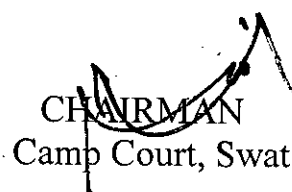


04.12.2017

Learned counsel for the appellant present. Mr. Kabir Ullah Khatta, Learned Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 31.01.2018 before D.B at Camp Court, Swat.



MEMBER



CHAIRMAN  
Camp Court, Swat

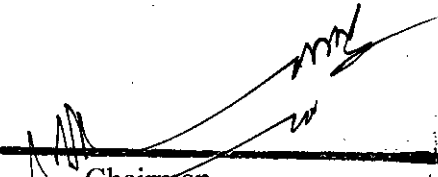
31.01.2018

Counsel for the appellant present and Addl: AG alongwith Khawas Khan, S.I (Legal) for the respondents present. Counsel for the appellant requested for withdrawal of this appeal subject to reserving his right to approach the relevant forum in case of his right is violated.

Request accepted. This appeal is dismissed as withdrawn. File be consigned to the record room.



Member




Chairman  
Camp Court, Swat

**ANNOUNCED**  
**31.01.2018**

1216/2015

04.05.2017

Appellant in person present. Mr. Khurshid Khan, Computer Operator alongwith Mian Amir Qadar, Deputy Attorney for the respondents also present. Witten reply by respondents not submitted despite costs of Rs. 3000/-. Another one more opportunity is granted subject to payment of further costs of Rs. 1000/- which shall be paid by the respondents from their own pockets. To come up for written reply/comments and costs of Rs. 4000/- on 09.06.2017 before S.B at Camp Court Swat.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER  
Camp Court Swat


08.06.2017

Since the tour programme for the month of June, 2017 to camp court Swat has been cancelled by the Worthy Chairman, therefore, to come up for the same on 10.08.2017 at camp court, Swat. Notices be issued to the parties for the date fixed accordingly.

  
Registrar


10.08.2017

Appellant in person and Mian Amir Qadar, DDA alongwith Khursheed Jahan, Computer Operator for the respondents present. Written reply of the respondents received. Cost has been waived by the appellant. The appeal is assigned to D.B for rejoinder, if any, and arguments for 04.12.2017 at camp court, Swat.

  
Chairman  
Camp court, Swat

05.01.2017

Counsel for the appellant and Mian Amir Qadar, GP for the respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost 09.03.2017 before S.B. at camp court, Swat.

  
Chairman  
Camp court Swat.

09.03.2017

Counsel for the appellant and Mr. Hussain Khan, Computer Operator alongwith Mian Amir Qadar, GP for the respondents present. Written reply not submitted despite cost of Rs. 1000/-. One more opportunity is granted subject to payment of further cost of Rs. 2000/- which shall be paid by the respondents from their own pockets. To come up for written reply/comments and total cost of Rs. 3000/- on 04.05.2017 before S.B at camp court, Swat.


  
Chairman  
Camp Court, Swat


04.05.2016

Appellant in person and Mr. Amir Qadir, GP for the respondents present Requested for adjournment. To come up for written reply/comments on 03.08.2016 at camp court, Swat.

  
Chairman  
Camp Court, Swat


03.08.2016

None present for the appellant. Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply not submitted.  . Requested for further adjournment. last opportunity granted. . To come up for written reply/comments 10.11.2016 before S.B at camp court, Swat.

  
Chairman  
Camp court, Swat,

10.11.2016

Appellant present. Mian Amir Qadar, GP for the respondents present. Requested for adjournment. To come up for written reply/comments on 05.01.2017 at camp court, Swat.

  
Chairman  
Camp court, Swat

01.12.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Supervisor (BPS-9) as he was promoted so from the position of Secretary Union Council with immediate effect vide impugned order dated 26.5.2015 communicated to the appellant on 23.6.2015. That the appellant preferred departmental appeal against the said order on 30.6.2015 which was not answered and hence the instant service appeal on 2.11.2015.

That the post of Supervisor was available in the year 2011 and appellant was eligible to promotion to the said post in the said year and as such entitled to promotion as Supervisor against the said post with retrospective effect instead of immediate effect.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 30.3.2016 before S.B.

Chairman

30.03.2016

Appellant in person present. Record perused the appeal pertains to the territorial limits of Malakand Division. Notice be issued to the respondents at Camp Court Swat on 4.5.2016 before S.B.

Chairman

Appellant Deposited  
Security & Process Fee

Form- A  
FORM OF ORDER SHEET

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

Case No. 1216 /2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	02.11.2015	<p>The appeal of Mr. Gul Nabi resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2	12.11.2015	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>12-11-2015</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p> <p>Agent of counsel for the appellant present. Seeks adjournment. Adjourned to 1.12.2015 for preliminary hearing before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Chairman</p>

The appeal of Mr. Gul Nabi Supervisor office of the Assistant Director LG&RDD Department Malakand received to-day i.e. on 20.10.2015 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Copy of appointment order mentioned in para 1 of the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copy of order as Assistant on acting charge basis mentioned in para 3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Copy of order attached with the appeal on page 26 is incomplete which may be completed.

No. 1627 /S.T,


Dt. 21/10/2015

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

Copy of the Service Book is already attached as annexure - A, therefore the instant appeal may kindly be fixed for hearing. That there is no need of page No. 26, therefore, the same has been removed from appeal.

  
21/10/2015

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

APPEAL No. 1216 /2015

**GUL NABI**

**VS**

**GOVT: OF KPK**

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**APPELLANT**

THROUGH:   
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**



**BEFORE THE HYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

APPEAL NO. 1216 /2015

D.W.P. Province  
Service Tribunal  
Diary No. 1275  
Date 20-10-15

Mr. Gul Nabi, Supervisor (BPS-09),  
O/O the Assistant Director LG&RD Department,  
District Malakand ..... **APPELLANT**

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director General (LG&RD) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Assistant Director Local Government & Rural Development Department, District Malakand.

..... **RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 26.5.2015 COMMUNICATED TO THE APPELLANT ON 23.6.2015 WHEREBY THE APPELLANT WAS PROMOTED TO THE POST OF SUPERVISOR (BPS-09) WITH IMMEDIATE EFFECT RATHER THAN WITH RETROSPECTIVE EFFECT I.E. WITH EFFECT FROM 2011 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPEAL WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 26.5.2015 may kindly be modify to the extent that the promotion of the appellant to the post of Supervisor (BPS-09) may kindly be ante dated i.e. w.e.f. 2011 (when the said post was lying vacant). Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That appellant was initially appointed as Junior Clerk (BPS-05) in the respondent Department vide order dated 24.12.1975. That after appointment as junior Clerk the appellant started performing his duty quite efficiently and up to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure ..... **A.**

*Represented by*  
*2/11/15*

- 2- That appellant after serving the respondent Department for more than fifteen years as junior clerk (BPS-5) was promoted as Senior Clerk (BPS-07) on seniority cum fitness basis and on the proper recommendation of Departmental Selection Committee vide Notification dated 21.5.1991. Copy of the promotion order is attached as annexure ..... **B.**
- 3- That it is very pertinent to mentioned that appellant has also served the LG&RD Department as Assistant on acting charge basis for period of three years with effect from 01.09.1998 to 31.3.2001. Copy of the order is attached as annexure ..... **C.**
- 4- That before devolution the appellant time and again requested the concerned authority for regular promotion to the post of Assistant BPS-11 but no heed was paid to the said requests of the appellant for regular promotion to the post of Assistant (BPS-11).
- 5- That after devolution of the LG&RD Department the services of the appellant were declared surplus and subsequently vide Notification dated 27.8.2001 the appellant was adjusted as Secretary Union Council in District Malakand. Copy of the order is attached as annexure ..... **D.**
- 6- That after adjustment as Secretary Union Council in District Malakand the appellant started performing his duty as Secretary Union Council quite efficiently and up to the entire satisfaction of his superiors.
- 7- That according to the seniority list of Secretaries union councils of District Malakand circulated on 1.7.2001 the appellant at serial No.1 of the said seniority being senior most employee of the Local Government and Rural Development Department. Copy of the Seniority list is attached as annexure ..... **E.**
- 8- That according to the service rules of LG&RD Department 75% quota has been reserved for promotion of Secretary to the post of Supervisor (BPS-09). That appellant being senior most amongst the Secretaries Union Councils of District Malakand requested for promotion to the post of Supervisor (BPS-09) to the concerned authority I light of the said quota reserved for promotion. Copy of the service rules is attached as annexure ..... **F.**
- 9- That it is very pertinent to mentioned that the said post of Supervisor (BPS-09) is vacant since 2011 which is fully reflected from the budget book of LG&RD Department and as such the appellant being senior most amongst his

colleagues has fully entitled for promotion to the post of supervisor (BPS-09) w.e.f. 2011 but inspite of that the concerned authority did not promoted the appellant to the post of Supervisor BPS-09 with retrospective effect i.e. w.e.f. 2011. Copies of application, synopsis and budget book are attached as annexure ..... **G, H and I.**

**10-** That recently vide Notification dated 26.5.2015 communicated to the appellant on 23.6.2015 the appellant has been promoted to the post of Supervisor (BPS-09) with immediate effect rather than with retrospective effect i.e. w.e.f. 2011. Copy of the promotion order is attached as annexure ..... **J.**

**11-** That appellant feeling aggrieved from the promotion order dated 26.5.2015 filed Departmental appeal before the respondent No.2 but no reply has been received so far. Hence the present appeal inter alia on the following grounds. Copy of the Departmental appeal is attached as annexure ..... **K.**

#### **GROUND:**

**A-** That not allowing/ granted promotion to the appellant to the post of supervisor with retrospective effect by the respondents is against the law, facts and norms of natural justice.

**B-** That the respondent Department has not been treated by the respondents Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.

**C-** That the respondent Department acted in arbitrary and malafide manner by not allowing/granting ante dated promotion i.e. w.e.f. 2011.

**D-** That as the said post is lying vacant since 2011 which is fully reflected from the budget book of 2011 of the LG&RD Department and appellant being the senior most employ amongst his colleagues of LG&RD Department of District Malakand, therefore, the dictates of justice demands that such promotion should be made with retrospective effect rather than with prospective effect.

**E-** That according to section 7 and 8 of the civil servant Act 1973 read with appointment, promotion and transfer rules 1989 the appellant is fully entitled for anti dated promotion with effect from 2011 will all back benefits.

- F-** That according to the Apex Court judgments the appellant is entitled to be promoted to the post of Supervisor (BPS-09) with retrospective effect i.e. w.e.f. 2011 rather than with prospective effect i.e. 26.5.2015.
- G-** That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

**APPELLANT**



**GUL NABI**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

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

APPEAL NO. \_\_\_\_\_/2015

**GUL NABI**

**VS**

**GOVT: OF KPK**

**APPLICATION FOR CONDONATION OF**  
**DELAY IN FILING THE ABOVE NOTED**  
**APPEAL**

**R.SHEWETH:**

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

**GROUND OF APPLICATION:**

A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.

B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

**APPELLANT**



**GUL NABI**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

**"ANNX"**

A-6

10	11	12	13		Signature of the head of the office or other attesting officer	Reference to any record of punishment or reward or praise of the Government servant
			Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government Period to which debitable		
176 Jul 11	30-11-76	Annual Leave	PROJ. M. S. GOV. OF N.W.F.P.			Services verified from Pay bills record from 1.1.1976 to 30-11-1976.
176 Jul 11	30-11-77	Revision of Pay Scale	MARKAZ A. ORA GOV. OF N.W.F.P.			
177 Jul 11	30-11-77	Annual Leave	MARKAZ A. ORA GOV. OF N.W.F.P.			Appointed as a Junior clerk w.e.f 1.1.1976 vide Director General order No. DD(IRDP) 4(15) Akou Khabak/75 dt. 24.12.75.
22 Aug 11	22-11-78	Transferred to Asst. The office of para manager IRDP Bak Khela.	MARKAZ A. ORA SHATTAR GOV. OF N.W.F.P.			Scale of Pay revised from Rs. 150-6-180/8-220/10-280 to Rs. 270-6-350/12-470 vide G.O. of 14.10.77 Finance department notification No. FD(SO) PR C/1-2/77 dt. 16.5.77 option obtained from the official and posted in the S. Book vide P/1.
						Services verified from Pay bills record w.e.f 1.12.76 to 30-11-77

**PAY MIXED IN THE REVISED NATIONAL SCALES OF PAY (G.O. 150/12-970 OF 1977)**  
 OF Rs. 270-6-350/12-470 vide G.O. of 14.10.77  
 With next increment on 1.12.1977.

ASST. ACCOUNTS OFFICER  
 OFFICE OF THE ACCOUNTANT GENERAL  
 A 24/17/6

Admission Allowance  
 Rs. 155/-  
 Rs. 6/74  
 Rs. 19-6-78  
 21/6

**ATTESTED**

GOVT. OF N.W.F.P.

B-7

Q

~~Annex-0~~

DIRECTORATE GENERAL  
LOCAL GOVT AND RURAL DEV. DEPARTMENT  
N.F.P., PESHAWAR

OFFICE ORDER

Dated Peshawar the 21st March 1998.

No. DG(RWP)Misc (1)/89/C. On the recommendations of Departmental Promotion Committee, the following Junior Clerks of this department are hereby promoted to the post of Senior Clerks (B-7) with immediate effect :-

- | S/No. | Name of Junior Clerk   |
|-------|--|
| 1-    | Mr. Wilayat Ali,<br>office of DD, LGRDD, Mardan.   |
| 2-    | Mr. Yousuf Shah,<br>office of AD, LGRDD, Mansehra.   |
| 3-    | Mr. Qul Nabi,<br>office of AD, LGRDD, Swat.  |
| 4-    | Mr. Sohrab Khan,<br>office of DD, LGRDD, Malakand.   |
| 5-    | Mr. Abdur Rauf,<br>office of the DD, LGRDD, Dirzon.  |
| 6-    | Mr. Mohammad Humayun,<br>Directorate General, LGRDD, NWFP.                                 |
| 7-    | S. Sajjad Ali Shah,<br>Directorate General, LGRDD, NWFP.                                   |
| 8-    | Mr. Misal Khan,<br>Directorate General, LGRDD, NWFP.                                       |
| 9-    | Mr. Jamil Hussain,<br>office of AD, LGRDD, Abbottabad.                                     |
| 10-   | Mr. Rab Nawaz,<br>office of AD, LGRDD, Mansehra.   |
| 11-   | Mr. Sner Azam,<br>presently working with Provincial<br>Election Authority, NWFP, Peshawar. |

*C. Nabi*

*92/2/5*

*Attested*

*M/...*

Accounts Officer  
DCO Office, Malakand.

2. Consequent upon their promotion as Senior Clerks (B-7), the following transfers / postings are hereby ordered :-

S/No.	Name of official.	From	To
1-	Mr. Wilayat Ali, S/Clerk (B-7).	Office of the DD, LGRDD, Mardan.	Posted and adjusted as S/Clerk (B-7) in the same office.
2-	Mr. Yousuf Shah, S/Clerk (B-7).	Office of the AD, LGRDD, Mansehra.	-do-
3-	Mr. Qul Nabi, S/Clerk (B-7).	Office of the AD, LGRDD, Swat.	-do-
4-	Mr. Sohrab Khan, S/Clerk (B-7).	Office of the DD, LGRDD, Malakand.	-do-

**ATTESTED**

*M/...*

1- Mr. Abdur Rauf  
S/Clerk (B-7)

Office of the DD,  
LGRDD, D.I.Khan.

Posted and adjus  
as S/Clerk (B-7)  
the same office.

2- Mr. Mohd. Humayun  
S/Clerk (B-7)

Directorate General  
LGRDD, NWFP, Pesh:

-do-

3- Mr. Sajjad Ali Shah,  
S/Clerk (B-7)

-do-

-do-

4- Mr. Iqbal Khan,  
S/Clerk (B-7)

-do-

-do-

5- Mr. Jamil Hussain  
S/Clerk (B-7)

Office of the AD,  
LGRDD, Abbottabad.

Posted as S/Clerk  
(B-7) in the same  
office vice Mr.  
Mohammad Irshad.

6- Mr. Rab Nawaz,  
S/Clerk (B-7)

Office of the AD,  
LGRDD, Mansehra.

Transferred and  
posted as S/Clk (B-7)  
against a vacant  
post in office of the  
AD, LGRDD, Kohistan.

7- Mr. Farid Ahmad,  
S/Clerk (B-7)

Office of the  
Provincial Election  
Authority, NWFP, Pesh:

Transferred and  
posted as S/Clk (B-7)  
in Dte: General, LGRDD  
NWFP, against a  
vacant post.

8- Mr. Muhammad Iqbal, Senior Clerk (B-7) office of the  
Director General, Local Govt & Rural Development Department, Peshawar  
is posted in Senior Clerk (B-7) in Directorate  
of Peshawar against a vacant post.

Director General  
Local Govt & Rural Dev Deptt  
NWFP, Peshawar.

Dated Peshawar the 21st May, 1991.

Order No. DC(RM) 2(B) / 89/C

Copy of the above is forwarded to :-

- 1- The Assistant General, NWFP, Peshawar.
- 2- The Divisional Directors, Local Govt & Rural Development Department, Mardan, Hazara, Malakand and D.I.Khan.
- 3- The Secretary, Provincial Election Authority, NWFP, Peshawar.
- 4- The Assistant Director, Local Govt & Rural Development Department, Mansehra, Swat, Abbottabad and Kohistan.
- 5- The District Accounts Officers, Mardan, Mansehra, Swat, Malakand, D.I.Khan, Abbottabad and Kohistan.
- 6- The Officials concerned. (7) EA (Gen) of the Dte: General, NWFP, Peshawar.
- 7- Office order file. (9) File No. DC(RM) 2(B) / 73.
- 8- File No. DC (RM) 2 (B) / 73.
- 9- for information and necessary action.

Assistant Director (Admin)  
Local Govt & Rural Development Deptt  
NWFP, Peshawar.

10/10/21.5.91

ORD  
NO. 5  
1991



C-8

8 Signature of Government Servant	9 Signature and position of the head of office or other appointing officer in stations of ranks 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant	
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
						Period			Government to which debitable
								<p>B/F P-No 10 ✓</p> <p>Last Balance out of Total 4130/93600/2</p> <p>Detail of Recovery as below: w.e. 1-8-97 to 31/8/98 (13-months)</p> <p>① P.O. No. 323 dt. 1/9/97 h. 1066/- ✓</p> <p>② P.O. No. 142 dt. 1/10/97 h. 1066/- ✓</p> <p>③ P.O. No. 55 dt. 1/11/97 h. 1066/- ✓</p> <p>④ P.O. No. 33 dt. 1/12/97 h. 1066/- ✓</p> <p>⑤ P.O. No. 66 dt. 1/1/98 h. 1066/- ✓</p> <p>⑥ P.O. No. — dt. 24/1/98 h. 1066/- ✓</p> <p>⑦ P.O. No. 319 dt. 2/3/98 h. 1066/- ✓</p> <p>⑧ P.O. No. 191 dt. 1/4/98 h. 1066/- ✓</p> <p>⑨ P.O. No. 431 dt. 2/5/98 h. 1066/- ✓</p> <p>⑩ P.O. No. 290 dt. 4/6/98 h. 1066/- ✓</p> <p>⑪ P.O. No. 119 dt. 2/7/98 h. 1066/- ✓</p> <p>⑫ P.O. No. 30 dt. 1/8/98 h. 1066/- ✓</p> <p>⑬ P.O. No. 27 dt. 1/9/98 h. 1066/- ✓</p> <p>Total Recy - 13858/13858/-</p> <p>Net Recy to be required - 79742/- (See p-17)</p>	
			<p>Service relieved w.e. 7-12-97 (AN) upto 31/8/98 (AN) from records of the Official</p>					<p>Assistant Director, Local Govt. &amp; Rural Dev. Dept. M. SWAT.</p> <p>Transfer to the Office of AD &amp; Secy Deptt: Shergarh and posted as office Assst. Account in his own pay &amp; Scale vide order No. 199 (Rup) 266/73 dt. 31/8/98.</p>	
								<p>Assistant Director, Local Govt. &amp; Rural Dev. Dept. M. SWAT.</p>	
								<p>Assistant Director, Local Govt. &amp; Rural Dev. Dept. M. SWAT.</p>	

ATTESTED

*[Signature]*

**Amended**

320  
②  
D-9

GOVERNMENT OF N.W.F.P.,  
LOCAL GOVT. ELECTIONS AND RURAL  
DEVELOPMENT DEPARTMENT

DATED PESHAWAR THE 27<sup>TH</sup> AUGUST, 2001

**ORDER.**

**NO.SO(LG-I)4-116/DG/2001.** Consequent upon the restructuring of the Local Government and Rural Development Department in NWFP, the competent authority has been pleased to adjust the following surplus staff of LG & RDD against the newly created posts of Village Secretaries (BPS-6) in Union Councils as noted against each with effect from 1-7-2001:-

Sl. No.	Name of official	Designation, BPS & present place of posting.	Proposed Council	Remarks
1.	Rab Nawaz	Senior Clerk (B-7) LG & RDD, Kohistan.	SUC Dara Shayana, Mansehra.	-
2.	Sher Azam	Senior Clerk (B-7) Dte: General, LG & RDD, Peshawar.	SUC, Hazar Khwani-I, Peshawar.	-
3.	Aziz-Ud-Din	-do-	SUC, Hassan Garhi-II, Peshawar.	-
4.	Abdul Latif	Sr. Clerk, LG & RDD, Tank.	SUC, Paharpur Town Urban, DIKhan.	-
5.	Muhammad Daud	Sr. Clerk, LG & RDD, Abbottabad.	SUC, Dilbori, Mansehra.	-
6.	Aslam Khan	Sr. Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Aza Khel Payan, Nowshera.	-
7.	Ashar Ali Shah	-do-	SUC, Yaka Toot-III, Peshawar.	-
8.	Haqdad Khan	Sr. Clerk, LG & RDD, Charsadda.	SUC-I, Lakki Urban, Lakki Marwat.	-
9.	Saeedur Rehman	Sr. Clerk, LG & RDD, Dir (Upper).	SUC, Balambat, Dir (Upper).	-
10.	Shah Nazar	Sr. Clerk, LG & RDD, Karak.	SUC, Jandri, Karak.	-
11.	Gul Zaman	Sr. clerk, LG & RDD, Lakki, Marwat.	SUC-II, Lakki Urban, Lakki Marwat.	-
12.	Maqboo-lur-Rehman	Sr. Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Samlai Mang, Mansehra.	-
13.	Rehmat Ullah	-do-	SUC, Muryali, DIKhan.	-
14.	Kifayatullah	Sr. Clerk, LG & RDD, Peshawar.	SUC, Tehkal Bala, Peshawar.	-
15.	Saadullah-I	Sr. Clerk, LG & RDD, Bannu.	SUC, Dara Pezu, Lakki Marwat.	-
16.	Muhammad Irshad	Sr. Clerk, LG & RDD, Battagram	SUC, Mansehra City No.2	-
17..	Abdul Hameed	Sr. Clerk, LG & RDD, DIKhan.	SUC, Abdul Khel, Lakki Marwat.	-
18.	Siyar Muhammad	Sr. Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Rashakai, Charsadda.	-
19.	Noor Shah Jehan	Sr. Clerk, LG & RDD, Kohat.	SUC, Palosa Sar, Karak.	-
20.	Iqbal Hussain	Sr. Clerk, LG & RDD, Mardan.	SUC, Totkan, Malakand.	-

**ATTESTED**

Contd: ... P/2...

*[Signature]*

21.	Muhammad Yaqoob	Sr.Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Kakshal-II, Peshawar.	-
22.	S.Sajjad Hussain	Sr. Clerk, LG & RDD, Abbottabad.	SUC, Tora Wari, Hangu.	-
23.	Saadullah-II	Sr.Cerk, LG & RDD, Nowshera.	SUC, Dheri, Mardan.	-
24.	Yousaf Shah	Sr.Clerk, LG & RDD, Mansehra	SUC, Targel Subir Shah, Mansehra.	-
25.	Gul Nabi	Sr. Clerk, LG & RDD, Malakand	SUC, Kharki, Malakand.	-
26.	Muhammad Ajmal	Sr.Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Pabbi, Nowshera.	-
27.	Muhammad Salim	Sr.Clerk, LG & RDD, Haripur.	SUC, Berote Kalan, Abbottabad.	-
28.	Qayum Baddar.	Sr.Clerk, Dte: General, LG & RDD, Peshawar.	SUC, Nothia, Peshawar.	-
29.	Fazal Qayyum Jan	Sr.Clerk, LG & RDD, Bunair.	SUC, Shahi Koat. (Barawal), Dir Upper.	-
30.	Shamrez Anjum	Sr.Clerk, LG&RDD, Swabi.	SUC, Chamhad, Abbottabad.	-
31.	Ihsanul Haq	Sr.Clerk, LG & RDD, Swat.	SUC, Qalagay, Swat.	-
32.	Farhad Khan.	Jr.Clerk (B-5), LG & RDD, Peshawar.	SUC, Mahal Tharai- II, Peshawar.	In his own pay and scale.
33.	Ghulam Mustafa.	Jr.Clerk (B-5)	SUC, Pattan Kallan, Abbottabad.	-do-
34.	Gul Muhammad	Jr: Clerk (B-5), LG & RDD, Battagram.	SUC Parro, Koh istan.	-do-
35.	Mir Shahadat Khan	Tracer, Dte: General, LG & RDD, Peshawar.	SUC, Serai Naurang Town, Lakki.	-do-

SECRETARY TO GOVVT. OF NWFP,  
LOCAL GOVT.ELECTIONS & RURAL  
DEVELOPMENT DEPARTMENT.

Endst.No.SO(LG-1)4-116/DG/2001  
CC.

Dated Peshawar the 27<sup>th</sup> August, 2001

1. All the Administrative Secretaries to Government of NWFP.
2. The Accountant General, NWFP, Peshawar.
3. All the District Coordination Officers in NWFP.
4. All the District Accounts Officers in NWFP.
5. The Director (FATA), LG & RDD, NWFP, Peshawar.
6. The Section Officer (Surplus Pool), E&A Department.
7. The Section Officer-III, LG & RDD.
8. All officials concerned.

*Allesha*

*M. C.*

Accounts Officer  
NCO Office, Malakand

SECTION OFFICER

H.M/-

OFFICE OF THE DISTRICT COORDINATION OFFICER MALAKAND

E-10

No. 6663  
Dtr 11-12-12

To

The Director  
LG&RD Department Government of  
Khyber Pakhtunkhwa Peshawar.

Subject: SENIORITY LIST OF SECRETARIES UNION COUNCIL (BPS-07)

Memo: Reference your memo No DG (LG) Establishment / 2012 dated 05-09-2012

Enclosed please find herewith seniority list of secretaries' union councils District Malakand for favor of further necessary action please.

Asst. Coordination Officer  
Malakand

o/c

No. 6664

Copy forwarded to the Asst. Director LG&RDD Malakand for information please.

Asst. Coordination Officer  
Malakand

o/c

**ATTESTED**

P-NO

11

### SENIORITY LIST OF SECRETARIES UNION COUNCILS DISTRICT MALAKAND W.E.F. 01-07-2001

Name	Designation	Qualification	Domicile	DOB	Date of 1st Appointment	Date of Promotion/ Absorption to the present Post	Present BPS No	Place of Present Posting	Remarks
1. Gul Nabi	Secretary	BA	Malakand	15-09-1958	01-01-1976	01-07-2001	07	UC Kharkai	
2. Qasim Khan	Secretary	Matric	Malakand	12-01-1955	21-03-1979	01-07-2001	07	UC S.Kot Khass	UC 1-1-76, SC 21-5-91, Acting secy 1-9-93 to 31-3-01 secy uc 1-7-01
3. Inam Ul Haq	Secretary	Matric	Malakand	13-10-1955	22-03-1979	01-07-2001	07	UC Btk Lower	
4. Fazal Jamil	Secretary	Matric	Malakand	01-03-1957	01-07-1979	01-07-2001	07	UC Agra Selai	
5. Mohammad Pervez	Secretary	FA	Malakand	15-11-1958	11-11-1980	01-07-2001	07	Patel UC S.Kot Jaded	
6. Iqbal Hussain	Secretary	Matric	Malakand	06-01-1961	27-06-1982	01-07-2001	07	UC Btk Middle	UC 05-82, SC 01-88 Secy 01-09-01
7. Mohammed Qayum	Secretary	BA	Malakand	12-01-1962	07-04-1984	01-07-2001	07	UC Pirkhel	
8. Mohammad Israr	Secretary	BA	Malakand	14-04-1960	20-09-1984	01-07-2001	07	UC Thana Khaas	
9. Mohammad Alamgir	Secretary	BA	Malakand	14-03-1960	03-01-1985	01-07-2001	07	UC Thana Bandajal	
10. Niaz Mohammad	Secretary	BA	Malakand	20-05-1952	23-01-1985	01-07-2001	07	UC Gu Khel	
11. Mohammad Ibrahim	Secretary	FA	Malakand	18-02-1963	05-05-1988	01-07-2001	07	UC Hero shah	
12. Ghulam Shand	Secretary	FA	Malakand	01-02-1962	23-04-1990	01-07-2001	07	UC	
13. Fazal Hassan	Secretary	Matric	Malakand	04-04-1970	16-01-1996	01-07-2001	07	UC	
14. Sajjad Ali	Secretary	FA	Malakand	24-05-1986	23-06-2007	01-07-2001 NIL	07	UC Dehrai Julagram UC S.Kot Bandajal	

ATTESTED

Assistant Director  
 Local Govt. & Rural Devt.  
 Malakand Agency

Continued on p/2

PTO

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P- No (2)

12

2

16	Amir Gul	Secretary	FA	Malakand	28-03-1961	07-06-1979	01-07-2003 ✓	07	UC	AAR Peshawar JC 05-79, SC 11-79, Secy 01-07-03 ✓
17	Hazrat Mohammad	Secretary	MA	Malakand	11-11-1957	15-05-1986	01-07-2001	07	UC Dargai	PA Malakand NO 05-80, JC 11/2000 Secy 01-07-2001. ✓
18.	Fazal Wahid	Secretary	FA	Malakand	01-04-1969	20-01-1990	21-09-2001	07	UC Koper	JC PA Office Malakand ✓
19.	Sohail Ahmad	Secretary	FA	Malakand	05-03-1969	20-06-1991	30-11-2001	07	UC	JC PA Office Malakand. ✓
20.	Mohammad Wahid	Secretary	FA	Malakand	16-02-1972	11-07-1991	30-11-2001	07	UC	JC A.R Coop. adjusted as Secy UC ✓
21.	Ghani Akbar	Secretary	BA	Malakand	25-01-1954	12-09-1992	01-10-2001	07	UC	PA Malakand NO 7-91, JC 5-01, Secy 30-11-01 ✓
22.	Mohammad Ismail	Secretary	FA	Malakand	10-04-1968	12-09-1992	01-10-2001	07	UC Badraga	W/Taker C/W Department adjusted as secy ✓
23	Shaukat Ali	Secretary	FA	Malakand	30-12-1964	09-08-1993	09-07-2002	07	UC	W/Taker C/W Department adjusted as secy
24.	Mohammad Tariq	Secretary	FA	Malakand	20-02-1972	12-07-1994	01-10-2001	07	UC	PA Office Malakand adjusted as Secy UC
25	Mohammad Naeem	Secretary	FA	Malakand	01-05-1969	01-09-1994	21-09-2001	07	UC Warair	PA Office Malakand adjusted as Secy UC
26.	Fazal Mohammad	Secretary	FA	Malakand	01-04-1975	03-09-1995	30-11-2001	07	UC	PA Office Malakand adjusted as Secy UC
27.	Yan Ullah	Secretary	MA	Malakand	15-02-1972	02-06-1996	01-12-2001	07	UC	PA Office Malakand adjusted as Secy UC
28	Salah Ud din	Secretary	Matric	Malakand	15-02-1955	13-11-1985	25-09-2001	07	UC Kot	W/Taker C/W Department
									UC Khar	Adjusted from Assistant Agri. Engineer Office as Secy UC

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ATTESTED

*[Signature]*  
 AD LC-4R.DD  
 Malakand  
 Assistant Director  
 Govt. & Rural Dev.  
 Malakand Agency

Asst. Coordination Officer  
District Malakand

F-13  
ANNEX-2

with attached two pages

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE  
LOCAL GOVT: COOPERATION, SOCIAL WELFARE,  
TOURISM AND RURAL DEVELOPMENT DEPARTMENT.  
=0=

Dated Peshawar the 26th January, 1978.

NOTIFICATION.

No. DG(RWP)7(2)/73. In exercise of the powers conferred by Sub-Rule (2) of Rule 3 of the North-West Frontier Province Civil Servants (Appointment, promotion and transfer) Rules, 1955, and in consultation with the Information, Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualifications and other conditions specified in column 3 to 6 of the Appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said Appendix.

Attested  
MMD 05/6/78  
SESSION OFFICER (GENERAL)  
LOCAL GOVT. ELECTIONS AND  
RURAL DEVELOPMENT DEPT.  
N.W.F.P.

Sd/- (ATTARU REHMAN KHAN)  
Secretary to Govt. of N.W.F.P.  
Local Govt., Cooperation,  
Social Welfare, Tourism and  
Rural Development Department.

No. DG(RWP)7(2)/73.

Copy of the above forwarded to the:-

1. All Administrative Secretaries to Govt. of N.W.F.P.
2. All Divisional Commissioner in N.W.F.P.
3. Secretary to Governor, N.W.F.P.
4. Secretary, Public Service Commission, NWFP, Peshawar.
5. All Heads of Attached Departments in NWFP.
6. All Deputy Commissioner/Political Agents in NWFP.
7. All District and Session Judges in N.W.F.P.
8. Registrar, Peshawar High Court Peshawar.
9. Deputy Secretary-II, I S&G. D.
10. All Section Officers in S&GAD.
11. Section Officer (Legis) Government of NWFP, Law Deptt: with reference to his H.O. No. Reg: 1(4)76/452, dated 8th October, 1977.
12. Section Officer (Inform) Govt. of NWFP, IS&GAD with ref: to his letter No. SOS-III(S&GAD)4-6/75, dated 21st July, 1978.
13. The Manager, Govt. Printing Press, Peshawar for publication in the next Govt. Gazette. 30 copies of the Notification may be sent to this Deptt:.
14. Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to SO-Services-III, IS&GAD No. SOS-III(S&GAD)4-6/75, dated 21st January, 1978.

ATTESTED  
[Signature]

Sl. No.	Nomenclature of post.	Qualification for initial recruitment.	Qualifications for promotion.	Age limit for initial recruitment.	Method of appointment.
1.	2.	3.	4.	5.	6.
1.	<u>DEPUTY DIRECTORS.</u>	a) 2nd Class Master's Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agril: Political Science, Public Admn: Geography or Social Psychology; and b) Five years experience in Agriculture, Animal Husbandry Education, Social Welfare, Planning & Dev: or Forest in Grade-16 or above.	-	Not less than 30 years and not more than 40-year.	i) 25% by initial recruitment, and 75% by selection on merit with due regard to seniority amongst the holders of the posts of Deputy Directors, Rural Development (including defunct Basic Democracies Deptt:) Progress Managers & Progress Officers, with at least 3 years experience as such.
2.	<u>ASSISTANT DIRECTORS/PROJECT MANAGER/PROGRESS OFFICER.</u>	2nd Class Master's Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agriculture, Political Science, Public Administration, Geography or Social Psychology, Physics, Chemistry, Mathematics.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Development Officers and Sub-Divisional Officers (Assistant Engineers).
3.	<u>ACCOUNTS OFFICER.</u>	2nd Class Master's Degree in Commerce/Business Administration, or G.A.S. qualified persons of Pakistan Audit Deptt: or Provincial Local Audit Department.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment, and ii) 50% by selection on merit with due regard to seniority holders of posts Superintendent of the Deptt: with a least three years service as such.
4.	<u>DEVELOPMENT OFFICER.</u>	2nd Class Master Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agriculture, Public Admn: Political Science, Geography or Social Psychology.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment, and ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Supervisors, RD in the Deptt: with at least ten years service.

Note:-

Service in defunct Vill: Aid Deptt: and the purpose of service under this class shall be treated as service in the Department.

**ATTESTED**

*Attested*

05/06/07  
GENERAL  
LOCAL GOVT. ELECTIONS AND  
RURAL DEVELOPMENT DEPTT:  
S. M. P. O.

*[Handwritten signature]*



- 1. 2.
- 3.
- 4.
- 5. SUB-DIVISIONAL OFFICER/ASSTT. ENGINEER. Degree in Engineering or equivalent qualification from a recognised University.
- 6. SUPERINTENDENT.
- 7. ASSISTANT/ ACCOUNTANT. Degree from a recognised university.
- 8. STENOGRAPHERS. (SENIOR SCALE)
  - a) Matriculation or equivalent qualification from a recognised Board and
  - b) Speed of 100 words per minute in Shorthand in English and 40 words per minute in typing.
- 9. OVERSEER. Diploma in Engineering from a recognised Institutes.
- 10. SUPERVISOR, RURAL DEV. Degree from a recognised University.
- 11. SENIOR AUDITOR. Degree from a recognised University.  
 Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts.

- 5. Not less than 21 years and not more than 30 years.
  - i) 75% by initial recruitment and
  - ii) 25% by selection on merit with due regard to seniority from amongst holders of the posts of Overseers.
- 6. By selection on merit with due regard to seniority from amongst holders of the posts of Asstts./Accountants/Senior Stenographers/Senior Auditors, with at least five years experience as such.
  - Not less than 21 years and not more than 25 years.
    - i) 25% by initial recruitment and
    - ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts of Senior Clerks, Junior Auditors in the Deptt. with at least five years service as such.
  - Not less than 18 years and not more than 25 years.
    - i) 25% by initial recruitment; and
    - ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts of Stenographers (Junior Scale).
- Not less than 21 years and not more than 25 years. By initial recruitment.
- Not less than 21 years and not more than 25 years.
  - i) 25% by initial recruitment; and
  - ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts of (Vill: Seoyis) in the Deptt. with at least five years experience as such.
- Not less than 18 years and not more than 25 years.
  - i) 50% by initial recruitment; and
  - ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Junior Auditors/Senior Clerks in the Deptt. at least (3) years service as such.

15

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-: 3 :-

- |   |   |  |  |
|---|---|--|--|
| 12. <u>STENOGRAPHER (JUNIOR SCALE).</u> | a) Matriculation or equivalent qualification from a recognised Board; and<br>b) Speed of 80 words per minute in Shorthand in English and 35 words per minute in typing. | - Not less than 18 years and not more than 25 years. | 1) 50% by initial recruitments and<br>ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Steno-typists in the Department.   |
| 13. <u>STENO-TYPISTS.</u>               | a) Matriculation or equivalent qualification from a recognised Board; and<br>b) Speed of 60 words per minute in Shorthand in English and 25 words per minute in typing. | - Not less than 18 years and not more than 25 years. | 1) Not less than 50% by initial recruitment and<br>ii) Not more than 50% by selection on merit from amongst the holders of the posts of Junior Clerks in the Deptt: with three years service such, who have the minimum qualifications prescribed for initial recruitment. |
| 14. <u>JUNIOR AUDITOR.</u>              | Matriculation or equivalent qualification from a recognised Board.  | - Not less than 18 years and not more than 25 years. | By initial recruitment.  |
| 15. <u>SENIOR CLERKS.</u>               |   |  | By selection on merit with due regard to seniority from amongst the holders of the posts of Junior Clerks in the Deptt: with at least three years service as such.   |
| 16. <u>VILLAGE SECRETARIES.</u>         | Intermediate from a recognised Board.   | - Not less than 18 years and not more than 25 years. | By initial recruitment.  |
| 17. <u>JUNIOR CLERKS.</u>               | Matriculation or equivalent qualification from a recognised Board.  | - Not less than 18 years and not more than 25 years. | 1) Not less than 80% by initial recruitment; and<br>ii) Not more than 20% by selection on merit with due regard to seniority from amongst Daftaries and peons in the Deptt: who have the minimum qualifications prescribed for initial recruitment.                        |

ATTESTED

Attested

05/6/07

SECRETARY TO THE GOVERNMENT OF INDIA

*[Handwritten signature]*

*[Handwritten signature]*

To,

G-16

The Secretary,  
Local Govt: & Rural Devt Deptt;  
Govt; of Khyber Pakhtoon Khwa,  
PESHAWAR.

Subject: APPEAL FOR PROMOTION TO THE POST OF ASSISTANT-8-14-  
OR PROGRESS OFFICER BPS: No. 16.

R, sir,

Respectfully I beg to state that your kind attention is invited to the following few lines in detail regarding my service position in the department of LG&RDD Govt; of KPK is as under:-

1. I was appointed as Junior Clerk in B-05 in LG&RDD vide office order No. DD (IRDP) 4 (13) / 75 dt: 24.12.1975 and performed duties as J/Clerk from 1.1.1976 to 20.5.1991 15 years and 05 months See Annex-A.
2. Later on I was promoted to the post of Senior Clerk in BPS: No. 07 vide office order No. DG (RWP) / Misc: (1) / 89 dt: 21.5.1991 and performed duties as Senior Clerk w.e.f: 21.5.1991 to 30.6.2001 (10 years & 07 months) service Copy enclosed as Annex-B.
3. I have also perform duties as Acting Assistant in my own pay and scale in the office of ADLG&RDD Distt: Shangla since 1.9.1998 to 31.3.2001 (three years) Photo copy of Service book is enclosed as Annex-C.
4. Before 30.6.2001, the undersigned requested seven (7) Nos. in writing through proper channel to Secy: LG&RDD Govt; of KPK for promotion from the post of S/Clerk to the post of Asstt: (8-11) which was handed over on proper token of receipt available on record, but the deptt; did not took action, inspite of clear cut framed rules, 1976 and 1989 due to 26 years service as J/Clerk and S/Clerk in the deptt;.
5. Before Devolution plan I was Senior Clerk in B-07 and after devolution plan 2001 on 1.7.2001 I have been declare as "SURPLUS" and have been adjusted as Secretary, union council in Distt: Malakand vide order dt: 27.8.2001 (Copy enclosed as Annex-D- and served as Secretary, union-council from 1.7.2001 to 23.6.2015 (14-years & 09 months).  
Based on my qualification, experience and seniority amongst the staff of ADLG&RDD Distt: Malakand 75% selection on merit with due regards to seniority amongst the holders of the post of Secretary, u/council in the Deptt; at least five (5) years service as such. My service/Experience is more than the required limit for promotion to the post of Supervisor; as well as Progress Officer (B-16). The break between the post of ~~Secretary~~ Supervisor to Progress Officer. have also been passed as Secretary union council in the same scale as per framed policy vide Order No. DG (RWP) 7(2)/73 dt: 26.01.1975 copy Encl: as Annex-E.

ATTESTED

*[Handwritten signature]*

(17)

My total service on various posts is as under:-

1. Junior Clerk(805) from 1.1.1978 to 20.5.91 ( 15-05 )
  2. Senior Clerk(807) from 21.5.91 to 30.6.2001( 10-07)
  3. Secretary,UC(806) from 1.7.2001 to 23.6.2015( 14-06)
- Total: ( 39-06 )  
-----

Inspite of 39 year and 06 months service in the department I have not yet been promoted to the post of Assistant(8-11)vide S.No.1 & 2 above before devolution plan nor promoted from the post of Secretary,union council to Supervisor(8-09)w.e.f. 1.7.2006<sup>2011</sup> instead of 26/5/2015 as well as Progress Officer(8-16) w.e.f. 1.7.2014 under the appointment/promotion/transfer Rules,1975 and 1989,although these two posts were lying vacant in each Distt:since 2011-12 please.

Obediently yours,

*[Signature]*  
23/6/15

( GUL NABI )

Secretary,  
Union Council, Kharkai, Distt:  
Malakand.

ATTESTED

*[Signature]*

H-18



**OFFICE OF THE ASSISTANT DIRECTOR LG&RDD MALAKAND**

**SYNOPSIS OF THE ACR FORMS IN R/O FIVE SENIOR MOST SECRETARIES OF UC's, DISTRICT MALAKAND W.E.F. (01-01-2009) to-31-12-2013):**

S.No.	Name of Secretary UC	Year of service rendered	Overall Grading	Adverse Remarks (if any)
1	Gul Nabi	1. 01-01-2009 to 31-12-2009	Very Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	
2	Iqbal Hussein	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-2013 to 31-12-2013	Very Good	
3	Qasim Khan	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011		
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-2013 to 31-12-2013	Very Good	

**ATTESTED**

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4	Inamul Haque	1. 01-01-2009 to 31-12-2009	V.Good	Nill
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	
5	Qazi Jamil	1. 01-01-2009 to 31-12-2009	V.Good	Nill
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	

Assistant Director  
LG&RDD, Malakand

ATTESTED

I - (20)

**MD21C22 (17)**  
**LOCAL GOVERNMENT DEPARTMENT**

**062206 ADMINISTRATION**

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2011-2012	2012-2013	2011-2012	2011-2012	2012-2013
			Rs	Rs	Rs
<b>06 HOUSING AND COMMUNITY AMENITIES</b>					
<b>062 COMMUNITY DEVELOPMENT</b>					
<b>0622 RURAL DEVELOPMENT</b>					
<b>062206 ADMINISTRATION</b>					
<b>MD6179 ASSISTANT DIRECTOR LOCAL GOVT. &amp; RDD</b>					
A01 TOTAL EMPLOYEES RELATED EXPENSES.					<u>1,719,000</u>
A011 TOTAL PAY		8			<u>746,400</u>
A011-1 TOTAL PAY OF OFFICERS		2			<u>312,000</u>
✓ A01101 Total Basic Pay Of Officer ✓		2			<u>312,000</u> ✓
A079 Assistant Director (BPS-17)		1			192,000
<u>P085 Progress Officer (BPS-16)</u>		1			120,000
✓ A011-2 TOTAL PAY OF OTHER STAFF ✓		6			<u>434,400</u> ✓
A01151 Total Basic Pay Other Staff		6			<u>434,400</u>
A057 Assistant (BPS-14)		1			96,000
C082 Computer Operator (BPS-12)		1			84,000
<u>S152 Supervisor (BPS-09)</u>		1			74,400
D112 Driver (BPS-04)		1			62,400
C057 Chowkidar (BPS-01)		1			58,800
N005 Naib Qasid (BPS-01)		1			58,800
✓ A012 TOTAL ALLOWANCES					<u>972,600</u> ✓
A012-1 TOTAL REGULAR ALLOWANCES					<u>972,600</u>
A01202 House Rent Allowance ✓					223,920 ✓
A01203 Conveyance Allowance ✓					144,720 ✓
A0120X Adhoc Allowance - 2010 ✓					373,200 ✓
A01217 Medical Allowance ✓					118,800 ✓
A0121A Ad - hoc Allowance - 2011 ✓					111,960 ✓
A03 TOTAL OPERATING EXPENSES					<u>227,000</u>
A032 TOTAL COMMUNICATIONS ✓					<u>15,000</u> ✓
A03201 Postage and Telegraph ✓					5,000 ✓

**ATTESTED**



MD21C22 (17)  
LOCAL GOVERNMENT DEPARTMENT

062206 ADMINISTRATION

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2011-2012	2012-2013	2011-2012	2011-2012	2012-2013
			Rs	Rs	Rs
<b>06 HOUSING AND COMMUNITY AMENITIES</b>					
<b>062 COMMUNITY DEVELOPMENT</b>					
<b>0622 RURAL DEVELOPMENT</b>					
<b>062206 ADMINISTRATION</b>					
<b>MD6179 ASSISTANT DIRECTOR LOCAL GOVT. &amp; RDD</b>					
A03202 Telephone and Trunk Call ✓					10,000 ✓
<b>A033 TOTAL UTILITIES</b>					<u>120,000</u>
A03301 Gas ✓					50,000 ✓
A03303 Electricity ✓					<u>70,000</u> ✓
001 Electricity					70,000
<b>A034 TOTAL OCCUPANCY COSTS</b>					<u>50,000</u>
A03402 Rent for Office Building ✓					50,000
<b>A038 TOTAL TRAVEL &amp; TRANSPORTATION</b> ✓					<u>18,000</u>
A03805 Travelling Allowance ✓					<u>15,000</u>
001 Travelling Allowance ✓					15,000
A03808 Conveyance Charges ✓					3,000
<b>A039 TOTAL GENERAL</b> ✓					<u>24,000</u> ✓
A03901 Stationery ✓					<u>5,000</u>
001 Stationery Charges					5,000
A03902 Printing and Publication					3,000
A03906 Uniforms and Protective Clothing					1,000
A03907 Advertising & Publicity					<u>10,000</u>
001 Advertising and Publicity					10,000
A03970 Others					<u>5,000</u>
002 Other Contingencies					5,000
<b>A09 TOTAL PHYSICAL ASSETS</b> ✓					<u>75,000</u> ✓
<b>A096 TOTAL PURCHASE OF PLANT &amp; MACHINERY</b>					<u>50,000</u> ✓
A09601 Plant and Machinery ✓					<u>50,000</u>
001 Plant and Machinery					50,000 ✓



21

MD21C22 (17)  
LOCAL GOVERNMENT DEPARTMENT

## 062206 ADMINISTRATION

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2011-2012	2012-2013	2011-2012	2011-2012	2012-2013
			Rs	Rs	Rs
06 HOUSING AND COMMUNITY AMENITIES					
062 COMMUNITY DEVELOPMENT					
0622 RURAL DEVELOPMENT					
062206 ADMINISTRATION					
MD6179 ASSISTANT DIRECTOR LOCAL GOVT. & RDD					
A097 TOTAL PURCHASE FURNITURE & FIXTURE					25,000
✓ A09701 Furniture and Fixtures					25,000
001 Furniture & Fixture					25,000
A13 TOTAL REPAIRS AND MAINTENANCE					2,000
✓ A131 TOTAL MACHINERY AND EQUIPMENT					1,000
A13101 Machinery and Equipment					1,000
001 Machinery and Equipment					1,000
A132 TOTAL FURNITURE AND FIXTURE					1,000
✓ A13201 Furniture and Fixture					1,000
ASSISTANT DIRECTOR LOCAL GOVT. & RDD					2,023,000

ATTESTED



5  
5  
15  
JAB

2013/14

(22)

NC21022 (017)  
LOCAL GOVERNMENT DEPARTMENT

011108 LOCAL AUTHORITY ADMIN. &amp; REGULATION

FUNCTIONAL CUM OBJECT CLASSIFICATION  
AND PARTICULARS OF THE SCHEME

NUMBER OF  
POSTS  
2013-2014

BUDGET  
ESTIMATES  
2013-2014

RELEASED  
2013-2014

Rs

Rs

Rs

01 GENERAL PUBLIC SERVICE  
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL  
0111 EXECUTIVE AND LEGISLATIVE ORGANS  
011108 LOCAL AUTHORITY ADMIN. & REGULATION

MD7023 Assistant Director Local Govt.  
Department Malakand

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS 2013-2014	BUDGET ESTIMATES 2013-2014	RELEASED 2013-2014
	Rs	Rs	Rs
01 GENERAL PUBLIC SERVICE			
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL			
0111 EXECUTIVE AND LEGISLATIVE ORGANS			
011108 LOCAL AUTHORITY ADMIN. & REGULATION			
MD7023 Assistant Director Local Govt. Department Malakand			
A01 TOTAL EMPLOYEES RELATED EXPENSES.		15,680,200	15,680,200
A011 TOTAL PAY	64	8,955,400	8,955,400
A011-1 TOTAL PAY OF OFFICERS	2	358,800	358,800
A01101 Total Basic Pay Of Officer	2	358,800	358,800
A079 Assistant Director (BPS-17)	1	220,800	220,800
P085 Progress Officer (BPS-16)	1	138,000	138,000
A011-2 TOTAL PAY OF OTHER STAFF	62	8,596,600	8,596,600
A01151 Total Basic Pay Other Staff	62	8,596,600	8,596,600
A057 Assistant (BPS-14)	1	110,400	110,400
C082 Computer Operator (BPS-12)	1	96,600	96,600
S152 Supervisor (BPS-09)	1	85,600	85,600
V012 Village Secretary (BPS-07)	28	5,750,000	5,750,000
D112 Driver (BPS-04)	1	71,800	71,800
C057 Chowkidar (BPS-01)	1	67,600	67,600
N005 Naib Qasid (BPS-01)	29	2,414,600	2,414,600
A012 TOTAL ALLOWANCES		6,724,800	6,724,800
A012-1 TOTAL REGULAR ALLOWANCES		6,724,800	6,724,800
A01202 House Rent Allowance		870,000	870,000
A01203 Conveyance Allowance		1,457,960	1,457,960
A01207 Washing Allowance		1,200	1,200
A01208 Dress Allowance		1,200	1,200
A0120D Integrated Allowance		104,400	104,400
A0120X Adhoc Allowance - 2010		1,321,100	1,321,100
A01217 Medical Allowance		772,700	772,700
A0121A Ad - hoc Allowance - 2011		396,240	396,240

ATTESTED

*[Signature]*

*[Signature]*

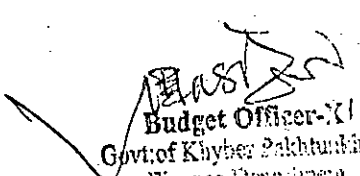
(23)

NC21022 (017)  
LOCAL GOVERNMENT DEPARTMENT

LOCAL AUTHORITY ADMIN. & REGULATION

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS 2013-2014	BUDGET ESTIMATES 2013-2014	RELEASED 2013-2014
	Rs	Rs	Rs
01 GENERAL PUBLIC SERVICE			
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL			
0111 EXECUTIVE AND LEGISLATIVE ORGANS			
011108 LOCAL AUTHORITY ADMIN. & REGULATION			
MD7023 Assistant Director Local Govt. Department Malakand			
A0121M Adhoc Relief Allowance - 2012		1,800,000	1,800,000
A03 TOTAL OPERATING EXPENSES		<u>256,600</u>	<u>198,300</u>
A032 TOTAL COMMUNICATIONS		<u>16,200</u>	<u>8,100</u>
A03201 Postage and Telegraph		5,400	2,700
A03202 Telephone and Trunk Call		10,800	5,400
A033 TOTAL UTILITIES		<u>144,900</u>	<u>136,850</u>
A03301 Gas		64,400	64,400
A03303 Electricity		80,500	72,450
001 Electricity		80,500	72,450
A034 TOTAL OCCUPANCY COSTS		<u>50,000</u>	<u>25,000</u>
A03402 Rent for Office Building		50,000	25,000
A038 TOTAL TRAVEL & TRANSPORTATION		<u>20,100</u>	<u>10,050</u>
A03805 Travelling Allowance		16,800	8,400
001 Travelling Allowance		16,800	8,400
A03808 Conveyance Charges		3,300	1,650
A039 TOTAL GENERAL		<u>25,400</u>	<u>18,300</u>
A03901 Stationery		5,000	2,500
A03902 Printing and Publication		3,200	1,600
A03906 Uniforms and Protective Clothing		1,000	500
A03907 Advertising & Publicity		11,200	11,200
001 Advertising and Publicity		11,200	11,200
A03970 Others		5,000	2,500
001 Others		5,000	2,500
A09 TOTAL PHYSICAL ASSETS		<u>2,000</u>	<u>1,000</u>

**ATTESTED**

  
 Budget Officer-XI  
 Govt. of Khyber Pakhtunkhwa  
 Finance Department

(24)

NC21022 (017)  
LOCAL GOVERNMENT DEPARTMENT

011108 LOCAL AUTHORITY ADMIN. & REGULATION

FUNCTIONAL CUM OBJECT CLASSIFICATION  
AND PARTICULARS OF THE SCHEME

NUMBER OF  
POSTS  
2013-2014

BUDGET  
ESTIMATES  
2013-2014

RELEASED  
2013-2014

Rs

Rs


Rs

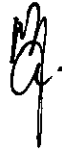
01 GENERAL PUBLIC SERVICE  
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL  
0111 EXECUTIVE AND LEGISLATIVE ORGANS  
011108 LOCAL AUTHORITY ADMIN. & REGULATION

MD7023 Assistant Director Local Govt.  
Department Malakand

A096	TOTAL PURCHASE OF PLANT & MACHINERY		1,000	500
A09601	Plant and Machinery		1,000	500
001	Plant and Machinery		1,000	500
A097	TOTAL PURCHASE FURNITURE & FIXTURE		1,000	500
A09701	Furniture and fixtures		1,000	500
001	Furniture & Fixture		1,000	500
A13	TOTAL REPAIRS AND MAINTENANCE		2,200	1,100
A131	TOTAL MACHINERY AND EQUIPMENT		1,100	550
A13101	Machinery and Equipment		1,100	550
001	Machinery and Equipment		1,100	550
A132	TOTAL FURNITURE AND FIXTURE		1,100	550
A13201	Furniture and Fixture		1,100	550
Assistant Director Local Govt. Department Malakand			15,941,000	15,880,600

**ATTESTED**

  
 Budget Officer-X1  
 Govt. of Khyber Pakhtunkhwa  
 Finance Department



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25

NC21022 (017)  
LOCAL GOVERNMENT DEPARTMENT

011108 LOCAL AUTHORITY ADMIN. & REGULATION

FUNCTIONAL CUM OBJECT CLASSIFICATION  
AND PARTICULARS OF THE SCHEME

NUMBER OF  
POSTS  
2014-2015

BUDGET  
ESTIMATES  
2014-2015

RELEASED  
2014-2015

Rs

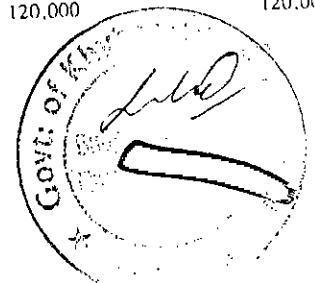
Rs

Rs

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS 2014-2015	BUDGET ESTIMATES 2014-2015	RELEASED 2014-2015
		Rs	Rs
01 GENERAL PUBLIC SERVICE			
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL			
0111 EXECUTIVE AND LEGISLATIVE ORGANS			
011108 LOCAL AUTHORITY ADMIN. & REGULATION			
MD7023 Assistant Director Local Govt. Department Malakand			
A01 TOTAL EMPLOYEES RELATED EXPENSES.		<u>38,515,000</u>	<u>38,515,000</u>
A011 TOTAL PAY	175	<u>16,331,000</u>	<u>16,331,000</u>
A011-1 TOTAL PAY OF OFFICERS	4	<u>727,000</u>	<u>727,000</u>
A01101 Total Basic Pay Of Officer	4	<u>727,000</u>	<u>727,000</u>
A079 Assistant Director (BPS-17)	1	250,000	250,000
A099 Assistant Engineer (BPS-17)	1	202,000	202,000
A057 Assistant (BPS-16)	1	135,000	135,000
P085 Progress Officer (BPS-16)	1	140,000	140,000
A011-2 TOTAL PAY OF OTHER STAFF	171	<u>15,604,000</u>	<u>15,604,000</u>
A01151 Total Basic Pay Other Staff	171	<u>15,576,000</u>	<u>15,576,000</u>
C082 Computer Operator (BPS-12)	1	99,000	99,000
S136 Sub Engineer (BPS-11)	2	169,000	169,000
S152 Supervisor (BPS-09)	1	91,000	91,000
V012 Village Secretary (BPS-07)	82	9,458,000	9,458,000
D112 Driver (BPS-04)	1	74,600	74,600
C057 Chowkidar (BPS-01)	1	69,400	69,400
N005 Naib Qasid (BPS-01)	83	5,615,000	5,615,000
A01152 Personal pay		28,000	28,000
A012 TOTAL ALLOWANCES		<u>22,184,000</u>	<u>22,184,000</u>
A012-1 TOTAL REGULAR ALLOWANCES		<u>22,184,000</u>	<u>22,184,000</u>
A01202 House Rent Allowance		2,235,000	2,235,000
A01203 Conveyance Allowance		3,869,000	3,869,000
A01204 Sumpruary Allowance		120,000	120,000

ATTESTED

*[Signature]*



J-26

OFFICE OF THE DIRECTOR GENERAL  
LOCAL GOVERNMENT & RURAL DEVELOPMENT  
DEPARTMENT KHYBER PAKHTUNKHWA

Dated the Peshawar 26<sup>th</sup> May, 2015

**OFFICE ORDER**

No. Director(LG)/3-12/DPC/2012-13/. Consequent upon the recommendations of the Departmental Promotion Committee in its meeting held on 13.04.2015, the Competent Authority has been pleased to promote Mr. Gul Nabi, Village Secretary Union Council (BPS – 07) to the post of Supervisor (BPS – 09) with immediate effect and to post him as Supervisor (BPS – 09) against the vacant post in the office of Assistant Director LG&RDD, Malakand. On his promotion, the terms & conditions of his appointment will remain the same on which he was appointed.

-sd/-

Director General  
LG&RDD

**Endst of Even No & Date**

Copy of the above is forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Section Officer (Estab), LGE&RDD, Khyber Pakhtunkhwa.
3. Assistant Director, LG&RDD Malakand.
4. District Accounts Officer Malakand.
5. PA to Director General, LG&RDD Peshawar.
6. Mr. Gul Nabi, Supervisor, LG&RDD Malakand.

Revised on 23/06/2015

  
Deputy Director (Admin)  
LG&RDD

ATTESTED



No. 559

For Insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgement is due.

Rs. 28 Ps.

Received a registered\*  
addressed to \_\_\_\_\_

*Sum*

Date Stamp

Initials of Receiving Officer \_\_\_\_\_  
\*Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for Rs. (in figures) \_\_\_\_\_

(in words) \_\_\_\_\_

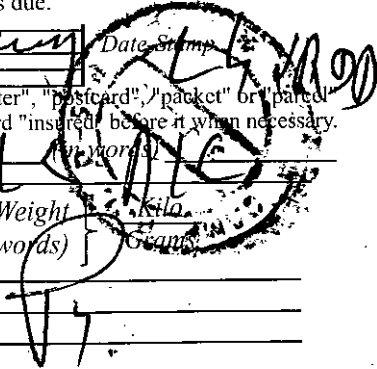
Weight \_\_\_\_\_ Kilo

Grams

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words)

Name and  
address  
of sender

If insured.



NOTICE (1) — The Post Office is not responsible for loss or damage in the case of Inland registered articles, unless they are also insured.

(2) — The special conditions and restrictions as to insurance which will be found in the current edition of the Post Office Guide are binding upon every sender of an insured postal article by virtue of rules prescribed under the Pakistan Post Office Act, 1898.



To

K - (27)

The Honorable Secretary LG & RDD,  
Khyber Pakhtunkhwa, Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE ORDER  
DATED 23.6.2015 WHEREBY THE APPELLANT WAS  
PROMOTED TO THE POST OF SUPERVISOR (BPS-9)  
WITH IMMEDIATE EFFECT RATHER THAN WITH  
RETROSPECTIVE EFFECT I.E. W.E.F. 2011**

**R/SHEWETH:**

- 1- That the appellant was initially appointed as junior clerk (BPS-5) in the Department of LG&RDD vide order dated 24.12.1975. That after appointment as junior clerk the appellant started performing his duty quite efficiently and up to the entire satisfaction of his superiors.
- 2- That appellant after serving the Department for more than fifteen years as junior clerk (BPS-5) was promoted as Senior Clerk (BPS-7) on seniority cum fitness basis and on the proper recommendation of Departmental Selection Committee vide Notification dated 21.5.1991.
- 3- That it is very pertinent to mentioned that appellant has also served the LG&RD Department as Assistant on acting charge basis for period of three years with effect from 1.9.1998 to 31.3.2001.
- 4- That before devolution the appellant time and again requested the concerned authority for regular promotion to the post of Assistant BPS-11 but no heed was paid to the said requests of the appellant for regular promotion to the post of Assistant (BPS-11).
- 5- That after devolution of the LG&RD Department the services of the appellant were declared surplus and subsequently vide Notification dated 27.8.2001 the appellant was adjusted as Secretary Union Council in District Malakand.

**ATTESTED**

6-

That after adjustment as Secretary Union Council in District Malakand the appellant started performing his duty as Secretary Union Council quite efficiently and up to the entire satisfaction of his superiors.



- 7- That according to the seniority list of Secretaries union councils of District Malakand circulated on 1.7.2001 the appellant is at serial No.1 of the said seniority list being senior most employee of the Local government and Rural Development Department.
- 8- That according to the service rules of LG&RDD 75 % quota has been reserved for promotion of Secretary to the post Supervisor (BPS09). That appellant being senior most amongst the Secretaries Union Councils of District Malakand requested for promotion to the post of Supervisor (BPS-9) to the concerned authority in light of the said quota reserved for promotion.
- 9- That it is very pertinent to mention that the said post of Supervisor (BPS-9) is vacant since 2011 which is fully reflected from the budget book of LG&RD Department and as such the appellant being senior most amongst his colleagues has fully entitled for promotion to the post of supervisor (BPS-09) w.e.f. 2011 but inspite of that the concerned authority did not promoted the appellant to the post of Supervisor BPS-9 with retrospective effect i.e. w.e.f. 2011.
- 10- That recently vide Notification dated 20.5.2015 communicated to the appellant on 23.6.2015 the appellant has been promoted to the post of Supervisor BPS-9 with immediate effect rather than with retrospective effect i.e. w.e.f. 2011.
- 11- That as the said post is lying vacant since 2011 which is fully reflected from the budget book of 2011 of the LG&RD Department and appellant being the senior most employee amongst his colleagues of LG & RD Department of District Malakand, therefore, the dictates of justice demands that such promotion should be made with retrospective effect rather than with prospective effect.
- 12- That according to section 7 and 8 of the civil servant Act 1973 read with appointment, promotion and transfer rules 1989 the appellant is fully entitled for anti dated promotion with from 2011 with all back benefits.
- 13- That according to the Apex Court judgments the appellant is entitled to be promoted to the post of Supervisor BPS-9 with retrospective effect i.e. w.e.f. 2011 rather than with prospective effect i.e. 26.5.2015.

ATTESTED



14- That appellant seeks the permission of your good self to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal the appellant may very kindly be promoted to post of Supervisor (BPS-9) with effect from 2011 with all consequential benefits and seniority instead of 26.5.2015. Any other relief which your good self deems fit that may also be awarded in favor of the appellant.

Dated: 30.6.2015

APPELLANT



GUL NABI, SUPERVISOR (BPS-09),  
O/O THE ASSISTANT DIRECTOR LG&RDD,  
DISTRICT MALAKAND

Copy to:

- 1- The Director LG&RD Department Khyber Pakhtunkhwa, Peshawar.
- 2- The Assistant Director LG&RDD District Malakand.

ATTESTED



VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2015

Gul Nabi

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Govt. of KPK

(RESPONDENT)  
(DEFENDANT)

I/We Gul Nabi

Do hereby appoint and constitute NOOR MOHAMMAD KHATTAK, Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_/\_\_\_/2015



CLIENT



ACCEPTED

NOOR MOHAMMAD KHATTAK  
(ADVOCATE)

OFFICE:

Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141

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

In Re:

12/6  
**Service Appeal No 1296/2015**

*M. N.*  
*10/17*

Mr. Gul Nabi ..... (appellant )

**VERSUS**

The Government of Khyber Pakhtunkhwa through Secretary to Govt. of Khyber

Pakhtunkhwa LG&RDD & Others .

..... (Respondents)

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<b>S NO</b>	<b>DESCRIPTION</b>	<b>ANNEX</b>	<b>PAGE</b>
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2.	Affidavit	-	03
3.	Minutes of DPC Committee	A	04 & 05
4.	Office Order of Supervisor Mr. Gul Nabi	B	06
5.	Page No. 15 of Service Book for representation of Own Pay Scale Posting.	C	07
6.	Final Seniority List	-	08
7.	Synopsis of the ACR	-	09

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**OFFICE OF THE ASSISTANT DIRECTOR LG&RDD MALAKAND**  
**BEFORE THE KHYBER PAKHTUNKHWA PESHAWAR SERVICE**  
**TRIBUNAL PESHAWAR**

Appeal No. (1216)/2015

MR. GUL NABI -----APPELLANT

**Versus**

Government of Khyber Pakhtunkhwa Peshawar through Secretary LGE&RDD, Khyber  
Pakhtunkhwa Peshawar and others ----- respondents

**WRITTEN STATEMENT ON BEHALF OF RESPONDENTS NO.1 TO 3**

**RESPECTFULLY**

**Preliminary Objections:**

- A. That the appellant has got no cause of action/locus stand to file the present appeal.
- B. That the appellant concealed material fact from the Service Tribunal.
- C. That the appellant has not come to this Honorable Tribunal with clean hands.
- D. That the appellant is not maintainable and not covered by the relevant rule.
- E. That the appellant is badly time barred.
- F. That his Honorable Tribunal has no jurisdiction to adjudicate to the matter.
- G. That the appellant is bad for non juduce and misguides of unnecessary parties.

**FACTS:**

1. Subject to proof.
2. Pertain to record.
3. Incorrect, that the copy of the Service Book annexed "C" will the appeal shows that the appellant was posted on own Pay Scale (OPS) which is not promotion and create no right for regular promotion.
4. Detail reply was be given in Para-3.
5. Pertained to record.
6. Subject to proof.
7. Correct, He was senior in Seniority list of Secretaries in District Malakand.
8. Para No. 8 is incorrect, because the department was in devolved condition up to 2012 hence could not be promoted.
9. Incorrect, as reply in above Para.8.
10. Incorrect the department was in 2012-13 hence he was properly promoted according to laid down procedure and policy of the Govt. vide Departmental Promotion Committee (DPC) meeting held on 13/04/2015 (Annexure-A) and he was promoted to the post of Supervisor an issued order on 26/05/2016 (Annexure-B)
11. Call for not comments he was promoted on propter time.

**Ground:**

- A. Since the department was devolved therefore he could not be promoted the appellant was been promoted in accordance with promotion policy, 2009.
- B. Incorrect, the impugned order is in-accordance with law.


2

- C. The Department was devolved during 2011 he could not be considered for promotion further as per judgment of that superior that promotion is not a vested right.
- D. As per DPC was held on 13/04/2015 and promotion was considered according in accordance with promotion policy, 2009.
- E. Incorrect the appellant is not entitled for antidote promotion.
- F. Since the Department was not functioning properly therefore, could not be promoted during devolution.
- G. Respondent seek permission to advance further grounds during arguments.


**Prays:**

The instant appeal of the appellants is not based on facts and not maintainable; therefore, it is humbly requested that the instant appeal of the appellants may kindly be dismissed with cost, please.

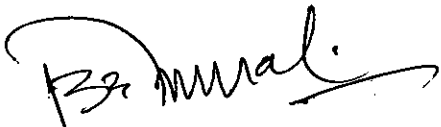
**Respondents No.1**

  
The Secretary LG&RDD, Govt. of  
Khyber Pakhtunkhwa Peshawar

**Respondents No.2**

  
the Director General LG&RDD,  
Khyber Pakhtunkhwa, Peshawar

**Respondents No. 3**

  
the Assistant Director LG&RDD,  
Malakand

④ ③

OFFICE OF THE ASSISTANT DIRECTOR LG&RDD MALAKAND  
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. (1216)/2015

MR. GUL NABI -----APPELLANT

Versus

Government of Khyber Pakhtunkhwa Peshawar through Secretary LGE&RDD, Khyber  
Pakhtunkhwa Peshawar and others ----- respondents.

**AFFIDAVIT**

I, Fazlullah Assistant director LG&RD Department Malakand at Batkhela.,  
do hereby solemnly affirm and declare on Oath that all the contents of  
accompanied comments are true and correct to the best of my knowledge and  
belief and nothing has been concealed **OR** with-held from this Honourable Court.

  
Assistant Director  
LG&RDD, Malakand



4

Subject: MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE (DPC) MEETING HELD ON 13.04.2015 AT 10:30 A.M.

The Departmental Promotion Committee (DPC) met on 13.04.2015 at 10:30 AM under the Chairmanship of Director General LG&RDD, the following attended.

- |    |   |           |
|----|---|-----------|
| 1. | Mr. Adil Siddiq, Director General LG&RDD Peshawar.                    | Chairman. |
| 2. | Mrs. Tahira Yasmin, Director LG&RDD Peshawar.                         | Member.   |
| 3. | Mr. Izaz Ullah Section Officer (Inst.Off) LG&RDD, Khyber Pakhtunkhwa. | Member    |
| 4. | Mr. Shibli Khan, Deputy Director (Admin) LG&RDD Peshawar.             | Member    |
| 5. | Dr. Sardar-ul-Mulk AD LG & RDD Malakand.                              | Member.   |

The chairman welcomed the participants. He apprised the participants regarding convening of the meeting of DPC. The participants were also introduced. Thereafter, the meeting proceeded as per agenda of the meeting i.e. promotion of Village Secretary Union Council (BPS - 7) to the post of Supervisor (BPS-9). The Deputy Director LG&RDD explained that the total strength of the posts of Supervisor (BPS 9) inclusive of FATA Secretariat is 43. Out of 43, 25% posts shall be filled through initial recruitment and 75 % shall be filled through promotion amongst the list of the Village Secretaries of the respective District, therefore, 32 posts of Supervisors shall be filled through promotion. He further added that being a District Cadre post, the promotion shall be decided on the basis of District - promo i.e. one Village Secretary VC shall be considered for promotion on the basis of fitness and seniority. He stressed that the respective Assistant Director, Local Government shall present the Final Seniority List with Synopsis and Working Paper. The respective Assistant Director shall also submit a certificate / NOC that there was no inquiry in any establishment pending against the incumbent Village Secretary who falls at top of the said Seniority List and the Seniority List prepared by him was accordingly circulated amongst all concerned in light of the policy / rules in vogue. This was accorded by the Section Officer Establishment, representative of the Administrative Department.

During discussion on the agenda item, Dr. Sardar-ul-Mulk, Assistant Director, Local Government & Rural Development Malakand presented the Final Seniority List of Village Secretaries Union Councils District Malakand with Synopsis. The Assistant Director, LG&RDD Malakand informed the committee that:

(a) As per policy governing the seniority list of the Govt employees, the final seniority list of Village Secretaries Union Councils District Malakand was prepared and circulated amongst all concerned, annexed P.A.

attested

Assistant Director  
L.G & R.D.D  
Distt. Malakand

*[Signature]*  
Assistant Director  
L.G & R.D.D  
Distt. Malakand

5

b) As per E/A, Mr. Gul Nabi, Village Secretary (BPS-7) falls at top of the Seniority List i.e. serial number 1.

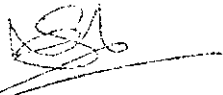
c) He also submitted a certificate regarding no pending enquiry against the said Village Secretary in any establishment including Anti Corruption etc.

After detailed discussion, the Committee unanimously recommended and approved Mr. Gul Nabi, Village Secretary Union Council District Malakand for promotion against the vacant post of Supervisor BPS -9 subject to the condition that the promotion shall be granted with immediate effect as per rules.

The meeting ended with a note of thanks.



Shibli Khan  
Deputy Director (Admin)  
LG&RDD Peshawar



Dr. Sardar-ul-Mulk  
AD LG&RDD  
Malakand.



Izaqullah  
Section Officer (E)  
LG&RDD Peshawar.

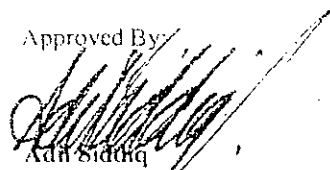
Recommended By:



Tahira Yasmin  
Director  
Local Govt & RDD

*Handwritten notes and stamps:*  
L. K. K. K.  
Y.A. M.  
District Malakand

Approved By:



Adil Siddiq  
Director General  
Local Govt & RDD.



*Signature of Assistant Director*  
Assistant Director  
LG & R.D.D  
District Malakand



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J-27

OFFICE OF THE DIRECTOR GENERAL  
LOCAL GOVERNMENT & RURAL DEVELOPMENT  
DEPARTMENT KHYBER PAKHTUNKHWA

Dated the Peshawar 20<sup>th</sup> May, 2015

OFFICE ORDER

No. Director(LG)/3-12/DPC/2012-13/ Consequent upon the recommendations of the Departmental Promotion Committee in its meeting held, on 13.04.2015, the Competent Authority has been pleased to promote Mr. Gul Nabi, Village Secretary Union Council (BPS - 07) to the post of Supervisor (BPS - 09) with immediate effect and to post him as Supervisor (BPS - 09) against the vacant post in the office of Assistant Director LG&RDD, Malakand. On his promotion, the terms & conditions of his appointment will remain the same on which he was appointed.

-sd/-

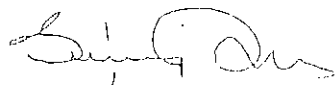
Director General  
LG&RDD

End of Even No & Date

Copy of the above is forwarded to the.

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Section Officer (Estab), LGE&RDD, Khyber Pakhtunkhwa.
3. Assistant Director, LG&RDD Malakand.
4. District Accounts Officer Malakand.
5. PA. to Director General, LG&RDD Peshawar.
6. Mr. Gul Nabi, Supervisor, LG&RDD Malakand.

Reviewed by 23/48/2015

  
Deputy Director (Admin)  
LG&RDD

  
Assistant Director  
L.G & R.D.D  
Distt. Malakand

8 Signature of Government Servant	9 Signature and position of the head of office or other attesting officer in Government Servants 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
					Period Government to which debit			
					<p>                     Last Balance out of Total ABA Rs 93600/-                      Detail of Recovery as below: to 27.12.97 to 31/8/98 (13-months):                      (1) P.O. No. 323 dt. 1/9/97 Rs 1066/- ✓                      (2) P.O. No. 142 dt. 1/10/97 Rs 1066/- ✓                      (3) P.O. No. 55 dt. 1/11/97 Rs 1066/- ✓                      (4) P.O. No. 33 dt. 1/12/97 Rs 1066/- ✓                      (5) P.O. No. 66 dt. 1/1/98 Rs 1066/- ✓                      (6) P.O. No. — dt. 24/1/98 Rs 1066/- ✓                      (7) P.O. No. 319 dt. 2/3/98 Rs 1066/- ✓                      (8) P.O. No. 191 dt. 1/4/98 Rs 1066/- ✓                      (9) P.O. No. 431 dt. 2/5/98 Rs 1066/- ✓                      (10) P.O. No. 290 dt. 1/6/98 Rs 1066/- ✓                      (11) P.O. No. 119 dt. 2/7/98 Rs 1066/- ✓                      (12) P.O. No. 30 dt. 1/8/98 Rs 1066/- ✓                      (13) P.O. No. 27 dt. 1/9/98 Rs 1066/- ✓                 </p>			
					<p>Total Recy - Rs 13858/-</p>			
					<p>Net Recy to be received - Rs 79742/- (See p-17)</p>			
<p>Service relieved w.e.f. 1/12/97 (AN) upto 31/8/98 (AN) from records of the official</p>					<p>Further Assistant Director, Local Govt. &amp; Rural Dev. Dept SWAT.</p>		<p>Transfer to the Office of Assistant Director, Shogla and posted as Asstt/Account in his own pay &amp; scale vide order no. D9CRP/2/13 dt. 31/8/98.</p>	
<p>Assistant Director, L.G. &amp; R.D. Dept SWAT.</p>					<p>ATTESTED</p>		<p>Assistant Director, Local Govt. &amp; Rural Dev. Dept SWAT.</p>	

(8)

OFFICE OF THE ASSISTANT DIRECTOR LG&RDD, MALAKAND

No. 103 /ADLG&RDD/MKD/Seniority/Secretaries

Dated: 24/06/2014

To

The Director  
LG&RDD, Khyber Pakhtunkhwa  
Peshawar

Subject: Final Seniority List of Top five Village Secretaries

Memo,

In continuation of this office letter no. 785/ADLG&RDD/MKD/Seniority/List/Secretaries dated 24/03/2014 & No. 887 dated 11/04/2014 regarding the final Seniority List in respect of Village Secretaries in district Malakand, the following revised list of top five Village Secretaries is hereby forwarded to your office in light of the decision taken in the Joint Staff meeting of all Assistant Directors LG&RDD, Khyber Pakhtunkhwa, Peshawar on the basis of their respective Service record (duly compiled as under) as per Service book data read with sub-rule "d" of Rule-6 of the Khyber Pakhtunkhwa ESTACODE (Revised) duly notified by the provincial Govt. of Khyber Pakhtunkhwa in Establishment Deptt: dated 2006:

S. no	Name Of village Secretary	Date of appointment With (BPS)	Date Of Promotion (Grade & post)	Date of move-over with BPS)	Selection Grade Granted (with Date)	Grade With Designation On 14-08-2001	Date Of Adjusted (with grade)
1	Mr. Gul Nabi	01-01-1976 (B-5)	01/07/1991 (B-5 to 7) as Senior Clerk	1/12/1994 (B-7 to 8) 1/12/1996 (B-8 to 9) 1/12/1998 (B-9 to 10) 01/12/2010 (B10 to 11) 2003 9B-11 to 12)	01/07/1987 (BPS-7) as JC	BPS-7 as Senior Clerk (was in move-over B-11)	01/07/2010 (BPS-6)
2	Mr. Qasim Khan	21-03-1979 (B-6)	Nil	1/12/1998 (B-6 to 7) 1/12/2000 (B-7 to 8)	Nil	Village Secretary (was in move-over B-8)	01/07/2010 (B-6)
3	Mr. Inamul-Haque	22-03-1979 (B-6)	Nil	1/12/1996 (B-6 to 7) 1/12/1998 (B-7 to 8) 1/12/2000 (B-8 to 9)	Nil	-do- (was in move over B-9)	01/07/2010 (B-6)
	Mr. Fazal Jamil	01/07/1979 (B-6)	Nil	17/04/1998 (B-6 to 7) 1/12/1999 (B-7 to 8)	Nil	-do- (was in move-over B-8)	01-07-2010 (B-6)
	Muhammad Parvez	11/11/1980 (BPS-6)	Nil	17/4/1998 (B-6 to 7) 1/12/2000 (B-7 to 8)	Nil	Grade-6 (was in move-over B-8)	01/07/2010 (B-6)

Attended

Assistant Director  
L.G & R.D.D  
Distt. Malakand

Assistant Director  
L.G & R.D.D  
Distt. Malakand



(5) (9)

**OFFICE OF THE ASSISTANT DIRECTOR LG & RDD MALAKAND**

**SYNOPSIS OF THE ACR FORMS IN R/O FIVE SENIOR MOST SECRETARIES OF UC's, DISTRICT MALAKAND W.E.F. (01-01-2009 to 31-12-2013):**

S.No.	Name of Secretary UC	Year of service rendered	Overall Grading	Adverse Remarks (if any)
1	Gul Nabi	1. 01-01-2009 to 31-12-2009	Very Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	
2	Qasim Khan	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-2013 to 31-12-2013	Very Good	
3	Inamul Haque	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-2013 to 31-12-2013	Very Good	
4	Fazal Jamil	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	
5	Muhammad Parveez	1. 01-01-2009 to 31-12-2009	V.Good	Nil
		2. 01-01-2010 to 31-12-2010	V.Good	
		3. 1-1-2011 to 31-12-2011	V.Good	
		4. 01-01-2012 to 31-12-2012	Very Good	
		5. 01-01-2013 to 31-12-2013	Very Good	

*Handwritten signature*  
Assistant Director  
LG & R.D.D.  
Distt. Malakand

*Attested*  
*Handwritten signature*  
Assistant Director  
LG & R.D.D.  
Distt. Malakand

*Handwritten signature*  
Assistant Director  
LG&RDD, Malakand