PROVINCIAL INFORMATION TECHNOLOGY GROUP)
SERVICE RULES, 2006.

PART-I
GENERAL.

1. Short title and commencement.---(1) These rules may be called the North-West Frontier Province (Provincial Information Technology Group) Service Rules, 2006.

(2) These rules shall come into force at once.

2. Definition.---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

- (a) "Appendix" means the Appendix to these rules;
- (b) "Appointing Authority" means the concerned authority specified in rule 4 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989;
- (c) "Commission" means the North-West Frontier Province Public Service Commission;
- (d) "Government" means the Government of the North-West Frontier Province;
- (e) "initial recruitment" means appointment made otherwise than by promotion or transfer;
- (f) "post" means a post specified in column 2 of the Appendix and such other post as may be added to it from time to time.
- (g) "Province" means the North-West Frontier Province;

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- (h) "recognized University" means any University incorporated by law in Pakistan or any other University which may be declared as recognized by Government;
- (i) "Secretariat" means the North-West Frontier Province Civil Secretariat, as defined in rules 2(r) of the North-West Frontier Province Government Rules of Business, 1985; and
- (j) "Service" means the North-West Frontier Province (Provincial Information Technology Group) Service.

PART-II RECRUITMENT

3. Number and nature of posts.---(1) The service shall comprise the posts specified in column 2 of the Appendix and such other post as may be added to it from time to time.

(2) Any person appointed to any post specified in the Appendix by any Department before the commencement of these rules shall, on such commencement, be deemed for all intent and purposes, to have been appointed on the authority of the Establishment Department as assigned to it within the meaning of the North-West Frontier Province Government Rules of Business, 1985; and their affairs shall onward be administered by the said Department, in accordance with these rules and any other rules for the time being in force and applicable to him in accordance with the said Rules of Business.

4. Appointing Authority.---Appointment to a post shall be made by the concerned appointing authority as defined in rule 2(b).

5. Method of recruitment.---(1) Appointment to various posts shall be made, -

- (a) in the case of post of Director, Deputy Director, System Analyst, Data Base Administrator and Data Processing Supervisor, by promotion;
- (b) in the case of posts of Assistant Director, Programmer, LAN Administrator, Web Administrator, Data Processing Officer, Deputy Database Administrator and Assistant programmer, fifty per cent by initial recruitment and fifty per cent by promotion; and
- (c) in the case of other posts, by initial recruitment,

in the manner specified in column No. 3 to 5 of the Appendix.

(2) Posts in basic scale 12 and above falling to the share of initial recruitment shall be filled on the recommendation of the North-West Frontier Province Public Service Commission and posts falling to the share of promotion quota shall be filled on the recommendation of the Departmental Promotion Committee or the Provincial Selection Board, as the case may be.

(42)

Age---(1) Subject to any relaxation in respect of a person or class of a person, no person shall be appointed to the service by initial recruitment unless he is within age limit prescribed for the post in column 4 of the Appendix.

(2) The age shall be reckoned from the last date notified for submission of application.

Qualifications---(1) No person shall be appointed to the service by initial recruitment unless he possesses the qualification specified in column 3 of the appendix.

(2) No person, not already in Government service, shall be appointed to the service unless:

- (a) he produces a certificate of character from the Head of Academic Institution last attended, and also the certificate of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents; and
- (b) he has appeared before the standing medical board/civil Surgeon/Medical Superintendent and found fit for Government service.

PART-III PROBATION AND CONFIRMATION

8. Probation---A person appointed to a post on regular basis shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year, if appointed otherwise; provided that if his work or conduct during the period of probation has, in the opinion of the appointing authority, not been found satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired-

- (a) dispense with his service, if he has been appointed by initial recruitment; or revert him to his parent department if applied through proper channel; or
- (b) revert him to his former post, if he has been appointed otherwise, or if there be no such post, dispense with his service; or
- (c) extend the period of probation for a period not exceeding one year in all and may, during or on the expiry of such extended period, pass such orders as it could have passed during or on the expiry of the initial probationary period.

9. Confirmation---After satisfactory completion of the probationary period, the probationer shall be confirmed; provided that he holds a substantive post; provided further that a probationer shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section (3) of section 6 of the North-West Frontier Province Civil Servant Act, 1973.

(43)

PART-IV
SENIORITY

10. Seniority.--The seniority inter se of the persons borne on the service shall be determined-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission or the Departmental Selection Committee, as the case may be; provided that persons selected for appointment to a post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of persons appointed otherwise, with reference to the date of their continuous regular appointment to the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

PART-V

11. Application of General Rules.--In all other matters not specifically provided for in these rules, the holder of posts under these rules shall be governed by any rules made or deemed to have been made under the North-West Frontier Province Civil Servants Act, 1973.

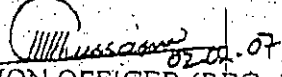
CHIEF SECRETARY
GOVERNMENT OF THE NORTH-WEST
FRONTIER PROVINCE

ENDST. No. SOR-IV(ED)/3-2/07

Dated: 02.02.2007.

Copy forwarded for information and necessary action to:

1. All the Administrative Secretaries in NWFP.
2. The Additional Chief Secretary (FATA), NWFP.
3. The Chairman, NWFP, Public Service Commission.
4. The Senior Member of Board of Revenue.
5. The Secretary to Governor, NWFP.
6. The Principle Secretary to Chief Minister, NWFP.
7. All the Heads of Attached Departments.
8. All the D.C.O's in NWFP.
9. The Secretary Provincial Assembly, NWFP.
10. The Secretary NWFP Service Tribunal Peshawar.
11. The Private Secretary, to Chief Secretary, NWFP.
12. The Private Secretary, to Secretary Establishment Department.
13. The Private Secretary to Additional Secretary (Regulation), Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. The Managing Government Printing Press for publication in the Extra Ordinary Gazette.

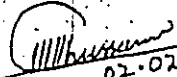

SECTION OFFICER (REG: IV)

APPENDIX
See rules 2(a), (f), 3,5(1),6(1) and 7(1)

S. No	Nomenclature of posts.	Minimum qualification for initial recruitment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Director.	Ph.D in Computer Science with seven years experience of Programming, System Analysis and Operational Management; or Second Class Master Degree in Computer Science from a recognized University with twelve years experience of Programming, System Analysis and Operational Management.	35-45 years.	By promotion, on basis of seniority-cum-fitness, from amongst Deputy Directors (System Analyst and Database Administrator) working in the Civil Secretariat with at least seven years service as such or twelve years service in BPS-17 and above. If no suitable person is available for promotion, then by initial recruitment.
2.	Deputy Director (System Analyst/ Database Administrator).		35-45 years.	By promotion, on basis of seniority-cum-fitness, from amongst Assistant Director (Programmer/ LAN Administrator/ Web Administrator/ Data Processing Officer/Deputy Database Administrator) with five years experience.
3.	Assistant Director (Programmer/ LAN Administrator/ Web Administrator/ Data Processing Officer/Deputy Database Administrator).	Second Class Master Degree or equivalent qualification in Computer Science from a recognized University.	22-35 years.	(a) Fifty per cent by initial recruitment; and (b) fifty per cent by promotion, on the basis of seniority-cum-fitness; from amongst the Assistant Programmers (BPS-16) or equivalent posts having five years service as such.
4.	Assistant Programmer.	(i) Second Class Master Degree or equivalent qualification in Computer Science; or (ii) First Class Bachelors Degree or equivalent qualification in Computer Science with two years experience in Programming or Data Processing.	21-30 years.	(a) Fifty per cent by initial recruitment; and (b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Data Processing Supervisors.

45

5.	Data Processing Supervisor.			By promotion, on basis of seniority-cum-fitness, from amongst Computer Operators/Data Entry Operators with five years experience as such.
6.	Computer Operator/Data Entry Operator.	Second Class Bachelor Degree in Computer Science from recognized University/Institution.	18-28 years.	By initial recruitment.


02.02.2007
(SHARIF HUSSAIN)
SECTION OFFICER (REG: IV)

1st Amendment

GOVERNMENT OF N.W.F.P.
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

46

NOTIFICATION

Rawalwar, dated 22nd March, 2007

No. SOR-IV(ED)3-2/07 - In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P. Act No. XVIII of 1973), the Chief Minister of the North-West Frontier Province is pleased to make the following amendment in the NWFP (Provincial Information Technology Group) Service Rules, 2006, namely:-

AMENDMENT

In rule 3, in sub-rule 1, between the word "posts" and the word "specified" the words "In the Secretariat as" shall be inserted.

CHIEF SECRETARY
Govt of North-West Frontier
Province

ENDST. No. SOR-IV(ED)3-2/06

Dated: 22nd March, 2007

Copy forwarded to:

1. All the Administrative Secretaries in NWFP.
2. The Additional Chief Secretary (FATA), NWFP.
3. All the Heads of Attached Departments.
4. All the D.C.O's in NWFP.
5. The Secretary, NWFP, Public Service Commission.
6. The Private Secretary to Governor, NWFP.
7. The Private Secretary to Chief Secretary, NWFP.
8. The Private Secretary to Secretary, Establishment Department.
9. The Private Secretary to Additional Secretary, Regulation Establishment Department.
10. All the Deputy Secretaries in Establishment Department.
11. The Managing Government Printing Press for publication in the Extra Ordinary Gazette.

(Shayy Hussain)
22/3/07

SECTION OFFICER (R-IV)

Not Amended



GOVERNMENT OF N.W.F.P.
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

47

NOTIFICATION

Dated, Peshawar, the December 08, 2009

NO SOR-NW(E&AD)3-2/2007. In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P. Act No XVII of 1973), the Chief Minister of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province (Provincial Information Technology Group) Service Rules, 2005, the following further amendment shall be made, namely:

AMENDMENT

In the Appendix, in column No.4 against serial No. 2, the figures and word "33-45 years" shall be deleted.

CHIEF SECRETARY
GOVERNMENT OF THE NORTH-WEST
FRONTIER PROVINCE

Order No. SOR-NW(E&AD)3-2/2007

Dated: December 09, 2009

Copy to be:

- 1) All Administrative Secretaries to Govt of NWFP.
- 2) Secretary, NWFP Public Service Commission, Peshawar.
- 3) Section Officer (E-V), Establishment Department.
- 4) PS to Chief Secretary, NWFP.
- 5) PS to Secretary Establishment Department.
- 6) PS to Special Secretary (Regulation), Establishment Department.

M. S. Khan
SECTION OFFICER (R-IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

48

NOTIFICATION

Dated Peshawar, the July 25, 2012

NO SOE-V(E&AD)/5-16/2008, in exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. VIII of 1973) the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:-

- (i) against serial No. 4:
- (a) in column No. 3 for the existing entries, the following shall be substituted, namely:
"Second class Master's Degree in Computer Science or four years Bachelor's Degree in Information Technology or Computer Science or equivalent qualification from a recognized University."; and
- (b) in column No. 5, for clause (b), the following shall be substituted, namely:
(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Data Processing Supervisors having qualified mandatory three months Information Technology Course in Database Management Programming, Web Pages Development and Networking from Staff Training Institute, Establishment Department."; and
- (ii) against serial No. 6 in column No. 3, for the existing entry, the following shall be substituted, namely:
"Second Class Bachelor's Degree from a recognized University, with one year Diploma in Information Technology from a recognized Board of Technical Education or its equivalent"

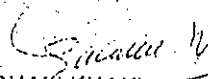
CHIEF SECRETARY
GOVT. OF THE KHYBER PAKHTUNKHWA

NO SOE-V(E&AD)/5-16/2008

Dated Peshawar, the July 25, 2012

Copy forwarded for information and necessary action to:-

1. All the Administrative Secretaries in Khyber Pakhtunkhwa.
2. The Additional Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa, Public Service Commission.
4. The Senior Member of Board of Revenue.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All the Heads of Attached Departments.
8. All Divisional Commissioners in Khyber Pakhtunkhwa.
9. All the District Coordination Officers in Khyber Pakhtunkhwa.
10. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
11. The Secretary Khyber Pakhtunkhwa Service Tribunal Peshawar.
12. The Private Secretary to Chief Secretary, Khyber Pakhtunkhwa.
13. The Private Secretary to Secretary Establishment Department.
14. The Private Secretary to Special Secretary (Regulation), Establishment Department.
15. The Managing Govt. Printing Press for publication in the Extra Ordinary Gazette.


(GHAZI KHAN)
Section Officer (E-V)

4/15 Amendment

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

49

NOTIFICATION

Dated Peshawar, the April 15, 2014

NO. SOE-V(E&AD)/5-16/2008.Vol.II.- In exercise of powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS

In the appendix, against serial No.6, in column No. 1 and 3, for the existing entries, the following shall respectively be substituted, namely:

1.	3.
Computer Operator (BPS-12)	(i) Second Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT four years), from a recognized university or (ii) Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

NO. SOE-V(E&AD)/5-16/2008.Vol.II

Dated Peshawar, the April 15, 2014

Copy forwarded for information and necessary action to:-

1. The Additional Chief Secretary, Planning & Dev. Department.
2. The Additional Chief Secretary, FATA, Khyber Pakhtunkhwa.
3. The Additional Chief Secretary, Finance Department.
4. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
5. The Senior Member of Board of Revenue.
6. All Administrative Secretaries in Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. The Secretary Government, Khyber Pakhtunkhwa.
9. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
10. All Heads of Attached Departments.
11. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
12. The PS to Chief Secretary, Khyber Pakhtunkhwa.
13. The Registrar, Khyber Pakhtunkhwa Service Tribunal.
14. PS to Special Secretary Establishment, Establishment Department.
15. PS to Secretary Law, Law Department.
16. The Managing Govt. Printing Press for publication in the Extra Ordinary Gazette.

Wardah Latif
15/4/2014

(WARDAH LATIF)
Section Officer (E-V)

5th Amendment

50



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

NOTIFICATION

Dated Peshawar, the 21st December, 2016

NO.SOE-V(E&AD)/5-16/2016.- In exercise of powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS

1. In rule 5, in sub-rule (1), for clause (a), the following shall be substituted, namely:

"(a) In case of post of Director, Deputy Director, System Analyst and Database Administrator by promotion."

2. In the Appendix,

- (i) against serial No. 3, in column 5, for clause (b), the following shall be substituted, namely:

"(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five year service as such,";

- (ii) Serial No. 5 shall be deleted; and

- (iii) Against serial No. 6, in column 2, the abbreviation, hyphen, figures and brackets "(BPS-12)" shall be deleted.

Secretary to Govt. of Khyber Pakhtunkhwa
Establishment Department.

NO.SOE-V(E&AD)/5-16/2016.-

Dated Peshawar, the 21st December, 2016

Copy forwarded for information and necessary action to:-

1. The Additional Chief Secretary, Planning & Development Department.
2. The Additional Chief Secretary, FATA, Khyber Pakhtunkhwa.
3. The Additional Chief Secretary, Finance Department.
4. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
5. The Senior Member of Board of Revenue, Khyber Pakhtunkhwa.

(P.T.O)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

51

NOTIFICATION

Dated Peshawar, the APRIL 06, 2018

NO SOE-V(E&AD)/5-09/2007.- In exercise of powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. VIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix, against serial No. 3, in column 5, for clause (b), the following shall be substituted, namely:

“(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment for the post of Computer Operator with five year service as such.

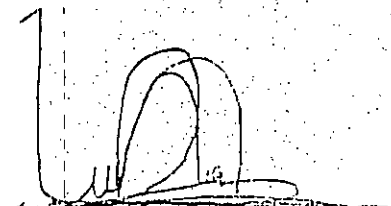
Secretary to Govt: of Khyber Pakhtunkhwa
Establishment Department.

NO SOE-V(E&AD)/5-09/2007.-

Dated Peshawar, the APRIL 06, 2018

Cop. forwarded for information and necessary action to:-

1. The Additional Chief Secretary, Planning & Development Department.
2. The Additional Chief Secretary, FATA, Khyber Pakhtunkhwa.
3. The Senior Member of Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries in Khyber Pakhtunkhwa.
5. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
8. The PS to Chief Secretary, Khyber Pakhtunkhwa.
9. The PS to Secretary, Law, Parliamentary Affairs & Human Rights Department.
10. The Deputy Director (IT), Establishment & Administration Department with the request to upload the same on the official website.
11. The Registrar, Khyber Pakhtunkhwa Services Tribunal.
12. PS to Special Secretary (Estt), Establishment Department.
13. PA to Additional Secretary (Reg), Establishment Department.
14. PA to Deputy Secretary (Estt), Establishment Department.
15. The Manager, Govt. Printing Press for publication in the Extra Ordinary Gazette. He is requested to furnish 30 copies of the printed Notification to this Department and 10 copies to Law Department.


(Akhtar Nawaz)
Section Officer (E-V)

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(ESTABLISHMENT WING)

NOTIFICATION

Peshawar, dated the 6th December 2012.

No SOE.IV(E&AD)/1-35/2012:- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989; and in supersession of all previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

APPENDIX

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Superintendent.			By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant with atleast five years service as such.

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• Better copy Page/52

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(ESTABLISHMENT WING)

NOTIFICATION

Peshawar, date the 6th December, 2012

No. SOE.IV(E&AD)/I-125/2012 In pursuance of the provisions contained in sub-rule (2) of rule of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and supersession of all previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

S. No.	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age Limit	Method of recruitment.
1.	2.	3.	4	5.
1.	Superintendent	-	-	By promotion, on the basis of seniority cum fitness, from amongst the holders of the post of assistant with at least five years service as such.

S. No.	Designation of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
2.	Assistant.	Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks with atleast five years service as Junior and Senior Clerk. (b) twenty-five per cent by initial recruitment.
3.	Senior Clerk.			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerk with atleast two years service as such.
4.	Junior Clerk.	(i) Matriculation with second division or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty-three per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C Examination; and (b) sixty-seven per cent by initial recruitment. <u>Note:</u> For the purpose of promotion, there shall be maintained a common seniority list of Daftaris, Gestetner Operators, Qasids, Naib Qasids etc., with reference to the dates of their acquiring the Secondary School Certificate.

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S. No.	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age Limit	Method of recruitment.
1.	2.	3.	4	5.
2.	Assistant	Second class bachelor's degree from a recognized University	20 to 32 years	(a) Seventy-five per cent by promotion, on the basis of seniority cum fitness, from amongst Senior Clerks with atleast five years service as Junior Clerk and Senior Clerk (b) twenty-five per cent by initial recruitment.
3.	Senior Clerk	—	—	By promotion, on the basis of seniority-cum-fitness, from amongst the Jr. Clerk with atleast two years service as such
4.	Junior Clerk	(i) Matriculation with second division or equivalent qualification from a recognized board; and (ii) a speed of 30 words per minute in typing	18 to 30 years	(a) Thirty-three per cent by promotion, on the basis of seniority cum fitness, from amongst Daftaris, Gestetner Operator, Qasids and Naib Qasids including holders of other

15

No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	No. limit.	Method of recruitment.
1.	2.	3.	4.	5.
				<p>Provided that</p> <ul style="list-style-type: none">(a) if two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;(b) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA.

(54)

				<p>equivalent posts in the secretariat with two years service as such, who have passed S.S.C examination; and</p> <p>(b) sixty-seven per cent by initial recruitment</p> <p>Note:-</p> <p>For the purpose of promotion, there shall be maintained a common seniority list of Daftaris, Gestetnor Operators, Qasids, Naib Qasids etc, with reference to the dates of their acquiring the SSC.</p>
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5

Order No. 1071/NER/AD-1/35/2013, dated 3rd December, 2013

Copy forwarded for information and necessary action to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Addl. Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
4. The Senior Member of Board of Revenue.
5. Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. The Chairman to Khyber Pakhtunkhwa Service Tribunal Peshawar.
9. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
10. The Private Secretary to Secretary Establishment Department.
11. The P.A to Special Secretary (Estt), Establishment Department.
12. The P.A to Addl. Secretary (Estt/ Reg), Establishment Department.
13. The P.A to Addl. Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette.



(NASIR AMAN)
SECTION OFFICER (E.IV)



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

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J

7

NOTIFICATION

Peshawar dated the 6th December 2012.

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

PART-I

GENERAL

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

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

(3) These shall come into force at once.

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

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

By

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

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

PART-II
RECRUITMENT

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

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

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

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

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failing which they shall be deemed to have opted for the *service*. The option once exercised shall be final.

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

Provided that their inter se seniority shall remain intact.

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

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

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

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

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

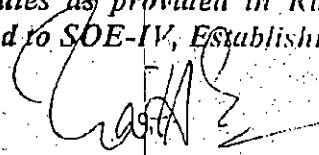
Copy forwarded for information and necessary action to:-

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

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

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


(NASIR AMAN)
SECTION OFFICER (E.IV)

SCHEDULE
(See Rule 3 & 4)

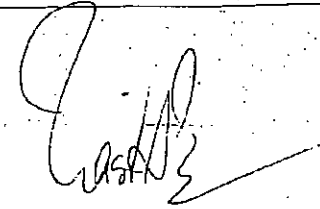
S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Senior Private Secretary.	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Private Secretary with atleast five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

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



(NASIR AMAN)
SECTION OFFICER (E.IV)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE/REVENUE AND ESTATE DEPARTMENT.**

NOTIFICATION
Peshawar, dated 23-01-2015

No. 1942-Estt-1/135/SSRC In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX

1	2	3	4	5	6	7
S No	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS-16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Karungos and Sub-Registrar with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such.

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE /REVENUE AND ESTATE DEPARTMENT.**

NOTIFICATION
Peshawar, dated 23-01-2015

No. 1442/Estt./135/SSRC. In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX.

1	2	3	4	5	6	7
S.No	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrar with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such.

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	2	3	4	5	6	7
1	Member to Senior Member / Members Board of Revenue	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
1-1	Inspector of Stamps	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
2	Naib Tehsildar (BPS-14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 years For initial recruitment	(a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and (b) twenty five percent by promotion on the basis of Seniority - cum - fitness from amongst Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. (c) fifteen percent by promotion, on the basis of joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned; and (d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as Political Muharrirs of the offices of Political Agents with atleast ten years service.”;
3	District Kanungo (Saddar Kanungo) (BPS 14)	Administrative Secretary (SMBR)				By promotion on the basis of seniority-cum-fitness, from amongst the Kanungo of the concerned District with at-least three-years service as such
4	Head Clerk Revenue (BPS - 14)					By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

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	2	3	4	5	6	7
1. Senior Member/Member Board of Revenue	Administrative Secretary (SMBR)					By transfer from amongst the Tehsildars
1-II Inspector of Stamps	Administrative Secretary (SMBR)					By transfer from amongst the Tehsildars
2. Naib Tehsildar (BPS 14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission		DELETED	21 - 30 years For initial recruitment	(a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and (b) twenty five percent by promotion on the basis of Seniority - cum - fitness from amongst Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. (c) fifteen percent by promotion, on the basis of joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned; and (d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as Political Muharrirs of the offices of Political Agents with atleast ten years service.”;
3. District Kanungo (Saddar Kanungo) (BPS 14)	Administrative Secretary (SMBR)					By promotion on the basis of seniority-cum-fitness, from amongst the Kanungo of the concerned District with at-least three years service as such
4. Head Clerk Revenue (BPS - 14)						By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

may be deleted from the existing services rules as per promotion policy of the Provincial Government. The Addl: Secretary (Reg-II) Establishment Department opined that the word as such has been inserted in the existing services on the recommendations of the department and employees of the Administrative Department have already been promoted to next grade in the light of amendments in the Service Rules. The chair observed that if the proposal of Administrative Department is agreed to it will open a flood gate for such like cadre employees in other line departments. The forum endorsed the observations made by the chair.

(67)

After detailed discussion the forum unanimously declined the proposal of Administrative Department.

Agenda Item No. 7: Framing of services rules for newly created post of Supervisor (BS-07) in Drinking Water Supply Scheme, Ghalana District Mohmand.

Representative of PHE Department while explaining the agenda item regarding framing of Service Rules for newly created post of Supervisor (BS-07) stated that a post of Supervisor BS-07 has been created for Drinking Water Supply Scheme Ghalana District Mohmand for which the department has devised service rules. The forum observed that the minimum qualification for the post of Supervisor is not justifiable.

After detailed discussion the forum unanimously decided that the department may indicate the minimum qualification requirement for the said post in other line departments and re-submit the case for consideration of SSRC.

Revenue & Estate Department.

Agenda Item No. 8: Amendments in Tehsildar/Naib Tehsildar Service Rules and Ministerial staff Service Rules.

Representative of Board of Revenue while explaining the agenda item stated that the earlier SSRC in the department has considered the amendments in the aforementioned Service Rules which was sent to Law Department for vetting. However, Law Department raised observations for amendments in the Service Rules. In the meanwhile SSRC centralized in Establishment Department. Therefore, the Administrative Department has submitted the working paper after making necessary correction in the light of observations of Law Department.

After detailed discussion the forum unanimously approved the amendments in the existing service rules of the aforementioned posts as per Appendix-II.

The meeting ended with a vote of thanks.

Signature

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After detailed discussion the forum unanimously declined the proposal of Administrative Department.

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After detailed discussion the forum unanimously decided that the department may indicate the minimum qualification requirement for the said post in other line departments and re-submit the case for consideration of SSRC.

Revenue & Estate Department,

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After detailed discussion the forum unanimously approved the amendments in the existing service rules of the aforementioned posts as per Appendix-II.

The meeting ended with a vote of thanks.

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Minutes of SSRC Meeting held on 18/8/22

68



Mr. Shakir Khan
Section Officer (FR) Finance
Department




Mr. Sheh Azam Khan
Section Officer, PHE
Department



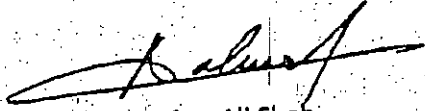
Muhammad Saeed
Deputy Director,
Public Service Commission
For SSRC held on 18-8-22.



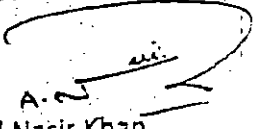
Mr. Noor ul Haq
Deputy Secretary (Policy),
Establishment Department



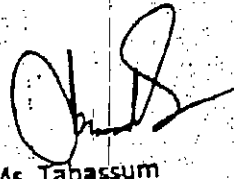
Mohammad Sohail
Deputy Secretary
Communication & Works
Department



Mr. Afsar All Shah,
Secretary, Board of Revenue



Abdul Nasir Khan
Additional Secretary, Higher
Education Department



Ms. Tabassum
Additional Secretary,
Law, Department



Muhammad Zeedullah
Additional Secretary (Reg-II),
Establishment Department

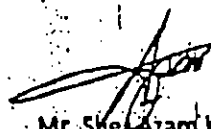


Mr. Akhtar Saeed Turk
Special Secretary (Reg),
Establishment Department.

Minutes of SSRC Meeting held on 18/8/22



Mr. Shakir Khan
Section Officer (FR) Finance
Department



Mr. Sher Azam Khan
Section Officer, PHE
Department



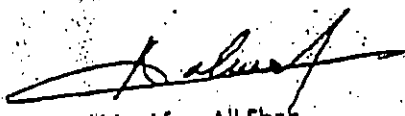
Muhammad Saeed
Deputy Director,
Public Service Commission
For SSRC held on 18-8-22.



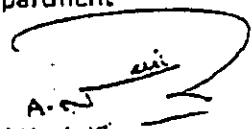
Mr. Noor ul Haq
Deputy Secretary (Policy),
Establishment Department



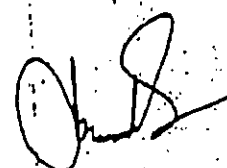
Mohammad Sohail
Deputy Secretary,
Communication & Works
Department




Mr. Afsar Ali Shah,
Secretary, Board of Revenue



Abdul Nasir Khan
Additional Secretary, Higher
Education Department



Ms. Tabassum
Additional Secretary,
Law, Department



Muhammad Saeedullah
Additional Secretary (Reg-II),
Establishment Department



Mr. Akhtar Saeed Turk
Special Secretary (Reg),
Establishment Department

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								<p>(06) months which would include four (04) months training at the Pakistan Provincial Services Academy (PPSA), 01 month Settlement Training and 01 month Revenue Training.</p> <p>c) No change.</p>
								<p>d) Five percent by promotion on the basis of Seniority-cum - Fitness from amongst Assistants, Senior Scale Stenographers and Computer Operators offices of the Board of Revenue and Director Land Records having five years service as such.</p> <p>No change.</p>
2.	Naib Tehsildar (BPS - 14)	SMBR.	No change	At least 2 nd class Graduation from any University recognized by Higher Education Commission.	No change	21 - 30 Years for initial recruitment		<p>a) No change</p> <p>Provided that under Rule-52 of the West Pakistan Tehsildar and Naib Tehsildar Departmental Examinations and Training Rules, 1969, the newly selected Tehsildars by the Public Service Commission after appointment will undergo the Pre-Service Training of Naib Tehsildars for a period of six (06) months which would include four (04) months training at the Pakistan Provincial Services Academy (PPSA), 01 month Settlement Training and 01 month Revenue Training.</p> <p>b) Forty percent (40%) by promotion, on the basis of Seniority - cum - fitness from amongst Kanungos with at least three (03) years Service as such, who have undergone one 01 month mandatory training in Revenue Academy to be conducted by Board of Revenue.</p> <p>Provided that those Kanungos who have already passed departmental exam shall not undergo one month training.</p> <p>c) Six percent 6% by promotion on the basis of seniority</p>

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								<p>(06) months which would include four (04) months training at the Pakistan Provincial Services Academy (PPSA), 01 month Settlement Training and 01 month Revenue Training.</p> <p>c) No change.</p>
								<p>d) Five percent by promotion on the basis of Seniority-cum - Fitness from amongst Assistants, Senior Scale Stenographers and Computer Operators offices of the Board of Revenue and Director Land Records having five years service as such.</p> <p>No change.</p>
2.	Najib Tehsildar (BPS - 14)	SMBR	No change	At least 2 nd class Graduation from any University recognized by Higher Education Commission.	No change	31 - 30 Years for initial recruitment		<p>a) No change.</p> <p>Provided that under Rule-52 of the West Pakistan Tehsildar and Najib Tehsildar Departmental Examinations and Training Rules, 1969, the newly selected Tehsildars by the Public Service Commission after appointment will undergo the Pre-Service Training of Najib Tehsildars for a period of six (06) months which would include four (04) months training at the Pakistan Provincial Services Academy (PPSA), 01 month Settlement Training and 01 month Revenue Training.</p> <p>b) Forty percent (40%) by promotion, on the basis of Seniority - cum - fitness from amongst Kamungos with at least three (03) years Service as such, who have undergone one (01) month mandatory training in Revenue Academy to be conducted by Board of Revenue.</p> <p>Provided that those Kamungos who have already passed departmental exam shall not undergo one month training.</p> <p>c) Six percent 6% by promotion on the basis of seniority.</p>

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At least 2nd class Graduation from any University recognized by Higher Education Commission.

No change

21 - 30 Years for initial recruitment

the Pakistan Provincial Services Academy (PPSA). 01 month Settlement Training and 01 month Revenue Training.

c) No change.

d) Five percent by promotion on the basis of Seniority cum - Fitness from amongst Assistant, Senior Scale Stenographers and Computer Operators offices of the Board of Revenue and Director Land Records having five years service as such.

No change.

a) No change.

Provided that under Rule-52 of the West Pakistan Tehsildar and Naib Tehsildar Departmental Examinations and Training Rules, 1969, the newly selected Tehsildars by the Public Service Commission after appointment will undergo the Pre-Service Training of Naib Tehsildars for a period of six (06) months which would include four (04) months training at the Pakistan Provincial Services Academy (PPSA). 01 month Settlement Training and 01 month Revenue Training.

b) Forty percent (40%) by promotion, on the basis of Seniority - cum - fitness from amongst Kanungos with at least three (03) years Service as such, who have undergone one 01 month mandatory training in Revenue Academy to be conducted by Board of Revenue.

Provided that those Kanungos who have already passed departmental exam shall not undergo one month training.

c) Six percent 6% by promotion on the basis of seniority.

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Sr. No.	Nomenclature of the post	Appointing authority	Minimum qualification for initial recruitment	Age limit	Method of recruitment
9	Junior Clerk (BPS-11)	SMBR	At least 2 nd certificate of FA/FSc or equivalent qualification from a recognized Board.	18-30	<p>i) Forty percent by promotion on the basis of seniority-cum-fitness from amongst Qasid, Naib Qasids and Chowkidars including holders of other equivalent posts with two years service, who have passed FA/FSc examination or its equivalent qualification from a recognized Board, and</p> <p>ii) Sixty percent by initial recruitment.</p> <p>a. FA/FSc with second division or equivalent qualification from a recognized Board; and</p> <p>b. A speed of thirty (30) words per minute in typing.</p> <p>Note: For the purpose of promotion there shall be maintained a common seniority list of Qasid, Naib Qasids and Chowkidars including holders of other equivalent posts with reference to the dates of their acquiring FA/FSc qualification.</p> <p>Provided that:</p> <p>i. If two or more officials have acquired the FA/FSc qualification in the same session, the inter-se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.</p> <p>ii. Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to his possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p> <p>iii. Provided further that the condition of FA/FSc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Qasids, Naib Qasids and Chowkidars including holders of other equivalent posts in Board of Revenue for promotion to the post of Junior Clerk (BS-11).</p>
10-A	Senior Driver (BPS-07)	SMBR	No change	No change	By promotion on the basis of seniority-cum-fitness from amongst the existing Drivers of Board of Revenue Pakistan with ten years service as such.

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Sr. No.	Nomenclature of the post	Appointing authority	Minimum qualification for initial recruitment	Age limit	Method of recruitment
9	Junior Clerk (BPS-11)	SMBR	At least 2 nd certificate of FA/FSc or equivalent qualification from a recognized Board.	18-30	<p>i) Forty percent by promotion on the basis of seniority-cum-fitness from amongst Qasid, Naib Qasids and Chowkidars including holders of other equivalent posts with two years service, who have passed FA/FSc examination or its equivalent qualification from a recognized Board; and</p> <p>ii) Sixty percent by initial recruitment.</p> <p>a. FA/FSc with second division or equivalent qualification from a recognized Board; and</p> <p>b. A speed of thirty (30) words per minute in typing.</p> <p>Note: For the purpose of promotion there shall be maintained a common seniority list of Qasid, Naib Qasids and Chowkidars including holders of other equivalent posts with reference to the dates of their acquiring FA/FSc qualification.</p> <p>Provided that:</p> <p>i. If two or more officials have acquired the FA/FSc qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.</p> <p>ii. Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p> <p>iii. Provided further that the condition of FA/FSc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing incumbents of the post of Qasids, Naib Qasids and Chowkidars including holders of other equivalent posts in Board of Revenue for promotion to the post of Junior Clerk (BS-11).</p>
10-A	Senior Driver (BPS-07)	SMBR	No change	No change	By promotion on the basis of seniority-cum-fitness from amongst the existing Drivers of Board of Revenue Peshwar with ten years service as such.

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
BOARD OF REVENUE, REVENUE & ESTATE DEPARTMENT**

NOTIFICATION

Peshawar dated the 25 / 11 / 2016

No. Estt./Amendment / _____ . - In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue and Estate Department in consultation with Establishment Department and Finance Department, hereby directs that in this Department's Notification No. 2074/Estt./II/185/SSRC, dated 23/01/2015, the following further amendments shall be made, namely: P-33

AMENDMENTS

In the Appendix, against serial No. 15 and 17, in column No. 4, for the figures "32" the figures "40" shall respectively be substituted,

By order of
Secretary to Government of the
Khyber Pakhtunkhwa, Revenue and
Estate Department

No. Estt./Amendment / 38424 - 38465
Copy forwarded to the :-

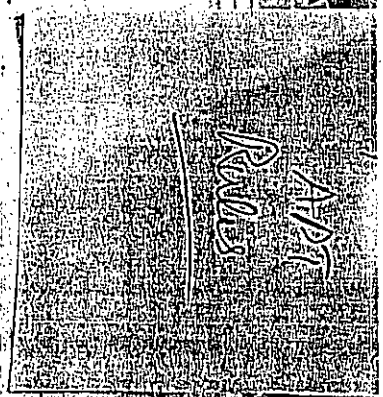
1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. PSO to Chief Minister, Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. All Commissioners of Khyber Pakhtunkhwa. Abdullah
5. All Deputy Commissioners of Khyber Pakhtunkhwa.
6. Manager Government Printing Press Peshawar.
7. PS to Senior Member Board of Revenue, Khyber Pakhtunkhwa.

Abdullah
Deputy Secretary to Government of the
Khyber Pakhtunkhwa, Revenue and
Estate Department

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GOVERNMENT OF KHYBER PAKHTUNKHWA,
BOARD OF REVENUE,
REVENUE & ESTATE DEPARTMENT

Peshawar Dated the 23/02/2013

NOTIFICATION

No. 2074/Est/UD/1: M/S/SR/C In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department in consultation with Establishment Department and the Finance Department, hereby lays down the method of recruitment qualification and other condition specified in column 3 to 5 of the Appendix to this Notification and applicable to posts borne on the cadre strength of Deputy Commissioners specified in column 2 of the said Appendix.

APPENDIX

S.No	Nomenclature of posts with BPS	Minimum qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1.	Secretary (EPS-17)	By promotion on the basis of seniority-seniority from amongst the Assistants (EPS-16) of the district concerned with atleast five years service in the offices of respective Deputy Commissioners and Political Agents.

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2. Senior Scribe (BPS-16)	(i) At least Second Class Bachelor's Degree, from a recognized university; (ii) a speed of 70 words per minute in shorthand in English and 45 words per minutes in typing; and (iii) Knowledge of computer using MS Word, MS Excel.	20 to 30 years	(a) Sixty percent by promotion, on the basis of seniority-cum-fines, from amongst the Scribes with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents; and (b) forty percent by promotion, on the basis of seniority-cum-fines, from amongst the Computer Operators with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents; Provided that if no suitable person is available for promotion then by initial recruitment.
3. Assistant (BPS-16)	At least Second Class Bachelor's Degree from a recognized University.	20 to 30 years	(a) Seventy five percent by promotion, on the basis of seniority-cum-fines, from amongst the Senior Clerks with atleast five years service as Junior and Senior Clerk in the Offices of Deputy Commissioners and Political Agents of district concerned; and (b) twenty five percent by initial recruitment from amongst the candidates of the district concerned.
4. Head Clerk (BPS-14)	By transfer from amongst Senior Clerks (BPS-14) of the district concerned.
5. Scribe (BPS-14)	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board.	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.

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6. Senior Clerk (BPS-14)	(i) a speed of 50 words per minute in shorthand in English and 35 words per minute in typing; and (ii) Knowledge of computer in using MS Word, MS Excel		By promotion, on the basis of seniority-seniority, from amongst the Junior Clerks of the district concerned with atleast two years service in such.
7. Computer Operator (BPS-12)	(i) At least Second Class Bachelor's Degree in Computer Science/ Information Technology (BCS/BIT four years), from a recognized university; (ii) at least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	18 to 28 years	By initial recruitment from amongst the candidates of the district concerned.
8. Pesh Imam (BPS-12)	Note: Preference will be given Hafiz-e-Quran. Diploma in Associate Engineering in Civil Technology from Board of Technical Education with certificate in Computer Aided Design (CAD) from recognized Institution.	18 to 32 years	By initial recruitment from amongst the candidates of the district concerned.
9. Sub Engineer (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	13-30 years	By initial recruitment from amongst the candidates of the district concerned.
10. Junior Clerk (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty three percent by promotion, on the basis of seniority-seniority, from amongst the Qasids and Naib Qasids including holders of other equivalent posts in the district concerned with two years service as such, who have passed Secondary School Certificate Examination; and (b) sixty seven percent by initial recruitment from

33/- → promote rank
57/- → initial

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			<p>the candidates of the district concerned.</p> <p>Note: For the purpose of promotion there shall be maintain a common seniority list of Qasid and Nash Qasid etc with reference to the date of their appointment.</p> <p>Provided that no separate seniority list of Matric and non-matric BS-1 (Class-IV) employees can be maintained being single cadre. Their seniority shall be fixed with reference to the date of their regular appointment.</p> <p>Provided further that where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possession the requisite qualification shall be promoted in preference to the senior official or officials.</p>	
11.	Reader/Recorder (BPS-7)	At least second division in Secondary School Certificate or equivalent qualification from a recognized Board.	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.
12.	Ahmad (BPS-5)	At least Second Class Secondary School Certificate or equivalent certification from a recognized Board.	18-30 years	By initial recruitment from amongst the candidates of the district concerned.
13.	Driver (BPS-4)	Literate having LTV driving license issued by the competent authority. Preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.	18-32 years	By initial recruitment from amongst the candidates of the district concerned.
14.	Khadim (BPS-4)	Literate. Note: Preference will be given to Faiz-e-Ouran	18-32 years	By initial recruitment from amongst the candidates of the district concerned.

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16	Access Server (BPS-2)	Literate	18-32 years	By initial recruitment from amongst the candidates of the district concerned.
16	Qasid (BPS-2)		—	By promotion on the basis of Seniority-com- fitness, from amongst the Naib Qasids with two years as such.
17	Naib Qasid/ Chowkidar/Sw eeper/Mall (BPS-1)	Literate	18-32 years	By initial recruitment from amongst the candidates of the district concerned.

Sd/-
 SECRETARY TO GOVERNMENT OF
 KHYBER PAKHTUNKHWA
 REVENUE & ESTATE DEPARTMENT

VAKALAT NAMA

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NO. _____/20

IN THE COURT OF KP Service Tribunal, Peshawar

Miss Durdana Ayub (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Govt of KP & others (Respondent)
(Defendant)

I/We, Miss Durdana Ayub

Do hereby appoint and constitute **Mr. M. Asif Yousafzai, ASC** 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 March 12023

Durdana Ayub
(CLIENT)

ACCEPTED

M. Asif Yousafzai

M. ASIF YOUSAFZAI, ASC,

Asad Mahmood
AHC

SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar