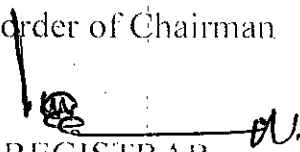


FORM OF ORDER SHEET

Court of _____

Case No. - 812/2023

00'

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/04/2023	<p>The appeal of Mr. Farhat Ali presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 812/2023

Farhat Ali Appellant

Versus

The Govt. of KPK and others Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal with Affidavit			1-6
2.	Stay application with Affidavit			7-8
3.	Notifications thereby separate quota was allocated for B.Tech (Hons) Degree holders for promotion to the post of SDO/Assistant Engineer (BPS-17)	14.10.2014 26.03.2016	A	9-10
4.	Seniority Lists of the BPS-17 Officers as stood on 20.01.2022 and 01.01.2023		B & B/1	11-21
5.	Status Sheet of existing & proposed Separate Seniority Lists for SDOs (BPS-17) B.Tech. (Hons) Graduates prepared by the appellant		C	22-23
6.	Notification regarding constitution of a high level Committee under the chairmanship of Additional Chief Secretary	07.09.2021	D	24
7.	Consolidated Judgment in W.P No.1539/2021 and W.P. No.2707/2021	24.03.2022	E	25-32
8.	Notification whereby Irrigation Department reserved 12% quota for promotion of SDOs (BPS-17) holding B.Tech. (Hons) Degrees to the post of Executive Engineer (BPS-18)	24.08.2021	F	33-34
9.	Notification by Public Health Engineering Department where initially such quota was 3% but was substituted with 8%	31.01.2022	G	35-37
10.	Notification whereby Local Government & Rural Development Department earmarked 20% quota	13.05.2016	H	38
11.	Notification whereby Energy & Power Department separated the B.Tech. (Hons) Degree holders for the purpose of promotion to BPS-18	14.09.2018	I	39-40
12.	Notification issued by the Govt. of Sindh, Irrigation Department	16.12.2013	J	41-42
13.	Notification issued by the Govt. of Sindh Energy Department	11.01.2013	K	43-45
14.	issued by the Govt. of Sindh, Works & Services Department	19.03.2014	L	46-47

S.No.	Description of Documents	Date	Annexure	Pages
15.	Notification issued by the Govt. of Baluchistan Services & General Department thereby catering separate promotion quota	23.08.1997	M	48-50
16.	Report of the high level Committee	10.06.2022	N	51-54
17.	Working Paper		O	55-56
18.	Minutes of the 1st meeting of SSRC	18.08.2022	P	57-59
19.	Minutes of the 2nd meeting of SSRC	16.09.2022	Q	60-63
20.	Appeal	15.09.2022	R	64
21.	Impugned Notification	25.11.2022	S	65
22.	Departmental Appeal	14.12.2022	T	66-69
23.	Wakalat Nama			

Through

Appellant

Khaled Rahman
Advocates, Supreme Court

&

Muhammad Amin Ayub

&

Muhammad Ghazanfar Ali
Advocates, High Court
4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458
Cell # 0313-9040434

Dated: ___/04/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 812/2023

Farhat Ali

Sub Divisional Officer, Building Division,
C&W Department North Waziristan,

.....Appellant

Versus

1. The Govt. of Khyber Pakhtunkhwa
through Chief Secretary,
Civil Secretariat, Peshawar.
2. The Secretary,
Govt. of Khyber Pakhtunkhwa,
Communication & Works Department,
Civil Secretariat, Peshawar.
3. The Secretary,
Govt. of Khyber Pakhtunkhwa,
Establishment Department,
Civil Secretariat, Peshawar.
4. The Secretary,
Govt. of Khyber Pakhtunkhwa,
Finance Department, Civil Secretariat, Peshawar.Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant joined the C&W Department as Sub-Engineer (BPS-11) on 12.12.1990 and at the moment has got about more than 32 years unblemished and outstanding service record at his credit.
2. That due to poor service structure and non-existent chances of promotion, the appellant and his other colleagues similarly placed were deprived of their due career progression inspite of acquiring the higher qualification of B.Tech. (Hons) Degree, therefore, the Department by means of Notifications dated 14.10.2014, 26.03.2016 (Annex;-A) allocated separate quota for B.Tech (Hons) Degree holder Sub-Engineers for promotion to the post of Sub Divisional Officer/Assistant

2

Engineer (BPS-17) and in pursuance of which the appellant got promoted to BPS-17 on 07.10.2019 after long 29 years of service. (Seniority Lists of the BPS-17 Officers as stood on 20.01.2022 and 01.01.2023 *Annex;-B & B/1* and Status Sheet of existing & proposed Separate Seniority Lists for SDOs (BPS-17) B.Tech. (Hons) Graduates prepared by the appellant *Annex;-C*).

3. That as no promotion quota to BPS-18 was reserved for B.Tech. (Hons) Degree holder SDOs/Assistant Engineers (BPS-17), therefore, the Provincial Government constituted a high level Committee under the chairmanship of Additional Chief Secretary vide Notification dated 07.09.2021 (*Annex;-D*) to resolve the issue. The Committee delayed the matter, therefore, the appellant alongwith other Officers filed two Writ Petitions bearing No.1539/2021 and No.2707/2021 before the Peshawar High Court for directing the Committee to finalize the matter at the earliest in accordance with law. Both the Writ Petition were heard together and disposed of vide Judgment dated 24.03.2022 (*Annex;-E*).
4. That it is pertinent to add that the Irrigation Department, Govt. of Khyber Pakhtunkhwa vide Notification dated 24.08.2021 (*Annex;-F*) has reserved 12% quota for promotion of SDOs (BPS-17) holding B.Tech. (Hons) Degrees to the post of Executive Engineer (BPS-18). Similar is the case with Public Health Engineering Department vide Notification dated 31.01.2022 (*Annex;-G*) where initially such quota was 3% but was substituted with 8%. In the like manner, the Local Government & Rural Development Department has also earmarked 20% quota vide Notification dated 13.05.2016 (*Annex;-H*). The Energy & Power Department has also separated the B.Tech. (Hons) Degree holders for the purpose of promotion to BPS-18 vide Notification dated 14.09.2018 (*Annex;-I*). Other sister Provinces also kept such quota as is evident from the Notification dated 16.12.2013 (*Annex;-J*) issued by the Govt. of Sindh, Irrigation Department, Notification dated 11.01.2013 (*Annex;-K*) issued by the Govt. of Sindh Energy Department. Notification dated 19.03.2014 (*Annex;-L*) issued by the Govt. of Sindh, Works & Services Department. The Govt. of Baluchistan Services & General Department vide Notification dated 23.08.1997 (*Annex;-M*) has also catered for such separate quota.
5. That after the Judgment of the High Court *ibid*, the high level Committee after threadbare discussion submitted its Report (*Annex;-N*) vide letter dated 10.06.2022 to the Competent Authority and made favourable recommendations. Para -8 of the recommendations is reproduced herein below:-

“8. After threadbare discussion in light of the Supreme Court Judgment referred to above, the Khyber Pakhtunkhwa Civil Servants Act, 1973, APT Rules, 1989 and the Peshawar High Court Judgment dated 24.03.2022 regarding convening of SSRC meeting, it was unanimously recommended that C&W Department may review its existing service rules by providing opportunities/chances of promotion to the B.Tech (Hons) degree holders and Diploma holders Assistant Engineers on the analogy of other technical departments i.e. Irrigation, E&P and PHE Department.”

- 6. That in the light of recommendations ibid, the matter was referred to the Standing Service Rules Committee (SSRC) for framing/amending the existing service Rules. The C&W Department accordingly prepared Working Paper (*Annex;-O*) wherein instead of following the recommendations of the high level Committee ibid, two proposals were submitted to the SSRC. The first meeting of the SSRC was held on 07.09.2022 (Minutes *Annex;-P*) wherein the proposal was returned to the C&W Department as the same were not in accordance with the recommendations of the Committee. Subsequently, the second meeting of the SSRC was held on 16.09.2022 (Minutes *Annex;-Q*) wherein the SSRC in deviation of the recommendations of the high level committee approved the proposal of the C&W Department that BPS-18 posts are 100% by promotion and that there is no need of mentioning qualification in Column No.3 of the proposed Service Rules. The appellant alongwith others meanwhile appealed on 15.09.2022 (*Annex;-R*) to the Secretary Establishment, Govt. of Khyber Pakhtunkhwa for reserving 20% quota instead and for stopping the promotion till then, however, the same solicited no response.
- 7. That finally the impugned Notification dated 25.11.2022 (*Annex;-S*) was issued against which the appellant preferred a departmental appeal (*Annex;-T*) on 14.12.2022 which was not decided within the statutory period of 90 days. hence this appeal inter-alia on the following grounds:-

Grounds:

- A. **Because** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned Notification, which is unjust, unfair and hence not sustainable in the eye of law.
- B. **Because** the appellant has been meted out a discriminatory treatment in violation of Article 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973 inas much as other similarly placed Officers counterparts of the appellant serving in

identical circumstances in other Departments of the Provincial Government have been earmarked specific quota for their career progression which has been denied to the appellant without any justification much less lawful. The classification made by the Respondents is not based on any intelligible differentia and therefore ultra vires and thus liable to be struck down.

- C. **Because** in view of the judgments of the superior fora and the anomalous state of affairs, the Provincial Government constituted a high level committee to resolve the issue. The committee was comprising of the high-ranking Officers of the Provincial Government under the chairmanship of Additional Chief Secretary, Khyber Pakhtunkhwa. The committee so constituted after thoroughly investigating the issue and after long threadbare discussion reached to the conclusion that the C&W Department should also reserve separate quota for B.Tech. (Hons) Degree holder SDOs in the light of the judgments of the superior fora on the analogy of other Departments. In spite of clear recommendations, the SSRC was misled into concurring with the C&W Department's Proposal and thus did not reserve separate quota as per recommendations of the high level committee. Thus the impugned Notification is unlawful, arbitrary, unreasonable, discriminatory and hence not sustainable in the eye of law and liable to be set aside.
- D. **Because** the appellant has suffered a lot as he has served the Department for long 32 years and remained deprived of career advancement and it was lately when the Department realized the Rules were amended and appellant got the first opportunity of promotion to the next higher grade in 2016. In case the impugned Notification is maintained, the appellant will never get a second chance of promotion to the next higher grade as he is at the twilight of his service career. The other counterparts of the appellant serving in other Departments have got numerous opportunities of promotion to BPS-18 and even BPS-19 but the appellant has been deprived of it in violation of law. Thus the impugned Notification is arbitrary, unfair, unjust and thus not maintainable under any canons of law, justice and fair-play.
- E. **Because** the Provincial Government has adopted a highly discriminatory attitude in respect of its officers as on the one hand the appellant and his other colleagues have been refused the channel of promotion to the next higher grade by means of the impugned Notification whereas other Officers serving in other Departments of the Provincial Government have been provided such opportunity which is against the law of the land and thus not maintainable.

3

5

F. **Because** numerous colleagues of the appellant serving in the C&W Department after serving for the whole of their lives stood retired without any substantial career advancement inspite of long meritorious services. In the same way, the appellant would also stand retire after more than 40 years of their service without any meaningful career advancement, if the impugned Notification is not set aside.

G. **That** appellant would like to offer some other grounds during the course of arguments.

It is therefore, humbly prayed that on acceptance of this appeal, the impugned Notification dated 25.11.2022 may graciously be struck down being ultra vires, discriminatory, unreasonable and this Tribunal may further be pleased to direct the Respondents to act in the matter in accordance with law and to amend the impugned Notification dated 25.11.2022 in line with the recommendations of the high level committee and reserve separate promotion quota of 20% to the B.Tech. (Hons) Degree holder SDOs/Assistant Engineers (BPS-17) to the post of Executive Engineer (BPS-18) in the C&W Department.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant

Khaled Rahman
Advocate, Supreme Court

&

Muhammad Amin Ayub

&

Muhammad Ghazanfar Ali
Advocates, High Court

Dated: ____/04/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Farhat Ali..... Appellant

Versus

The Govt. of KPK and others Respondents

Affidavit

I, Farhat Ali, Sub Divisional Officer, Building Division, C&W Department North Waziristan, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Deponent

Identified by

Khaled Rahman
ASC

7

8/

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Farhat Ali Appellant

Versus

The Govt. of KPK and others Respondents

Application for restraining the Respondents from processing promotion cases to the post of Executive Engineers (BPS-18) till the final disposal of the instant Service Appeal.

Respectfully Sheweth,

1. That the above titled service appeal is being filed today which is yet to be fixed for hearing.
2. That the facts alleged and grounds taken in the body of main appeal may kindly be taken as an integral part of this application, which make out an excellent prima facie case in favour of applicant/appellant.
3. That the balance of convenience and inconvenience also lies in favour of applicant/appellant and in case the Respondents are not restrained from processing the promotion cases to the post of Executive Engineer (BPS-18), the applicant/appellant will suffer irreparable loss.

It is, therefore, humbly prayed that on acceptance of this application, Respondents may kindly be restrained from processing the promotion cases to the post of Executive Engineer (BPS-18) till the final disposal of the instant appeal.

Applicant

Through

Khaled Rahman,
Advocate, Supreme Court

Dated: ___/04/2023

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Farhat Ali..... Appellant

Versus

The Govt. of KPK and others Respondents

Affidavit

I, Farhat Ali, Sub Divisional Officer, Building Division, C&W Department North Waziristan, do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Deponent

Identified by

Khaled Rahman
ASC

9
BETTER COPY

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 14, 2014

NOTIFICATION:

No. SOE/C&WD/8-12/2014: 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 Communication & Works Department, in consultation with Establishment Department and the Finance Department, hereby directs that in this Department Notification No. SOE/C&WD/8-12/2009, dated 25th March, 2010, the following amendment shall be made, namely:

AMENDMENTS

In the Appendix, against serial No. 4, in column No. 5, for the existing entries, the following shall be substituted, namely:

- (a) Sixty five percent (65%) by Initial recruitment,
- (b) Twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such;
- (c) Eight percent (8%) by promotion, on the basis of seniority-cum-fitness from amongst the Sub Engineers who possess Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Department Professional Examination with 05 (five) years service as such;
- (d) Three and half percent (305%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E or B.Sc. engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years service as such' and
- (e) Three and half percent (305%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B-Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years service as such"

Note: The Seniority in all cases shall be determined from the date of initial appointment

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Peshawar
5. CHIEF Engineer (FATAO W&S Peshawar
6. Chief Engineer EQAA Abbotabad
7. Secretary Khyber Pakhtunkhwa Public Service Commission
8. All Superintending Engineers C&W Circles
9. All Executive Engineers C&W/Highway Divisions
10. Section Officer (R-VI) Establishment Department Peshawar
11. Assistant Legal Drafter-I, Law Department Peshawar
12. Managing Printing Press for publication in the issue of next Govt gazette
13. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar
14. PS to Secretary C&W Department Peshawar
15. PA to Addl: Secretary C&W Department Peshawar
16. PA to Deputy Secretary (Admn) C&W Department Peshawar
17. Office File.

(USMAN JAN)
SECTION OF OFFICE (Estb)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the March 26, 2018

NOTIFICATION:

No.SOE/C&WD/8-12/2014: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1889, the Communication & Works Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department Notification No.SOE/C&WD/8-12/2009, dated 25th March, 2010, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:-

- i. against serial No.4, in column No.5, for the existing entries, the following shall be substituted, namely:
- (a) Sixty five percent (65%) by initial recruitment;
 - (b) sixteen and half percent (16.50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such;
 - (c) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who possess Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 05 (five) years service as such;
 - (d) three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years service as such; and
 - (e) ten percent (10%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B-Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years service as such;
- ii. against serial No.26, in column No.5, for the existing entries, the following shall be substituted, namely:
- "By promotion on the basis of seniority-cum-fitness, from amongst the Naib Qasids, Chowkidars and Barkandaz having qualification of Secondary School Certificate with at least three years service as such.
- Note:- A joint seniority list of Naib Qasids, Chowkidars and Barkandaz shall be maintained for the purpose of promotion"
- iii. after serial No.28, the following new serial shall be inserted, namely:
- | | | | | |
|----|-----------|---------------------|----------------|------------------------|
| 29 | Barkandaz | Preferably literate | 18 to 45 years | By initial recruitment |
|----|-----------|---------------------|----------------|------------------------|

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Ends of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Peshawar
5. Chief Engineer (FATA) W&S Peshawar
6. Chief Engineer (East) C&W Abbottabad
7. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
8. All Superintending Engineers C&W Circles
9. All Executive Engineers C&W/Highway Divisions
10. Section Officer (R-VI) Establishment Department Peshawar
11. Assistant Legal Drafter-I, Law Department Peshawar
12. Manager Printing Press for publication in the issue of next Govt gazette. He is requested to provide 25 printed copies of the Notification, preferably gazetted copies, when published to this Department along with the details of the gazette in which they are published.
13. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar
14. PS to Secretary C&W Department Peshawar
15. PA to Addl. Secretary C&W Department Peshawar
16. PA to Deputy Secretary (Admn) C&W Department Peshawar
17. Office File

ATTESTED

Abdur Rashid Khan
(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)

125

**TENTATIVE SENIORITY LIST OF ASSISTANT ENGINEERS/SDOs BS-17
COMMUNICATION AND WORKS DEPARTMENT As Stood On 20.01.2022**

SL No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of Appointment/ Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
01	Nadia Bashir	B.Sc (Civil)/ MS (Transportation)	29/01/1986	Abbottabad	24/12/2010	24/12/2010	
02	Muhammad Imran	B.Sc/M.Sc (Civil)	20/08/1985	Swat	24/12/2010	24/12/2010	
03	Muhammad Asad	B.Sc (Civil)	24/12/1963	Kohat	07/12/1990	24/01/2012	
04	M. Kramullah Khan	B.Sc (Mech)	14/02/1989	S.W. Agency	06/03/2013	06/03/2013	
05	Salih Dar	B.Sc (Civil)	15/02/1980	Dir	22/04/2013	22/04/2013	
06	Fawad Bilal	B.Sc (Civil)	18/04/1988	Dir Upper	22/04/2013	22/04/2013	
07	Muhammad Ayez	B.Sc (Civil)/MS (Constn/Management)	10/04/1989	Malakand	22/04/2013	22/04/2013	
08	Ahmad Ali	B.Sc (Civil)	09/05/1989	Manshera	22/04/2013	22/04/2013	
09	Umer Hayat	B.Sc (Civil)	02/03/1975	Karak	22/04/2013	22/04/2013	
10	Khalid Usman	B.Sc (Civil)	02/02/1978	F.R. Kohat	30/04/2013	30/04/2013	
11	Hayatullah Noor	B.Sc (Civil)	19/04/1979	N.W. Agency	30/04/2013	30/04/2013	
12	Hayatullah Jan	B.Sc (Civil)	03/03/1965	Lakki Marwat	12/12/1990	03/07/2013	
13	Zahoor Elahi Baig	B.Sc (Civil)	07/01/1964	Haripur	16/03/1988	03/07/2013	
14	Shahid Nawaz	B.Sc (Civil)	01/08/1964	Peshawar	19/02/1990	19/05/2014	
15	Muhammad Asghar Khan	B.Sc (Civil)	30/12/1964	Swabi	17/03/1988	19/05/2014	
16	Sher Bahadar	B.Sc (Civil)	03/05/1965	Dir Lower	19/12/1990	13/10/2015	
17	Muhammad Ghazanifarullah	B-Tech (Hons)	04/05/1964	Benaru	21/10/1986	04/11/2016	

Amir B

- 11

17

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domilet	Date of Ist Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
18	Shaukat Ullah Shah	B-Tech (Hons)	28/08/1962	Lakki Marwat	14/03/1988	04/11/2016	Relined 27/8/2022
19	Faizan Akbar	B.Sc/M.Sc (Civil)	20/04/1990	Swabi	10/05/2017	10/05/2017	
20	Muhammed Junaid	B.Sc (Civil)/M.S (Trans)	17/02/1991	Dikhan	10/05/2017	10/05/2017	
21	Ifikhar Qayum	B.Sc (Civil)	01/05/1992	Karak	10/05/2017	10/05/2017	
22	Nasir Iqbal	B.Sc (Civil)/M.S (Trans)	18/07/1989	Malakand	10/05/2017	10/05/2017	
23	Wasim Akbar	B.Sc (Civil)	06/05/1988	Abbottabad	10/05/2017	10/05/2017	
24	Munammad Isnaq	B.Sc (Civil)	10/01/1991	PK Peshawar	14/07/2017	14/07/2017	
25	Khushdil Khan	B.Sc (Civil)	01/06/1992	Lakki Marwat	10/05/2017	10/05/2017	
26	Abdullah	B.Sc (Civil)	15/03/1986	Swabi	10/05/2017	10/05/2017	
27	Umair Ahmed Jan	B.Sc (Civil)	26/10/1994	Mansehra	10/05/2017	10/05/2017	
28	Akbar Mehbub Khattak	B.Sc (Civil)	01/01/1990	Nowshera	10/05/2017	10/05/2017	
29	Imran Khan	B.Sc/M.Sc (Civil)	01/04/1989	Orakzai Agy	14/07/2017	14/07/2017	
30	Ali Rehman	B-Tech (Hons)	12/11/1964	Malakand	13/03/1988	04/01/2018	
31	Muhammad Idrees Afzal	DAE (Civil)	01/06/1962	Dikhan	16/12/1981	04/01/2018	
32	Waseem Shah	B.Sc (Civil)	01/01/1994	Malakand	26/08/2019	26/08/2019	
33	Tariq Murtaza	B.Sc (Civil)	08/10/1991	Peshawar	26/08/2019	26/08/2019	
34	Bilawal Hussain	B.Sc (Civil)/MS (Geo)	03/08/1993	Swabi	26/08/2019	26/08/2019	
35	Sahibzada Fahad Noor	B.Sc/MS (Civil)	07/12/1990	Peshawar	26/08/2019	26/08/2019	
36	Jawad Ali	B.Sc (Civil)	04/03/1991	Mohmand agy	26/08/2019	26/08/2019	
37	Zia Ullah	B.Sc (Civil)	15/01/1994	Shangla	26/08/2019	26/08/2019	
38	Abdur Rehman	B.Sc (Civil)	08/05/1994	Mardan	26/08/2019	26/08/2019	

[Handwritten signature]

[Handwritten mark]

[Handwritten mark]

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
39	Saleem Khan	B.Sc (Civil)	18/01/1990	Swat	26/08/2019	26/08/2019	
40	Jehan Zeb	B.Sc (Civil)	11/09/1990	Khyber Agy	26/08/2019	26/08/2019	
41	Zia-ur-Rehman	B.Sc (Civil)	15/04/1986	Karak	26/08/2019	26/08/2019	
42	Danish Ali	B.Sc (Civil)	01/09/1995	Haripur	26/08/2019	26/08/2019	
43	Mahrakh Naseem	B.Sc (Civil)	18/08/1993	Peshawar	26/08/2019	26/08/2019	
44	Marzoor Ellahi	DAE (Civil)	20/09/1962	Peshawar	18/02/1982	07/10/2019	
45	Saeedullah	B-Tech (Hons)	13/07/1964	Kohat	14/03/1988	07/10/2019	
46	Muhammad Jamshid	B-Tech (Hons)	15/04/1967	Swabi	14/03/1988	07/10/2019	
47	Sher Ali Khan	B-Tech (Hons)	31/12/1962	Malakand	19/03/1988	07/10/2019	
48	Nigmat Gul	B-Tech (Hons)	12/01/1963	Malakand	19/03/1988	07/10/2019	
49	Ajmal Anwar	B-Tech (Hons)	06/09/1966	Mardan	19/03/1988	07/10/2019	
50	Faisal Saeed	B-Tech (Hons)	02/11/1962	Mardan	28/03/1988	07/10/2019	
51	Aurangzeb-I	B-Tech (Hons)	21/05/1964	Peshawar	13/05/1987	07/10/2019	
52	Jehanzeb	B-Tech (Hons)	15/04/1962	Bannu	16/12/1990	07/10/2019	
53	Farhat Ali	B-Tech (Hons)	02/04/1965	Peshawar	12/12/1990	07/10/2019	
54	Muhammad Humayun	B-Tech (Hons)	31/08/1965	Lakki Marwat	06/12/1990	07/10/2019	
55	Muhammad Najeeb	DAE (Civil)	15/04/1962	Abbottabad	18/05/1982	21/04/2020	
56	Irtikhar Khan Babar	DAE (Civil)	22/02/1962	Peshawar	14/03/1985	21/04/2020	
57	Nasim Ahmad Shah	DAE (Civil)	10/12/1963	Peshawar	19/05/1985	21/04/2020	
58	Nasrullah Khan	B-Tech (Hons)	05/01/1966	Dir Lower	22/12/1990	21/04/2020	
59	Azhar Ali	B-Tech (Hons)	28/10/1966	Peshawar	15/12/1990	21/04/2020	
60	Abdul Baq	B.Sc (Civil)	19/11/1995	Buner	03/06/2021	03/06/2021	

13

✓
R

✓
R

✓
R

✓
R

✓
R

✓
R

Relief
30/12/2022

Relief
1/11/2022

Relief
14/4/2022

(Handwritten Signature)

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
61	Muhammad Zuhair	B.Sc (Civil)	30/03/1996	Charsadda	03/06/2021	03/06/2021	
62	Allah Yar Khan	B.Sc (Civil)	01/06/1996	Mansehra	03/06/2021	03/06/2021	
63	Naveed Michmoed	B.Sc (Civil)	19/11/1995	Malakand	03/06/2021	03/06/2021	
64	Hassan Sardar	B.Sc (Civil)	01/05/1996	Charsadda	03/06/2021	03/06/2021	
65	Babar Saleem	B.Sc (Civil)	18/08/1993	Peshawar	03/06/2021	03/06/2021	
66	Abbas Khan	B.Sc/M.Sc (Civil)	02/02/1995	Swabi	03/06/2021	03/06/2021	
67	Hidayat Ullah	B.Sc (Civil)	12/09/1994	Karak	03/06/2021	03/06/2021	
68	Hassan Zahid	B.Sc/M.S (Civil)	15/06/1993	Mansehra	03/06/2021	03/06/2021	
69	Shams-ur-Rehman	B.Sc (Civil)	15/01/1990	Lakki Marwat	03/06/2021	03/06/2021	
70	Muhammad Ismail Afridi	B.Sc (Civil)	17/12/1996	Khyber Agy	03/06/2021	03/06/2021	
71	Zahid Mehmood	B.Sc (Civil)	16/04/1991	F.R. Tank	03/06/2021	03/06/2021	
72	Uzma Bibi	B.Sc (Civil)	20/03/1996	Dir Lower	03/06/2021	03/06/2021	
73	Maham Tariq	B.Sc (Civil)	16/09/1997	Peshawar	03/06/2021	03/06/2021	
74	Aziz Ullah	B.Sc (Civil)	15/03/1993	S.W. Agency	03/06/2021	03/06/2021	
75	Labiha Imtiaz	B.Sc (Civil)	16/05/1998	Abbotabad	03/06/2021	03/06/2021	
76	Ram Chand	B.Sc (Civil)	05/07/1996	Buner	03/06/2021	03/06/2021	
77	SHIVA	B.Sc/M.S (Civil)	05/03/1988	DIKhan	03/06/2021	03/06/2021	
78	Ashbeel	B.Sc (Civil)	15/11/1996	Charsadda	31/08/2021	31/08/2021	
79	Nouman Nasir	B.Sc (Civil)	07/09/1997	Charsadda	31/08/2021	31/08/2021	
80	Mushtaq Ali	DAE (Civil)	30/09/1964	N.W. Agency	08/11/1986	20/01/2022	
81	Saif-ur-Rehman	DAE (Civil)	18/11/1962	Kohat	03/08/1987	20/01/2022	
82	Yaqoob Khan	DAE (Civil)	19/03/1962	N.W. Agency	13/03/1988	20/01/2022	
83	Shahzad Hassan	DAE (Civil)	05/04/1962	Peshawar	13/03/1988	20/01/2022	

[Handwritten signature]

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
84	Muhammad Javed	DAE (Mech)	02/09/1962	D.I.Khan	13/03/1988	20/01/2022	
85	Sameeullah	DAE (Civil)	01/06/1963	Kohat	13/03/1988	20/01/2022	
86	Abdul Waheed	DAE (Civil)	30/08/1963	D.I.Khan	13/03/1988	20/01/2022	
87	Muhammad Sajjad	DAE (Civil)	21/04/1966	Peshawar	13/03/1988	20/01/2022	
88	Syed Nawazish Ali Shah	DAE (Elect)	06/03/1962	Mansehra	14/03/1988	20/01/2022	
89	Sadiq Ullah	DAE (Civil)	15/03/1963	N.W.Agency	14/03/1988	20/01/2022	
90	Fazal Rehman	DAE (Civil)	27/03/1965	D.I.Khan	14/03/1988	20/01/2022	
91	Ahmad Ali	DAE (Civil)	11/04/1965	N.W.Agency	14/03/1988	20/01/2022	
92	Shah Muhammad Khan	DAE (Civil)	16/04/1965	Mansehra	14/03/1988	20/01/2022	
93	Salah-ud-Din	DAE (Civil)	28/06/1965	Mansehra	14/03/1988	20/01/2022	
94	Nihar Gul	DAE (Civil)	07/01/1963	Mardan	15/03/1988	20/01/2022	
95	Muneeb Khan	DAE (Civil)	16/04/1964	Mohmand Agy	15/03/1988	20/01/2022	
96	Syed Azmat Ali Shah	DAE (Civil)	15/12/1963	Mansehra	16/03/1988	20/01/2022	
97	Masha Khan	DAE (Civil)	02/02/1964	Lakki Marwat	16/03/1988	20/01/2022	
98	Shabir Ahmad	B.Sc (Civil)	31/03/1964	Swat	20/12/1990	20/01/2022	
99	Tariq Afzal	B.Sc (Civil)	01/04/1968	N.W.Agency	20/04/1995	20/01/2022	
100	Aurangzeb-II	B.Sc (Civil)	30/03/1966	Malakand	14/03/1988	20/01/2022	
101	Muhammad Rafiq Shlnwari	B-Tech (Hons)	15/04/1964	Malakand	12/12/1990	20/01/2022	
102	Shujaat Ali	B-Tech (Hons)	20/02/1963	Charsadda	12/12/1990	20/01/2022	
103	Mumtaz Alam	B-Tech (Hons)	01/06/1964	Malakand	23/12/1990	20/01/2022	
104	Naqeebullah Khattak	B-Tech (Hons)	02/01/1971	Karak	27/06/1994	20/01/2022	
105	Muhammad Farooq	B-Tech (Hons)	01/01/1973	Mardan	23/04/1995	20/01/2022	
106	Niamatullah Khan	B-Tech (Hons)	06/05/1967	S.W.Agency	27/04/1995	20/01/2022	

89

81

✓
✓
✓
✓
✓
✓

**TENTATIVE SENIORITY LIST OF ASSISTANT ENGINEERS/SDOs BS-17
COMMUNICATION AND WORKS DEPARTMENT As Stood On 01.01.2023**

Name of No.	Academic Officer	Date of Qualification	Domicile Birth	Date of Ist	Date of Appointment/ Entry in Govt. Service	Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
01	Nadia Bashir	B.Sc (Civil) MS (Transportation)	29/01/1988	Abbotabad	24/12/2010	24/12/2010	—
02	Muhammad Asad	B.Sc/M.Sc (Civil)	20/02/1985	Swabi	24/12/2010	24/12/2010	—
03	Muhammad Asad	B.Sc (Civil)	24/12/1963	Kohat	07/12/1990	24/01/2012	—
04	Umer Hayat	B.Sc (Civil)	02/03/1975	Karak	22/04/2013	22/04/2013	—
05	Khalid Usman	B.Sc (Civil)	02/02/1978	F.R.Kohat	30/04/2013	30/04/2013	—
06	Hayatullah Noor	B.Sc (Civil)	19/04/1979	N.W.Agency	30/04/2013	30/04/2013	—
07	Hayatullah Jan	B.Sc (Civil)	03/03/1965	Lakki Marwat	12/12/1990	03/07/2013	—
08	Zahoor Ellahi Baig	B.Sc (Civil)	07/01/1964	Haripur	6/03/1988	03/07/2013	—
09	Shahid Nawaz	B.Sc (Civil)	01/02/1954	Peshawar	13/02/1990	19/05/2014	—
10	Muhammad Asghar Khan	B.Sc (Civil)	30/12/1964	Swabi	17/03/1988	19/05/2014	—
11	Badrul Islam	B.Sc (Civil)	01/06/1965	Peshawar	12/12/1990	04/03/2015	Seniority fixed in light of court order vice this Deptt' Notification dated 14.12.2022
12	Hassan Jan	B.Sc (Civil)	20/10/1964	Lakki Marwat	23/04/1995	04/03/2015	— do —
13	Sher Bahadar	B.Sc (Civil)	03/05/1965	Dir Lower	19/12/1990	13/10/2015	—
14	Muhammad Ghazanfarullah	B-Tech (Hons)	04/05/1964	Bannu	21/10/1986	04/11/2016	—
15	Faizan Akbar	B.Sc/M.Sc (Civil)	20/04/1990	Swabi	10/05/2017	10/05/2017	—

Name of No.	Academic Officer	Date of Qualification	Domicile Birth	Date of Ist	Date of Appointment/ Entry in Govt. Service	Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
16	Muhammad Junaid	B.Sc (Civil)/M.S (Trans)	17/02/1991	DIKhan	10/05/2017	10/05/2017	---
17	Iftikhar Qayum	B.Sc (Civil)	01/05/1992	Karak	10/05/2017	10/05/2017	---
18	Nasir Iqbal	B.Sc (Civil)/M.S (Trans)	18/07/1989	Malakand	10/05/2017	10/05/2017	---
19	Muhammad Akbar	B.Sc (Civil)	08/11/1994	Abbotabad	10/05/2017	10/05/2017	---
20	Muhammad Ishaq	B.Sc (Civil)	10/01/1991	FR Peshawar	14/07/2017	14/07/2017	---
21	Khushdil Khan	B.Sc (Civil)	01/06/1992	Lakki Marwat	10/05/2017	10/05/2017	---
22	Abdullah	B.Sc (Civil)	15/03/1985	Swabi	10/05/2017	10/05/2017	---
23	Umair Ahmed Jan	B.Sc (Civil)	26/10/1994	Mansehra	10/05/2017	10/05/2017	---
24	Akbar Mahboob Khattak	B.Sc (Civil)	01/01/1990	Nowshera	10/05/2017	10/05/2017	---
25	Imran Khan	B.Sc/M.Sc (Civil)	01/04/1989	Orakzai Agy	14/07/2017	14/07/2017	---
26	Ali Rehman	B-Tech (Hons)	12/11/1964	Malakand	13/03/1988	04/01/2018	---
27	Waseem Shah	B.Sc (Civil)	01/01/1994	Malakand	26/08/2019	26/08/2019	---
28	Tariq Murtaza	B.Sc (Civil)	08/10/1991	Peshawar	26/08/2019	26/08/2019	---
29	Bilawal Hussain	B.Sc (Civil)/MS (Geo)	03/08/1993	Swabi	26/08/2019	26/08/2019	---
30	Sahibzada Fahad Noor	B.Sc/MS (Civil)	07/12/1990	Peshawar	26/08/2019	26/08/2019	---
31	Jawad Ali	B.Sc (Civil)	04/03/1991	Mohmand agy	26/08/2019	26/08/2019	---
32	Zia Ullah	B.Sc (Civil)	15/01/1994	Shangla	26/08/2019	26/08/2019	---
33	Abdur Rehman	B.Sc (Civil)	08/05/1994	Mardan	26/08/2019	26/08/2019	---
34	Safeem Khan	B.Sc (Civil)	18/01/1990	Swat	26/08/2019	26/08/2019	---
35	Jehan Zeb	B.Sc (Civil)	11/09/1990	Khyber Agy	26/08/2019	26/08/2019	---

No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of Appointment/ Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
36	Zia-ur-Rehman	B.Sc (Civil)	15/04/1986	Karak	26/08/2019	26/08/2019	—
37	Danish Ali	B.Sc (Civil)	01/09/1995	Haripur	26/08/2019	26/08/2019	—
38	Mahrugh Naseem	B.Sc (Civil)	18/08/1993	Peshawar	26/08/2019	26/08/2019	—
39	Saeedullah	B-Tech (Hons)	13/07/1964	Kohat	14/03/1988	07/10/2019	—
40	Muhammad Jamshid	B-Tech (Hons)	15/04/1967	Swabi	14/03/1988	07/10/2019	—
41	Niamat Gul	B-Tech (Hons)	12/07/1964	Malakand	19/03/1988	07/10/2019	—
42	Ajmal Anwar	B-Tech (Hons)	06/09/1966	Mardan	19/03/1988	07/10/2019	—
43	Aurangzeb-I	B-Tech (Hons)	21/05/1964	Peshawar	13/05/1987	07/10/2019	—
44	Farhat Ali	B-Tech (Hons)	02/04/1965	Peshawar	12/12/1990	07/10/2019	—
45	Muhammad Humayun	B-Tech (Hons)	31/08/1965	Lakki Marwat	06/12/1990	07/10/2019	—
46	Nasim Ahmad Shah	DAE (Civil)	10/12/1983	Peshawar	19/05/1985	21/04/2020	—
47	Nasrullah Khan	B-Tech (Hons)	05/01/1966	Dir Lower	22/12/1990	21/04/2020	—
48	Azhar Ali	B-Tech (Hons)	28/10/1966	Peshawar	15/12/1990	21/04/2020	—
49	Abdul Baqi	B.Sc (Civil)	19/11/1995	Buner	03/06/2021	03/06/2021	—
50	Muhammad Zuhair	B.Sc (Civil)	30/03/1996	Charsadda	03/06/2021	03/06/2021	—
51	Allah Yar Khan	B.Sc (Civil)	01/05/1996	Mansehra	03/06/2021	03/06/2021	—
52	Naveed Mehmood	B.Sc (Civil)	19/11/1995	Malakand	03/06/2021	03/06/2021	—
53	Hassan Sardar	B.Sc (Civil)	01/05/1996	Charsadda	03/06/2021	03/06/2021	—
54	Babar Saleem	B.Sc/MS (Civil)	12/06/1995	Peshawar	03/06/2021	03/06/2021	—
55	Abbas Khan	B.Sc/M.Sc (Civil)	02/02/1995	Swabi	03/06/2021	03/06/2021	—

Sl No.	Name of Officer	Academic Qualification	Date of Birth	District	Date of 1st Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
56	Hidayat Ullah	B.Sc (Civil)	12/09/1994	Karak	03/06/2021	03/06/2021	---
57	Hassan Zahid	B.Sc/M.S (Civil)	15/06/1993	Mansehra	03/06/2021	03/06/2021	---
58	Shems-ur-Rehman	B.Sc (Civil)	15/01/1990	Lakki Marwat	03/06/2021	03/06/2021	---
59	Muhammad Ismail Afridi	B.Sc (Civil)	17/12/1996	Khyber Agy	03/06/2021	03/06/2021	---
60	Zahid Mahmood	B.Sc (Civil)	19/04/1991	Tank	03/06/2021	03/06/2021	---
61	Uzma Bibi	B.Sc (Civil)	20/03/1996	Dir Lower	03/06/2021	03/06/2021	---
62	Maham Tariq	B.Sc (Civil)	16/09/1997	Peshawar	03/06/2021	03/06/2021	---
63	Aziz Ullah	B.Sc (Civil)	15/03/1993	S.W. Agency	03/06/2021	03/06/2021	---
64	Labiha Imtiaz	B.Sc (Civil)	16/05/1998	Abbottabad	03/06/2021	03/06/2021	---
65	Ram Chand	B.Sc (Civil)	05/07/1996	Buner	03/06/2021	03/06/2021	---
66	SHIVA	B.Sc/M.S (Civil)	05/03/1988	D.I.Khan	03/06/2021	03/06/2021	---
67	Ashbeal	B.Sc (Civil)	15/11/1986	Charsadda	31/08/2021	31/08/2021	---
68	Nouman Nasir	B.Sc (Civil)	07/03/1997	Charsadda	31/08/2021	31/08/2021	---
69	Mushtaq Ali	DAE (Civil)	30/09/1964	N.W.Agency	08/11/1986	20/01/2022	---
70	Sameeullah	DAE (Civil)	01/06/1963	Kohat	13/03/1988	20/01/2022	---
71	Abdul Waheed	DAE (Civil)	30/08/1963	D.I.Khan	13/03/1988	20/01/2022	---
72	Muhammad Sajjad	DAE (Civil)	21/04/1966	Peshawar	13/03/1988	20/01/2022	---
73	Sadiq Ullah	DAE (Civil)	15/03/1963	N.W.Agency	14/03/1988	20/01/2022	---
74	Fazal Rehman	DAE (Civil)	27/03/1965	D.I.Khan	14/03/1988	20/01/2022	---
75	Ahmad Ali	DAE (Civil)	11/04/1965	N.W.Agency	14/03/1988	20/01/2022	---
76	Shad Muhammad Khan	DAE (Civil)	16/04/1965	Mansehra	14/03/1988	20/01/2022	---
77	Salari-ud-Din	DAE (Civil)	28/01/1965	Mansehra	14/03/1988	20/01/2022	---

61

4

Sl No.	Name of Officer	Education Qualification	Date of Birth	District	Date of Ist. Entry in Govt. Service	Date of Appointment in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
78	Muneeb Khan	DAE (Civil)	16/04/1964	Mohmand Agy	15/03/1988	20/01/2022	—
79	Syed Azmat Ali Shah	DAE (Civil)	15/12/1963	Mansehra	18/03/1988	20/01/2022	—
80	Mashal Khan	DAE (Civil)	02/02/1964	Lakki Marwat	16/03/1988	20/01/2022	—
81	Shabir Ahmad	B.Sc (Civil)	31/03/1964	Swat	20/12/1990	20/01/2022	—
82	Tariq Afzal	B.Sc (Civil)	01/04/1964	N.W. Agency	20/04/1995	20/01/2022	—
83	Aurengzeb-Il	B.Sc (Civil)	30/02/1968	Malakand	14/03/1988	20/01/2022	—
84	Muhammad Rafiq Shinwari	B-Tech (Hons)	15/04/1964	Malakand	12/12/1990	20/01/2022	—
85	Shujaat Ali	B-Tech (Hons)	20/02/1963	Charsadda	12/12/1990	20/01/2022	—
86	Mumtaz Alam	B-Tech (Hons)	01/05/1964	Malakand	23/12/1990	20/01/2022	—
87	Naqeebullah Khattak	B-Tech (Hons)	02/01/1971	Karak	27/06/1984	20/01/2022	—
88	Muhammad Farooq	B-Tech (Hons)	01/01/1973	Mardan	23/04/1995	20/01/2022	—
89	Niamatullah Khan	B-Tech (Hons)	06/05/1967	S.W. Agency	27/04/1995	20/01/2022	—
90	Nigar-ul-Haq	DAE (Radio)	01/02/1963	Peshawar	13/03/1988	01/04/2022	—
91	Zubeir Ullah Babar	DAE (Civil)	10/04/1965	Nowshera	14/03/1988	01/04/2022	—
92	Abdul Saboor Khan	DAE (Eect)	16/07/1964	Swabi	16/03/1988	01/04/2022	—
93	Muhammad Zaka Khan	DAE (Civil)	19/04/1965	Abbottabad	18/03/1988	01/04/2022	—
94	Akbar Ali	DAE (Civil)	11/03/1963	Charsadda	17/03/1988	01/04/2022	—
95	Muhammad Hayat	DAE (Civil)	10/05/1964	Charsadda	17/03/1988	01/04/2022	—
96	Abdul Farooq	DAE (Civil)	24/04/1964	DIKhan	19/03/1988	01/04/2022	—

90

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Province	Date of Entry into Govt. Service	Date of Appointment/ Promotion to Present Grade	Grade
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
97	Muhammad Adnan	B.Sc (Civil)	12/02/1987	Peshawar	01/08/2011	01/04/2022	---
98	S.Wasiq Zahid Shah	B.Sc (Civil)	30/09/1987	Mansehra	01/08/2011	01/04/2022	---
99	Muhammad Islam	B.Sc (Civil)	02/01/1988	Peshawar	01/09/2014	01/04/2022	---
100	Shahid Muhammad	B.Sc (Civil)	01/05/1992	Mardan	29/01/2018	01/04/2022	---
101	Muhammad Ayub Khan	B.Sc (Civil)	01/01/1990	Kohistan	31/01/2018	01/04/2022	---
102	Bashir J-L	B.Sc (Civil)	01/06/1982	Swabi	01/01/2018	01/04/2022	---
103	Reedar Alam	B.Sc (Elect)	06/01/1968	Malakand	15/12/1990	01/04/2022	---
104	Nizam-ud-Din	B.Sc (Civil)	01/05/1994	Dir Upper	23/06/2018	01/04/2022	---
105	Misbah Ullah	B.Sc (Civil)	13/04/1991	Mohmand Agy	01/09/2014	01/04/2022	---
106	Aasim Mumtaz	B.Sc (Civil)	01/08/1995	Mansehra	13/06/2016	01/04/2022	---
107	Murad Ali	B-Tech (Hons)	20/01/1984	Bannu	31/10/1997	01/04/2022	---
108	Jawad Aamir	B-Tech (Hons)	23/10/1982	Mardan	01/08/2006	01/04/2022	---
109	Jawad Afridi	B.Sc/MS (Civil)	11/10/1990	Khyber Agy	16/09/2016	23/06/2022	---

Service regularized through a Notification dated 23.06.2022 in light of Tribal Area Act 2021

STATUS OF EXISTING & PROPOSED / SEPARATE SENIORITY LIST FOR ASSISTANT ENGINEERS SDO's BS-17 (B.TECH) GRADUATES OF COMMUNICATION & WORKS DEPARTMENT, AS STOOD ON BASIS OF SENIORITY LIST ISSUED ON 01ST JANUARY, 2023.

Sl. No.	EXISTING SENIORITY NUMBER AS STOOD ON JAN 2023, IN THE COMBINED SENIORITY LIST OF SDOs / AEs	DEMANDED / B.TECH (HONS) CADRE SENIORITY (AS PER DECISION OF SPECIAL COMMITTEE AND ON ANALOGY OF SISTER ENGINEERING DEPTS. IN KP.	ACADEMIC OFFICER	ACADEMIC QUALIFICATION	DATE OF BIRTH	DOMICILE	DATE OF 1 ST ENTRY INTO GOVT. SERVICE	DATE OF PROMOTION IN PRESENT GRADE	DATE OF RETIREMENT ON SUPERNUATION	REMARKS
	01	02	03	04	05	06	07	08	09	
1.	14	01	Mohammad Ghazanfar Ullah	Bachelor of Technology. (Hons)	04/05/1964	Bannu	21/10/1986	04/11/2016	03/05/2024	<p>NOTE: THE PRESENT COMBINED SENIORITY PLACEMENT AND DEMANDED PLACEMENT IN SEPARATE SENIORITY LISTS (ON ANALOGY OF SISTER ENGINEERING DEPARTMENTS IN KP) IS MENTIONED AT COL. NO 01 & COL. NO 02 RESPECTIVELY.</p> <p>The present Combined Seniority Status in BS-17, adopted by C&W has completely finished any prospects of promotion for B.Tech Graduates from BS-17 onwards. Factually, the B.Tech Graduates are promoted to BS-17 at a very belated stage of their service (below BPS-17) and then very less time is left to their retirement. The C&W department, compelled by the Honorable Court's directions and decision of "The Special Committee", has for now, agreed to promotion of B.Tech graduates to BS-18 but has malafidely issued a combined Seniority list of B.Sc & B.Tech graduates, so that before any prospects of promotion are ripe for the B.Tech graduates, they will keep on retiring and none will get promoted. (as is evident from the instant seniority list) On the other hand, by preempting this issue, all the Sister Engineering Depts. in KP have adopted separate Cadre / Seniority lists for B.Tech (Hons) Graduates for their service progression.</p>
2.	15		Shaukat Ullah Shah*		28/08/1962	Lakki Marwat	14/03/1988	04/11/2016	Retired* 27/08/2022.	
3.	26	02	Ali Rehman		12/11/1964	Malakand	13/03/1988	04/01/2018	11/11/2024	
4.	39	03	Saeed Ullah		13/07/1964	Kohat	14/03/1988	07/10/2019	12/07/2024	
5.	40	04	Mohammad Jamshed		15/04/1967	Sawabi	14/03/1988	07/10/2019	14/04/2027	
6.	41	--	Sher Ali Khan*		03/12/1962	Malakand	19/03/1988	07/10/2019	Retired* 30/12/2022	
7.	42	--	Niamat Gul *		12/01/1963	Malakand	19/03/1988	07/10/2019	Retired* 11/01/2023	
8.	43	05	Ajmal Anwar		06/09/1966	Mardan	19/03/1988	07/10/2019	05/09/2026	
9.	44	--	Faisal Saeed		02/11/1962	Mardan	28/03/1988	07/10/2019	Retired* 01/11/2022	
10.	45	06	Aurangzeb - 1		21/05/1964	Peshawar	13/05/1987	07/10/2019	20/05/2024	
11.	46	--	Jehanzeb*		15/04/1962	Bannu	16/12/1990	07/10/2019	Retired* 14/04/2022	
12.	47	07	Farhat Ali		02/04/1965	Peshawar	12/12/1990	07/10/2019	01/04/2025	
13.	48	08	Mohammad Humayun		31/08/1965	Lakki Marwat	06/12/1990	07/10/2019	30/08/2025	
14.	49	09	Nasrullah Khan		05/01/1966	Dir lower	22/12/1990	21/04/2020	04/01/2026	
15.	50	10	Azhar Ali		28/10/1966	Peshawar	15/12/1990	21/04/2020	27/10/2026	
16.	81	11	Mohammad Rafiq Shinwari		15/04/1964	Malakand	12/12/1990	20/01/2022	14/04/2024	
17.	85	--	Shujat Ali *		20/02/1963	Charsada	12/12/1990	20/01/2022	Retired* 10/02/2022	

18.	86	12	Mumtaz Alam	Bachelor of Technology. (Hons)	01/06/1964	Malakand	23/12/1990	20/01/2022	31/05/2024
19.	87	13	Naqeeb-Ullah Khattak		02/01/1971	Karak	27/06/1994	20/01/2022	01/05/2031
20.	88	14	Mohammad Farooq		01/01/1973	Mardan	23/04/1995	20/01/2022	31/12/2033
21.	89	15	Niamat Ullah Khan		06/05/1967	S.W.D	27/04/1995	20/01/2022	05/05/2027
22.	107	16	Murad Ali		20/01/1964	Bannu	31/10/1997	01/04/2022	19/01/2024
23.	108	17	Jawad Aamir		23/10/1982	Mardan	01/08/2006	01/04/2022	22/10/2042

NOTE:

A fresh *Combined Seniority List* is issued by C&W Department on January 01, 2023. The instant Seniority list shows Officers at Sl. No 2, 6, 7, 9, 11 & 17, who got retired. The officers at Sl. No 2 & 7, Mr. Niamat Gul* and Mr. Shaukat Ullah Khan had filed Writ Petitions titled "Niamat Gul SDO & Others" WP No. 1539-P/2021 & Mr. Shaukatullah & others had also filed separate WP No. 2707-P/2021 in PHC in PHC for providing 20% quota for promotion to B.Tech graduates to BS-18 ad above. However both retired, although decision of PHC and The Special Committee recommended promotion quota on analogy of sister Engineering Departments. Both these cases were decided on 24/03/2022, with direction by PHC to the "Special Committee" (constituted by CS KP on 07.09.2021), to resolve the matter of promotion of B.Tech Graduates within 60 days. The "Special Committee" decided the matter on 20.04.2022 and asked C&W Department to forward the case to SSRC for according the quota. C&W department vide No. SOE/C&WD/8-12/2020, dtd June 27, 2022 submitted 1st proposal to Secretary Establishment Department for SSRC(Annex-A) giving 2 proposals, to which the SSRC forum objected and deferred the agenda item on request of DS C&W. C & W again forwarded 2nd proposal to SSRC forum vide No. SOE/C&WD/13-10/2021 on September 13, 2022. The Respondents again voiced their concern and forwarded their grievances to Secretary SSRC and Chief Secretary KP on 15/09/2022. However, no heed was given to the directions of the Honorable PHC or to the decisions of the "Special Committee". (The Special Committee has clearly asked C&W department to provide Separate Quota on the analogy of other Engineering Departments.

The intent of C&W Department is based on malafide intention by disallowing separate seniority for B-Tech for promotion to BS-18, at this time is to press the matter for certain time so that the Senior B.Tech graduates may retire and then to re-convene SSRC meeting to remove B.Tech being fit for BS-18. In case it provides for a separate quota at this time, then B.Tech graduates will be promoted and the chain for promotion will then keep continuing.

SL.NO	DEPARTMENTS / KP	QUOTA % AFFIXED FOR B.TECH IN BS-18	NOTIFICATION / DATE	REMARKS
1	Communication & Works Department, KP	0%	SOE/C&WD/8-12/2022, Dated November 25, 2022	Promotion recommended on seniority cum fitness basis. No specific quota assigned to B-Tech graduates in BS-18, despite clear direction from the <i>Special Committee</i> .
2	Irrigation Department, KP	12%	SO(E)/IRRI/23-5/73/Vol-VI, Dated 24 th August 2021.	In addition to this 12% quota for B.Tech, another 08% quota has also been provided for DAE in BS-18. Gazette Notification issued on 07 th Feb, 2022. (Total 20%)
3	Public Health Engineering Department, KP	08%	SO (Estt) PHED/1-9/2021-22 Dated 07 Feb, 2022	
4	Local Government and Rural Development Deptt. KP	20%	No.AO III/LCB/2-56/2019, Dated 15 th July, 2019	In addition to this 20% quota for B.Tech, another 10% quota has also been provided for DAE in BS-18. (Total 30%)
5	Energy & Power Development, KP		No. SO(E)E&P/5-1/S.ME.I/2016/Vol-1, Dtd 14-09-2018	

Sanctioned Strength of SDOs / AEs Posts in BS-17 in C&W Department = 234 No's.

Sanctioned Strength of Executive Engineers in BS-18 in C&W Department = 101 No's

C&W Department had previously provided 10% quota of promotion for B.Tech Graduates in BS-17

~~ACROSS~~ ③

- 24

Amir D



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN. DEPARTMENT
(REGULATION WING)**

Dated Peshawar, the 07th September, 2021

NOTIFICATION

No. SOR-V(E&AD)7-1/2021: In order to address the issues of B.Sc/B.Tech Engineers, the competent authority is pleased to constitute a Committee comprising of the following:-

- | | |
|--|----------|
| i. Additional Chief Secretary P&D Department | Chairman |
| ii. Principal Secretary to Chief Minister Khyber Pakhtunkhwa | Member |
| iii. Secretary, Establishment Department | Member |
| iv. Secretary, Law Department | Member |
| v. Co-opted Member as deemed by the Committee | Member |

TORs of the Committee

- To consider various aspects of the issue in the prevailing circumstances of B.Sc/B.Tech Engineers.
- To look into the various Courts judgments passed with regard to B.Sc/B.Tech Engineers as per merits of the case.
- To consider the issue in the light of available Service Rules.
- To consider any other issue pertaining to the subject matter.
- The committee shall finalize its recommendations with viable proposals for perusal of the competent authority within 30 days.

Chief Secretary
Khyber Pakhtunkhwa

Edit: No. & Date even.

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department
4. Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
5. PS to Chief Secretary Khyber Pakhtunkhwa.
6. PS to Secretary, C&W Department.
7. PS to Secretary, Irrigation Department.
8. PS to Secretary, PHE Department.

DEPUTY SECRETARY (REG-III)

①

25 Anwar E. [Signature]

1



Judgment Sheet
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT.

W.P.No.1539-P/2021

Niamat Gul and others
Versus
Govt: of KPK through Chief Secretary and others.

Date of hearing 24.03.2022

Mr. Muhammad Zafar Tabirkheli, advocate for petitioners.
M/S Muhammad Sohail, AAG and Qazi Jawad Ehsanullah,
advocate for respondents.

JUDGEMENT

IJAZ ANWAR. J:- Vide our detailed judgement
even dated, in the connected Writ Petition
No.2707-P/2021 "Shaukat Ullah Shah and
another Vs Govt: of KPK through Chief
Secretary and others" this writ petition is
disposed of.

Judge

Judge

Announced on;
Dated. 24.03.2022

D.B. Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Syed Muhammad Attique Shah

Amir

ATTESTED
EXAMINER
Peshawar High Court

E

-26

28

Judgment Sheet

**PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT.**

W.P.No.2707-P/2021

**Shaukat Ullah Shah and another
Versus**

Govt: of KPK through Chief Secretary and others.



Date of hearing 24.03.2022

Mr. Abdur Rauf Rohaila, advocate for petitioners.
M/S Muhammad Sohail, AAG and Qazi Jawad Ehsanullah,
advocate for respondents.

JUDGEMENT

IJAZ ANWAR. J:- By this single Judgement, we propose to decide this as well as the connected Writ Petition No.1539-P/2021 "Niamat Gul and others Vs Govt: of KPK through Chief Secretary and others" as both these petitions have been filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 involving similar controversy. The following prayer has been made in the instant writ petition.

ATTESTED
EXAMINER
Peshawar High Court

“On acceptance of this writ petition:

A. Direct Respondent No.4

**(Secretary
Communication & Works
Department, Government
of Khyber Pakhtunkhwa
being the Chairman of
SSRC to convene SSRC
meeting at the earliest in
accordance with law**

**B. Grant any other relief that
this honourable Court
deems fit and appropriate
in the facts and
circumstances of the
case.”**

2. In essence, petitioners holding B.Tech (Hons) Degree and serving the respondent department as Sub Divisional Officers (BPS-17) seek issuance of direction to the respondents for reservation of 20 % quota for promotion of B.Tech (Hons) Degree holder SDOs (BPS-17) to the post of XEN BPS-18.

3. Comments were called from the respondents which were accordingly submitted

ATTESTED
EXAMINER
Peshawar High Court

wherein they have opposed the issuance of the desired writ.

4. Arguments of counsel for the parties heard and record perused.

5. The main emphasis of the learned counsel for petitioners is that earlier the respondents have initiated process for amendment in the recruitment rules for providing specific quota to the B.Tech Degree Holders, however, no progress is made so far and his only prayer is that the Standing Service Rules Committee shall convene its meeting to decide this issue once for all.

6. It is pertinent to mention here that on an earlier date, the learned AAG had produced a Notification dated 07.9.2021 whereby a Committee was constituted by the Provincial Government in order to address the issue pertaining to the B.Ss/B.Tech Engineering

ATTESTED
EXAMINER
Peshawar High Court

- 28
4

[Handwritten signature]

Degree Holders and their respective promotion quota. This Court vide order dated 18.11.2021 directed the learned AAG to provide the outcome of the meeting of the said Committee.

7. Today, learned AAG produced the relevant minutes of the meeting wherein this issue has been discussed with detail, however, it was decided that certain record be obtained from the associations of both the categories so that the same could be further discussed in the forthcoming meeting of the Committee.

[Handwritten mark]

8. Learned AAG as well as learned counsel for the added respondents have objected on the maintainability of this writ petition on the ground the issue in hand relates to the terms and conditions of service and as such, this issue can only be adjudicated by the Provincial Service Tribunal. We are in complete agreement with the learned AAG and learned counsel representing

ATTESTED
EXAMINER
Peshawar High Court

the respondents to the effect that where the matter relates to the terms and conditions of service of a civil servant, the Service Tribunal has the exclusive jurisdiction and the jurisdiction of this Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, however, in the instant matter, petitioners have merely sought direction of this Court for expediting the matter pending with the Standing Service Rules Committee, because presently the matter in hand is premature particularly for the purpose of filing appeal before the Service Tribunal.

9. We have noted that vide Notification dated 07.9.2021, the Chief Secretary constituted a Committee with certain TORs. It being relevant is reproduced below:

"TORs of the Committee

- To consider various aspects of the issue in the prevailing

ATTESTED
EXAMINER
Peshawar High Court

circumstances of B.Sc/B.Tech Engineers.

- To look into the various Courts judgements passed with regard to B.Sc/B.Tech Engineers as per merits of the case.
- To consider the issue in the light of available Service Rules.
- To consider any other issue pertaining to the subject matter.
- The committee shall finalize its recommendations with viable proposals for perusal of the competent authority within 30 days."

10. Pursuant to the notification above referred, the meeting was convened on 21.12.2021 and this issue was discussed at considerable length, however, for certain clarification, this matter was further to be deliberated in the forthcoming meeting of the Committee.

11. We, therefore, direct the Committee so constituted vide Notification dated 07.9.2021 to abide by the said notification because one of its TORs was *"The Committee shall finalize its recommendations with viable proposals for*

ATTESTED

EXAMINER
Peshawar High Court

[Handwritten mark]

perusal of the competent authority within 30 days." , albeit despite lapse of about 8 months, the matter has not yet been finalized. Accordingly, the Committee is directed to finalize its recommendations within 60 days positively.

12. This and the connected Writ Petition No.2707-P/2021 are disposed of in the above manner.

[Handwritten signature]

Judge

[Handwritten signature]
Judge

Announced on;
Dated. 24.03.2022

D.B. Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Syed Muhammad Attique Shah

No. 51480
Date of Presentation of Application 24/9/2022
No of Pages 9-9
Copying fee _____
Total 36/-
Date of Preparation of Copy 24/9/2022
Date of Delivery of Copy 24/9/2022
Received By Niamat Ullah

[Handwritten signature]

EXAMINED TO BE TRUE COPY
EXAMINER
Sindh High Court, Peshawar
Authorized Under Article 87 of
the Constitution of Pakistan 1973

24 SEP 2022



33 *Annex F*

**GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT**

Dated Peshawar the 24th August, 2021

NOTIFICATION

No. SO(E)/IRR/23-5/73/Vol-VI: 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 Irrigation Department, in consultation with the Establishment Department and Finance Department, hereby direct that in this Department's Notification No. SO(E)/IRR/23-5/73 dated 17.02.2011, the following further amendments shall be made namely:-

AMENDMENTS

In the APPENDIX,-

- (a) under the heading "PART-I ENGINEERING STAFF", against Serial No. 3, in Column No. 5, for the existing entries, the following shall be substituted, namely:-

	5
(a)	Eighty percent (80%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant Engineer, Sub Divisional Officer and Assistant Director possessing Degree in B.E./B.Sc Engineering (Civil or Mechanical) from a recognized University with at least five years service as such and have passed the Professional or Revenue Examination under the prescribed rules.
(b)	Twelve percent (12%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant Engineer, Sub Divisional Officer and Assistant Director possessing Degree in B. Tech (Hons) from a recognized University with at least five years service as such and have passed the Professional and Revenue Examination under the prescribed rules; and
(c)	Eight percent (08%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant Engineer, Sub Divisional Officer and Assistant Director possessing Diploma of Associate Engineering in (Civil, Mechanical, Auto and Electrical) Technology from a recognized Board of Technical Education with at least five years service as such and have passed the Professional and Revenue Examination under the prescribed rules.
<p>Note: A separate seniority list of all the three categories of the Assistant Engineers, Sub Divisional Officers and Assistant Directors shall be maintained for the purpose of promotion"; and</p>	

F
Handwritten signature

(1)

under the heading "PART-V DRAWING ESTABLISHMENT", against Serial No. 26, in Column No. 5, for the existing entries, the following shall be substituted, namely:

5	
(a)	Seventy percent (70%) by promotion, on the basis of seniority-cum-illness, from amongst the holders of the post of Tracer who have qualified the prescribed Examination of Draftsmen with three years service as such; and
(b)	Thirty percent (30%) by initial recruitment".

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Encls: No and date even

Copy of the above is forwarded:-

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Additional Accountant General (PR, Sub Office), Peshawar.
6. All the Commissioners in Khyber Pakhtunkhwa.
7. The Chief Engineers (North/South & Merged Areas) Irrigation Department, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Irrigation Department, Peshawar.
15. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar.
He is requested to supply 200 copies of the printed gazette, for further distribution.
16. PA to Additional Secretary, Irrigation Department, Peshawar.
17. PA to Deputy Secretary (Admin) Irrigation Department.

(ADDUL HAUF)
Section Officer (ES)



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 07th FEBRUARY, 2022

GOVERNMENT OF KHYBER PAKHTUNKHWA PUBLIC HEALTH ENGINEERING DEPARTMENT

NOTIFICATION

Dated Peshawar, the 31st January, 2022.

No.SO(Estt)/PHED/1-9/2020-21: 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 Public Health Engineering Department, in consultation with the Establishment Department and Finance Department, hereby directs that in this Department's Notification No.SO(Estt)/PHED/1-9/2010, dated 06-03-2010, the following further amendments shall be made, namely:

AMENDMENTS

In the APPENDIX:-

- (1) Under the heading "Engineering Cadre":
- (i) against Serial No.03, in Colum No.02, for the existing entry, the following shall be substituted, namely:

"Executive Engineer/Design Engineer/Deputy Director (Technical)/Deputy Director (Labs/Projects) (BPS-18)

- (ii) after Serial No.03, the following new entries shall be inserted in the respective Columns, namely:

3-A	Technical Officer/Deputy Director (M&E) (BPS-18)			<p>"By promotion, on the basis of seniority-cum-fitness from amongst the holders of the posts of Assistant Engineers/Assistant Design Engineers/ Sub Divisional Officers/Assistant Director (Tech)/ Assistant Technical Officer/Assistant Director (M&E)/Assistant Director (Labs)/Assistant Director (Projects), who possesses Degree of B.Tech (Hons) or Diploma of Associate Engineering from a recognized University/ Board with five years' service as such."</p> <p>Note: For the purpose of promotion, joint seniority of B.Tech (Hons) & Diploma holders shall be reckoned from the date of promotion to BPS-17.</p>
-----	--	--	--	---

1367

- (iii) against serial No.04, in column No.05,
- (a) in clause (a), for the words "Five percent", the words "Two percent" shall be substituted;
 - (b) in clause (b), for the words "Five percent", the words "Three percent" shall be substituted;
 - (c) in clause (c), for the words "Three percent", the words "Eight percent" shall be substituted; and
 - (d) after clause (c), as so amended, the following Note shall be inserted; namely:

Note: for the purpose of promotion, the seniority of B.Tech (Hons) Degree holders shall be reckoned from the date of appointment or acquiring the Degree, whichever is later; and

(2) Under the heading "Water Quality (WQ) Laboratory's Technical Staff":

- (i) against Serial No.26, in column No.05, for the existing entry, the following shall be substituted, namely:

"By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Research Officer (Water Quality) with five years service as such."

- (ii) against Serial No.28, in column No.05, for the existing entry, the following shall be substituted, namely:

- (a) Twenty-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Laboratory Assistant who possess at least second class B.Sc Degree in Microbiology or Chemistry from a recognized University, with 5-years service as such; and
- (b) Seventy-five percent by initial recruitment.

- (iii) after Serial No.28, the following new entries shall be inserted, in the respective Columns, namely;

28-A	Laboratory Assistant (BPS-08)	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board with two years Diploma in Laboratory Technician from a recognized Medical Faculty.	18 to 30 years	<ul style="list-style-type: none"> (a) Twenty-five percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Laboratory Technician with 5-years service as such. (b) Seventy-five percent by initial recruitment; and
------	-------------------------------	--	----------------	--

(iv) Against Serial No.29, in Column No.05, for the existing entry, the following shall be substituted namely:

- (a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Laboratory Attendant who possess at least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board and two years Diploma in Laboratory Technician from a recognized Medical Faculty, with 5-years service as such; and
- (b) Fifty percent by initial recruitment.

**SECRETARY TO
GOVT: OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT**

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

36



Government Of Khyber Pakhtunkhwa
LOCAL GOVERNMENT & RURAL DEVELOPMENT DEPARTMENT
LOCAL COUNCIL BOARD.

Handwritten signature

Dated Peshawar, the 13th May 2016.

NOTIFICATION.

NO. LG/RD/ESTT/ 2-8/2016.

The Provincial Government in Local Government & Rural Development Department, with approval of the Board accorded in its meeting held on 1/3/2016, is pleased to amend the criteria provided under Rule-9 (1)(c) of the Khyber Pakhtunkhwa L.Gs-PUGF (Service) Rules, 1981 for the L.Gs-PUGF (Eng. Cadre) BPS 18 (507) as under:-

AMENDMENT

"In column No.5 of S#2 as under:-

After the words "by selection on merit from among persons and in first manner specified in clause (a) of sub-rule(1) of rule-9 with at least five years service in BPS-17" the following words shall be inserted:-

As per following formula:-

- (a) B.Sc BE = 70%
- (b) B.Tech(100s) = 20% **19**
- (c) D.A.E = 10%

Handwritten notes:
22/5/16
19/5/16

CHAIRMAN,
LOCAL COUNCIL BOARD,
KHYBER PAKHTUNKHWA

Encd. of seven the inside.

Copy forwarded to the:-

1. Director, Local Taxes Audit, Khyber Pakhtunkhwa.
2. All Deputy Secretaries, LGD, Khyber Pakhtunkhwa.
3. Chief Engineer, LGD, Khyber Pakhtunkhwa.
4. Section Officer(Instab.), LG&RDD, Khyber Pakhtunkhwa, Peshawar.
5. All Town/Tehsil Municipal Officers in the Province, for information and circulation amongst all PUGF Engineers.
6. IS to Secretary, LGF & PUD, Khyber Pakhtunkhwa.
7. PA to AS/2 Secretary, LG&RDD, Khyber Pakhtunkhwa, Peshawar.
8. PS to Secretary, LGD, Khyber Pakhtunkhwa.
9. For publication/Record file.

Handwritten mark: 11

DEPUTY SECRETARY (ADMIN.)
LOCAL COUNCIL BOARD
KHYBER PAKHTUNKHWA

22/5/16

Handwritten signature

13/5/16

Handwritten signature

GOVERNMENT OF KHYBER PAKHTUNKHWA
ENERGY & POWER DEPARTMENT

92 97

NOTIFICATION

Peshawar, dated the 14-09-2018

No. SO(E)/E&P/S-1/S.M/E.I/2016/Vol-II:- 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 Energy & Power Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. SOG(E&P)/5-10/Electric Inspector/2009, dated 16-10-2010, the following further amendment shall be made, namely:

In the Appendix, after Serial No. 1A, the following new entries shall be inserted, in the respective columns, namely:

AMENDMENT

S.No	Nomenclature of the post	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment
1.	2.	3.	4.	5.
*1B.	Deputy Electric Inspector (Technologist) (BPS-18)	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Electric Inspectors with five (05) years service as such, having qualification of B.Tech (Hon)".



SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ENERGY & POWER DEPARTMENT

38

Handwritten signature or initials.

05

Handwritten initials or marks.

Endst. No. SO(E)/E&P/5-1/S.M/E.I/2016/Vol-II,

Dated , Peshawar the, 14-09-2018

Copy forwarded to the: -

- 1 Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- 2 Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- 3 Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.4.
- ✓ 4 Electric Inspector, Electric Inspectorate, Khyber Pakhtunkhwa, with the request to provide ten copies of the Notification when published in the Government gazette.
- 5 Manager Government Printing & Stationer Department, Peshawar, KPK.
- 6 PS to Secretary Energy & Power Department.


Section Officer (Establishment) 14/9/18

40



41
GOVERNMENT OF SINDH
IRRIGATION DEPARTMENT

Karachi, dated the 16th December, 2013

NOTIFICATION

Ans J

No.A-1/11-2/81-III:-In pursuance of the provisions contained in Sub-Rule (2) of the Rule 3 of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and in partial modification of this Department's Notification No.A-1/11-2/81-III dated 25.02.2005 and in consultation with the Services General Administration and Coordination Department, the method, qualifications and other conditions for appointment in respect of the post of Executive Engineer (Civil/Mechanical) (BS-18) in the Irrigation Department, Government of Sindh, mentioned in column 1 of the table below, shall be as laid down in column 3 thereof:-

TABLE

Name of the post 1	The method of appointment and qualification 2
Executive Engineer (Civil/Mechanical). BPS-18	(i) Eighty percent by promotion from amongst the Assistant Executive Engineers (BS-17), possessing the degree in Civil/Mechanical Engineering having at least five years service in BS-17 in the Civil or Mechanical Branch of the Irrigation Department to which the Officer belongs or length of service as prescribed by the Government from time to time;
	(ii) thirteen percent by promotion from amongst the Assistant Executive Engineers (BS-17), possessing the Diploma or equivalent qualification in Civil or Mechanical Engineering from a recognized Government Institute and having at least five years service in BS-17 in the Civil or Mechanical Branch of the Irrigation Department, to which the Officer belongs or length of service as prescribed by the Government from time to time; and
	(iii) seven percent by promotion from amongst the Assistant Executive Engineers (BS-17), possessing the degree of B. Tech (Hons) in Civil or Mechanical Engineering from a recognized university and having at least five years service in BS-17 in the Civil or Mechanical Branch of the Irrigation Department, to which the Officer belongs or length of service as prescribed by the Government from time to time.

BABAR HUSSAIN EFFENDI
SECRETARY TO GOVERNMENT OF SINDH

Contd. P/2

[Handwritten signature]

- 42

No.A-I/11-2/81-III

Karachi, dated the 16th December, 2013

A copy is forwarded to:

1. The Superintending Sindh Government Printing Press, Karachi, for publication in the next issue of Government Gazette with request that 100 copies of the printed Gazette Notification may please be supplied to the department.
2. The Additional Chief Secretary to Government of Sindh, Planning & Development Department, Karachi.
3. The Administrative Secretariat (All) Government of Sindh, Karachi.
4. The Secretary (Services), Services, General Administration & Coordination Department, Government of Sindh, Karachi.
5. The Secretary (G.A), Services, General Administration & Coordination Department, Government of Sindh, Karachi.
6. The Additional Secretary (Regulation), Services, General Administration & Coordination Department, Government of Sindh, Karachi.
7. The Additional Secretary (SR), Finance Department, Government of Sindh, Karachi.
8. The Secretary Sindh Public Service Commission, with reference to his letter No:PCS (Reg)(15)/2013/263-265 dated 19.11.2013.
9. The Chief Engineer, Irrigation (All).
10. The Superintending Engineers/Directors, Irrigation Department (All).
11. The Section Officer (Regulation-IV), Services, General Administration & Coordination Department, Government of Sindh, Karachi w/r to his UO No.SOR-IV(SGA&CD)1(57)/2004 dated 05.12.2013.

Muhammad Jam Ujjan 16/12/13
(MUHAMMAD JAM UJJAN)
SECTION OFFICER (ADMN-I)



Karachi, dated the 11th January, 2013

NOTIFICATION

Rana K

NO.ED/SO(Admn)12-3/2013:- In pursuance of sub-rule (2) of rule 3 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and in supersession of all Notifications issued in this behalf and in consultation with the Services, General Administration & Coordination Department, Government of Sindh, the method, qualifications and other conditions for appointment in respect of the posts in the Energy Department, Government of Sindh, mentioned in column 2 of the table below shall be as laid down in column 3, 4, and 5 thereof :-

Table

S.NO.	NAME OF POST WITH BS	METHOD OF APPOINTMENT	QUALIFICATION AND EXPERIENCE FOR INITIAL APPOINTMENT	AG LIM
1.	2.	3.	4.	Min - 5
01.	Director (BS-19):	By promotion from amongst the Electric Inspectors (BS-18), Deputy Directors (BS-18) and Field Officers (BS-18), having at least twelve years service in (BS-17) and above in the relevant field in Department.		
02.	Electric Inspector (BS-18) / Deputy Director (BS-18) / Field Officer (BS-18).	(i) Eighty percent by promotion from amongst the Assistant Electric Inspectors (BS-17) / Assistant Directors (BS-17) / District Supervisors (BS-17) / District Village Electrification Officers (BS-17), having Bachelor Engineering (Electrical) / Bachelor of Science, registered with Pakistan Engineering Council in case of an Engineering Degree and at least five years Service in (BS-17), in the relevant field as such; and (ii) Twenty percent by promotion from amongst the Assistant Electric Inspectors (BS-17) / Assistant Directors (BS-17) / District Supervisors (BS-17), possessing B.Tech: (Hons) / DAE in Electrical Technology and having at least five years Service in (BS-17) in the relevant field.		

GOVERNMENT OF Sindh, Karachi

Section Officer (Admn) 1
Energy Department
Government of Sindh

Rana K

03.	In charge MIS (BS-18).	By initial appointment.	Masters of Science / Masters of Engineering (Computer) or Computer System Engineering at least in Second Division from a recognized University having at least five years experience in the relevant field in a government or Semi Government Department registered with Pakistan Engineering Council in case of Engineering Degree.	18
04.	Programmer (BS-17).	By initial appointment.	Bachelor of Computer Science / Bachelor Engineering (Computer) or Computer System Engineering at least in Second Division from a recognized university and registered with Pakistan Engineering Council in case of an Engineering Degree, having at least five years experience in relevant field as such from Government / Semi Government Department.	18 - 2
05.	Assistant Electric Inspector (BS-17) / Assistant Director (BS-17) / District Supervisor (BPS-17) / District Village Electrification Officer (BS-17).	<ul style="list-style-type: none"> (i) Twenty percent by initial appointment; (ii) Thirty percent by promotion from amongst the Assistant Field Officers / Electric Sub-Inspectors / Sub-Engineers / Field Supervisors, having qualification of Bachelor of Engineering (Electrical) / Bachelor of Science, registered with Pakistan Engineering Council in case of an Engineering Degree, and at least five years Service on seniority-cum-fitness basis; (iii) Twenty five percent by promotion from amongst the Assistant Field Officers / Electric Sub-Inspectors / Sub-Engineers / Field Supervisors, possessing qualification of B.Tech:(Hons) (Electrical) and having at least five years experience as such on seniority-cum-fitness basis; and (iv) Twenty five percent by promotion from amongst the Electric Sub-Inspectors / 	Bachelor of Engineering (Electrical) at least in Second Division from a recognized University and registered with Pakistan Engineering Council.	18 - 2

DOCA of Energy Dept/Zahid Saad 2013
 Section Officer (Admn) 2
 Energy Department
 Government of Sindh

Handwritten scribbles and symbols at the bottom of the page, including a signature and various illegible marks.

48

		Sub-Engineers / Field Supervisors, having qualification of Diploma of Associate Engineer in (Electrical) and at least five years experience as such.	
06.	Accounts Officer (BS-17).	(i) By initial appointment; OR (ii) By transfer of an officer from Accounts / Audit Department on tenure basis.	Bachelor of Commerce in Second Division from a recognized university and three years experience in relevant field in Government / Semi Government Department. 18
07.	Superintendent (BS-16).	By promotion from amongst the office Assistants (BS-14) of the Regional Offices / Directorates, having at least five years experience as such.	

MOHAMMAD SOHAIL RAJPUT
SECRETARY TO GOVT. OF SINDH

NO.ED/SO(Admn)12-3/2013:

Karachi, dated the 11th January, 2013

A copy is forwarded for information to:-

1. The Chief Secretary to Government of Sindh, Karachi.
2. The Senior Member Board of Revenue Sindh, Hyderabad.
3. The Additional Chief Secretary (Dev.) P&D Department, Govt. of Sindh, Karachi.
4. The Administrative Secretaries to Govt. of Sindh (All)
5. The Secretary, Sindh Public Service Commission, Hyderabad.
6. The Additional Secretary (Admn) Energy Department, Karachi.
7. The Additional Secretary (Regulation) SGA&CD, Karachi.
8. The Additional Secretary (SR / Admn), Finance Department, Karachi.
9. The Superintendent Sindh Govt. Printing Press, Karachi, with the request to kindly publish the notification in the next Govt. gazette and supply 50 copies thereof to this Department.
- ✓ 10. The Directors / Electric Inspectors / Field Officers (All) Energy Department, GoS. Karachi.
11. The Section Officer-III, SGA&C Department, Govt. of Sindh, Karachi.
12. The Section Officer (Regulation-IV) SGA&C Department, Govt. of Sindh, Karachi.



Please order file.

11/1/13
(SAJID ANWAR SEEHAR)
SECTION OFFICER (ADMN)
FOR SECRETARY TO GOV. OF SINDH



46
Dine L

**GOVERNMENT OF SINDH
WORKS & SERVICES DEPARTMENT**

Karachi dated the 19th March, 2014

NOTIFICATION

No.SOI(W&S)E-W/12-1/2005: In pursuance of Sub-Rule (2) of Rule-3 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules 1974 and in consultation with the Services, General Administration & Coordination Department, Government of Sindh, and in partial modification of this Department's Notification No.EI(C&W)1-34/81-84(86) dated 14-01-1987, the method, qualification and other conditions for appointment in respect of the post of Executive Engineer (BPS-18) (Civil/Mechanical/Electrical) in Works & Services Department, Government of Sindh mentioned in column-2 of the table below:-

TABLE

NAME OF POST WITH BS	METHOD OF APPOINTMENT
1	2
Executive Engineer (Civil/Mechanical & Electrical) (BPS-18)	i) Eighty percent by promotion from amongst the Assistant Engineers B.E in Civil, Electrical or Mechanical Engineering with atleast five years service in BPS-17 on seniority-cum-fitness basis with their respective technology. ii) Thirteen percent by promotion from amongst the Diploma holder Assistant Engineers having Diploma in Civil, Electrical or Mechanical Engineering with atleast five years service in BPS-17 on seniority-cum-fitness basis with their respective technology; and

contd. page-2

Dine L

47

iii) Seven percent by promotion from amongst the Assistant Engineers having B.Tech (Hons) degree in Civil, Electrical or Mechanical Engineering with atleast five years service in BPS-17 on seniority-cum-fitness basis with their respective technology

QAZI SHAHID PERVEZ
SECRETARY TO GOVT. OF SINDH

No.SOI(W&S)E.W/12-1/2005

Karachi dated the 19th March, 2014

A copy is forwarded for information to:-

1. The Additional Chief Secretary (Development), Government of Sindh, Planning & Development Department, Karachi.
2. The Administrative Secretaries (all) Government of Sindh, Karachi.
3. The Secretary (Services), SGA&CD, Government of Sindh, Karachi.
4. The Secretary (G.A), SGA&CD, Government of Sindh, Karachi.
5. The Secretary, Sindh Public Service Commission, Thandi Sarak, Hyderabad (ten copies).
6. The Chief Engineers of Works & Services Department (All).
7. The Superintendent, Sindh Government Press Karachi for publication in the next issue of Sindh Government Gazette with a request to supply 100 copies of Gazette Notification to the undersigned.
8. The Section Officer (Regulation, I), SGA&CD, Government of Sindh, Karachi.
9. The Section Officer (E-II), Works & Services Department.
10. The Deputy Director Planning Monitoring & Evaluation Cell, Works & Services Department.
11. Office order file.

SECTION OFFICER-I
FOR SECRETARY TO GOVT. OF SINDH

48 Dated Quetta the 23rd August, 1997.

NOTIFICATION.

NO.SOR-II(3)12/S&GAD/1533-1673. In exercise of the powers conferred by section 25 of the Balochistan Civil Servants Act, 1974 (IX of 1974), the Government of Balochistan is pleased to substitute the Appendix to the Balochistan Communication and Works Department Civil, Mechanical, Electrical, and Gas Engineers (BPS-17 and above) Service Rules, 1986 namely:-

APPENDIX.

(See Rule 3 (3), 5 and 7 (I).

<u>NO.</u>	<u>NOMENCLATURE OF THE POST.</u>	<u>MINIMUM QUALIFICATION PRESCRIBED FOR INITIAL RECRUITMENT.</u>	<u>METHOD OF RECRUITMENT.</u>
1.	Chief Engineer (B-20)	---	By selection from amongst members of the service holding the post of Superintending Engineer on the basis of seniority-cum-fitness having atleast 17 years service in B-17 and above.
2.	Superintending Engineer (B-19)	---	By selection on the basis of seniority-cum-fitness having atleast 12 years service in B-17 and above from amongst members of the service holding the post of Executive Engineer having a degree in Engineering
3.	Executive Engineer (B-18).	---	a) 80% by promotion on the basis of seniority-cum-fitness having atleast 5 years service in B-17 from amongst the graduate members of the service in the relevant field holding the post of Assistant Engineer. b) 20% by promotion on the basis of seniority-cum-fitness having atleast five years service in B-17 from amongst the members of the service in the relevant field holding the post of Assistant Engineer holding Diploma of Associate Engineer or B-Tech (Hons).

Handwritten signature/initials

Assistant Engineer
(B-17)

Degree in Civil Electrical or
Mechanical Engineering from a
recognized University or
equivalent qualification.

- 49
- a) 70% by initial recruitment.
 - b) 5% by promotion from amongst holder of the post of Sub Engineer holding the degree prior to induction to the Government service provided that in case of non availability of Sub Engineers holding pre service degree in Engineering in the relevant field vacancies reserved for them shall be added to the share of the category of Sub Engineers having acquired degree during service.

- c) 5% by promotion from amongst the holder of the post of Sub Engineers acquiring the Degree during service, provided that in case of non-availability of Sub Engineers acquiring Degree during service the vacancies reserved for them shall be added to the share of the category of Sub Engineers having pre-service degree.

Provided further that in case of non availability of Sub Engineers having pre service Degree or having acquired post-service Degree such vacancies of both these categories be added to the share reserved for Diploma Holder Sub Engineers.

- d) 17% by promotion on seniority-cum-fitness basis having 10 years service as such and having passed such examination or training if any as prescribed by the Government from time to time, from amongst the members of the service holding of the post of Sub Engineers having three years Diploma in Associate Engineers.

- 50

- e) 3% by promotion on seniority-cum-fitness basis having 10 years service as such and having passed examination or training if any, as prescribed by the Government from time to time, from amongst the members of the service holding the post of Sub Engineers having Degree of B-Tech (Hons).

Balor

BY ORDER OF
GOVERNOR BALOCHISTAN

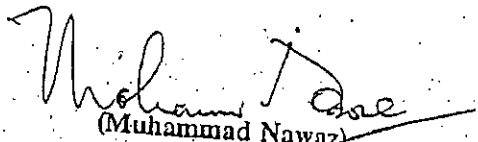
CHIEF SECRETARY,
GOVERNMENT OF BALOCHISTAN

The Controller,
Govt: Printing Press,
Balochistan, Quetta.

NO & DATED EVEN.

A copy is forwarded for information to the:-

1. The Addl: Chief Secretary (Dev:), Planning & Development Department, Quetta.
2. The Chairman, Balochistan Public Service Commission, Quetta.
3. The Chairman, Chief Minister's Inspection Team, Balochistan, Quetta.
4. All the Administrative Secretaries
5. All the Heads of Attached Department, Balochistan
6. All the Under Secretaries / Section Officers in S&GAD.
7. The Principal Secretary to Chief Minister Balochistan, Quetta.
8. The Private Secretary to Chief Secretary Balochistan, Quetta.
9. The Private Secretary to Secretary, S&GA Department, Quetta.
10. The Personal Assistant to Additional Secretary (Reg:), S&GAD, Quetta.
11. The Personal Assistant to Deputy Secretary (Reg:), S&GAD, Quetta.


 (Muhammad Nawaz)
 Deputy Secretary (Reg:),
 S&GAD.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN: DEPARTMENT
(REGULATION WING)

No.SOR-V(E&AD)/7-1/Irrig:
Dated 10th June, 2022.

To

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Secretaries to Govt. of Khyber Pakhtunkhwa,
 - i. Communication & Works Department.
 - ii. Planning & Development Department.
 - iii. Law, Parliamentary Affairs & Human Rights Department.
 - iv. Irrigation Department.
 - v. Public Health Engineering Department.
3. The Advocate General, Khyber Pakhtunkhwa.

Subject: MINUTES OF THE MEETING OF THE COMMITTEE CONSTITUTED UNDER THE CHAIRMANSHIP OF ADDITIONAL CHIEF SECRETARY, P&D DEPARTMENT KHYBER PAKHTUNKHWA HELD ON 20-04-2022.

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith a copy of minutes of the meeting held on 20-04-2022 under the chairmanship of Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa for further necessary action, please.

Yours faithfully,

(Sultan Wazir Khan)
SECTION OFFICER (REG-V)

Enclosed As Above

Endst: of even No. & Date.

Copy forwarded alongwith copy of the said minutes to:-

1. The Additional Secretary (Judicial), Establishment Department, with reference to writ petition No. 2707-P/2021 vide letters No. SO(Lit-I)E&AD/2-5656/2021 dated 30-03-2022 and No. SO(Lit-I)E&AD/2-5656/2021 dated 17-05-2022 for further necessary action.
2. The Assistant Law Officer (Lit), Law Department w/r to his letter No. SO(Lit)/LD/Misc/2022/Shoukatullah & others dated 04-04-2022.
3. PS to Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
4. PS to Secretary Establishment Department, Khyber Pakhtunkhwa.
5. PA to Additional Secretary (R-II), Establishment Department.
6. PA to Deputy Secretary (Reg-III), Establishment Department.


SECTION OFFICER (REG-V)

ATTESTED

ADVOCATE

Subject:

- 52



**MINUTES OF THE COMMITTEE MEETING CONSTITUTED
UNDER THE CHAIRMANSHIP OF ADDITIONAL CHIEF
SECRETARY, P&D DEPARTMENT.**


In order to discuss the issues pertaining to the BSc/B.Tech Engineers second meeting of the Committee was held on 20.04.2022 at 1000 hrs under the chairmanship of Additional Chief Secretary. List of participants is attached.

2. At the outset, the Chair directed the representative of P&D Department to brief/update the meeting. Representative of P&D informed the meeting that the issues were discussed in the previous meeting as per TORs of the Committee and it was decided that necessary documents may be obtained from both the associations of Engineers. The same have been obtained and shared with the P&D Department by Establishment Department. Representative of Establishment Department may therefore, brief the meeting regarding stance of both the Associations of Engineers in support of their demand.

3. Representative of Establishment Department informed the meeting that that B.E/BSc Degree holder Engineers are relying on Pakistan Engineering Council Act, 1976 and operative part of the Supreme Court Judgment dated 24.04.2018 passed in C.P. No.78-K of 2015 Maula Bux Shaikh VS Chief Minister Government of Sindh and others which stipulates that *"the net result of above discussion is that this petition fails. It is dismissed and leave refused, however, with note of caution that government shall not allow or permit any person to perform professional engineering work as defined in the PEC Act, who does not possess accredited engineering qualification from the accredited engineering institution and his name is not registered as a register engineer or professional engineer under the PEC Act."* While stance of the B.Tech (Hons) and Diploma Holders Engineers is that the notified service rules may be implemented by considering their promotion cases under the ibid rules.

4. Highlighting Maula Bux case, representative of Establishment Department informed the forum that as per the Supreme Court of Pakistan Judgment the petitioner

ATTESSED


ADVOCATE

- 53

~~27-~~

(Maula Bux) was B.Sc Engineer appointed as Sub Engineer in the year 1985 in Works and Service Department, Government of Sindh Karachi and subsequently promoted to the post of Assistant Engineer (BS-17) in the year 1997. Plea of the petitioner was that he was a qualified Engineer holding degree of Bachelor of Engineering and his promotion to BS-18 was affected due to 13% and 07% quotas reserved to B.Tech (Hons) Degree holders and Diploma holders Assistant Engineers respectively for promotion to the post of Executive Engineers BS-18. Moreover, Para-16 of the ibid Judgment stipulates that it is the domain of the government concerned to decide whether a particular academic qualification of a civil servant/employee is sufficient for promotion from one Grade to another higher Grade and whereas it is the domain of the Pakistan Engineering Council to decide, as to whether a particular academic qualification can be equated with another academic qualification, but it has no power to say that the civil servants/employees holding particular academic qualifications cannot be promoted from a particular Grade to a higher Grade. The main object of the Act is to regulate the working of professional engineers and consulting engineers and not to regulate the qualifications or the working of the engineers in the government or semi-government departments.

5. Representative of Establishment Department further informed that terms and conditions of service of civil servants are managed and regulated under the Khyber Pakhtunkhwa Civil Servants Act, 1973 and Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. Rule-3(2) of the ibid rules provides that the method of appointment, qualifications and other conditions applicable to a post shall be such as laid down by the Department concerned in consultation with the Establishment and Finance Departments. Service Rules are framed/amended after convening meeting of the SSRC presently centralized in the Establishment Department. He pointed out that Irrigation and Public Health Engineering Departments have provided career progression/promotion chances to the B.Tech (Hons) Degree holders and Diploma holders by amending their relevant service rules.

6. During discussion it was noted that as per existing service rules of C&W Department the requisite qualification for the post SDO/Assistant Engineer (BS-17) is

ATTESTED

ADVOCATE

- 574 -

-34-

Degree in B.E/BSc Engineering (Civil/Mechanical/Electrical) from a recognized University and the post is to be filled as per following method of recruitment:-

- (i) 65% by initial recruitment.
- (ii) 16.50 % from amongst the Sub Engineers who hold a diploma of (Civil Mechanical or Electrical) and have passed departmental professional examination with 10 years service as such.
- (iii) 5% by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers who possess Degree of B.E or BSc Engineering (Civil Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 03 years service as such.
- (iv) 3.5% by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers who acquired Degree of B.E or BSc Engineering (Civil Mechanical or Electrical) during service and have passed Departmental Professional Examination with 03 years service as such.
- (v) 10% by promotion on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B.Tech (Hons) and have passed Departmental Professional Examination with 05 years service as such.

7. It is worth mentioning that career progression for promotion to the Diploma Holder Engineers and B.Tech (Hons) Degree Holders Engineers has already been agreed/provided in BS-17, while it is being refused for their further promotion to BS-18 irrespective of the fact that a joint seniority list of Assistant Engineers (BS-17) is being maintained for the purpose of further career progression. Moreover, promotion chances to (BPS-18) for B.Tech (Hons) and Diploma Holder Assistant Engineers have been provided in Irrigation, PHE, LG&RD and Energy and Power Departments.

8. After threadbare discussion in light of Supreme Court Judgment referred to above, the Khyber Pakhtunkhwa Civil Servants Act, 1973, APT Rules, 1989 and the Peshawar High Court Judgment dated 24.03.2022 regarding convening of SSRC meeting, it was unanimously recommended that C&W Department may review its existing service rules by providing opportunities/chances of promotion to the B.Tech (Hons) degree holders and Diploma holders Assistant Engineers on the analogy of other technical departments i.e Irrigation, E&P and PHE Departments.

WORKING PAPER FOR S.S.R.C

SUBJECT AMENDMENT IN THE EXISTING SERVICE RULES OF C&W DEPARTMENT FOR PROMOTION OF ASSISTANT ENGINEERS B-TECH (HONS)/ASSISTANT ENGINEERS DIPLOMA HOLDER (BS-17) TO THE POST OF EXECUTIVE ENGINEER (BPB-18)

The B-Tech (Hons) holder Assistant Engineers (BS-17) C&WD filed writ petition No 2707-P/2021 & writ petition No 1539 P/2021 in Peshawar High Court Peshawar with the pray to create/reserve 20% quota in the posts of BS-18 & above for the employees having B-Tech (Hons) degree serving as Sub Divisional Officers/Assistant Engineers (BS-17) in respondent Department (C&WD) Annex-I. In the meanwhile, a high level committee was constituted under the chairmanship of Additional Chief Secretary Khyber Pakhtunkhwa in light of Competent Authority (Chief Secretary) directions to be based (the TORs mentioned in the referred Notification (Annex-II)

2. In the afore-referred writ petitions, Peshawar High Court Peshawar has passed the orders on 24.03.2022 (Annex-III) with the verdicts "The committee is directed to finalize its recommendations within 60 days positively"

3. Now in this regard Establishment & Admn. Department has forwarded minutes of the meeting held on 20.04.2022 for further necessary action (Annex-IV). In the minutes, the committee has referred the operative part of the Supreme Court of Pakistan judgment dated 24.04.2018 (Annex-V), which stipulates that "the not result of above discussion is that this petition fails. It is dismissed and leave refused, however, with note of caution that Government shall not allow or permit any person to perform professional engineering work as defined in the PEC Act, who does not possess accredited engineering qualification from the accredited engineering institutions and this name is not registered as a register engineer or professional engineer under the PEC Act".

4. In the concluding para, the committee has mentioned that after thread bare discussion, in light of Supreme Court Judgment, the Khyber Pakhtunkhwa Civil Servants Act, 1973, APT Rules, 1989 and the Peshawar High Court Judgment dated 24.03.2022 regarding convening of SSRC meeting, it was unanimously recommended that C&W Department may review its existing service rules by providing opportunity/ chances of promotion to the B-Tech (Hons) Degree holders and Diploma Holders Assistant Engineers on the analogy of other technical departments i.e. Irrigation, Energy & Power and PHE Departments (Annex-VI).

Handwritten signature

SG

In this connection, C&W Department is of view in light of operative part of Supreme Court of Pakistan judgment dated 24.05.2018 that non-professional posts not exist in C&W Department to consider the promotion of Assistant Engineers (BS-17) holding the B-Tech (Hons) and Diploma Holders, except two (02) Nos post of Deputy Director Technical (BS-18) and one number post of the Senior Engineer (Survey/ RMU) (BS-18) are available against which the promotion of the referred cadres can be considered under the referred Supreme Court of Pakistan judgment. Moreover, as per 10% quota under the existing Service Rules of C&W Department, 23 Nos posts of Assistant Engineers/SDOs (BS-17) are filled by way of promotion from amongst B-Tech (Hons) Sub Engineers.

(i) In order to implement the court directions as well as High Level Committee recommendations, C&W Department suggest the following two proposals for placing before SSRC committee for deliberation and decision:

1. Standing Service Rules Committee (SSRC) is requested to consider the amendment in the existing Service Rules of C&W Department, 2010 for promotion of Assistant Engineers (BS-17) holding the B-Tech (Hons) and Diploma Holders against non-professional posts in the department according to the judgment of Supreme Court of Pakistan and for this purpose a sub-committee may be constituted to analyze and differentiate the existing posts in C&W department in BS-18, 19 & 20 into purely professional and non-professional posts and accordingly submit proposal for amendment in promotion rules of BS-18 in C&W Department.
- OR
2. Standing Service Rules Committee (SSRC) is requested to consider the amendment in the existing Service Rules of C&W Department, 2010 for promotion of Assistant Engineers (BS-17) holding the B-Tech (Hons) and Diploma Holders according to their existing strength to BS-18 on the analogy of other line Departments as recommended by the High Level Committee headed by Additional Chief Secretary.

Sahibul Haq
DEPUTY SECRETARY (ADMN)
C&W DEPARTMENT



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

No. SO(POLICY)/E&AD/2-69/2022
Dated Peshawar, the September 07, 2022

Rana P
SF

To

1. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
2. The Secretaries to Government of Khyber Pakhtunkhwa,
 - Higher Education Department.
 - Communication & Works Department.
 - Science Technology & Information Technology Department.
 - Public Health Engineering Department.
3. The Additional Secretary, Law, Parliamentary Affairs & Human Rights Department.
4. The Additional Secretary (Regulation), Finance Department.
5. The Director, Khyber Pakhtunkhwa, Public Service Commission.

8/11/22
8/11/22
8/11/22

Members of the
Standing Service
Rules Committee.

Subject: MEETING OF STANDING SERVICE RULES COMMITTEE (SSRC)

Dear Sir/Madam,

I am directed to refer to the subject and to enclose herewith a copy of approved minutes of the meeting held on 18/08/2022 under the Chairmanship of Special Secretary (Regulation), Establishment Department, for information, please.

Yours faithfully,

8/11/22
SECTION OFFICER (POLICY)

Encl: as above.
ENDST: NO. & DATE EVEN.

Copy forwarded to:

1. PS to Special Secretary (Regulation), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PA to Deputy Secretary (Policy), Establishment Department.

8/11/22
8/11/22
8/11/22

8/11/22
SECTION OFFICER (POLICY)

8/11/22
8/11/22
Finance Dept.

8/11/22
8/11/22
Law Dept.

77

- 58

Higher Education Department

Agenda Item No. 1: 5-tier structure for college teachers of Higher Education Department.

Representative of Higher Education Department while explaining the agenda item stated that 5-tier Service Structure for the College teachers serving in General and Commerce College working under the ambit of Higher Education Department was approved by Provincial Cabinet. The Administrative Department placed the same in departmental SSRC meeting held on 12.10.2020 and subsequently vetted by Law Department. After vetting by Law Department, the said Service Rules were forwarded to Establishment Department for approval. However, Establishment Department made some observations and returned the same to the department for re-consideration. After re-consideration the said Service Rules were again placed before departmental SSRC held on 01.02.2022 which was unanimously approved and the same got vetted by Law Department. The Administrative Department forwarded again the vetted service to Establishment Department for approval. Since the centralized SSRC was notified in Establishment Department, therefore, Establishment Department advised the Higher Education Department to place the working paper before the centralized SSRC.

After detailed discussion, the draft amendments in the proposed 5-tier structure for college teachers of HED was approved as per Appendix-I. ✓

Communication & Works Department

Agenda Item No. 2: Minutes of the meeting of the committee constituted under the chairmanship of additional Chief Secretary, P&D Department Khyber Pakhtunkhwa held on 20.04.2022.

Agenda Item No. 3: Service Appeal No: 953/2018 Awais-ur-Rehman vs Govt of Khyber Pakhtunkhwa through Chief Secretary and others with concerned Service Appeals No. 954/2018.

Agenda Item No. 4: Insertion of the post plumber against Sr. 24 in column -4(A) for promotion to the post of Junior Clerk in the existing Service Rules of C&W Department.

Representative of C&W Department while presenting the agenda items stated that B-Tech (Hons) degree holder Assistant Engineers (BS-17) in C&W Department filed writ petition in Peshawar High Court with the plea to reserve 20% quota in the posts of BS-18 engineers for the employees having B-Tech (Hons) degree serving as SDO/AE (BS-17). The departmental representative explained his agenda item given in the working paper and requested the forum that the committee may approve one of the proposal given in the working paper. Representative of Establishment Department pointed out that the Administrative Department

bml

53

has not submitted the working paper in the light of instructions issued to all administrative departments. Moreover, the proposal of the Administrative Department with regard to constitution of sub-committee is not the mandate of SSRC. The Communication & Works Department was required to come up with clear proposals/working paper as per recommendations/minutes of the high level committee constituted under the chairmanship of Additional Chief Secretary, Planning & Development Department, already communicated to the C&W Department for necessary action. In response the representative of the C&W Department requested the forum to defer the item for submission of revised working paper with a week time.

After detailed discussion, the forum unanimously agreed to defer the agenda item No. 2 and directed the departmental representative to re-submit the revised working paper on the prescribed format within seven days. Moreover, the representative of C&W Department also requested to defer the remaining agenda items of C&W Department. The request was agreed by the forum.

ST & IT Department

Agenda Item No. 5: Framing of Services Rules for one newly created post of Dy. Director (Network) BS-18 at Directorate General of Science & Technology (DGST).

Representative of ST&IT Department while explaining the agenda item stated that Finance Department has sanctioned new post of Dy. Director Networks BS-18 in the office of Directorate General Science & Technology, Khyber Pakhtunkhwa for which the department has requested for framing of Service Rules. The forum observed that the ST&IT has neither submitted the proposal in the light of existing Service Rules of the administrative department nor the working paper on the prescribed format.

After detailed discussion the forum unanimously defer the agenda item of ST&IT Department and directed the departmental representative to re-submit the working paper on prescribed format.

Public Health Engineering Department

Agenda Item No. 6: Amendments in the Khyber Pakhtunkhwa PHE Department Recruitment & Appointment Rules for the post of Technical Officer/Deputy Director (M&E) BS-18).

Representative of PHE Department while explaining the agenda item stated that PHE Department intends to revisit and suggest amendments in the recruitment and appointment Rules 2010 for the post of Technical Officer/Deputy Director (M&E) BS-18 which are filled by promotion on the basis of seniority cum fitness from amongst the BS-18 employees of the department with five years service as such. The department requested that the word "as such"



-60

Amir Q

4/2

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

No. SO(POLICY)/E&AD/2-69/2022
Dated Peshwar, the September 19, 2022

To

1. The Secretaries to Government of Khyber Pakhtunkhwa, Communication & Works Department.
2. The Additional Secretary, Law, Parliamentary Affairs & Human Rights Department.
3. The Additional Secretary (Regulation), Finance Department.
4. The Director, Khyber Pakhtunkhwa, Public Service Commission.

Members of the
Standing Service
Rules Committee.

Subject:- MINUTES OF THE MEETING OF STANDING SERVICE RULES COMMITTEE HELD ON 16.09.2022

Dear Sir/Madam,

I am directed to refer to the subject and to enclose herewith a copy of approved minutes of Standing Service Rules Committee meeting held on 16.09.2022 under the Chairmanship of Special Secretary (Regulation), Establishment Department, for information and necessary action, please.

Yours faithfully,

MS 19/9/22
SECTION OFFICER (POLICY)

Encl: as above;
ENDST: NO. & DATE EVEN;

Copy forwarded to:

1. PS to Special Secretary (Regulation), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PA to Deputy Secretary (Policy), Establishment Department.

MS 19/9/22
SECTION OFFICER (POLICY)



-61

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

MINUTES OF THE MEETING OF STANDING SERVICE RULES COMMITTEE HELD ON
16.09.2022 AT 1:00 HOURS

Meeting of the Standing Service Rules Committee was held on 16.09.2022 at 1:00 hrs under the chairmanship of Special Secretary (Regulation), Establishment Department in his office to discuss amendments in the services rules of C&W Department. Following officers attended the meeting:

Sr. #	Name of officer	Designation	Department/office
1.	Ms. Tabassum	Addl. Secretary (Admin)	Law Department
2.	Mr. Saeedullah	Additional Secretary	Establishment Department
3.	Muhammad Sohail	Dy. Secretary	C&W Department
4.	Mr. Noor ul Haq	Dy. Secretary (Policy)	Establishment Department
5.	Muhammad Saeed	Dy. Director	Khyber Pakhtunkhwa, Public Service Commission.
6.	Hamid Hussain Shah	Section Officer	Finance Department.

2. The chair welcomed all the participants of the meeting. Opening the discussion the chair asked the representative of the Administrative Department to brief the forum regarding the agenda item. Rep. of C&W Department stated that in compliance with the High Court orders as well as directions of the High Level Committee under ACS P&D and to pave way for promotion of B.Tech and Diploma Holders Assistant Engineers of C&W Department, on the analogy of other technical departments, C&W Department has drafted the instant rules.

3. Representative of C&W Department further apprised the forum that one Mr. Shaukatullah Shah, Retired Assistant Engineer C&W Department filed COC (by name) before Peshawar High Court, Peshawar against Engr. Ejaz Hussain Ansari, Ex-Secretary, C&W Department and Mr. Zulfiqar Ali Shah, Secretary, Establishment Department. The PHC has directed C&W Department to amend the service rules for giving right of promotion to the B.Tech and Diploma holders Assistant Engineers of C&W Department.

4. The draft rules were discussed threadbare. The representatives of Law and C&W Departments opined that as all BS-18 posts of C&W Department are filled 100% by promotion hence there is no need of mentioning qualification in column-3 in the proposed service rules. The forum agreed upon the proposal due to the fact that since joint seniority is being maintained for promotion of Assistant Engineers possessing BSc Engineering degree, B.Tech degree and Diploma holders to the post Executive Engineer BS-18 and other posts and every incumbent can avail promotion according to his inter-se-seniority.

5. After threadbare discussion the forum unanimously approved the proposed service rules as per Appendix-I.

The meeting ended with vote of thanks.

ml

Nomenclature of Post & BPS			Qualification			Age			Method of Recruitment		
Existing	Proposed	Reason	Existing	Proposed	Reason	Existing	Proposed	Reason	Existing	Proposed	Reason
Executive Engineer/ Design Engineer/ Senior Engineer/ Research Officer.	Executive Engineer/ Design Engineer/ Senior Engineer/ Research Officer/ Deputy Director (Tech) Senior Engineer (Survey/RM U)	—	—	—	—	—	—	—	By promotion on the basis of seniority-cum-fitness from amongst the Sub Divisional Officers/Assistant Engineers/Junior Engineers/Assistant Research Officers possessing degree in B.E/B.Sc Engineering (Civil/Mechanical/ Electrical/ from a recognized University, with at least (05) years service as such, and have passed the Professional Examination as prescribed in B&R code.	By promotion on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officers/ Assistant Engineers/Junior Engineers/Assistant Research Officers with at least (05) years service as such and have passed the Professional Examination as prescribed in B&R Code.	In the light of Peshawar High Court Peshawar judgment dated 24.03.2022 in Writ Petition No. 2707-P/20221 and on the recommendations of the committee constituted under the chairmanship of Additional Chief Secretary, P&D Department, the Communication & Works Department has proposed amendments in the service rules in order to provide promotion chances to B.Tech (Hons) and Diploma Holders SDOs (BS-17) for promotion to the post of Executive Engineer (BS-18).

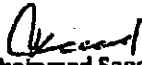


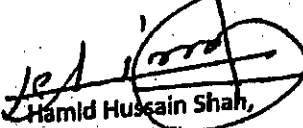
63


GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)


44-

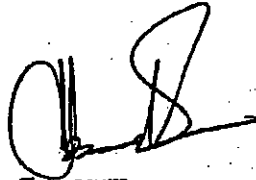
MINUTES OF THE MEETING OF STANDING SERVICE RULES COMMITTEE HELD ON 16.09.2022



Muhammad Saeed
Deputy Director,
Public Service
Commission
For SSC held on
16-9-22.

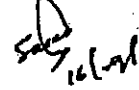

Hamid Hussain Shah,
Section Officer,
Finance Department


Muhammad Sohail
Deputy Secretary,
Communication &
Works Department


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


Ms. Tabassum
Additional Secretary,
Law, Department


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


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

To

The Secretary Establishment,
Govt. of Khyber Pakhtunkhwa,
Establishment Department.


Subject:-

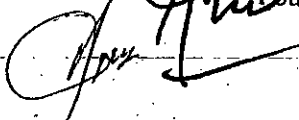
APPEAL FOR FIXATION OF 20% QUOTA IN BS-18 IN C&W DEPARTMENT.

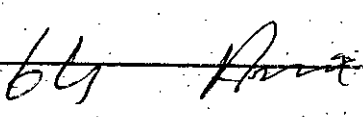
H/Sir,

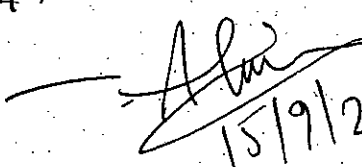
We, the B.Tech (Hons) Engineers working in BS-17 in C&W Department would like to draw your esteemed attention to the following points:

1. For promotion to BPS-17 in C&W Department, the Honorable Peshawar High Court, Peshawar approved 10% Separate quota for B.Tech graduates, which was adopted and in practice, since 2018.
2. In light of the W.P. No. 1539-P/2020-21 & in light of the directions of the Special Committee, the C&W Department, while submitting the earlier Working Paper to SSRC Meeting held on 18-08-2022, it proposed for a separate quota for B.Tech (Hons) in BS-18, 19 and BS 20, in 1st part of the proposal. In working paper, at item II (after OR), it was proposed to provide quota, on the analogy of other Engineering Department as recommended by the Special committee.
3. In the recently submitted 2nd proposed Working Paper by C&W Department, it is now proposing a combined Seniority List of B.Sc and B.Tech. The C&W Department had earlier on denied even allowing Technical Allowance not permissible to B.Tech, then why it is now going for a combined Seniority List if even Technical Allowance was denied earlier on in the same grade (BS-17 & above).
4. It is a known fact that B.Tech graduates (now in BS-17 and down) are initially inducted as Sub-Engineer in BS-12 in C&W Department. During Service, they improve their educational qualification and get a H.E.C recognized degree. At a very belated stage they are promoted to BS-17 through 10% quota. There is no special quota for direct induction of B.Tech degree holders in BS-17 (presently) to give them an equal footing in BS-17. Had there been equality during induction to BS-17 for B.Sc/B.Tech, then common Seniority List would not be an issue.
5. Court Cases WP No 1539/P & WP No 2707/P 2020-21 were filled in PHC, Peshawar for allowing 20% quota in BS-18, which allowed the same and directed the Special Committee accordingly. Later, the Special Committee also directed C&W Department to submit Working Paper for SSRC on the analogy of quota approved/in practice in other sister engineering departments.
6. All sister engineering departments have provided special quota for promotion of B.Tech graduates from BS-17 to BS-18 (and promotions made accordingly), then why C&W is proving itself as a special case.
7. As requested in various appeals previously, the promotions cases of PEC Engineers shall be put on hold/stopped, till 20% quota as allowed by Peshawar High Court, Peshawar/Special Committee is provided to B.Tech Engineers.

(1) NAWAZ CAUL  Your Most Obediently,

(2) AURANGZEB 

64  "R"


15/9/22

PS/Secy E&AD KE
Diary No. 7432/22
FTS No. 15-9-22

R



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, Nov 25, 2022

NOTIFICATION:

No SOE/C&WD/8-12/2022: In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the Establishment Department and Finance Department, hereby notify that in this Department's Notification No. SOE/C&WD/8-12/2009, dated March 25, 2010, the following further amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, under the heading "Engineering Service", for Serial No. 3, the following shall be substituted namely:

Sl. No.	Nomenclature of the Post	Method of Recruitment
1	2	5
3	Executive Engineer/ Design Engineer/ Senior Engineer/ Research Officer/ Deputy Director Technical/ Senior Engineer (Survey/ RML) (BPS-18).	By promotion, on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officer, Assistant Engineer, Junior Engineer and Assistant Research Officers with at least 05 (five) years service as such and have passed the Professional Examination as prescribed in West Pakistan Buildings and Roads Code.

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

End of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Department
5. Managing Director PKHA Peshawar
6. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
7. All Superintending Engineers C&W Circles
8. Superintending Engineer Maintenance Peshawar
9. Superintending Engineer C&W Circle North Waziristan at Bannu
10. Superintending Engineer Mega Projects
11. All Executive Engineers C&W/Building/Highway Divisions
12. Section Officer (R-V) Establishment Department, Peshawar
13. Section Officer (Policy) Establishment Department, Peshawar
14. Deputy Legislation Officer-IV, Law Department, Peshawar
15. Managing Printing Press for publication in the issue of next Govt gazette
16. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar
17. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
18. PS to Secretary, C&W Department, Peshawar
19. PA to Addl. Secretary, C&W Department, Peshawar
20. PA to Deputy Secretary (Admn), C&W Deptt, Peshawar
21. Office File

P. Jaz Khan
(JAZ KHAN)
SECTION OFFICER (Estb) 25/11/22

- 66

Done T

To,

The Honorable,
Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.

Guil
14/12/2022

4181 (w/e)
14-12-2022

o/c

Through:

Secretary,
Communication & Works Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Guil

M. Arif

14/12/2022

Obj No = 12051

14/12/2022

SUBJECT: APPEAL / OBSERVATIONS ON THE NOTIFICATION NO. SOE/C&WD/8-12/2022 NOTIFIED BY C&W DEPTT ON NOV. 25, 2022. (ANNEX-L)

Reference: Application submitted by the U/signed to the Honbl'e Chief Secretary, Khyber Pakhtunkhwa, Dtd. 11 / 10 / 2022, which was forwarded to Office of Secretary C&W office for review, vide CS. Diary No.3329/ (WC); dated 12.10.2022 (before issuance of the instant malafide Notification), regarding the observations over the Working Papers submitted by C&W Deptt. to the SSRC forum, meetings held on 18-08-2022 & 16-09-2022 (Annex-A).

Most Honorable Sir,

We would like to draw your esteemed attention to the following pivotal points regarding the subject matter;

- 1). In order to address the issues of B.Sc/B.Tech Engineers, the competent authority, ordered for a Committee, constituted by your good office along with its TOR's, under the Chairmanship of ACS P&D Dept. with members, (a) Principal Secretary Chief Minister KP, (b) Secretary Establishment Dept. (c) Secretary Law Dept. and (d) a co-opted member, Notification issued vide, No.SOR-V(E&AD)7-1/2021 Dtd. 07.09.2021, with mandate to finalize its recommendations within 30 days (Annex-B).
- 2). As the Special Committee did not resolve the issue within a viable time period, we, the u/signed filled Writ Petition No. 1539-P/2021 "Niamat Gul & others Vs. Govt of KPK" in the Honorable PHC for provision of 20% separate promotion quota to BS-18 and above, for B.Tech Graduates of C&W Dept.(Annex-C). Replying in the court, the respondent C&W Deptt. through the AAG had put forward the aforesaid Notification dated 07.09.2021 and submitted that, in order to resolve the issue, for providing promotion quota to the Petitioners, a Special Committee was already constituted by the Provincial Government. During proceedings, the Court directed the AAG on 18.11.2021 to put forward the outcome of the Committee. However, by that time the Committee had not decided the matter as tasked. The Honorable PHC, while disposing the case on 24.03.2022, had directed The Special Committee to finalize its recommendations with viable proposals regarding the matter of promotion of the petitioners within 60 days (Annex-D). Accordingly, the Special Committee decided the matter on 20.04.2022 and the decision thereof conveyed to Secretary C&W and others, through letter No. SOR-V(E&AD)7-1/lrrig:

T

Dtd: June 10th, 2022 (Annex-E). The Committee had noted that service progression was already ensured to C&W SDO's in BS-17 but they were denied onward promotion in BS-18 and above. The Committee noted that (in Para's 5, 6, 7 & 8), service progression was already ensured in Irrigation, PHED, Energy & Power and LG&RD departments in Khyber Pakhtunkhwa, whereas the same was denied to B.Tech graduates of C&W Department. After threadbare analysis of the Judgment of the August Court, KP Civil Servants Act 1973 and APT Rules 1989, the Committee directed C&W Department to amend its service rules on the analogy of other Engineering departments and to provide quota to its B.Tech (Hons) employees. (N.B): All sister Engineering Departments in KP have made regular promotions of their B.Tech Employees through separate quotas allowed for their promotion to BS-18 and BS-19. (Annex-E1, E2, E3, & E4).

3). Responding to the Establishment Department earlier Notification (Annex-F), the C&W Dept. submitted its 1st Working Paper on June 27, 2022 (Annex-G) to the SSRC Meeting, that was held on 18-08-2022, wherein it had proposed, in item 6 (i) for creation of separate stream for promotion of B.Tech (Hons) and to analyze & differentiate posts in BS-18, BS-19 and BS-20. Further, (after OR) in Para (b), C&W had proposed to provide a quota for promotion to B.Tech graduates in BS-18 on the analogy of other Engineering Departments as recommended by the Special Committee. During discussion over agenda item No.2, the Establishment Dept. conveyed that the working paper was not submitted in light of instructions conveyed to all departments on June 10, 2022. The forum did not agree to the recommendations put forward by C&W Dept. in the instant working paper and directed C&W Deptt. to resubmit the working paper within a week time, in light of recommendations of the Special Committee headed by ACS P&D Dept. Moreover, the representative, Dy. Secretary C&W Department, also requested the forum to defer the items so that they may resubmit the working paper. Minutes of Meeting were issued duly signed by participants and Spl. Secy. Reg. Estab Deptt. (Annex-H).

4). C&W Dept. in response to directions of meeting held on 18.08.2022 (1st SSRC), submitted a revised Working Paper to the Secretary Establishment Dept. on Sept. 13, 2022, vide No.SOE/C&WD/13-10/2021(quota)(Annex-I), mentioning therein, that the revised working paper was being submitted to the SSRC forum in light of directions conveyed during 1st SSRC meeting and in light of directions of the special committee. However, it was a total malafide cover-up. In the annexed Draft Working Paper, C&W Dept. had proposed for promotion of B.Tech graduates from BPS-17 to BPS-18, on the basis of Inter-Se Seniority from amongst joint seniority list of B.Sc. & B.Tech graduates. The C&W dept., under Reason column, referred to (i) the judgment of PHC dtd.24.03.2022 and (ii) decision of the Special Committee, directing it to act on the analogy of other Engineering Departments. Preempting this injustice and the coated malafide intentions in the proposal, we approached the Secretary Estab. Dept. with a joint application, on 15-09-2022, Diary No.7433/WE (Annex-J), with an appeal for fixation of a separate quota on analogy of other Engineering depts. as directed by the Special Committee. We clearly mentioned therein that B.Tech (Hons) graduates (now in BS-17 and down) are initially inducted as Sub-Engineers in BS-12, having DAE. During Service, they had improved their educational qualification and at a very belated stage, they were promoted to BS-17. Had there been equal opportunities for direct induction for both B.Sc. & B.Tech in BPS-17, then a common Seniority List would not have been an issue. We also mentioned that the instant proposal of C&W was in total contrast with the directions of the Special Committee and C&W's earlier proposal at item 2 (ii) of the 1st Working Paper. After 1st SSRC, C&W department had itself committed at the

68

forum, to resubmit the revised working paper as directed by Establishment department during 1st SSRC meeting held on 18.08.2022. In present scenario, it will finish all prospects of B.Tech graduate's further promotions. However, members of both Establishment & Law departments, (Secretaries of Law & Establishment depts. both being members of The Special Committee constituted by CS KPK), did not object to C&W Dept.'s 2nd SSRC proposal and had approved the proposal of 2nd working paper and accordingly minutes were issued on Sept 19, 2022, vide No.SO(POLICY)/E&AD/2-69/2022(Annex-K).

5). In light of the fore mentioned and before issuance of the Notification of 25.11.2022, we approached your good office and submitted a detailed self-explanatory application on 12.10.2022 Diary No. 3329(W/C) (Annex-D). This application was sent to the office of Secy C&W for comments / remarks. Accordingly, we had a meeting with Secretary C&W in his PHED office. During this meeting it was conveyed that under his very own able guidance, the PHE Deptt had issued Notification No.SO(Estt)/PHED/1-17/2022 under which B-Tech Graduates were promoted as regular XEN / D.D and T.O's from BPS-17 to BPS-18 on July 27, 2022 (Annex-M), in accordance with the direction of The Special Committee. It is also worth mentioning that PHE dept. by amending its service rules has created separate seniority list for promotion of B.Tech & Diploma holders from BPS-17 to BPS-18. However, while amending service rules for C&W department, we had been denied our just right of promotion.

6). It is also sadly noted that C&W department has mala fide and collectively prevailed to diminish the prospects of further promotion of B.Tech graduates and is still trying to promote the services of only PEC registered B.Sc / BE engineers in the forthcoming PSB meetings so as to permanently close the vacant seats in BS-18. Hence, as previously appealed in our applications, the promotions cases of PEC Engineers shall be put on hold / stopped, till the 20% quota, as allowed by the Peshawar High Court, Peshawar and The Special Committee is provided to B.Tech Engineers, promotions are made accordingly and Separate seniority shall be immediately notified on the analogy of other Engineering Departments.

7). Here it would also not be out of place to mention that Secretaries of both the Establishment and Law Departments, initially being co-members of the Special Committee, had, agreed for provision of separate quota for promotion of B.Tech graduates through separate quota. However, we feel it unjust and biased that although timely notice of Establishment and C&W departments was drawn to the decision of the P.H.C; Peshawar and the Special Committee, but in vain.

Sir, lastly as you may know, the Special Committee's stance on the fate of much hyped, Maula Bakhsh Case, CP No. 78-K, contested a lot by PEC graduates, (status recorded in the Minutes Dtd. 20.04.2022, Para 4 of minutes). It is further to bring into your esteemed notice, that other similar nature case filed by PEC Engineers against promotions of B.Tech Graduates in the August Court in CP No 3455 of 2020 has also been dismissed by Justice Gulzar Ahmad, Chief Justice on December 01, 2021 and "leave refused" (Annex-N). Also, in a review case filled in the Supreme Court of Pakistan, CP No. 21 of 2022, to review the aforementioned CP No 3455 of 2020, too has been "dismissed" on 13.06.2022 (Annex-O). Moreover, your just esteemed attention is also drawn to the fact that C&W department, Govt of Sindh had earlier on sought clarification from Law Department, Sindh, regarding promotion of B.Tech (Hons) graduates against the posts of Executive Engineers. In this regard C&W Sindh was conveyed vide letter, dated 06th July, 2019, that there was no bar on posting B.Tech (Hons) graduates on field postings and that they can be posted as Executive Engineers (Annex-P).

- 69

In light of the fore mentioned facts, we request your just honour to order withdrawing of the instant malafide Notification issued on 25.11.2022 and by considering this application, in light of the afore mentioned Court's Decisions and the recommendations of the Special Committee, orders for separate quota for B.Tech graduates be issued to ensure timely promotions of B.Tech Graduates of C&W dept. in the upcoming PSB. We also earnestly request your esteemed direction that all cases of promotion to BS-18 of PEC Engineers be stopped till the instant issue is amicably resolved by providing us our due share for promotion to BS-18 and above.

Dated: Dec. 12th, 2022

B.Tech (Hons), SDO's, C&W Department,

1. Mr. Niamat Gul Khan SDO, Mega Projects, Mardan.
(0336 5965523)

2. Mr. Ghazanfar Khan SDO, Mega Projects, Peshawar.
(0300 5762801)

3. Mr. Aurangzeb Khan, SDO, PRIP, Peshawar.
(0333 9117560)

4. Mr. Farhat Ali, SDO Building, North Waziristan.
(0300 5985239)

5. Mr. Mohammad Humayun, SDO, Highway Division 1, Peshawar.
(0346 9132599)

6. Mr. Azhar Ali, SDO, Building Division, Peshawar.
(0331 8800131)

Copy of above is forwarded for information to & with a humble request to ensure Justice in light of the Decision of Peshawar High Court, Dtd: 24.03.2022 and Recommendations of the Special Committee notified Dtd: 10th June, 2022.

- 1). Registrar, Peshawar High Court, Peshawar.
- 2). Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 3). Secretary, Establishment Department, Khyber Pakhtunkhwa.
- 4). Secretary, Law Department, Khyber Pakhtunkhwa.
- 5). Additional Secretary, Establishment Department, Khyber Pakhtunkhwa.
- 6). Special Secretary, (Reg.) Establishment Dept. Peshawar.
- 7). P.S. to Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa.

16-12
15/12

16-12-22

15/12/22

15-12-22

15/12

WAKALAT NAMA

IN THE COURT OF Service Tribunal Peshawar

Farhatullah

Appellant(s)/Petitioner(s)

VERSUS

Graft

Respondent(s)

I/We _____ do hereby appoint **Mr. Khaled Rehman**, Advocate, Supreme Court, **Mr. Muhammad Amin Ayub & Muhammad Ghazanfar Ali**, Advocates in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

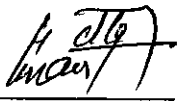
AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.


In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by



Khaled Rahman,
Advocate,
Supreme Court of Pakistan


Signature of Executants

&


Muhammad Amin Ayub
Advocate, High Court

&


Muhammad Ghazanfar Ali
Advocate, High Court

4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458