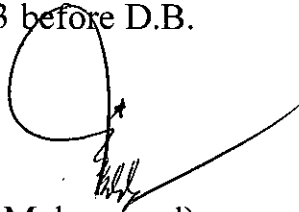


05.12.2022

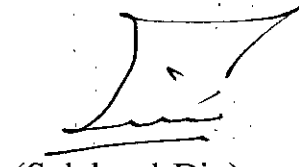
Junior of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for official respondents 1 to 3 present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 01.02.2023 before D.B.

SCANNED  
K.A.T  
Peshawar



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

1<sup>st</sup> Feb, 2023

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents present. Junior of learned counsel for private respondent No. 4 present.

Request for adjournment was made on behalf of both the parties. Last opportunity is granted to both the parties to argue the case on the next date failing which the appeal will be decided on the available record without arguments. Adjourned. To come up for arguments on 11/05.2023 before D.B.

SCANNED  
K.A.T  
Peshawar



(Muhammad Akbar Khan)  
Member (E)



(Kalim Arshad Khan)  
Chairman

01.09.2022

Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for the respondents present.

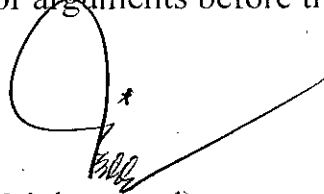
Learned Member (Judicial) Mrs. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on restoration application on 28.10.2022 before the D.B.



(Salah-Ud-Din)  
Member(J)

28.10.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present. Mr. Hamid Ali Shah, junior of learned counsel for private respondent No. 4 present and requested for adjournment on the ground that learned counsel for private respondent No. 4 is busy in the august Supreme Court of Pakistan. Adjourned. To come up for arguments before the D.B on 05.12.2022.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

SCANNED  
KPST  
PC/12/2022

01.04.2022

Junior of learned counsel for the appellant present. Mr. Wisal Khan H.C alongwith Mr. Noor Zaman Khan Khattak, District Attorney for official respondents No.1 to 3 respondents present. None present for private respondent No.4.

Comments on behalf of official respondents No.1 to 3 have already been submitted through office, which have been placed on file. Previous date was changed on Reader Note, therefore, notice be issued to private respondent No.4 as well as his counsel and to come up for submission of comments on behalf of private respondent No.4 as well as arguments before the D.B on 24.06.2022.

Noted  
10/6/22  
[Signature]



(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)



24<sup>th</sup> June, 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG and counsel for private respondent No. 4 present.

Learned AAG seeks adjournment as he could not prepare the brief. Adjourned. To come up for arguments on 01.09.2022 before the D.B.

  
(Fareeha Paul)  
Member(E)

Chairman

19.07.2021

Counsel for appellant present.

Muhammad Adeel Butt learned Additional Advocate General alongwith Wisal Khan H.C for official respondents present. Muhammad Amin Khattak Advocate present and submitted wakalat nama in favor of private respondent No.4.

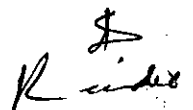
Request for adjournment was made by the respondents in order to submit written reply/comments; granted with direction to furnish reply within 10 days positively in office. In case the respondents failed to submit comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of written reply/comments shall stand ceased. To come up for arguments on 14.12.2021 before D.B.

  
(Rozina Rehman)  
Member (J)

14-12-21

DB is on Tour case to come up  
For the same on dated. 1-4-22

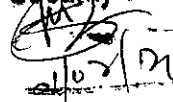
D

  
Rizal

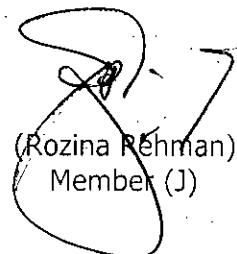
19.01.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Appellant Deposited  
Security & Process Fee



Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 12.04.2021 before S.B.



(Rozina Rehman)  
Member (J)

12.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 19.07.2021 for the same as before.



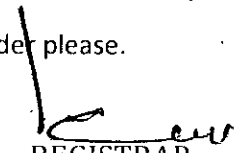

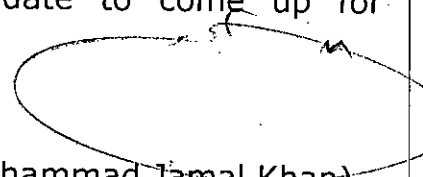
Reader

Form- A

FORM OF ORDER SHEET

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

Case No.- 10748 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/09/2020	<p>The appeal of Mr. Nauman Rafi presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	02.11.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/11/2020</u></p> <p> CHAIRMAN</p> <p>Appellant is present in person.</p> <p>Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for preliminary hearing before S.B.</p> <p> (Muhammad Jamal-Khan) Member (Judicial)</p>

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

In Re:

Service Appeal No.10748/2020

Nauman Rafi. . . . . **Appellant**

**Versus**

The IGP, Khyber Pakhtunkhwa & others. . . **Respondents**

**I N D E X**

<b>S.No.</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Application for Placing on File Additional Documents with Affidavit		1-2
2.	Copy of Minutes of Departmental Selection Board Meeting held on 27.02.2017 with Better Copy	A	3-4
3.	Copy of Notification dated 08 <sup>th</sup> June, 2022	B	5
4.	Copy of Notification dated 12 <sup>th</sup> Feb, 2020	C	6
5.	Copy of Letter dated 03.09.2020	D	7

Through Respondent No.4

Dated: 01.12.2022

**Muhammad Amin Khattak Lachi**  
Advocate Supreme Court  
Cell: 0313-9791207

(1)

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

In Re:

Service Appeal No.10748/2020

Nauman Rafi. . . . . **Appellant**

**Versus**

The IGP, Khyber Pakhtunkhwa & others. . . **Respondents**

**APPLICATION ON BEHALF OF**  
**RESPONDENT NO.4 FOR PLACING ON**  
**FILE CERTAIN DOCUMENTS, WHICH**  
**ARE NECESSARY FOR THE JUST**  
**DECISION OF THE TITLED APPEAL.**

**Respectfully Sheweth:**

1. That the titled appeal is pending adjudication before this Hon'able Tribunal and is fixed for 05.12.2022.
2. That the annexed documents are necessary for the fair, just decision of the matter, hence this application.
3. That there is no legal bar to place the annexed documents on file, rather it is in the best interest of justice to allow it.



2

It is, therefore, most humbly prayed that on acceptance of the instant application, the attached documents may very graciously be placed on file for the best interest of law, fairness and justice.

Through Respondent No.4

**Muhammad Amin Khattak Lachi**  
Advocate Supreme Court

Dated: 01.12.2022

**AFFIDAVIT**

It is stated on oath that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

ATTESTED

DEPONENT

Gul Daraz Khan  
Oath Commissioner  
Advocate High Court Peshawar

Am exure (A) 3

**MINUTES OF DEPARTMENTAL SELECTION BOARD  
MEETING HELD ON 27.07.2017**

A Meeting of the Departmental Selection Board was held on 27.07.2017 at 09:00 hours in Conference Room at CPO under the Chairmanship of Mr. Nisar Khan Burees, Deputy General of Police, Khyber Pakhtunkhwa to discuss the cases of promotion of Information Technology (IT) Wing Khyber Pakhtunkhwa Police from BS-18 on Acting Charge to BS-18 on Regular Basis.

The following Officers attended the meeting:-

1. Mr. Syed Akhtar Ali Shah Addl. IGP/HQ: Khyber Pakhtunkhwa Peshawar
2. Mr. Salah-ud-Din Khan Addl. IGP/Special Branch Khyber Pakhtunkhwa Peshawar
3. Mr. Ishtiaq Ahmad Khan Marwat Addl. IGP/Invest. Khyber Pakhtunkhwa Peshawar
4. Ch. Shahab Mazhar Bafalli, DIG of Police T. S. Khyber Pakhtunkhwa Peshawar.
5. Mr. Muhammad Shahid Aslam Siddiqui, Co-ordinator F. T. Khyber Pakhtunkhwa
6. Mr. Muhammad Tahir Khan Capital City Police Officer Peshawar
7. Mr. Muhammad Alam Shinvari, DIG of Police, HQ: Khyber Pakhtunkhwa Peshawar
8. Mr. Mubarak Zeb, DIG of Police, CPD Khyber Pakhtunkhwa Peshawar
9. Mr. Abdul Kamal Kha. Addl. Sec. Govt. of Khyber Pakhtunkhwa Home & T.A. Dept.
10. Mr. Javed Khan Dy. Secy (R-IV) Govt. of Khyber Pakhtunkhwa Estt. Dept.
11. Mr. Najeeb-ur-Rehman Bugti AIG/Establishment Khyber Pakhtunkhwa Peshawar
12. Mr. Moazzam Khan SO(R-IT) Govt. of Khyber Pakhtunkhwa Finance Dept.
13. Mr. Falak Nawaz AIG Legal CPO Peshawar.

The Chairman apprised the Board that there are two (02) vacant posts Dy: Director IT BS-18 in Khyber Pakhtunkhwa Police whereupon promotion of officers Information Technology Wing Khyber Pakhtunkhwa Police to be considered.

The Board thoroughly examined the record of the Officers as per Khyber Pakhtunkhwa Police Department Information Technology Wing Rules-2014.

Recommendations of the meeting are noted against each:-

S. #	Name of Officer with Designation	Recommendations of the Board
1.	Mr. Muhammad Aftab BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 09.1977</li> <li>• Qualification = Sc Computer Science</li> <li>• Date of joining service = 01.2011</li> <li>• Length of service = 05 yrs 01 months &amp; 10 days</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record up to 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Regular Basis.</li> <li>• The Board recommends that the officer may be eligible for promotion to the post of Dy: Director Information Technology Wing (IT) BS-18 on Regular Basis subject to the provision of GO's from 10.07.2015 to 31.12.2015. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (3) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1980.</li> </ul>
2.	Mr. Muhammad Saleem Ullah BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 20.05.1987</li> <li>• Qualification = M.Sc Computer Science</li> <li>• Date of joining service = 27.07.2012</li> <li>• Length of service = 04 years 07 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record up to 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Acting Charge Basis.</li> </ul>

**ATTESTED**

**MINUTES OF DEPARTMENTAL SELECTION BOARD  
MEETING HELD ON 27.02.2017**

A Meeting of the Departmental Selection Board was held on 27.02.2017 at 02:15 hours in Conference Room at CPO under the Chairmanship of Mr. Nasir Khan Durrani, Inspector General of Police, Khyber Pakhtunkhwa to discuss the cases of promotion of Information Technology (IT) Wing Khyber Pakhtunkhwa Police from BS-18 on Acting Charge to BS-18 on Regular Basis.

The following Officers attended the meeting:-

1. Mr. Syed Akhtar Ali Shah Addl: IGP/HQrs Khyber Pakhtunkhwa, Peshawar
2. Mr. Salah-ud-Din Khan Addl: IGP/Special Branch Khyber Pakhtunkhwa, Peshawar.
3. Mr. Ishtiaq Ahmad Khan Marwat, Addl: IGP Invest: Khyber Pakhtunkhwa, Peshawar.
4. Ch: Shahab Mazhar Bahalli DIG of Police E & I Khyber Pakhtunkhwa, Peshawar.
5. Mr. Muhammad Shahzad Aslam Siddiqui Commandant FRP Khyber Pakhtunkhwa.
6. Mr. Muhammad Tahir Khan Capital City Police Officer Peshawar.
7. Mr. Muhammad Alam Shinwari DIG of Police HQrs: Khyber Pakhtunkhwa, Peshawar.
8. Mr. Mubarak Zeb DIG of Police CTD Khyber Pakhtunkhwa, Peshawar.
9. Mr. Abdul Kamal Khan Addl: Sec: Govt: of Khyber Pakhtunkhwa Home & TA Peshawar
10. Mr. Javed Khan Dy: Secy (R-IV) Govt: of Khyber Pakhtunkhwa Estt: Deptt:
11. Mr. Najeeb-ur-Rehman Buggi AIG/Establishment Khyber Pakhtunkhwa, Peshawar.
12. Mr. Moazzam Khan SO (R-II) Govt: of Khyber Pakhtunkhwa, Finance Deptt:
13. Mr. Falak Nawaz AIG Legal CPO Peshawar.

The Chairman apprised the Board that there are two (02) vacant posts of Dy: Director IT BS-18 in Khyber Pakhtunkhwa Police whereupon promotion of Officers of Information Technology Wing KP Police to be considered.

The Board thoroughly examined the period of the Officers as per Khyber Pakhtunkhwa Police Department Information Technology Wing Rules-2014.

Recommendations of the meeting are noted against each:-

S.#	Name of Officer with Designation	Recommendations of the Board
1.	Mr. Muhammad Aftab BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 16.09.1977.</li> <li>• Qualification = M.Sc Computer Science</li> <li>• Date of Joining service = 10.01.2011</li> <li>• Length of service = 06 yrs 01 month &amp; 15 days</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Regular Basis</li> <li>• <b>The Board recommended that the officer may be cleared for promotion to the post of Dy: Director Information Technology Wing (IT) BS-18 on Regular Basis subject to the provision of ACRs from 10.07.2015 to 31.12.2015. He will be on probation for a period of one year extendable for another year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</b></li> </ul>
2.	Mr. Muhammad Saleem Ullah BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 20.09.1982</li> <li>• Qualification = M.Sc Computer Science</li> <li>• Date of Joining service = 27.07.2012</li> <li>• Length of service = 04 years 07 month</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Acting Regular Basis.</li> </ul>

**ATTESTED**

4

The Board recommended that the officer to be deferred from promotion due to less service of 05 years in BS-17 required for the promotion to BS-18 on Regular Basis as per IT Service Rules 2014 Khyber Pakhtunkhwa.

(SYED AKHTAR ALI SHAHI)  
Addl: Inspector General of Police HQs:  
Khyber Pakhtunkhwa  
Peshawar

(SALAFUDDIN KHAN)  
Addl: Inspector General of Police Special Branch  
Khyber Pakhtunkhwa  
Peshawar

(ISHFAQ AHMAD KHAN MARWAT)  
Addl: Inspector General of Police Investigation  
Khyber Pakhtunkhwa  
Peshawar

(SHAHAB MAZHAR RAHALI)  
Deputy Inspector General of Police  
Enquiry & Inspection  
Khyber Pakhtunkhwa  
Peshawar

(MUHAMMAD SHAHZAD ASLAM SIDDIQUI)  
Commandant Frontier Reserve Police  
Khyber Pakhtunkhwa  
Peshawar

(MUHAMMAD TAHIR KHAN)  
Capital City Police Officer  
Peshawar

(MUHAMMAD ALAM SHINWARD)  
Deputy Inspector General of Police HQs:  
Khyber Pakhtunkhwa  
Peshawar

(MUBARAK ZEB)  
Deputy Inspector General of Police  
Counter Terrorism Department  
Khyber Pakhtunkhwa  
Peshawar

(ABDUL KAMAL KHAN)  
Additional Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Home & Tribal Affairs Department,  
Peshawar

(JAVED ALIAN)  
Dy. Secretary (R-IV)  
Govt of Khyber Pakhtunkhwa  
Establishment Department  
Peshawar

ATTESTED

	<ul style="list-style-type: none"> <li>The Board recommended that the officer to be deferred from promotion due to less service of 05 years in BS-17 required for the promotion to BS-18 on Regular Basis as per IT Service Rules 2014 Khyber Pakhtunkhwa.</li> </ul>
--	---

Sd/-

**(SYED AKHTAR ALI SHAH)**

Addl: Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(SALAH-UD-DIN KHAN)**

Addl: Inspector General of Police Special Branch  
Khyber Pakhtunkhwa.  
Peshawar.

Sd/-

**(ISHTIAQ AHMAD KHAN MARWAT)**

Addl: Inspector General of Police Investigation  
Khyber Pakhtunkhwa,  
Peshawar.

Sd/-

**(SHAHAB MAZHAR BAHALLI)**

Deputy Inspector General of Police  
Enquiry & Inspection  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(MUHAMMAD SHAHZAD ASLAM SIDDIQUI)**

Commandant Frontier Reserve Police  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(MUHAMMAD TAHIR KHAN)**

Capital City Police Officer,  
Peshawar.

Sd/-

**(MUHAMMAD ASLAM SHINWARI)**

Deputy Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(MUBARAK ZEB)**

Deputy Inspector General of Police  
Counter Terrorism Department  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(ABDUL KAMAL KHAN)**

Additional Secretary,  
Govt: of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department,  
Peshawar.

Sd/-

**(JAVED KHAN)**

Dy: Secretary (R-IV)  
Govt. of Khyber Pakhtunkhwa  
Establishment Department  
Peshawar.

Sd/-

**(SYED AKHTAR ALI SHAH)**

Addl: Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-

**(SALAH-UD-DIN KHAN)**

Addl: Inspector General of Police Special Branch  
Khyber Pakhtunkhwa  
Peshawar.

**ATTESTED**

Anexure (B) (5)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

1041  
21/06/22

Dated Peshawar the 08, 2022

NOTIFICATION

No.SO(Budget)/HD/5-14/2020: In continuation to this Department Notification No SO(Budget)/HD/5-14/2019 dated 12.02.2020 and in line with the recommendations of the Ministerial Committee constituted by the Provincial Government on 26.02.2019, the services of Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator is regularized in (BS-16) under DDO Code PIR5907-FM Radio Traffic Branch Khyber Pakhtunkhwa, as the incumbent has acquired the prescribed qualification in grace period given by the Committee for the said post i.e. Bachelor Degree in Arts, with effect from the date of declaration of his results.

Note: It is to mention here that Finance Department has already created post of Computer Operator in BS-16 vide letter No.BO-III/HD/7-1/2017-18 dated 28.06.2018.

SECRETARY

INDEX NO. & DATE WHEN

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, with reference to his letter No.1376-77/E-V dated 10.05.2022.
4. PS to Chief Secretary, Khyber Pakhtunkhwa
5. The Section Officer (Dev), Home & Tribal Affairs Department with reference to Notification No.SO(Dev):HD/General-Projects/2017-18/Vol-III (203940) dated 20.06.2018.
6. The Section Officer (Police-II), Home & Tribal Affairs Department with the request to process such cases in future, being services matter.
7. PS to Secretary, Establishment & Administration Department.
8. PS to Secretary, Finance Department, Peshawar.
9. PS to Secretary, Home & Tribal Affairs Department.
10. PA to Additional Secretary (Dev), Home & Tribal Affairs Department.
11. Official concerned.
12. Master File.

*[Signature]*  
08/06/2022  
SECTION OFFICER (BUDGET)

ATTESTED

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT**

Dated Peshawar the June 08, 2022

**NOTIFICATION**

**No.SO(Budget)/HD/5-14/2020:** In continuation to this Department Notification No.SO(Budget)/HD/5-14/2019 dated 12.02.2020 and in line with the recommendations of the Ministerial Committee constituted by the Provincial Government on 26.02.2019, the services of Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator is regularized in (BS-16) under DDO Code PR5907-FM Radio Traffic Branch Khyber Pakhtunkhwa, as the incumbent has acquired the prescribed qualification in grace period given by the Committee for the said post i.e. Bachelor Degree in Arts, with effect from the date of declaration of his results.

**Note:** It is to mention here that Finance Department has already created post of Computer Operator in BS-16 vide letter No.BO-III/FD/7-1/2017-18 dated 28.06.2018.

SECRETARY

**ENDST NO. & DATE EVEN**

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, with reference to his letter No.1376-77/E-V dated 10.05.2022.
4. PS to Chief Secretary, Khyber Pakhtunkhwa.
5. The Section Officer (Dev), Home & Tribal Affairs Department with reference to Notification No.SO(Dev)/HD/General-Projects/2017-18/Vol-III (203940) dated 20.06.2018.
6. The Section Officer (Police-II), Home & Tribal Affairs Department with the request to process such cases in future, being services matter.
7. PS to Secretary, Establishment & Administration Department.
8. PS to Secretary, Finance Department, Peshawar.
9. PS to Secretary, Home & Tribal Affairs Department.
10. PA to Additional Secretary (Dev), Home & Tribal Affairs Department.
11. Official concerned.
12. Master File.

Sd/-  
SECTION OFFICER (BUDGET)

**ATTESTED**



Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
Dated Peshawar the February 12<sup>th</sup>, 2020

(6) Answer (c)  
1024/CS

**NOTIFICATION**

**No.SO(Budget)/HD/5-14/2019:** In compliance with the Provincial Government of Khyber Pakhtunkhwa, Employees (Regularization of Services) Act 2018 & recommendation of the Ministerial Committee duly approved by the Provincial Cabinet, the Provincial Government is pleased to regularize the services of Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator project employee working under the project "Traffic Control Management System and FM Radio" DDO Code PR5907-Traffic Control Management System & FM Radio, Police Department with effect from 07-03-2018.

2: The incumbent regularized in (BS-12) due to less/low qualification and he will be given grace period of four years with immediate effect to acquire the prescribed qualification for the post of Computer Operator (BPS-16) i.e. 2<sup>nd</sup> Class Graduation with Diploma in IT (DIT) in line with the recommendations of the Ministerial Committee. The incumbent will draw Pay & Allowances in his own pay scale i.e. (BS-12).

Secretary to Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs, Department

**Endst No & date even**

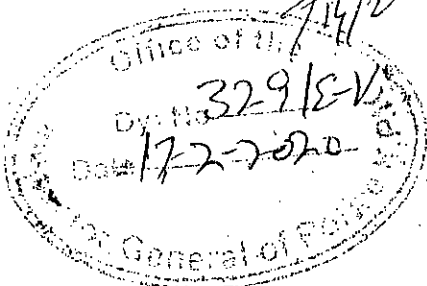
Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Official concerned, with the direction to produce medical certificate from the Police Services, Hospital, Peshawar.
4. The Inspector General of Police, Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Establishment & Admn Department.
7. PS to Secretary Finance Department, Peshawar.
8. PS to Home Secretary, Khyber Pakhtunkhwa.
9. PA to Deputy Secretary (Admn). Home Department.

*[Signature]*  
SECTION OFFICER (BUDGET)

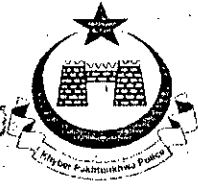
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ATTESTED





Ann (D)  
OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

7

No. CPO/E-II 1637

Dated Peshawar 03/09, 2020

To The Capital City Police Officer,  
Peshawar

Subject: REPRESENTATION AGAINST SENIORITY LIST OF OFFICERS BS-18  
INFORMATION TECHNOLOGY GROUP OF KHYBER PAKHTUNKHWA  
POLICE DATED 27.04.2020 NO.804/SE-I

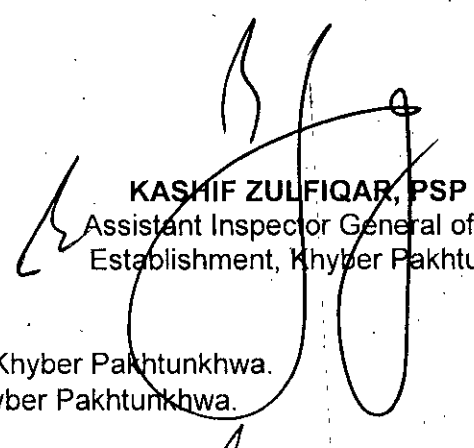
Memo:

Please refer to your office letter No. 6511/EC-II dated 21.05.2020 on the subject cited above.

As approved by the Competent Authority and aspects of AIG Legal CPO is reproduce for necessary action at your end:-

“The perusal of record reveals that applicant Numan Rafi was appointed directly in BPS-18 through Regularization of Services Act 2018 on 20.06.2018, while Saleem Ullah was appointed in regular basis in BPS-17 and was promoted to BPS-18 on Acting Charge Basis on 02.12.2015 due to less service in BPS-17 which was about 06 months, later on he was promoted on regular basis after DSB approval on 12.04.2019.

According to rule, Mr. Saleem Ullah was eligible for regular promotion after 06 months of his Acting Charge Basis promotion , but it was late due to not placing before next DSB, which was not his fault, the seniority list already prepared is correct and need not changes”.

  
KASHIF ZULFIQAR, PSP  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa

Endst: No. & date even.

Copy forwarded to the:-

1. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
3. AIG Legal CPO Peshawar.

  
ATTESTED

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

SERVICE APPEAL NO. 10748/2020

**NAUMAN RAFI**

**V/S**

**POLICE DEPTT:**

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Dated: 15-09-2020

**APPELLANT**

Through:

**NOOR MOHAMMAD KHATTAK  
ADVOCATE  
FLATE NO. 04, 2<sup>ND</sup> FLOOR,  
JUMA KHAN PLAZA, NEAR FATA  
SECRETARIAT,  
WARSAK ROAD, PESHAWAR  
0345-9383141**

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

APPEAL NO. 10748 /2020

Mr. NAUMAN RAFI, Deputy Director I.T (BPS-18),  
Capital City Police, Khyber Pakhtunkhwa, Peshawar.  
r/o House No. 398, Street No. 1 Abshaar Colony, Warsak Road,  
Peshawar

.....APPELLANT

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Capital City Police Officer, Khyber Pakhtunkhwa, Peshawar.
- ④- Mr. Muhammad Saleem Khan, Deputy Director IT, information Technology Group, Khyber Pakhtunkhwa Police, Peshawar

..... RESPONDENTS

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SENIORITY LIST DATED 27-04-2020 WHEREBY THE APPELLANT HAS BEEN SHOWN JUNIOR TO RESPONDENT NO.4 IN UTTER VIOLATION OF LAW & RULES AND AGAINST THE APPELLATE ORDER DATED 07-09-2020 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS**

**PRAYER:**

That on acceptance of this appeal the impugned appellate order dated 07-09-2020 may very kindly be set aside and the impugned seniority list issued/circulated for BPS-18 officers of Information Technology Group police Department may kindly be corrected/rectified to the extent of appellant and private respondent No.4 by placing the name of appellant above the name of private respondent No.4. 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 is the employee of respondent Department and presently working as Deputy Director (I.T) BPS-18 in the Information Group of Police Department quite efficiently, whole heartedly and up to the entire satisfaction of his superiors.
- 2- That initially the appellant joined the Information Technology Group of police Department as project employee but with the promulgation of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 the services of the appellant have been regularized w.e.f. 07-03-2018 vide notification dated 20-06-2018. Copy of the Notification dated 20-06-2018 is attached as **Annexure .....** **A.**
- 3- That during service the respondent No. 1 issued seniority list of Officers in BPS-18 of Information Technology Group of Khyber Pakhtunkhwa Police vide notification dated 27-04-2020 wherein the name of the appellant has wrongly been shown at serial No.5 while the private respondent despite of being junior to the appellant has been placed above the name of appellant. Copy of Impugned Seniority List is attached as **Annexure .....** **B.**
- 4- That the respondent no. 4 was initially appointed as Network Administrator (BS-17) and was promoted to the post of Deputy Director IT (BS-18) on acting charge basis vide notification dated 02-12-2015 and his service was regularized as Deputy Director IT w.e.f 21-01-2019 vide notification dated 15-04-2019. Copy of Notifications are attached as **Annexure .....** **C & D.**
- 5- That the appellant feeling aggrieved from the seniority list dated 27-04-2020 filed representation dated 18-05-2020 before the appellate authority through proper channel which was forwarded vide letter dated 21-05-2020 but the same was rejected vide appellate order dated 07-09-2020 on no good grounds. Copy of representation, letter dated 21-05-2020 & appellate order dated 07-09-2020 is attached as **Annexure .....** **E, F & G.**
- 6- That appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned seniority list dated 27-04-2020 & appellate order dated 07-09-2020 issued by the respondent is against the Law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent 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 respondents acted in arbitrary and malafide manner while not correcting the impugned seniority list dated 27-04-2020 & appellate order dated 07-09-2020 is also against Norms of Natural Justice.
- D- That act of the respondents by not correcting the impugned seniority list dated 27-04-2020 & issuing appellate order dated 07-09-2020 is against the principle of natural justice, hence not tenable and liable to be set aside.
- E- That in similar nature case the respondent Department did not count the acting charge service for the purpose of seniority, therefore under the principle of equity and equality the appellant is also entitle for similar relief by rectifying the impugned seniority list to the extent of appellant and private respondent. Copies of the record are attached as **Annexure .....** **H.**
- F- That the appellant has been highly discriminated with the act of the respondents while not correcting the impugned seniority list dated 27-04-2020 & issuing appellate order dated 07-09-2020.
- G- That act of the respondents while not correcting the impugned seniority list dated 27-04-2020 & appellate order dated 07-09-2020 is against Section-8 of the Civil Servant Act 1973 read with Rule-17 of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules 1989.

H- That act of the respondents while not correcting the impugned seniority list dated 27-04-2020 & issuing appellate order dated 07-09-2020 is against the judgment passed by superior Court in the matter of seniority hence not tenable and needs to be corrected.

I- 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 be accepted as prayed for.

Dated: 15-09-2020

APPELLANT

  
**NAUMAN RAFI**

THROUGH:

  
**NOOR MOHAMMAD KHATTAK**

&

  
**MUHAMMAD MAAZ MADNI**  
ADVOCATES

Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
Dated Peshawar the June 20, 2018

**NOTIFICATION/ORDER**

F.No.SO(DEV)/HD/General-Projects/2017-18/Vol-III (203940):- In compliance of the Provincial Government of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify Regularization of Services of the following (07) Nos of Employees working under the project "Traffic Control Management System & FM Radio" w.e.f 07.03.2018, as provided under section-4 of ibid Act.

S#	Name	Designation/BPS
1	Mr. Nauman Rafi	Deputy Director-IT/BPS-18
2	Mr. Zahid Aman	Computer Operator/BPS-16
3	Mr. Qaiser Khan	Computer Operator/BPS-16
4	Mr. Faheem Ullah	Computer Operator/BPS-16
5	Mr. Arshad Khan	Naib Qasid/BPS-03
6	Mr. Asif Ullah	Naib Qasid/BPS-03
7	Mr. Khaliq Dad	Naib Qasid/BPS-03

-Sd-

Secretary to Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department



Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

Dated Peshawar, the June 20, 2018 ✓

A-5

**NOTIFICATION / ORDER**

E. No. SO (DEV) / HD / General Projects / 2017-18 / Vol. III (2039491): In compliance of the Provincial Government of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify Regularization of Services of the following (07) Nos of employees working under the project "Traffic Control Management System & FM Radio" w.e.f 07.03.2018, as provided under Section 4 of the said Act

S. #	Name	Designation / BPS
1	Mr. Nauman Rafi	Deputy Director-IT / BPS-18
2	Mr. Zahid Aman	Computer Operator / BPS-16
3	Mr. Qaiser Khan	Computer Operator / BPS-16
4	Mr. Faheem Ullah	Computer Operator / BPS-16
5	Mr. Arshed Khan	Naib Qasid / BPS-03
6	Mr. Asif Ullah	Naib Qasid / BPS-03
7	Mr. Kahiq Dad	Naib Qasid / BPS-03

-sd-

Secretary to Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

Endst: No. & date even

Copy forwarded for information to:-

1. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
2. Accountant General Khyber Pakhtunkhwa, Peshawar
3. Provincial Police Officer, Khyber Pakhtunkhwa
4. PS to Chief Secretary, Khyber Pakhtunkhwa
5. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment & Admn. Department
6. Secretary to Govt. of Khyber Pakhtunkhwa, Law Department
7. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
8. Manager Govt. Printing Press Peshawar for publication in the official gazette.
9. PS to Home Secretary, Khyber Pakhtunkhwa.
10. Section Officer (General) Home Department
11. Officers / Officials Concerned.

(HUMAIRA MEHMOOD)

SECTION OFFICER (DEV.)

PH: 091-9210238 Fax No. 091-9210201

20/8/18

**ATTESTED**

*[Signature]*



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5/5/2020

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

Dated Peshawar 27-04-2020

SENIORITY LIST OF OFFICERS BS-18 INFORMATION TECHNOLOGY OF KHYBER PAKHTUNKHWA POLICE

No. 804 /SE-I, The Seniority List of Officers BS-18 Information Technology Group of Khyber Pakhtunkhwa Police is hereby published for information of all concerned.

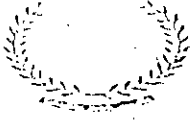
S.No	Name of Officers	D.O.Birth	Domicile	Qualification	D.O App:	Method of App:	Remarks
1.	Mr. Johar Ali	17.03.1968	Swabi	M.S Computer Science	14.09.1995	Through PSC	
2.	Muhammad Ashfaq	15.09.1982	Khyber Agency	M. Sc Computer Science MBA Finance	01.11.2010	Through PSC	
3.	Mr. Muhammad Aftab	16.09.1977	Charsadda	M.S Computer Science	10.01.2011	Through PSC	
4.	Mr. Muhammad Saleem Ullah	20.09.1982	Dir Upper	M.S Computer Science	27.07.2012	Through PSC	
5.	Mr. Nauman Rafi	27.09.1979	Peshawar	Master in Computer Science	07.03.2018	Regularize through (Regularization of Services) Act, 2018	

ECI  
For further info

*(Signature)*  
(SALMAN CHOUDHRY) PSP  
Deputy Inspector General of Police, HQ:  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

ATTESTED

Ends: No further action.  
Copy to all concerned



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

Dated Peshawar the December 2, 2015

**NOTIFICATION**

NO. SO(E-I)E&AD/2-4/2015. The Competent Authority on the recommendations of the Departmental Selection Board is pleased to promote the following officers of Information Technology (IT) Wing Khyber Pakhtunkhwa Police Department, as per details below, with immediate effect:-

S #	NAMES OF OFFICERS WITH PRESENT POST AND BPS	PROMOTED TO THE POST/BPS
1.	Mr. Navid Gul System Analyst (BS-18)	Director, Information Technology BS-19, on regular basis.
2.	Mr. Muhammad Ashfaq Data Processing Officers (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on regular basis.
3.	Mr. Muhammad Aftab Database Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.
4.	Mr. Muhammad Saleem Ullah Network Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.

2. The officers mentioned at Sr. No. 1, 2, promoted on regular basis, shall remain on probation for a period of one year extendable for another year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

**CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA**

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

Copy forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Home & T.A. Department.
4. Provincial Police Officer, Khyber Pakhtunkhwa.
5. Accountant General, Khyber Pakhtunkhwa.
6. Director, Information & Public Relations, Khyber Pakhtunkhwa.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa
8. PS to Chief Secretary, Khyber Pakhtunkhwa
9. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA AS(HRD)/DS(E./SO(E.II) Establishment Department.
10. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/ Director Protocol/ Estate Officer/ACSO Cypher/Deputy Director (IT) Administration Department, Khyber Pakhtunkhwa.
11. Officers concerned.
12. Manager, Govt. Printing Press Peshawar.

**ATTESTED**

(KASHIF IQBAL JILANI)  
SECTION OFFICER (ESTT-I)

ZIA-UL-HAQ/...

A





OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR.

Phone No. 091-9210989  
Fax No. 091-9212597

10

No. 6811 / EC-II Dated Peshawar the 21/5/2020

To: The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

Subject: REPRESENTATION AGAINST SENIORITY LIST OF  
OFFICERS BS- 18 INFORMATION TECHNOLOGY  
GROUP OF KHYBER PAKHTUNHWA POLICE DATED  
27.04.2020, NO. 804/SE-1.

Memo: Enclosed please find herewith a representation made by Mr.  
Nauman Rafi, Deputy Director IT, CCP, Peshawar against the seniority  
list of Officers BS-18, published on 27.04.2020, for favour of  
consideration.

Secy (4)

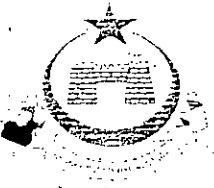
  
FOR CAPITAL CITY POLICE OFFICER  
PESHAWAR

21/5/20

NO. \_\_\_\_\_ /EC-II,

Copy of above is sent to Dy: Director, IT for information  
and necessary action.

ATTESTED  

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

G-11

No. CPO/EC-II 1637

Dated Peshawar 03/09/2020

To The Capital City Police Officer,  
Peshawar

Subject: REPRESENTATION AGAINST SENIORITY LIST OF OFFICERS BS-18  
INFORMATION TECHNOLOGY GROUP OF KHYBER PAKHTUNKHWA  
POLICE DATED 27.04.2020 NO.804/SE-I

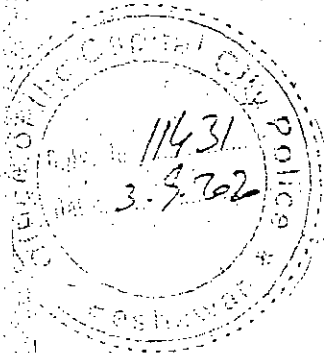
Memo:

Please refer to your office letter No 6511/EC-II dated 21.05.2020 on the subject cited above.

As approved by the Competent Authority and aspects of AIG Legal CPO is reproduce for necessary action at your end:-

"The perusal of record reveals that applicant Numan Rafi was appointed directly in BPS-18 through Regularization of Services Act 2018 on 20.06.2018, while Saleem Ullah was appointed in regular basis in BPS-17 and was promoted to BPS-18 on Acting Charge Basis on 02.12.2015 due to less service in BPS-17 which was about 06 months, later on he was promoted on regular basis after DSB approval on 12.04.2019.

According to rule, Mr. Saleem Ullah was eligible for regular promotion after 06 months of his Acting Charge Basis promotion, but it was late due to not placing before next DSB, which was not his fault, the seniority list already prepared is correct and need not changes".



*[Handwritten signature]*

- C.C.P.O. \_\_\_\_\_
- SSP/O \_\_\_\_\_
- SSP/A \_\_\_\_\_
- SP/City \_\_\_\_\_
- SP/City \_\_\_\_\_
- SP/Rural \_\_\_\_\_
- SP/Sec \_\_\_\_\_
- SP/MQ Endst: No. & date even.
- SP/O Copy forwarded to the:-
- SP/T. HQ 1. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa.
- DSP/DO 2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
- P.O./C.C. 3. AIG Legal CPO Peshawar.
- PA/EC-II \_\_\_\_\_
- AS/Cell \_\_\_\_\_

*[Handwritten initials]*

*[Handwritten signature]*  
KASHIF ZULFIQAR PSP  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa

*[Handwritten date]* 3/9/20

*[Handwritten initials]* P-11

P-11

12

OFFICE OF THE CAPITAL CITY POLICE OFFICER, PESHAWAR.

No. 593 /EC-II, dated Peshawar, the 18 /2020.

Copy of above is sent to Dy: Director IT, CCP/Peshawar for information and further necessary action.

*[Handwritten Signature]*

FOR CAPITAL CITY POLICE OFFICER  
PESHAWAR.

*[Handwritten Signature]*  
17-4-2021

APPROVED

*[Handwritten Signature]*

12



FOR PUBLICATION IN THE KHYBER  
PAKHTUNKHWA POLICE GAZETTE PART-II,  
ORDERS BY THE INSPECTOR GENERAL OF  
POLICE KHYBER PAKHTUNKHWA  
PESHAWAR.

H (13)

NOTIFICATION

Dated: 25/01/2016.

No. 414 /E-V. **PROMOTION** :- Having been approved by the Departmental Selection Committee held on 20.11.2015 under the Chairmanship of Additional Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar, the following Asstt: Network Administrators of IT staff (BS-16) are hereby promoted to the post of Asstt: Director/Data Processing Officer/Network Administrator/Programmer/Web Administrator/Hardware Engineer/Deputy Data Base Administrator in (BS-17) on Acting Charge Basis with immediate effect.

S. NO.	NAME OF OFFICER
1.	Mr. Irfan Ullah
2.	Mr. Asfandyar

The terms and conditions of their promotion will be as under:-

1. Their promotion will be on probation for a period of one year and also extendable for another one year in terms of Section-6 (02) of Khyber Pakhtunkhwa Civil Servant Act-1973 read with Rules-15 (01) of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989
2. Their promotion will take effect from the date they actually take over the charge of their higher responsibilities.

(MUAHMAD ALAM SHINWARI) PSP  
DIG, Hqrs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa  
Peshawar

No. 415-30 /E-V, Dated Peshawar the 15/01/2016

Copy of above is forwarded for information and necessary action to the:-

1. Additional Inspector General of Police Hqrs: Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police, SB:, Khyber Pakhtunkhwa, Peshawar.
3. Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar.
4. Additional Inspector General of Police, Elite Force, Khyber Pakhtunkhwa, Peshawar.
5. Regional Police Officer, Malakand Region at Saidu Sharif, Swat.
6. Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
7. Capital City Police Officer, Peshawar.
8. Accountant General, Khyber Pakhtunkhwa, Peshawar.
9. Asstt: Inspector General of Police, Establishment CPO Peshawar.
10. District Police Officer, Swat.
11. PSO to Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
12. Director IT, CPO, Peshawar.
13. Registrar, CPO, Peshawar.
14. District Accounts Officer, Swat.
15. Office Superintendent Secret CPO Peshawar.
16. Office Superintendent CPB, CPO, Peshawar.
17. In-Charge Central Registry Cell, CPO, Peshawar.

ATTESTED



(19)

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE, PESHAWAR  
Fax: 091-9210518

Dated Peshawar the, 09 Sept, 2016.

**NOTIFICATION**

No. 963 /SE-I, On the recommendation of Khyber Pakhtunkhwa Public Service Commission Peshawar vide letter No. PSC/SR-VI/065534 dated 26.08.2016. The following candidates are hereby appointed as Programmer BS-17 purely on temporary basis in Khyber Pakhtunkhwa Police Department from the date they actually report/assume for their duties at the place of posting subject to medical fitness, verification of all documents/testimonials from the respective Boards/Institutions, character/antecedents and fulfillment of all other codal formalities:-

S/No.	Name of Candidates	Father Name	Post
1.	Muhammad Saleem Gul	Umar Gul	Programmer (BS-17)
2.	Azmat Ullah Khan	Atta Ullah	Programmer (BS-17)

02. Terms and Conditions will be the same which has been specified in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules 2014.

03. Their posting Notification will be issued separately.

Sd/-  
NASIR KHAN DURRANI  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

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

Copy forwarded to the:-

- Principal Secretary to Governor Khyber Pakhtunkhwa.
- Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- Chief Secretary Government of Khyber Pakhtunkhwa Peshawar.
- Secretary, Govt: of Khyber Pakhtunkhwa Estt: & Admn: Deptt: Peshawar.
- Secretary, Govt: of Khyber Pakhtunkhwa Finance Deptt: Peshawar.
- Secretary, Govt: of Khyber Pakhtunkhwa Home & T:As Deptt: Peshawar.
- Secretary, Khyber Pakhtunkhwa Public Service Commission Peshawar.
- All Addl: Inspectors General of Police in Khyber Pakhtunkhwa.
- All Heads of Police in Khyber Pakhtunkhwa Peshawar.
- Accountant General Khyber Pakhtunkhwa Peshawar.
- PSO to IGP Khyber Pakhtunkhwa Peshawar.
- Director IT CPO Peshawar.
- Director Recruitment Khyber Pakhtunkhwa Public Service Commission Peshawar.
- AIG Establishment CPO Peshawar.
- PRO to IGP Khyber Pakhtunkhwa Peshawar.
- Supdt: Secret CPO/Accountant CPO Peshawar.
- Mr. Muhammad Saleem Gul s/o Umar Gul r/o Khamosh Colony Hazar Khwani No. 02 UC No. 28 Peshawar City.
- Mr. Azmat Ullah Khan s/o Atta Ullah P/Adress Data processing supervisor, Directorate General, Excise & Taxation Shami Road Peshawar
- Central Registry CPO.
- U.O.P File.

**ATTESTED**

(NAJEEB-UR-REHMAN BUGVI)PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.



Dated Peshawar the 06 September, 2019

## NOTIFICATION

No.CPO/E-I/Promotion/ 1015. In pursuance of the Departmental Selection Committee Meeting held on 25.07.2019 at CPO Peshawar under the Chairmanship of Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa duly approved by the Inspector General of Police, Khyber Pakhtunkhwa, the following Asstt: Network Processing Officer/Network Administrator/Programmer/Web Administrator/Hardware Engineer/Deputy Data Base Administrator in (BS-17) on Acting Charge Basis are hereby promoted to (BS-17) on Regular Basis with immediate effect:-

S.No	Name of officers
1.	Mr. Irfan Ullah
2.	Mr. Asfandyar

The terms and condition of their promotion will be as under:-

1. Their promotion will be on probation for a period of one year and also extendable for another one year in terms of Section -6 (02) of Khyber Pakhtunkhwa, Civil Servant Act-1973 read with Rules-15 (01) of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.
2. Their promotion will take from the date they actually assume the charge of their higher responsibilities.

Sd/-

Muhammad Naeem Khan, Dr, PSP  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Endst: No. & date even.

Copy forwarded to their:-

1. All Addl: IsGP in Khyber Pakhtunkhwa.
  2. Accountant General Khyber Pakhtunkhwa.
  3. Chief of Staff (COS) to the Provincial Police Officer, Khyber Pakhtunkhwa.
  4. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
  5. Capital City Police Officer, Peshawar.
  6. DIG CTD Khyber Pakhtunkhwa.
  7. DIG Traffic Khyber Pakhtunkhwa.
  8. Director IT CPO Peshawar.
  9. SSP Traffic Peshawar.
  10. Registrar CPO-Peshawar.
  11. Supdt: Secret and Supdt CPB CPO Peshawar.
  12. Accountant CPO Peshawar.
  13. Central Registry CPO Peshawar.
  14. U.O.P File.
- D.C.P.O.  
SSPAO  
SSPT  
SP/Cantt  
SP/City  
SP/Rural  
SP/Sec  
SP/HQ  
SP/PO  
SP/T.HQ  
DSP/IOS  
PO/C.C.  
PA/EC-II  
AS/AC/Cell

(SADIQ BALOCH) PSP  
AIG Establishment,

For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

16

OFFICE OF THE CAPITAL CITY POLICE OFFICER, PESHAWAR.

No. 12-983-87 /EC-I, dated Peshawar the 12/9 /2019

Copy of above is forwarded for information and necessary action to the:-

- 1. SSP/Operations, Peshawar.
- 2. Director IT CCP, Peshawar.
- 3. PO, EC-II and AS.

2866  
2068  
12/9/19

*[Signature]*  
FOR CAPITAL CITY POLICE OFFICER,  
PESHAWAR.  
11-9-19

*[Signature]*

ccp

*[Signature]*  
*[Signature]*  
*[Signature]*



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

Dated Peshawar

27-04-2020

SENIORITY LIST OF OFFICERS BS-17 INFORMATION TECHNOLOGY  
OF KHYBER PAKHTUNKHWA POLICE

No. 805 /SE-I, The Seniority List of Officers BS-17 Information Technology Group of Khyber Pakhtunkhwa Police is hereby published for information of all concerned.

S.No	Name of Officers	D.O Birth	Domicile	Qualification	D.O App	Method of app	Remarks
1.	Mr. Muhammad Saleem Gul Programmer	20.02.1986	Peshawar	BS (IT)	09.09.2016	Through PSC	
2.	Mr. Azmat Ullah Khan Programmer	05.12.1981	Charsadda	M Sc Computer Science	09.09.2016	Through PSC	
3.	Mr. Irfan Ullah Asstt: Network Administrator	05.05.1979	Charsadda	MSC	26.07.2012	Through PSC	
4.	Mr. Asfandyar Asstt: Network Administrator	15.04.1982	Charsadda	M Sc Computer Science	26.07.2012	Through PSC	

Endst: No. & date even.

Copy to all concerned

*S. Muhammad / 27/4*  
(SALMAN CHOUDHRY) PSF  
Deputy Inspector General of Police, HQrs.  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

ATTESTED

**VAKALATNAMA**

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

10748

OF 2020

Nauman Rafi

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Police Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Nauman Rafi

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. \_\_\_/\_\_\_/2020

Nauman Rafi  
CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK**

**KAMRAN KHAN**

Mir Zaman Safi  
**MIR ZAMAN SAFI**

&

**AFRASIAB KHAN WAZIR  
ADVOCATES**

OFFICE:

Flat No.4, 2<sup>nd</sup> Floor, Juma Khan  
Plaza, near FATA Secretariat,  
Warsak Road, Peshawar.  
Mobile No.0345-9383141

BEFORE THE SERVICE TRIBUNAL PESHAWAR

WAKALATNAMA

FIR No. \_\_\_\_\_  
Dated: \_\_\_\_\_  
U/S: \_\_\_\_\_  
P.S: \_\_\_\_\_

NOMAN RAFI (Petitioners)  
(Plaintiff)  
(Applicant)  
(Complainant)  
**VERSUS**  
(Appellant)  
(Decree Holder)

SALEEM ULLAH & others (Respondents)  
(Defendants)  
(Accused)  
(Judgment Debtor)

I/We, Saleemullah (Defendant / Respondent # 04)

in the above noted Appeal, do hereby appoint and constitute, **Muhammad Amin Khattak Lachi & Sayed Fazal Rahman Advocates, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration to me/us as my/our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/Counsel at my/our matter.

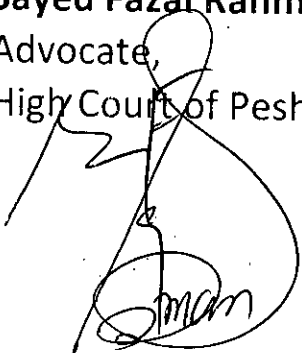
ACCEPTED

  
**Muhammad Amin Khattak Lachi.**

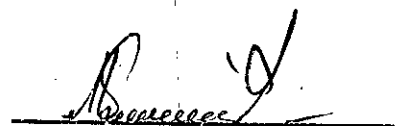
Advocate,  
Supreme court of Pakistan

**Sayed Fazal Rahman**

Advocate,  
High Court of Peshawar.



CLIENT(S)



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

Service Appeal No. 10748/ 2020

Nouman Rafi ..... (Appellant)

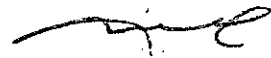
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

**INDEX**

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
1.	Para-wise comments		1-3
2.	Affidavit		4
3.	Khyber Pakhtunkhwa Information Technology Service Rules, 2014	A	5-16
4.	Copy of Letter No. 1542/ GC dated 24.05.2018	B	17
5.	Copies of Letter dated 25.07.2012, 02.12.2015 & 27.07.2017	C	18-21
6.	Copy of Letter No. CPO/E-I/1637 dated 03.09.2020	D	22-28

Respondents through



**(TARIQ UMAR)**  
Inspector/ Legal CPO,  
Peshawar.

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

Service Appeal No. 10748/ 2020

Nouman Rafi ..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc  
.....(Respondents)

**REPLY BY RESPONDENTS NO. 1 TO 3**

RESPECTFULLY SHEWETH:

**PRELIMINARY OBJECTIONS:-**

- a) That the appeal is barred by law.
- b) That the appeal is not maintainable in the present form.
- c) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- d) That the appellant is estopped to file the appeal by his own conduct.
- e) That the appellant has not come to this Honorable Tribunal with clean hands.
- f) That the appellant has got no cause of action and locus standi to file instant service appeal.
- g) That according to the Khyber Pakhtunkhwa Civil Servants Act, 1973<sup>\*</sup> Section 11 (A) and as per Project Employees (Regularization of Services Act, 2018) Section 5(ii) the employee shall possess the same qualification and experience as required for regular post.

**FACTS:-**

1. Correct to the extent that appellant is employee of respondent department as Deputy Director Information Technology but he is having less qualification (MCS 16 years) instead of MS Computer Science 18 years and experience as required for regular post as per Amended Khyber Pakhtunkhwa Information Technology Wing Service Rules, 2014. (Copy enclosed as **Annexure-A**).
2. Incorrect. Initially the appellant joined the Directorate of Information Technology, Government of Khyber Pakhtunkhwa, Peshawar as Network Manager purely on contract basis (project employee) to look after and maintain the project

“Traffic Control Management System” in Traffic Unit of Police Department. (Copy of Letter No. 1542/ GC, dated 24.05.2018 is enclosed as **Annexure-B**).

3. Incorrect. The seniority issued is correct and legally justified on the grounds that Mr. Saleem Ullah (respondent No. 4) was appointed through Khyber Pakhtunkhwa Public Service Commission, Peshawar as Network Administrator (BS-17) on 25.07.2012 later on promoted to BS-18 on Acting charge basis on 02.12.2015, the required period for promotion was completed on 27.07.2017 as per Khyber Pakhtunkhwa Police Information Technology Wing Service Rules, 2014 before the commencement of the Regularization of Services Act, 2018. (Copies of Letter dated 25.07.2012, 02.12.2015 & 27.07.2017 are enclosed as **Annexure-C**).
4. Pertains to record.
5. Pertains to record, however; the fundamental rights of Mr. Saleem Ullah (respondent No. 4) were well matured/ established on 27.07.2017 before the commencement of Regularization of Services Act, 2018. (Copy of Letter No. CPO/E-I/1637, dated 03.09.2020 is enclosed as **Annexure-D**).
6. The appellant has wrongly challenged the legal/ valid order of respondents through unsound Grounds.

**GROUND:-**

- A. Incorrect. As explained in Para No. 3 of Facts.
- B. Incorrect. Appellant has been treated in accordance with law by the answering respondents and did not violate any Article of Constitution of Islamic Republic of Pakistan, 1973.
- C. Incorrect. No malafide has been committed by the answering respondents and the seniority list dated 27.04.2020 and appellate order dated 03.09.2020 are quite legal in accordance with law/ rules.
- D. Incorrect. As explained in preceding Paras.
- E. Incorrect. As per reference case of Mr. Irfan Ullah and Mr. Asfandyar the required service length of promotion period of five years as per Information Technology Wing Service Rules, 2014 was not completed and new appointments were made through Khyber Pakhtunkhwa, Public Service Commission, Peshawar while in the case of respondent No. 4 (Mr. Saleem

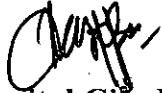



Ullah) service length as per rules was established/ matured before the commencement of the regularization Act, 2018 while the appellant was regularized from project employee through an Regularization Act, 2018. (Copy of Khyber Pakhtunkhwa Employees Regularization of Services Act, 2018 is enclosed as **Annexure-E**).


- F. Incorrect. The respondents did not discriminate the appellant and performed their lawful duties in accordance with law/ rules.
- G. Incorrect. Seniority list and appellate order dated 03.09.2020 are in accordance with law/ rules and policy of the Government.
- H. As explained in preceding Paras.
- I. The respondents may also be allowed to raise additional Grounds at the time of hearing of the instant Service Appeal.

**PRAYER:-**

Keeping in view the above stated facts and rules on the issue it is humbly prayed that the appeal is not maintainable, may kindly be dismissed with costs, please.

  
Capital City Police Officer,  
Peshawar.  
(Respondent No. 3)

  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.  
(Respondent No. 1)

  
Secretary,  
Government of Khyber Pakhtunkhwa,  
Home & TAs Department, Peshawar.  
(Respondent No. 2)

Home Secretary,  
Khyber Pakhtunkhwa

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

Service Appeal No. 10748/ 2020.....

Nouman Rafi ..... (Appellant)

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

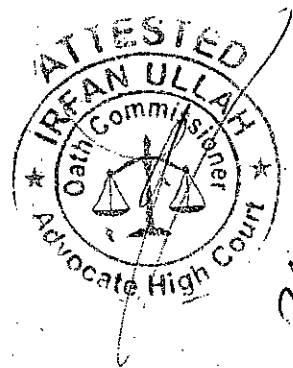
**AFFIDAVIT**

I, Tariq Umar Inspector/ Legal CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents No. 1 to 3 are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

Respondents through



**(TARIQ UMAR)**  
Inspector/ Legal CPO,  
Peshawar.



24-8-24

Ann. A

From : The Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.

To : The Controller,  
Govt. Printing Press,  
Khyber Pakhtunkhwa,  
Peshawar.

The Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Home and TAs Department.

The Secretary,  
to Govt. of Khyber Pakhtunkhwa,  
Law parliamentary Affairs  
and Human Rights Department,  
Peshawar.

The All Addl: IsGP,  
in Khyber Pakhtunkhwa,

The Deputy Secretary (Police),  
Govt. of Khyber Pakhtunkhwa,  
Home & TAs Department, Peshawar.

The Assistant Inspector General Legal CPO,  
Peshawar.

No. 691-701 /E-V dated Peshawar the 21 /2014.

Subject: NOTIFICATION OF SERVICE RULES FOR IT PERSONNEL OF  
KHYBER PAKHTUNKHWA POLICE.

Memo:

Enclosed please find herewith a copy of notification vide No. 601/E-V dated: 28.03.2014 regarding the Khyber Pakhtunkhwa Police Department Information Technology Group Service Rules 2014, for further necessary action.

  
(SYED FIDA HASSAN SHAH)

AIG/Establishment  
For Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar

No. 702-4 /E-V, dated Peshawar the 21 /2014

Copy forwarded for similar action to:-

1. Director IT CPO Peshawar.
2. Deputy Director Legal CPO Peshawar.
3. Office Supdt: Secret CPO Peshawar.

Annexure  
'A'

(1)

GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
POLICE DEPARTMENT

NOTIFICATION

Peshawar, dated the 18-3-2014.

No. 601/E-V. In exercise of the powers conferred by Article 112 of the Police Order 2002, the Provincial Police Officer, Khyber Pakhtunkhwa, with approval of the Government of the Khyber Pakhtunkhwa Province, hereby make the following rules, namely:

THE KHYBER PAKHTUNKHWA POLICE DEPARTMENT  
(INFORMATION TECHNOLOGY GROUP)  
SERVICE RULES, 2014.

**PART-I**  
**GENERAL**

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014.

(2) These rules shall apply to all employees of the Information Technology of Police Department.

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

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

- (a) "Appendix" means the Appendix appended to these rules;
- (b) "Appointing Authority" in relation to a post, means, the persons authorized under rule 4 to make appointment to that post;
- (c) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (d) "employee" an employee, who holds a post in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service;
- (e) "Government" means the Government of the Khyber Pakhtunkhwa;
- (f) "initial recruitment" means a appointment made otherwise than by promotion;
- (g) "post" means a post specified in column 2 of the Appendix;

- (h) "Province" means the Province of the Khyber Pakhtunkhwa;
- (i) "recognized university" means any university incorporated by law in Pakistan; and
- (j) "service" means the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service.

**PART-II**  
**METHOD OF APPOINTMENTS**

3. **Method of appointment.**---(1) Appointment to posts shall be made by any of the following methods, namely:

- (a) by initial recruitment, on the recommendation of the Public Service Commission, in accordance with the provisions contained in the Appendix, and every vacant post of any pay scale which falls under initial recruitment quota shall be advertised in news papers; and
- (b) by promotion in accordance with the provisions contained in the Appendix.

4. **Appointing Authority.**---The authorities competent to make appointment to posts in various basic pay scales shall be as follows:

S. No.	Posts.	Appointing Authority.
1.	Posts in Basic Pay Scale 18.	Chief Minister.
2.	Posts in Basic Pay Scale 17.	Provincial Police Officer.
3.	Posts in Basic Pay Scale 16 and below.	Additional Inspector General of Police (Headquarters).

5. **Departmental Promotion Committee and Departmental Promotion Board.**---(1) In Police Department, there shall be a Departmental Promotion Committee or Departmental Promotion Board, as the case may be, the composition of which shall be determined by the Provincial Police Officer from time to time.

(2) The Departmental Promotion Committee or the Departmental Promotion Board, as the case may be, shall consist of at least three members, one of whom shall be appointed as Chairman.

6. **Appointment by promotion.**---(1) Appointment by promotion to posts in BPS-18, in respect whereof the Appointing Authority under rule 4 is the Chief Minister, shall ordinarily be made on the recommendation of the Departmental Promotion Board.

(2) Appointment by promotion to posts in BPS-17, in respect whereof, the Appointing Authority is the Provincial Police Officer, shall ordinarily be made on the recommendation of the Departmental Promotion Board whereas the posts in BPS-16 and below in respect whereof, the Appointing Authority is the Additional Inspector General of Police (Headquarters), shall ordinarily be made on the recommendation of the Departmental Promotion Committee.

(3) Persons possessing such qualifications and fulfilling such conditions as laid down in the Appendix, for the purpose of promotion to a post, shall be considered by the Departmental Promotion Board or the Departmental Promotion Committee, as the case may be.

(4) No promotion on regular basis shall be made to any post unless the officer concerned has completed such minimum length of service as specified in the Appendix.

(5) If on an order of promotion or before promotion any employee declines, in writing, to accept promotion, such employee shall not be considered for such promotion for the next four years following order:

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion.

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

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

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

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

- (a) he produces a certificate of character from the head of academic institution last attended, and also the certificate of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents; and
- (b) he has appeared before the Standing Medical Board/Civil Surgeon/Medical Superintendent and found fit for the service.

**PART-III  
PROBATION AND CONFIRMATION**

8. Probation---(1) Persons appointed to posts by initial recruitment or by promotion, shall be on probation for a period of one year:

Provided that if his work or conduct during the period of probation has, in the opinion of the Appointing Authority, not been found satisfactory, the

(4)

Appointing Authority may, notwithstanding that the period of probation has not expired:

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

(2) On the successful completion of probation period, the Appointing Authority, shall by specific order, terminate the probation:

Provided that if no specific order is issued on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended for another one year:

Provided further that if no specific order is issued on the expiry of extended period of probation, the period of probation shall be deemed to have been successfully completed.

9. **Confirmation.**---(1) After successful completion of the period of probation and on passing such prescribed test or examination or acquisition of any certificate, diploma or degree, as may be prescribed in the letter of appointment, employee shall be eligible for confirmation; provided that he holds a substantive post.

(2) An employee, who during the period of his/her service, was eligible to be confirmed but retires before being confirmed shall not merely by attaining the age of superannuation be refused, confirmation or any other benefit accruing there from.

(3) There shall be no confirmation against a temporary post or in case of an employee under enquiry till the inquiry is completed and he is exonerated from the allegations or charges, leveled against him.

#### PART-IV SENIORITY

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

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission; provided that persons selected for appointment to a post in an earlier selections shall rank senior to the person selected on a later selection; and
- (b) in the case of persons appointed otherwise with reference to the date of their continuous regular appointment to the post; provided that the person selected for promotion to a

both.

(3) No pension shall be admissible to an employee, who is dismissed or removed from service for reason of discipline but competent authority may sanction compassionate allowance to such employee, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to an employee is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of an employee, which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such employee or his family.

**PART -VI  
RETIREMENT, RESIGNATION  
AND TERMINATION**

12. Retirement.---(1) An employee shall retire from service-

- (a) on such date after he has completed twenty-five years of service qualifying for pension or other retirement benefits, the Appointing Authority may, in public interest, direct; and
- (b) where no direction is given under clause (a) on completion of the sixtieth year of his/her age.

(2) No direction under clause (a) of sub-rule (1), shall be made until the employee has been informed in writing of the grounds on which it is proposed to make the direction and has been given a reasonable opportunity of showing cause against the direction.

13. Resignation.---(1) An employee may resign from service by giving one month's notice in writing. The resignation shall become effective on the expiry of the said period of notice.



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(2) No resignation shall become effective during the pendency of any disciplinary proceedings against an employee.

(3) Unless the resignation becomes effective, the employee shall not absent himself from the duty without prior approval of competent authority. The leave shall be taken in writing and approved by the competent authority if the employee has leave balance in his account.

(4) An employee who is on probation or has been employed on temporary basis may resign his service at seven (7) days prior notice. The resignation shall not become effective unless accepted by the Appointing Authority on such acceptance the service of such employee shall stand discontinued. However the acceptance in any case other than disciplinary proceedings, should be within thirty (30) days of receipt of the resignation by the Appointing Authority.

14. **Termination.**---(1) The Appointing Authority may terminate the service of an employee by giving him one month notice with the reasons recorded in writing or by way of punishment duly awarded in accordance with these regulations. Termination is also admissible during probation.

(2) The Appointing Authority shall have the option to pay to the employee at any time during the continuance of the notice a sum equal to his basic pay and allowances for the unexpired period of notice in which case the termination shall become effective on the date such payment is tendered.

(3) The Appointing Authority may terminate the service of any employee, on probation or on a temporary basis at one month notice in writing with the reasons recorded in writing or by way of punishment duly awarded in accordance with these rules.

15. **Application of General Rules.**---In all other matters not specially provided for in these rules, the holder of posts under these rules shall be governed by any rule made or deemed to have been made under the Khyber Pakhtunkhwa Civil Servants Act, 1973.

7

**APPENDIX**

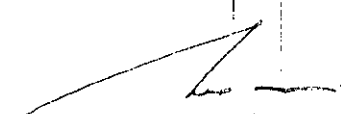
See rules 2(a), (f), 3,5(1) and 7(1)

S. No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of Recruitment.
1.	2.	3.	4.	5.
1.	Deputy Director/ System Analyst/ Database Administrator (BPS-18).			By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors / Programmers/LAN Administrators/Web Administrators/ Data Processing Officers/Deputy Database Administrators (BPS-17), with five years service as such.
2.	Assistant Director/ Programmer/ LAN Administrator/ Web Administrator/ Data Processing Officer/ Deputy Database Administrator (BPS-17).	Second Class Master Degree in Computer Science or equivalent qualification from a recognized University.	22 to 35 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers/ Assistant LAN Administrator (BPS-16) having five years service as such and having qualification specified in column 3 for initial recruitment; and (b) fifty per cent by initial recruitment.
3.	Assistant Programmer/ Assistant LAN Administrator (BPS-16).	Second Class Master Degree in Computer Science or four years Bachelor Degree in Information Technology or Computer Science or equivalent qualification from a recognized University.	21 to 30 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Data Processing Supervisors (BPS-14) having qualified mandatory three months Information Technology Course in Database Management, Programming, Web Pages Development and Networking from Staff Training Institute, Establishment Department, Government of the Khyber Pakhtunkhwa; and (b) fifty per cent by initial recruitment.
5.	Data Processing Supervisor (BPS-14).		21 to 30 years.	By promotion, on the basis of seniority-cum-fitness, from amongst Computer Operators (BPS-12) with five years service as such.

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3.	Computer Operator (BPS-12).	Second Class Bachelor's Degree from a recognized University, with one year Diploma in Information Technology from a recognized Board of Technical Education or its equivalent.	18 to 28 years.	By initial recruitment.
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PROVINCIAL POLICE OFFICER,  
Government of the Khyber Pakhtunkhwa

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**POLICE DEPARTMENT.**

**NOTIFICATION**

*Peshawar, dated the 29/8/2014.*

No. 2951 /E-Y. In exercise of the powers conferred by Article 112 of the Police Order 2002, (Chief Executive Order No. 22 of 2002)) the Provincial Police Officer, with the approval of the Government of the Khyber Pakhtunkhwa Province, is pleased that in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014, the following amendments shall be made, namely:

Asst. Commr. Peshawar  
05/08/14

**AMENDMENTS**

1. In the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014 for the word "Group", wherever occurring the word "Wing" shall respectively be substituted.
2. In rule 4, in the table, against serial No. 1, in column No. 2, after the figure "18" the word and figure "and 19" shall be added.
3. In the Appendix,-
  - (i) the existing serial No. 1, shall be renumbered as 1A and before 1A, as so renumbered, the following new entries shall be added, in the respective columns, namely:

"1.	Director (BPS-19).	(i) Ph.D in Computer Science/ Information Technology from recognized University with five (5) years experience in the relevant field; or  (ii) MS in Computer Science/ Information Technology from recognized University with seven (7) years experience in the relevant field.	35 to 45 years.	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors, System Analysts and Database Administrators (BPS-18), with at least seven (7) years service as such:  Provided that if no suitable officer is available for promotion then by initial recruitment."
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*Handwritten signature and date: 15/3/74*

(ii) against serial No.1A, as so renumbered,-

- (a) in column No. 3 the words "MS Computer Science/Information Technology with five (5) years experience in the relevant field" shall be inserted; and
- (b) in column No. 4 the full stop at the end shall be replaced by colon and thereafter the following shall be added, namely:

"Provided that if no suitable officer is available for promotion then by initial recruitment."

(iii) against serial No. 2,-

- (a) for column No. 3, the following shall be substituted, namely:

"At least Second Class Master's Degree in Computer Science/Information Technology or equivalent qualification from a recognized University, having five years experience in the relevant field."; and

- (b) in column No. 5, in clause (a), the semi-colon and the word "and" shall be replaced by colon and thereafter the following shall be inserted, namely:

"Provided that if no suitable officer is available for promotion then by initial recruitment; and";  
and

- (iv) against serial No. 3,-

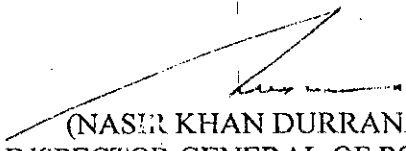
- (a) for column No. 3, the following shall be substituted, namely:

"At least Second Class Master's Degree, in Computer Science/Information Technology or four years Bachelor Degree in Information Technology or Computer Science or equivalent qualification from a recognized University."; and

- (b) in column No. 5, in clause (a),-

- (i) for the words "Staff Training Institute. Establishment Department, Government of Khyber Pakhtunkhwa", the words "any recognized institute" shall be substituted; and
- (ii) the semi-colon and the word "and" shall be replaced by colon and thereafter the following shall be inserted, namely:

"Provided that if no suitable officer is available for promotion then by initial recruitment; and".

  
(NASIR KHAN DURRANI)  
INSPECTOR GENERAL OF POLICE  
PROVINCIAL POLICE OFFICER,  
KHYBER PAKHTUNKHWA, PESHAWAR.



Annexure 13

OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE  
TRAFFIC, PESHAWAR

Phone:091-9225361, FAX:091-9225368

No. 1542 /GC, dated Peshawar the 24/5/2018.

CERTIFICATE

It is submitted that the project "Traffic Control Management System & FM Radio" was initiated by Science & Technology and Information Technology (ST&IT) Department with the collaboration of Traffic Police, Peshawar in December 2012. All the staff working in the project was hired by the ST&IT Department during the year 2013-15 as per KP Project Policy. The project was shifted to Home Department ADP under sub-sector of Police Department ADP No.(693-120173) for the financial year 2017-18. The detail of the staff working under the project is as follows:-

S#	Name	Designation		BPS	Qualification	
		Current	Proposed		As per PC-I	Qualification Achieved
1	Nauman-Rafi	Network Manager	Deputy Director-IT	18	BCS/MCS/MIT/M.Sc Computer Science or Equivalent	MCS
2	Zahid Aman	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	MA with DIT
3	Qaiser khan	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	BA with DIT
4	Hizer Rehman	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	DAE (Computer Technology), BA in progress
5	Faheem ullah	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	M.Com with DIT
6	Arshed khan	Naib Qasid	Naib Qasid	3	Matric	Middle
7	Asif ullah	Server room Attendant	Naib Qasid	3	Matric	Middle
8	Khaliq Dad	Naib Qasid	Naib Qasid	3	Matric	Middle

29  
(YASIR AFRIDI)PSP  
Senior Superintendent of Police,  
Traffic, Peshawar.

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**FOR PUBLICATION IN THE KHYBER  
PAKHTUNKHWA POLICE GAZETTE PART-II  
ORDERS BY THE PROVINCIAL POLICE OFFICER  
KHYBER PAKHTUNKHWA, PESHAWAR**

NOTIFICATION

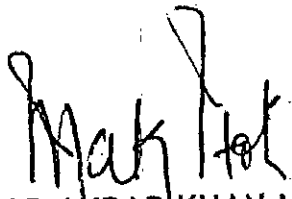
Dated: 25 / 7 / 12

No. 14699 /E-III, APPOINTMENT AS NET WORK ADMINISTRATOR BS-17

On the recommendation of Secretary KPK Public Service Commission Peshawar vide letter No. KPK/PSC/SR-V/031699 dated: 14.06.2012, Mr. Muhammad Saleem Ullah s/o Muhammad Zahir Shah r/o Surbat Payeen District Upper Dir is hereby appointed as Net Work Administrator BS-17 purely on temporary basis in the KPK Police with effect from the date he actually report for duty at his place of posting subject to medical fitness and verification of character and antecedents.

The term and condition of his service will be as under:-

1. His services are liable to be terminated on 14 days notice without assigning any reason.
2. On appointment the above name candidate is posted to Malakand Region Swat.

  
AC (MUHAMMAD AKBAR KHAN HOTI)  
Provincial Police Officer,  
Khyber Pakhtunkhwa  
Peshawar. 23/7

No. 14700-03 /E-III

Copy of above is forwarded for information and necessary action to the:-

1. Deputy Inspector General of Police, Malakand Region Swat in continuation of this office Memo No. 21238/E-III dated: 15.09.2010 (his academic certificates may please be verified from his respective Board /University. His application alongwith other documents are also attached. Note: Please offer your comments regarding his adjustment in your Region.
2. Secretary, KPK Public Service Commission, Peshawar: w/r to his letter quoted above.
3. Office Supdt: Secret CPO.
4. Mr. Muhammad Saleem Ullah s/o Muhammad Zahir Shah r/o Surbat Payeen District Upper Dir

*Muhammad Saleem Ullah*  
*~ D.O. Ullah*





*Ammaure (C)*

**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the December 2, 2015

**NOTIFICATION**

**NO.SO(E-I)E&AD/2-4/2015.** The Competent Authority on the recommendations of the Departmental Selection Board is pleased to promote the following officers of Information Technology (IT) Wing Khyber Pakhtunkhwa Police Department, as per details below, with immediate effect:-

S #	NAMES OF OFFICERS WITH PRESENT POST AND BPS	PROMOTED TO THE POST/BPS
1.	Mr. Navid Gul System Analyst (BS-18)	Director, Information Technology BS-19, on regular basis.
2.	Mr. Muhammad Ashfaq Data Processing Officers (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on regular basis.
3.	Mr. Muhammad Aftab Database Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.
4.	Mr. Muhammad Saleem Ullah Network Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.

2. The officers mentioned at Sr. No. 1, 2, promoted on regular basis, shall remain on probation for a period of one year extendable for another year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

**CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA**

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

Copy forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Home & T.A. Department.
4. Provincial Police Officer, Khyber Pakhtunkhwa.
5. Accountant General, Khyber Pakhtunkhwa.
6. Director, Information & Public Relations, Khyber Pakhtunkhwa.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa
8. PS to Chief Secretary, Khyber Pakhtunkhwa
9. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA AS(HRD)/DS(E.)/SO(E.II) Establishment Department.
10. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/ Director Protocol/ Estate Officer/ACSO Cypher/Deputy Director (IT) Administration Department, Khyber Pakhtunkhwa.
11. Officers concerned.
12. Manager, Govt. Printing Press Peshawar.

*(Signature)*  
**(KASHIF IQBAL JILANI)  
SECTION OFFICER (ESTT-I)**

ZIA-UL-HAQ/\*\*

Annexure (E)

**MINUTES OF DEPARTMENTAL SELECTED BOARD MEETING HELD ON 11/01/2015**

A Meeting of the Departmental Selected Board was held on 11/01/2015 at 10:00 hours in Conference Room at CPO under the Chairmanship of Mr. Major General (Retd) General of Police, Khyber Pakhtunkhwa to discuss the case of promotion of Information Technology (IT) Wing Khyber Pakhtunkhwa Police from BS-18 on Acting Charge to BS-19 on Regular Basis.

The following Officers attended the meeting:-

1. Mr. Syed Asghar Ali Shah Addl. IGP/IGOs Member, Khyber Pakhtunkhwa Peshawar
2. Mr. Salah-ud-Din Khan Addl. IGP/Special Branch Khyber Pakhtunkhwa Peshawar
3. Mr. Ishtiaq Ahmad Khan Marwat Addl. IGP/IGOs Member, Khyber Pakhtunkhwa Peshawar
4. Mr. Shahab Masood Zill-Allah Addl. IGP/IGOs Member, Khyber Pakhtunkhwa Peshawar
5. Mr. Muhammad Shahbaz Aslam Addl. IGP/IGOs Member, Khyber Pakhtunkhwa Peshawar
6. Mr. Muhammad Talib Khan Central City Police Officer Peshawar
7. Mr. Muhammad Alam Shindani DIO of Police Wing, Khyber Pakhtunkhwa Peshawar
8. Mr. Mubarak Zeb DIO of Police Wing, Khyber Pakhtunkhwa Peshawar
9. Mr. Abdul Kamal Khan Addl. Secy. Govt. of Khyber Pakhtunkhwa Home & I.A. Deptt.
10. Mr. Javed Khan Dy. Secy (R&V) Govt. of Khyber Pakhtunkhwa Health Deptt.
11. Mr. Naiceb-ur-Rahman Dogar Addl. IGP/Establishment Khyber Pakhtunkhwa Peshawar
12. Mr. Moazzam Khan SVP-IGOs of Police, Khyber Pakhtunkhwa Finance Deptt.
13. Mr. Falak Nawaz AIG Local CPO Peshawar.

The Chairman apprised the Board that there are two (02) cases pending before Dy. Director IT BS-19 in Khyber Pakhtunkhwa Police whereupon promotion of officers in Information Technology Wing Khyber Pakhtunkhwa Police to be considered.

The Board thoroughly examined the record of the Officers as per the list of Khyber Pakhtunkhwa Police Department Information Technology Wing Police BS-18.

Recommendations of the meeting are noted as per attached:-

S. #	Name of Officer with Designation	Recommendations of the Board
1.	Mr. Muhammad Aftab BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of Officer - 15.01.1977</li> <li>• Qualification - M.Sc Computer Science</li> <li>• Date of joining service - 14.01.2011</li> <li>• Length of service - 04 years 01 month 03 days</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record up to 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Acting Charge Basis.</li> <li>• The Board recommended that the officer may be eligible for promotion to the post of Dy. Director (Information Technology) Wing (IT) BS-19 on regular basis subject to the provision of Act No. 19 of 2015 to 21.07.2015. He will be on probation for a period of one year extendable for another one year in terms of Section-4 (7) of Khyber Pakhtunkhwa (Civil Servants) Act 1973 read with Rule 15 (1) of Khyber Pakhtunkhwa (Civil Servants) (Appointment, Promotion and Transfer) Rules 1999.</li> </ul>
2.	Mr. Muhammad Saleem Qureshi BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of Officer - 20.08.1981</li> <li>• Qualification - M.Sc Computer Science</li> <li>• Date of joining service - 27.07.2010</li> <li>• Length of service - 04 years 07 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record up to 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Acting Charge Basis.</li> </ul>

		<p>The Board recommends that the officer to be promoted from promotion due to 1 year service of 101 years as required for the promotion to BS-17 on Board of Special Services Order 2017 Khyber Pakhtunkhwa.</p>
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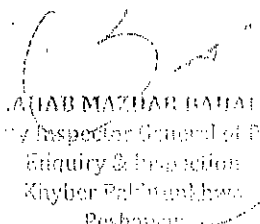
(SYED AKHTAR ALI SHAH)  
 Addl: Inspector General of Police HQs:  
 Khyber Pakhtunkhwa  
 Peshawar




(SALIMUDDIN KHAN)  
 Addl: Inspector General of Police Special Branch:  
 Khyber Pakhtunkhwa  
 Peshawar




(ISHFAQ AHMAD KHAN MARWAT)  
 Addl: Inspector General of Police Investigation  
 Khyber Pakhtunkhwa  
 Peshawar



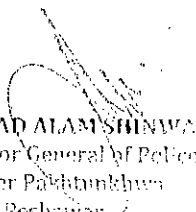
(SHAHAB MAZHAR BAHADO)  
 Deputy Inspector General of Police  
 Enquiry & Prosecution  
 Khyber Pakhtunkhwa  
 Peshawar



(MUHAMMAD SHAHZAD ASLAM SIDDIQUI)  
 Commandant Frontier Reserve Police  
 Khyber Pakhtunkhwa  
 Peshawar



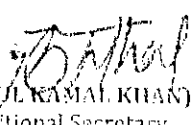
(MUHAMMAD TAHIR KHAN)  
 Capital City Police Officer  
 Peshawar




(MUHAMMAD ALAM SHINWARI)  
 Deputy Inspector General of Police HQs:  
 Khyber Pakhtunkhwa  
 Peshawar



(MUBADAR ZEE)  
 Deputy Inspector General of Police  
 Counter Terrorism Department  
 Khyber Pakhtunkhwa  
 Peshawar



(ABDUL KAMAL KHAN)  
 Additional Secretary,  
 Govt. of Khyber Pakhtunkhwa,  
 Home & Tribal Affairs Department,  
 Peshawar



(JAVED KHAN)  
 Dy. Secretary (R-IV)  
 Govt. of Khyber Pakhtunkhwa  
 Establishment Department  
 Peshawar



Annexure (D)  
OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

No. CPO/E-II 1637

Dated Peshawar 03/09 2020

To The Capital City Police Officer,  
Peshawar

Subject: REPRESENTATION AGAINST SENIORITY LIST OF OFFICERS BS-18  
INFORMATION TECHNOLOGY GROUP OF KHYBER PAKHTUNKHWA  
POLICE DATED 27.04.2020 NO.804/SE-I

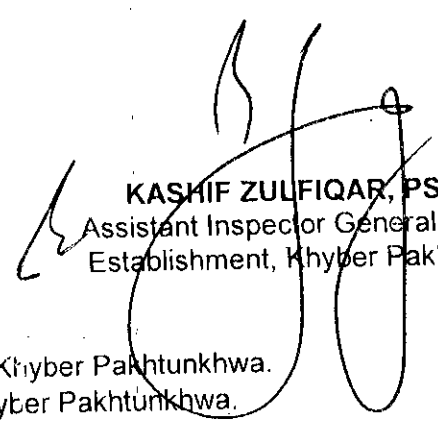
Memo:

Please refer to your office letter No. 6511/EC-II dated 21.05.2020 on the subject cited above.

As approved by the Competent Authority and aspects of AIG Legal CPO reproduce for necessary action at your end:-

"The perusal of record reveals that applicant Numan Rafi was appointed directly in BPS-18 through Regularization of Services Act 2018 on 20.06.2018, while Saleem Ullah was appointed in regular basis in BPS-17 and was promoted to BPS-18 on Acting Charge Basis on 02.12.2015 due to less service in BPS-17 which was about 06 months, later on he was promoted on regular basis after DSB approval on 12.04.2019.

According to rule, Mr. Saleem Ullah was eligible for regular promotion after 06 months of his Acting Charge Basis promotion, but it was late due to not placing before next DSE, which was not his fault, the seniority list already prepared is correct and need not changes".

  
KASHIF ZULFIQAR, PSP  
Assistant Inspector General of Police  
Establishment, Khyber Pakhtunkhwa

Endst: No. & date even.

Copy forwarded to the:-

1. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
3. AIG Legal CPO Peshawar.

to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa.

EX-1111

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

Asstt. Secy. Khyber  
Govt. of Khyber Pakhtunkhwa  
Islamabad

1. Short title, application and commencement.--(1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions.--(1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means the appointment of a duly qualified person, for a specific period, made against project posts, in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified,-

(i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis against civil posts w.e.f. 4<sup>th</sup> July, 2017 and holding such civil posts till the commencement of this Act; and

(ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;

- (f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (g) "law or rule" means the law or rule, for the time being in force, governing the selection and appointment of civil servants;
- (h) "project" means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery duly identified by the Departments and reflected in the Schedule;
- (i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;
- (j) "project post" means a post in the project; and
- (k) "Schedule" means a Schedule appended to this Act.

Asst. Secy. Govt. of Khyber Pakhtunkhwa  
Law Department

(2) The expression "ad hoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of ad hoc employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on ad hoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No. XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.---For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. **Seniority.**---(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. **Removal of difficulties.**---If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. **Overriding effect.**---Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

Asstt. Legal Officer  
Govt. of Rajasthan  
Law Department

**SCHEDULE**  
See section 2(1)(h)(k)

1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.
5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 1122) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DG Health Services, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.
15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College Mardan.
17. Integrated HIV, Hepatitis and Thalassemia Control Program.
18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.

Asstt. Secy  
Govt. of Khyber Pakhtunkhwa  
Law Department



- 24A. IT Support for improvement of Health Service Delivery, Khyber Pakhtunkhwa.
- 24B. IT Professional Training Centre.
25. Strengthening of Planning Cell at Elementary & Secondary Education Department.
26. Provision of free text book to all students of Khyber Pakhtunkhwa upto Intermediate level (Phase-XIV).
27. Strengthening of Planning Cell at Industries Department.
28. Establishment of Special Media Cell in the Directorate of Information.
29. Strengthening of Information Department.
30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
31. Establishment of Planning Cell at Local Government and Rural Development Department.
32. Retirement Benefit and Death Compensation Cell.
33. Automation of Pension Payment System (APPS).
34. Energy Monitoring Unit.
35. Establishment of Planning Cell in Food Department.
36. Automation of Food Department.
37. Operationalization of Redesigned Energy and Power Department.
38. Establishment of Planning Cell in Energy and Power Department.
39. Computerization of Land Record.
40. Creation of MRS Cell in C&W Department.
41. Enhancement of existing facilities in MIS/GIS for C&W Department.
42. Strengthening of Planning Cell and Monitoring of Developmental Projects of Agriculture Department.
43. Project Coordination Unit (PCU) for implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
44. Afghan Management and Repatriation Cell at Home Department.
45. Traffic Control Management System and FM Radio 693-120173.
46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.

47. Establishment of 100 Family Welfare Centers.
48. Establishment of Population and Research Training Institute and Social Mobilization.
49. Value Addition/Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
50. Establishment of Model Coal Mine at Shāhkot District Nowshera.
51. Establishment of Zoo for Peshāwar Division.
52. Development and Management of National Park in Khyber Pakhtunkhwa.
53. Conservation and Management of Wildlife in Central and Northern Division.
54. Establishment of Monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and Museums Department.

Asstt. Legal Dir. of  
Govt. of Khyber Pakhtunkhwa  
Lahore

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**BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF KHYBER  
PAKHTUNKHWA**

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**(NASRULLAH KHAN KHATTAK)**  
Secretary  
**Provincial Assembly of Khyber Pakhtunkhwa**

**BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA PESHAWAR**

Service Appeal No. 10748/2020

Numan Raffi ..... Appellant

**V E R S U S**

Saleem Ullah & others..... Respondents

**I N D E X**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Written Reply with Affidavit		1-6
2.	Copy of Act	A	7-12
3.	Copy of Act No XVIII of 1973	B	13-26
4.	Copy of Police IT Service Rules	C	27-38
5.	Copy of Certificate	D	39
6.	Copy of Representation	E	40
7.	Copy of Notification	F	41
8.	Copy of Notification	G	42
9.	Copy of Notification	H	43
10.	Copy of Seniority List	I	44-46
11.	Copy of Notification	J	47
12.	Copy of Decision of Meeting	K	48-60
13.	Copy of Request for upgradation	L	61
14.	Copy of Complaint	M	62-63

Through

Respondent No 4

  
**SAYED FAZAL RAHMAN**  
**ADVOCATE, HIGH COURT**  
**PESHAWAR**

①

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

**Service Appeal No. 10748/2020.**

Numan Raffi Deputy Director, Information Technology, CCP,  
Peshawar  
.....**APPELLANT.**

**VERSUS**

Saleem Ullah Deputy Director Information Technology CPO,  
Peshawar and others.  
.....**RESPONDENTS.**

**WRITTEN REPLY ON BEHALF OF RESPONDENT  
NO.04.**

**Respectfully Sheweth,**

**Preliminary Objections:-**

1. That the appellant has got no cause of action and locus standi.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. That the appeal is bad for miss-joinder and non-joinder of necessary and proper parties.
4. That the appellant is estopped by his own conduct.
5. That the appeal is barred by law & limitation, hence liable to be dismissed without any further proceeding.
6. That the appellant has suppressed the material facts from this honorable Tribunal, hence; not entitled for any relief.
7. That the appellant is an influential person having relations with politicians and high gentry of the area and through such like appeals intends to disturb the seniority of the respondent No. 04.

8. That the appellant does not fulfilled the required education criteria as mentioned in the Information Technology Rules 2014.

9. That respondent No 4 namely Mr, Muhammad Saleem Ullah had already been approached/ requested to his heir up for promotion from acting charge basis to regular basis in the year of 2017 and 2018 vide dated 11/09/2017 and 19/03/2018 respectively. *But was not redress.*

( Copy is attached here with)

10. That an inquiry has been initiated against the appellant by the SP Co-ordination CCP, Peshawar vide his office No. 120/PA Co-ord: dated April, 2021 wherein the inquiry Officer held the appellant as inefficient for the current post (BPS-18). The crux of the finding report is hereby reproduced as under:-

**"As per Act 2018 and IT Rules 2014, Mr. Numan Raffi doesn't fulfill the criteria and can be adjusted in BPS-17 as his qualification met for BPS-17 and a grace period of four years may be allotted to him to complete his qualification (MS Computer Science)".**

**ON FACTS:-**

1. Correct to the extent that appellant is currently working in the Police Department as Deputy Director in Information Technology Wing. This Para needs further explanation to the effect that as per **Khyber Pakhtunkhwa Information Technology Wing Services Rules 2014**, the appellant did not fulfilled the criteria fixed for the post of Deputy Director Information Technology i.e. **Eighteen years of Education (M.S Computer Science)**. Further submitted that after **promulgation of Khyber Pakhtunkhwa Employees Regularization of Services Act, 2018**, anomalies were found and for the removing of such anomalies, a committee was constituted. The committee in its finding, held that the project employees be adjusted according to the qualification. Accordingly 33 employees were accommodated as per their qualification and were granted basic pay scale but astonishingly the appellant being an influential person remained intact inspite the fact, that he has only 16 years of education. While the respondent No. 04 has 18 years of education and being fit and suitable employee as compared to the appellant.

2. Incorrect, the appellant joined the Police Department as the Network Manager in the Information Technology wing purely on contract bases

(A project employ).

3. Incorrect, the seniority issued by the Respondent Department is correct and legally justified to the effect that respondent No. 04 initially appointed as Net Work Administrator BPS-17 on 25.07.2012, through Khyber Pakhtunkhwa Public Service Commission, Peshawar. This appointment of respondent No. 04 was purely on merit. The respondent being a competent and efficient officer was promoted to BPS-18 on acting charge bases on 02.12.2015 as per **Information Technology Wing Services Rules 2014**. It is pertinent to mention here that the promotion to the higher grade i.e. BPS-18 of the respondent No. 04 is in accordance with law and rules. It is also pertinent to be mention here that the fixation of seniority of respondent No. 04 and promotion to the next higher grade i.e. BPS-18 were made three years prior to the **promulgation of Regularization of Services Act, 2018**. Furthermore, **section 05 (i) of the Regularization of Services Act, 2018** categorically says that the service promotion quota of all service cadres shall not be affected, hence the induction of appellant in the seniority list will obviously be a sheer violation of rules, laws and natural justice.

4. Correct to the extent of first three lines. The rest of the Para to the extent of regularization of private respondent on BPS-18 in the year 2019, it is submitted before the Honourable Tribunal that the respondent No.04 was promoted to BPS-18 on acting charge bases on 02.12.2015 but as per **Khyber Pakhtunkhwa Police Information Technology Wing Services Rules 2014**, the mandatory period for promotion from BPS-17 to BPS-18 is 05 years and the respondent No. 04 post was actualized on 27.07.2017. Therefore, the respondent No. 04 stand more senior from the appellant.

5. Pertains to record. However, it is pertinent to mention here that respondent department rightly declined the applications of the appellant regarding seniority as the stance of the appellant is not genuine

(4)

rather wasting the precious time of the department and honorable Service Tribunal. The fundamental rights of the respondent No. 04 are established on **27.07.2017** prior to the **promulgation of Regularization of Services Act, 2018**.

6. The appellant has wrongly challenged the legal / valid seniority order of the respondent No. 04 through un-sound grounds.

**REPLY TO GROUNDS:-**

A. Incorrect, the reply to this Para of grounds, has already been given in Para No. 03 above on facts.

B. Incorrect, the appellant has been treated by the official respondents in accordance with law and official respondents did not violate any article of the Constitution of Islamic Republic of Pakistan 1973.

C. Incorrect, no malafide has been committed by the official respondents and the seniority list dated **27.04.2020** and the appellate order dated **03.09.2020** are quite legal and in accordance with law/rules.

D. Incorrect, as explained in the preceding Para.

E. Incorrect, as per reference case of **Mr. Irfan ullah and Mr. Asfandyar**, the required service length of promotion period of five years as per **Information Technology Wing Services Rules, 2014** was not completed and new appointments were made through Khyber Pakhtunkhwa Public Service commission while in the case of the replying respondent (**Mr. Saleem ullah**) service length as per rules was established / matured before the commencement / promulgation of Regularization of Services Act, 2018 and even appellant was not eligible and does not fulfill the criteria.

F. Incorrect, the official respondents rightly dealt with the case of the appellant. No malafide/ discrimination has been committed with the appellant.

G. Incorrect, the seniority list and the appellate order dated 03.09.2020 are legal/valid and in accordance with law/ rules.

H. that Para H is also incorrect hence denied.

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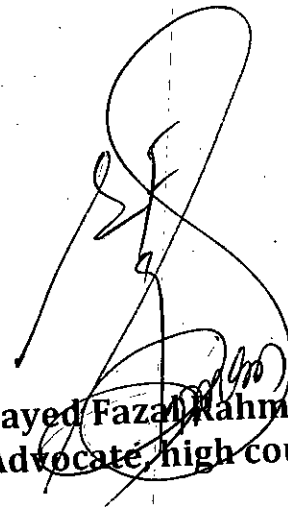
I. The respondent No. 04 will also adduce additional grounds after leave of the honorable Service Tribunal at the time of arguments/hearing.

On the acceptance of instant written reply, the appeal of appellant may kindly be dismissed with cost as prayed for.

Any other relief, this honorable court may deem fit may also granted in the favor of respondent no 4.

Respondent no 4

Through



Sayed Fazal Rahman  
Advocate, high court.



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

**Service Appeal No. 10748/2020.**

Numan Raffi Deputy Director, Information Technology, CCP,  
Peshawar

.....**APPELLANT.**

**VERSUS**

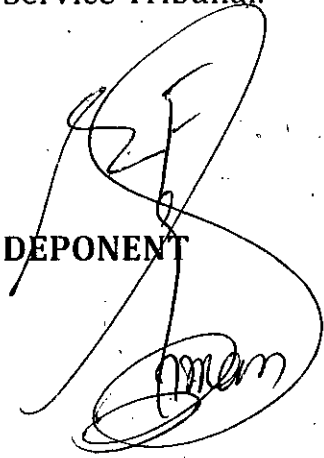
Saleem Ullah Deputy Director Information Technology CPO,  
Peshawar and others.

.....**RESPONDENTS.**

**AFFIDAVIT.**

AS per information of my client that the contents of written reply  
are true and correct to the best of my knowledge & belief and  
nothing has been concealed from the Honorable Service Tribunal.

**DEPONENT**



(1) to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa.

ANNEXURE 'E'

(7)

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions.---(1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means the appointment of a duly qualified person for a specific period, made against project posts, in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified,-

(i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis against civil posts w.e.f. 4<sup>th</sup> July, 2017 and holding such civil posts till the commencement of this Act; and

(ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;

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Special Director

(2)

- (f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (g) "law or rule" means the law or rule, for the time being in force, governing the selection and appointment of civil servants;
- (h) "project" means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery duly identified by the Departments and reflected in the Schedule;
- (i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;
- (j) "project post" means a post in the project; and
- (k) "Schedule" means a Schedule appended to this Act.

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Asstt. Secy. Govt. of Khyber Pakhtunkhwa  
Law Department

(2) The expression "ad hoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of ad hoc employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on ad hoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department:

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No. XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.---For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

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- (f) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

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6. Seniority.--(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. Removal of difficulties.--If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. Overriding effect.--Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

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**SCHEDULE**  
See section 2(1)(h)(k)

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1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.
5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 1122) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DG Health Services, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.
15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College Mardan.
17. Integrated HIV, Hepatitis and Thalassemia Control Program.
18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.

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23. IT Infrastructure for Government of Punjab, Pakistan.
- 24A. IT Support for improvement of Health Service Delivery, Khyber Pakhtunkhwa.
- 24B. IT Professional Training Centre.
25. Strengthening of Planning Cell at Elementary & Secondary Education Department.
26. Provision of free text book to all students of Khyber Pakhtunkhwa upto Intermediate level (Phase-XIV).
27. Strengthening of Planning Cell at Industries Department.
28. Establishment of Special Media Cell in the Directorate of Information.
29. Strengthening of Information Department.
30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
31. Establishment of Planning Cell at Local Government and Rural Development Department.
32. Retirement Benefit and Death Compensation Cell.
33. Automation of Pension Payment System (APPS).
34. Energy Monitoring Unit.
35. Establishment of Planning Cell in Food Department.
36. Automation of Food Department.
37. Operationalization of Redesigned Energy and Power Department.
38. Establishment of Planning Cell in Energy and Power Department.
39. Computerization of Land Record.
40. Creation of MRS Cell in C&W Department.
41. Enhancement of existing facilities in MIS/GIS for C&W Department.
42. Strengthening of Planning Cell and Monitoring of Developmental Projects of Agriculture Department.
43. Project Coordination Unit (PCU) for implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
44. Afghan Management and Repatriation Cell at Home Department.
45. Traffic Control Management System and FM Radio 693-120173.
46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.

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47. Establishment of 100 Family Welfare Centers.
48. Establishment of Population and Research Training Institute and Social Mobilization.
49. Value Addition/Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
50. Establishment of Model Coal Mine at Shahkot District Nowshera.
51. Establishment of Zoo for Peshawar Division.
52. Development and Management of National Park in Khyber Pakhtunkhwa.
53. Conservation and Management of Wildlife in Central and Northern Division.
54. Establishment of Monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and Museums Department.

Asstt. Leg. Dir.  
Govt. of Khyber Pakhtunkhwa  
Lahore

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**BY ORDER OF MR. SPEAKER**  
**PROVINCIAL ASSEMBLY OF KHYBER**  
**PAKHTUNKHWA**

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**(NASRULLAH KHAN KHATTAK)**  
Secretary  
**Provincial Assembly of Khyber Pakhtunkhwa**

THE <sup>1</sup>[KHYBER PAKHTUNKHWA] CIVIL SERVANTS ACT, 1973.

<sup>2</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)  
[11<sup>th</sup> November, 1973].

(13)

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PREAMBLE

SECTIONS

1. Short title, extend, and commencement.
2. Definitions.
3. Terms & Conditions.
4. Tenure of office of civil servants.
5. Appointment.
6. Probation.
7. Confirmation.
8. Seniority.
9. Promotion.
10. Posting and transfers.
11. Termination of services.
- <sup>3</sup>[11A. Absorption of civil servants rendered surplus.
- <sup>4</sup>[11B. Absorption or appointment of Federal employees.
12. Reversion to a lower 3 post.
- <sup>1</sup>[12A. Certain persons to be liable to removal or reversion.

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<sup>1</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup> Inserted vide the Khyber Pakhtunkhwa Ordinance No.VI of 2001.  
<sup>4</sup> Inserted vide the Khyber Pakhtunkhwa ActNo.XXXVIII of 2015.



13. Retirement from service.
14. Employment after retirement.
15. Conduct.
16. Disciplinary action.
17. Pay.
18. Leave.
19. Pension and gratuity.
20. Provident Fund.
21. Benevolent Fund and Group Insurances.
22. Right of appeal or representation.
23. Saving.
- <sup>2</sup>[23A. Indemnity.]
- <sup>3</sup>[23-B. Jurisdiction barred.]
24. Removal of difficulties.
25. Appointment of persons on contract, etc.
26. Rules.
27. Repeal.

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THE <sup>1</sup>[KHYBER PAKHTUNKHWA]CIVIL SERVANTS ACT, 1973.

<sup>2</sup>[KHYBER PAKHTUNKHWA]ACT NO. XVIII OF 1973)  
[11th November, 1973].

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(Received the assent of the Governor of the <sup>3</sup>[Khyber Pakhtunkhwa]on 11th  
November, 1973).

AN  
ACT

to regulate the appointment of persons to, and the terms and conditions of service  
of persons in the service of the <sup>4</sup>[Khyber Pakhtunkhwa].

WHEREAS, it is expedient to regulate by law, the appointment of persons  
to and the terms and conditions of service of person in the service of the <sup>5</sup>[Khyber  
Pakhtunkhwa] and to provide for matters connected therewith or ancillary thereto;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the <sup>6</sup>[Khyber Pakhtunkhwa]Civil Servants Act,  
1973.
- (2) This section and section 25, shall apply to persons employed on  
contract, or on work charged basis or who are paid from contingencies, and the  
remaining provisions of this Act including this section, shall apply to all civil  
servants wherever the may be.
- (3) It shall come into force at once.

CHAPTER-1  
PRELIMINARY.

2. (1) In this Act, unless the context otherwise requires the following  
expressions shall have the meanings hereby respectively assigned to them, that is to  
say, —

Definitions.

(a) “*adhoc*appointment” means appointment of a duly qualified  
person made otherwise than in accordance with the prescribed  
method of recruitment, pending recruitment in accordance with  
the prescribed method of recruitment, pending recruitment in  
accordance with such method.

<sup>1</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>4</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>5</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>6</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

(b) "civil servant" means a person who is member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include-

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- (i) a person who is on deputation to the Province from the Federation or any other Province or other authority;
  - (ii) a person who is employed on contract, or on work-charged basis or who is paid from contingences; or
  - (iii) a person who is "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);
- (c) "Government" means the Government of the <sup>1</sup>[Khyber Pakhtunkhwa];
- (d) "initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;
- (f) "permanent post" means a post sanctioned without limit of time;
- (g) "prescribed" means prescribed by rules;
- (h) "Province" means the <sup>2</sup>[Khyber Pakhtunkhwa];
- (i) "rules" means rules made or deemed to have been made under this Act;
- (j) "selection authority" means the <sup>3</sup>[Khyber Pakhtunkhwa] Public Service Commission, a departmental selection board departmental selection committee of other authority or body on the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made;
- (k) "temporary post" means a post other than a permanent post.

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<sup>1</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

2. For the purpose of this Act, an appointment, whether by promotion or otherwise shall be deemed to have been made on regular basis if it is made in the prescribed manner.

(17)

**CHAPTER - II**  
**TERMS AND CONDITIONS OF SERVICE OF SERVANTS**

3. The terms and conditions of service of a civil servant shall be as provided in this Act and the rules. Terms & conditions.

4. Every civil servant shall hold office during the pleasure of the Governor. Tenure of office of civil servant.

5. Appointments to a civil service of the Province or to a civil post in connection with affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf. Appointment.

6. (1) An initial appointment to a service or post referred to in section 5, not being an adhoc appointment, shall be on probation as may be prescribed. Probation.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

(3) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise:-

(a) if he was appointed to such service or post by initial recruitment be discharged; or

(b) if he was appointed to such service or post by promotion or transfer, be reverted to the service.

or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

Provided that in the case of initial appointment to a service or post a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. (1) A person appointed on probation shall on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post Confirmation.

as may be prescribed.

(2) A civil servant promoted to a post <sup>1</sup>[\* \* \*] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing there from.

(5) Confirmation of civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiating, in such service or post, whichever is later.

8 (1) For proper administration of service, cadre or <sup>2</sup>[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or <sup>3</sup>[post] to be prepared but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or <sup>4</sup>[post] as the case may be.

Seniority.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or <sup>5</sup>[cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, <sup>6</sup>[Cadre] or post shall be determined as may be prescribed.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

<sup>7</sup>[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.]

9. (1) A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a <sup>1</sup>[higher] post for the time being

Promotion.

<sup>1</sup> The word "or grade" omitted by Khyber Pakhtunkhwa Ord. No. IV of 1985.  
<sup>2</sup> The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No. IV of 1985.  
<sup>3</sup> The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No. IV of 1985.  
<sup>4</sup> The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No. IV of 1985.  
<sup>5</sup> The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No IV of 1985.  
<sup>6</sup> The word "Grade" subs. by Khyber Pakhtunkhwa Ord. No. IV of 1985.  
<sup>7</sup> Added vide the Khyber Pakhtunkhwa Act No. I of 1989.

reserved under the rules for departmental promotion in <sup>2</sup>[\* \* \*] the service or cadre to which he belongs.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed —

- (a) in the case of a selection post, on the basis of selection on merit; and
- (b) in the case of a non-selection post, on the basis of seniority — cum- fitness.

10. Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority, or a an corporation or body set up or established by any such Government:

Posting and transfers.

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had been so required to serve.

11. (1) The service of civil servant may be terminated without notice.-

Termination of services.

- (i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one <sup>3</sup>[service] cadre or post to another <sup>4</sup>[service] as he holds a line against his former post in such <sup>5</sup>[service] or cadre but he shall be reverted to his former <sup>6</sup>[service] cadre or post, as the case may be;

- (ii) on the expiry of the initial or extended period of his employment; or

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<sup>1</sup> The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985.  
<sup>2</sup> The words "the higher grade of" omitted by Ord.No. IV of 1985.  
<sup>3</sup> The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>4</sup> The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>5</sup> The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>6</sup> The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

(iii) if the appointment is made *ad hoc* terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of post in a cadre or grade, the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2) the service of a civil servant in temporary employment or appointed *ad hoc* shall be liable to termination on fourteen days notice or pay in lieu thereof.

<sup>1</sup>[“11A. Absorption of civil servants rendered surplus.— Notwithstanding anything contained in this Act, the rules made thereunder, any agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a department, office or abolition of a post in pursuance of any Government decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfills other conditions applicable to that post:

<sup>2</sup>[“11B. Absorption or appointment of Federal employees.—(1) Notwithstanding anything contained in this Act, all those employees of the Federal Government, who are holding various posts in Federal Government entities on regular basis, before the commencement of the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and the said entities being devolved to Province in pursuance of aforesaid amendment, shall be deemed to be the civil servants of the Province for all intents and purposes under this Act.

(2) All such Federal Government employees,-

- (a) if their relevant cadre is available in Government, shall be absorbed in the said cadre in the prescribed manner; and
- (b) if no relevant cadre is available in Government, shall be deemed to have been appointed on regular basis to various cadres posts to be created for this purpose:

Provided that no such appointment or absorption, as the case may be,-

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<sup>1</sup> Inserted vide the Khyber Pakhtunkhwa Ordinance No.VI of 2001.  
<sup>2</sup> Inserted vide the Khyber Pakhtunkhwa ActNo.XXXVIII of 2015.

- (i) their seniority shall be determined in accordance with the provision of this Act; and
- (ii) their liabilities with regard to pension, gratuity, group insurance, benevolent fund and leave encashment shall be proportionally shared between the Federal Government and Government in such a manner as may be agreed upon.

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(3) Government shall constitute a committee consisting of Secretary to Government, Establishment Department, Secretary to Government, Finance Department, Secretary to Government, Law, Parliamentary Affairs and Human Rights Department, Secretary to Government, Inter Provincial Coordination Department and Secretary of the concerned Department to remove difficulties, if any, in implementation of this section.”

Provided that where no equivalent post is available, he may be offered a lower post in such manner and subject to such conditions as may be prescribed, and where such civil servant is appointed to a lower post, the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected.”].

12. A civil servant appointed to a higher post or <sup>1</sup>[To a higher post or before the commencement of the <sup>2</sup>[Khyber Pakhtunkhwa]Civil Servants (Amendment) Ordinance 1985 to a higher <sup>3</sup>[grade] adhoc or on temporary or officiating basis shall be liable to reversion to his lower post <sup>4</sup>[\* \* \*] without notice.

Reversion to lower post.

<sup>5</sup>[“12-A] Certain persons to be liable to removal or reversion. - Notwithstanding anything contained in his terms and conditions of service a civil servant appointed or promoted during the period from first day of January, 1972 to the fifth day of July, 1977, may be removed from service or reverted to his lower post <sup>6</sup>[\* \* \*] as the case may be without notice by the Governor or a person authorized by him in this behalf on such date as the Governor or as the case may be, the person so authorized may, in the public interest, direct.”]

<sup>7</sup>[13]. Retirement from service.(1) A civil servant shall retire from service-

- (a) On such date after he has completed <sup>1</sup>[twenty] years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or

<sup>1</sup> Ins. by Khyber Pakhtunkhwa Ord.No.IV of 1978.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup> In the margin the word “Grade or service” subs. by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>4</sup> The word “Grade” omitted by Khyber Pakhtunkhwa Ord.No.IV of 1958.  
<sup>5</sup> Section 12-A, ins. by Khyber Pakhtunkhwa Ord.No.IX of 1978.  
<sup>6</sup> The word “Grade” omitted by Khyber Pakhtunkhwa Ord.No.IV of 1958.  
<sup>7</sup> Substituted vide Khyber Pakhtunkhwa OrdNo.VIII of 2000.



(b) Where no direction is given under clause (a), on the completion of the sixtieth years of his age.

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(2) No direction under clause (a) sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

**Explanation.** – In this section, the expression “competent authority” means the appointing authority prescribed in rule 4 of the <sup>2</sup>[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.]”

14. (1) A retired civil servant shall not ordinarily be re-employed under Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority: Employment after retirement.

Provided that, where the appointing authority is the Governor, such re-employment may be ordered with the approval of the Governor.

(2) Subject to the provisions of sub-section (1) of section 3 of the Ex-Government Servants (Employment with Foreign Governments) (Probation) Act, 1966 (Act XII of 1966), a civil servant may during leave preparatory to retirement, or after retirement from Government service, seek any Private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

15. The Conduct of a civil servant shall be regulated by rules made or instructions issued by Government or a prescribed authority whether generally or in respect of a specified group or class of civil servants. Conduct.

16. A civil servant shall be liable to Prescribed disciplinary action and penalties in accordance with the prescribed procedure. Disciplinary action.

17. Civil servant appointed to a post <sup>3</sup>[\* \*\*] shall be entitled, in accordance with the rules, to the pay sanctioned for such post <sup>4</sup>[\* \* \*]. Pay.

Provided that, when the appointment is made on a current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

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<sup>1</sup> Substituted vide Khyber Pakhtunkhwa OrdNo.XXVIII of 2001.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup> The word “grade” omitted by Khyber Pakhtunkhwa OrdNo.IV of 1985.  
<sup>4</sup> The word “grade” omitted by Khyber Pakhtunkhwa OrdNo.IV of 1985.

Provided further that where civil servant has, under an order which is later set side, been dismissed or removed from service or reduced in rank, he shall on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine. 23

18. A civil servant shall be allowed leave in accordance with the leave rule applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority. Leave.

“[19]. Pension and gratuity.--- (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed. Pension and gratuity.

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, as may be prescribed—.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of Pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1<sup>st</sup> July, 2001 till 23<sup>rd</sup> July, 2005 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of Contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

(5) In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a Committee comprising of the Secretary to Government, Finance

Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.]”

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20. (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to including the interest accruing thereon, if any and withdrawals or advances from, his provident fund during the preceding financial year.

Provident Fund.

(2) Where any subscription made by a civil servant to his provident fund has not been shown credited in the account by the Accounts Officer or other officer required to maintain such accounts such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. All civil servants and their families shall be entitled to the benefits admissible under the West Pakistan Government Employments Welfare Fund Ordinance, 1969 (W.P. Ord I of 1969) or the <sup>1</sup>[Khyber Pakhtunkhwa] Government Servants Benevolent Fund Ordinance, 1972 (<sup>2</sup>[Khyber Pakhtunkhwa] Ord. VII of 1972), and the rules made thereunder.

Benevolent Fund and Group Insurances.

22. (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order.

Right of appeal or representation.

(2) Where no provisions for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may within thirty days of the communication to him of such order make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

### CHAPTER – III MISCELLANFOUS.

23. Nothing in this Act or in any rule shall be construed to limit or abridge the power of the Governor to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Saving.

<sup>1</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

Provided that where this Act or any rule is applicable to the case of a civil servant the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

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[“23A. Indemnity.—No suit, prosecution or other legal proceedings shall lie against a civil servant for anything done or intended to be done in good faith in his official capacity under this Act or the rules, instructions or direction made or issued thereunder.

23B. Jurisdiction barred.—Save as provided under this Act and the Service Tribunal Act, 1974 (Khyber Pakhtunkhwa Act No.I of 1974), or the rules made thereunder, no order made or proceedings taken under this Act, or the rules made thereunder by the Governor or any officer authorised by him shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made, or proceedings taken in pursuance of any power conferred by or under this Act or the rules made thereunder.”].

24. If difficulty arises in giving effect to any of the provisions of this Act, the Governor may make such order, not inconsistent with the provisions of this Act, as may appear to him to be necessary for the purpose of removing the difficulty:

Removal of Difficulties.

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

25. The Governor or any person authorized by the Governor in that behalf may, on such terms and conditions as he may specify in each case, appoint persons on contract basis, or on work charged basis or who are paid out of contingencies:

Appointment of persons on contact etc.

Provided that all such employees who were working in any such capacity immediately before the commencement of this Act shall continue to be so employed on the same terms and conditions on which they were appointed.

26. (1) The Governor or any person authorized by the Governor in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act.

Rules.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules orders or instructions are not inconstant with the provisions of this Act, be deemed to be rules made under this Act.

27. The <sup>1</sup>[Khyber Pakhtunkhwa]Civil Servants Ordinance 1973 (<sup>2</sup>[Khyber Repeal. Pakhtunkhwa]Ordinance No. VI of 1973) is here by repealed.

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<sup>1</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup> Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

Police IT Service Rules  
A-27

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From : The Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.

To : The Controller,  
Govt. Printing Press,  
Khyber Pakhtunkhwa,  
Peshawar.

The Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Home and TAs Department.

The Secretary,  
to Govt. of Khyber Pakhtunkhwa,  
Law parliamentary Affairs  
and Human Rights Department,  
Peshawar.

The All Addl: IsGP,  
in Khyber Pakhtunkhwa,

The Deputy Secretary (Police),  
Govt. of Khyber Pakhtunkhwa,  
Home & TAs Department, Peshawar.


The Assistant Inspector General Legal CPO,  
Peshawar.

No. 691-701 /E-V dated Peshawar the 21 /2014.

Subject: NOTIFICATION OF SERVICE RULES FOR IT PERSONNEL OF  
KHYBER PAKHTUNKHWA POLICE.

Memo:

Enclosed please find herewith a copy of notification vide  
No. 601/E-V dated: 28.03.2014 regarding the Khyber Pakhtunkhwa Police  
Department Information Technology Group Service Rules 2014, for further  
necessary action.

  
(SYED FIDA HASSAN SHAH)  
AIG/Establishment  
For Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar

No. 702-4 /E-V, dated Peshawar the 21 /2014

Copy forwarded for similar action to:-

1. Director IT CPO Peshawar.
2. Deputy Director Legal CPO Peshawar.
3. Office Supdt: Secret CPO Peshawar.

Annexure

(1)

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**POLICE DEPARTMENT**

**NOTIFICATION**

Peshawar, dated the 28-3-2014.

No. 601/E-V In exercise of the powers conferred by Article 112 of the Police Order 2002, the Provincial Police Officer, Khyber Pakhtunkhwa, with approval of the Government of the Khyber Pakhtunkhwa Province, hereby make the following rules, namely:

**THE KHYBER PAKHTUNKHWA POLICE DEPARTMENT**  
**(INFORMATION TECHNOLOGY GROUP)**  
**SERVICE RULES, 2014.**

**PART-I**  
**GENERAL**

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014.

(2) These rules shall apply to all employees of the Information Technology of Police Department.

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

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

- (a) "Appendix" means the Appendix appended to these rules;
- (b) "Appointing Authority" in relation to a post, means, the persons authorized under rule 4 to make appointment to that post;
- (c) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (d) "employee" an employee, who holds a post in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service;
- (e) "Government" means the Government of the Khyber Pakhtunkhwa;
- (f) "initial recruitment" means appointment made otherwise than by promotion;
- (g) "post" means a post specified in column 2 of the Appendix;

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- (h) "Province" means the Province of the Khyber Pakhtunkhwa;
- (i) "recognized university" means any university incorporated by law in Pakistan; and
- (j) "service" means the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service.

**PART-II**  
**METHOD OF APPOINTMENTS**

3. **Method of appointment.**---(1) Appointment to posts shall be made by any of the following methods, namely:

- (a) by initial recruitment, on the recommendation of the Public Service Commission, in accordance with the provisions contained in the Appendix, and every vacant post of any pay scale which falls under initial recruitment quota shall be advertised in news papers; and
- (b) by promotion in accordance with the provisions contained in the Appendix.

4. **Appointing Authority.**---The authorities competent to make appointment to posts in various basic pay scales shall be as follows:

S. No.	Posts.	Appointing Authority.
1.	Posts in Basic Pay Scale 18.	Chief Minister.
2.	Posts in Basic Pay Scale 17.	Provincial Police Officer.
3.	Posts in Basic Pay Scale 16 and below.	Additional Inspector General of Police (Headquarters).

5. **Departmental Promotion Committee and Departmental Promotion Board.**---(1) In Police Department, there shall be a Departmental Promotion Committee or Departmental Promotion Board, as the case may be, the composition of which shall be determined by the Provincial Police Officer from time to time.

(2) The Departmental Promotion Committee or the Departmental Promotion Board, as the case may be, shall consist of at least three members, one of whom shall be appointed as Chairman.

6. **Appointment by promotion.**---(1) Appointment by promotion to posts in BPS-18, in respect whereof the Appointing Authority under rule 4 is the Chief Minister, shall ordinarily be made on the recommendation of the Departmental Promotion Board.



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(2) Appointment by promotion to posts in BPS-17, in respect whereof, the Appointing Authority is the Provincial Police Officer, shall ordinarily be made on the recommendation of the Departmental Promotion Board whereas the posts in BPS-16 and below in respect whereof, the Appointing Authority is the Additional Inspector General of Police (Headquarters), shall ordinarily be made on the recommendation of the Departmental Promotion Committee.

(3) Persons possessing such qualifications and fulfilling such conditions as laid down in the Appendix, for the purpose of promotion to a post, shall be considered by the Departmental Promotion Board or the Departmental Promotion Committee, as the case may be.

(4) No promotion on regular basis shall be made to any post unless the officer concerned has completed such minimum length of service as specified in the Appendix.

(5) If on an order of promotion or before promotion any employee declines, in writing, to accept promotion, such employee shall not be considered for such promotion for the next four years following order:

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion.

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

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

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

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

(a) he produces a certificate of character from the head of academic institution last attended, and also the certificate of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents; and

(b) he has appeared before the Standing Medical Board/Civil Surgeon/Medical Superintendent and found fit for the service.

### PART-III PROBATION AND CONFIRMATION

8. Probation.--(1) Persons appointed to posts by initial recruitment or by promotion, shall be on probation for a period of one year:

Provided that if his work or conduct during the period of probation has, in the opinion of the Appointing Authority, not been found satisfactory, the

(4)

(31)

Appointing Authority may, notwithstanding that the period of probation has not expired:

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

(2) On the successful completion of probation period, the Appointing Authority, shall by specific order, terminate the probation:

Provided that if no specific order is issued on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended for another one year.

Provided further that if no specific order is issued on the expiry of extended period of probation, the period of probation shall be deemed to have been successfully completed.

9. **Confirmation.**---(1) After successful completion of the period of probation and on passing such prescribed test or examination or acquisition of any certificate, diploma or degree, as may be prescribed in the letter of appointment, employee shall be eligible for confirmation; provided that he holds a substantive post.

(2) An employee, who during the period of his/her service, was eligible to be confirmed but retires before being confirmed shall not merely by attaining the age of superannuation be refused, confirmation or any other benefit accruing there from.

(3) There shall be no confirmation against a temporary post or in case of an employee under enquiry till the inquiry is completed and he is exonerated from the allegations or charges, leveled against him.

#### **PART-IV SENIORITY**

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

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission; provided that persons selected for appointment to a post in an earlier selections shall rank senior to the person selected on a later selection; and
- (b) in the case of persons appointed otherwise with reference to the date of their continuous regular appointment to the post; provided that the person selected for promotion to a

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higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

**PART -V  
PENSION AND GRATUITY**

11. **Pension and gratuity.**—(1) On retirement from service, an employee shall be entitled to receive such pension or gratuity as may be admissible to him.

(2) In the event of death of an employee, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, or both.

(3) No pension shall be admissible to an employee, who is dismissed or removed from service for reason of discipline but competent authority may sanction compassionate allowance to such employee, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to an employee is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of an employee, which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such employee or his family.

**PART -VI  
RETIREMENT, RESIGNATION  
AND TERMINATION**

12. **Retirement.**—(1) An employee shall retire from service-

(a) on such date after he has completed twenty-five years of service qualifying for pension or other retirement benefits, the Appointing Authority may, in public interest, direct; and

(b) where no direction is given under clause (a) on completion of the sixtieth year of his/her age.

(2) No direction under clause (a) of sub-rule (1), shall be made until the employee has been informed in writing of the grounds on which it is proposed to make the direction and has been given a reasonable opportunity of showing cause against the direction.

13. **Resignation.**—(1) An employee may resign from service by giving one month's notice in writing. The resignation shall become effective on the expiry of the said period of notice.

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(2) No resignation shall become effective during the pendency of any disciplinary proceedings against an employee.

(3) Unless the resignation becomes effective, the employee shall not absent himself from the duty without prior approval of competent authority. The leave shall be taken in writing and approved by the competent authority if the employee has leave balance in his account.

(4) An employee who is on probation or has been employed on temporary basis may resign his service at seven (7) days prior notice. The resignation shall not become effective unless accepted by the Appointing Authority on such acceptance the service of such employee shall stand discontinued. However the acceptance in any case other than disciplinary proceedings, should be within thirty (30) days of receipt of the resignation by the Appointing Authority.

14. **Termination.**---(1) The Appointing Authority may terminate the service of an employee by giving him one month notice with the reasons recorded in writing or by way of punishment duly awarded in accordance with these regulations. Termination is also admissible during probation.

(2) The Appointing Authority shall have the option to pay to the employee at any time during the continuance of the notice a sum equal to his basic pay and allowances for the unexpired period of notice in which case the termination shall become effective on the date such payment is tendered.

(3) The Appointing Authority may terminate the service of any employee, on probation or on a temporary basis at one month notice in writing with the reasons recorded in writing or by way of punishment duly awarded in accordance with these rules.

15. **Application of General Rules.**---In all other matters not specially provided for in these rules, the holder of posts under these rules shall be governed by any rule made or deemed to have been made under the Khyber Pakhtunkhwa Civil Servants Act, 1973.

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**APPENDIX**

See rules 2(a), (f), 3.5(1) and 7(1)

S. No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of Recruitment.
1.	2.	3.	4.	5.
1.	Deputy Director/ System Analyst/ Database Administrator (BPS-18).			By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors /Programmers/LAN Administrators/Web Administrators/ Data Processing Officers/Deputy Database Administrators (BPS-17), with (five years service as such.)
2.	Assistant Director/ Programmer/ LAN Administrator/ Web Administrator/ Data Processing Officer/ Deputy Database Administrator (BPS-17).	Second Class Master Degree in Computer Science or equivalent qualification from a recognized University.	22 to 35 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers/ Assistant LAN Administrator (BPS-16) having five years service as such and having qualification specified in column 3 for initial recruitment ; and (b) fifty per cent by initial recruitment.
3.	Assistant Programmer/ Assistant LAN Administrator (BPS-16)	Second Class Master Degree in Computer Science or four years Bachelor Degree in Information Technology or Computer Science or equivalent qualification from a recognized University.	21 to 30 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Data Processing Supervisors (BPS-14) having qualified mandatory three months Information Technology Course in Database Management, Programming, Web Pages Development and Networking from Staff Training Institute, Establishment Department, Government of the Khyber Pakhtunkhwa; and (b) fifty per cent by initial recruitment.
5.	Data Processing Supervisor (BPS-14).		21 to 30 years.	By promotion, on the basis of seniority-cum-fitness, from amongst Computer Operators (BPS-12) with five years service as such.

8

35

109

5.	Computer Operator (BPS-12).	Second Class Bachelor's Degree from a recognized University, with one year Diploma in Information Technology from a recognized Board of Technical Education or its equivalent.	18 to 28 years:	By initial recruitment.
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PROVINCIAL POLICE OFFICER,  
Government of the Khyber Pakhtunkhwa

36

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**POLICE DEPARTMENT.**

**NOTIFICATION**

*Peshawar, dated the 29/8/2014.*

No. 2951/E-V. In exercise of the powers conferred by Article 112 of the Police Order 2002, (Chief Executive Order No. 22 of 2002) the Provincial Police Officer, with the approval of the Government of the Khyber Pakhtunkhwa Province, is pleased that in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014, the following amendments shall be made, namely:

Asstt. Secy. (Admin)  
Govt. of K.P.  
05/08/14

**AMENDMENTS**

1. In the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014 for the word "Group", wherever occurring the word "Wing" shall respectively be substituted.
2. In rule 4, in the table, against serial No. 1, in column No. 2, after the figure "18" the word and figure "and 19" shall be added.
3. In the Appendix,-
  - (i) the existing serial No. 1, shall be renumbered as 1A and before 1A, as so renumbered, the following new entries shall be added, in the respective columns, namely:

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Asstt. Secy.  
Govt. of Punjab  
12/2/2014

"1.	Director (BPS-19).	(i) Ph.D in Computer Science/ Information Technology from recognized University with five (5) years experience in the relevant field; or  (ii) MS in Computer Science/ Information Technology from recognized University with seven (7) years experience in the relevant field.	35 to 45 years.	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors, System Analysts and Database Administrators (BPS-18), with at least seven (7) years service as such:  Provided that if no suitable officer is available for promotion then by initial recruitment.";
-----	--------------------	---	-----------------	--

(ii) against serial No.1A, as so renumbered,-

- (a) in column No. 3 the words "MS Computer Science/Information Technology with five (5) years experience in the relevant field" shall be inserted; and
- (b) in column No. 4 the full stop at the end shall be replaced by colon and thereafter the following shall be added, namely:

"Provided that if no suitable officer is available for promotion then by initial recruitment."

(iii) against serial No. 2,-

- (a) for column No. 3, the following shall be substituted, namely:

"At least Second Class Master's Degree in Computer Science/Information Technology or equivalent qualification from a recognized University, having five years experience in the relevant field."; and



(b) in column No. 5, in clause (a), the semi-colon and the word "and" shall be replaced by colon and thereafter the following shall be inserted, namely:

"Provided; that if no suitable officer is available for promotion then by initial recruitment; and"; and

(iv) against serial No. 3,-

(a) for column No. 3, the following shall be substituted, namely:

"At least Second Class Master's Degree, in Computer Science/Information Technology or four years Bachelor Degree in Information Technology or Computer Science or equivalent qualification from a recognized University."; and

Secretary  
Govt of Khyber Pakhtunkhwa  
Law Department

12/3/14

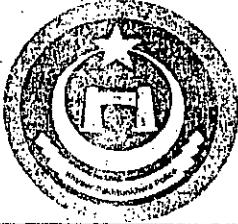
(b) in column No. 5, in clause (a),-

(i) for the words "Staff" Training Institute, Establishment Department, Government of Khyber Pakhtunkhwa", the words "any recognized institute" shall be substituted; and

(ii) the semi-colon and the word "and" shall be replaced by colon and thereafter the following shall be inserted, namely:

"Provided that if no suitable officer is available for promotion then by initial recruitment; and".

(NASIR KHAN DURRANI)  
INSPECTOR GENERAL OF POLICE  
PROVINCIAL POLICE OFFICER,  
KHYBER PAKHTUNKHWA, PESHAWAR.



OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE  
TRAFFIC, PESHAWAR

Phone:091-9225361, FAX:091-9225368

No. 1542 /GC, dated Peshawar the 24/5/2018.

CERTIFICATE

It is submitted that the project "Traffic Control Management System & FM Radio" was initiated by Science & Technology and Information Technology (ST&IT) Department with the collaboration of Traffic Police, Peshawar in December 2012. All the staff working in the project was hired by the ST&IT Department during the year 2013-15 as per KP Project Policy. The project was shifted to Home Department ADP under sub-sector of Police Department ADP No.(693-120173) for the financial year 2017-18. The detail of the staff working under the project is as follows:-

S#	Name	Designation		BPS	Qualification	
		Current	Proposed		As per PC-I	Qualification Achieved
1	Nauman Rafi	Network Manager	Deputy Director-IT	18	BCS/MCS/MIT/M.Sc Computer Science or Equivalent	MCS
2	Zahid Aman	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	MA with DIT
3	Qaiser khari	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	BA with DIT
4	Hizer Rehman	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	DAE (Computer Technology), BA in progress
5	Faheem ullah	Computer Operator	Computer Operator	16	F.Sc/ F.A with Diploma/ Certificates in Computer Science / IT	M.Com with DIT
6	Arshed khan	Naib Qasid	Naib Qasid	3	Matric	Middle
7	Asif ullah	Server room Attendant	Naib Qasid	3	Matric	Middle
8	Khaliq Dad	Naib Qasid	Naib Qasid	3	Matric	Middle

29  
(YASIR AFRIDI) PSP  
Senior Superintendent of Police,  
Traffic, Peshawar.



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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

No. CPO/E-II 1639

Dated Peshawar 03/09, 2020

To : The Capital City Police Officer,  
Peshawar

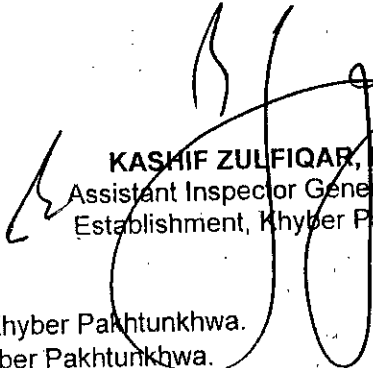
Subject: REPRESENTATION AGAINST SENIORITY LIST OF OFFICERS BS-18  
INFORMATION TECHNOLOGY GROUP OF KHYBER PAKHTUNKHWA  
POLICE DATED 27.04.2020 NO.804/SE-I

Memo:

Please refer to your office letter No. 6511/EC-II dated 21.05.2020 on the subject cited above.

As approved by the Competent Authority and aspects of AIG Legal CPO is reproduce for necessary action at your end:-

“The perusal of record reveals that applicant Numan Rafi was appointed directly in /BPS-18 through Regularization of Services Act 2018 on 20.06.2018, while Saleem Ullah was appointed in regular basis in BPS-17 and was promoted to BPS-18 on Acting Charge Basis on 02.12.2015 due to less service in BPS-17 which was about 06 months, later on he was promoted on regular basis after DSB approval on 12.04.2019. According to rule, Mr. Saleem Ullah was eligible for regular promotion after 06 months of his Acting Charge Basis promotion , but it was late due to not placing before next DSB, which was not his fault, the seniority list already prepared is correct and need not changes”.

  
KASHIF ZULFIQAR, PSP  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa

Endst: No. & date even.

Copy forwarded to the:-

1. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
3. AIG Legal CPO Peshawar.

41

c1

**FOR PUBLICATION IN THE KHYBER  
PAKHTUNKHWA POLICE GAZETTE PART-II  
ORDERS BY THE PROVINCIAL POLICE OFFICER  
KHYBER PAKHTUNKHWA, PESHAWAR**

NOTIFICATION

Dated: 25/7/12

No. 14699 /E-III, APPOINTMENT AS NET WORK ADMINISTRATOR BS-17

On the recommendation of Secretary KPK Public Service Commission Peshawar vide letter No. KPK/PSC/SR-V/031699 dated: 14.06.2012, Mr. Muhammad Saleem Ullah s/o Muhammad Zahir Shah r/o Surbat Payeen District Upper Dir is hereby appointed as Net Work Administrator BS-17 purely on temporary basis in the KPK Police with effect from the date he actually report for duty at his place of posting subject to medical fitness and verification of character and antecedents.

The term and condition of his service will be as under:-

1. His services are liable to be terminated on 14 days notice without assigning any reason.
2. On appointment the above name candidate is posted to Malakand Region Swat.

*Mac Hot*  
AC (MUHAMMAD AKBAR KHAN HOTI)  
Provincial Police Officer,  
Khyber Pakhtunkhwa  
Peshawar. *PK*

No. 14700-03 /E-III

23/7

Copy of above is forwarded for information and necessary action to the:-

1. Deputy Inspector General of Police, Malakand Region Swat in continuation of this office Memo No. 21238/E-III dated: 15.09.2010 (his academic certificates may please be verified from his respective Board /University. His application alongwith other documents are also attached. Note: Please offer your comments regarding his adjustment in your Region.
2. Secretary, KPK Public Service Commission, Peshawar w/r to his letter quoted above.
3. Office Supdt: Secret CPO.
4. Mr. Muhammad Saleem Ullah s/o Muhammad Zahir Shah r/o Surbat Payeen District Upper Dir

*Muhammad Saleem Ullah*  
in Document



*Annexure 'C'*

42

**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the December 2, 2015

**NOTIFICATION**

**NO.SO(E-I)E&AD/2-4/2015.** The Competent Authority on the recommendations of the Departmental Selection Board is pleased to promote the following officers of Information Technology (IT) Wing Khyber Pakhtunkhwa Police Department, as per details below, with immediate effect:-

S #	NAMES OF OFFICERS WITH PRESENT POST AND BPS	PROMOTED TO THE POST/BPS
1.	Mr. Navid Gul System Analyst (BS-18)	Director, Information Technology BS-19, on regular basis.
2.	Mr. Muhammad Ashfaq Data Processing Officers (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on regular basis.
3.	Mr. Muhammad Aftab Database Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.
4.	Mr. Muhammad Saleem Ullah Network Administrator (BS-17)	Deputy Director IT/System Analyst/Database Administrator BS-18, on acting charge basis.

2. The officers mentioned at Sr. No. 1, 2, promoted on regular basis, shall remain on probation for a period of one year extendable for another year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

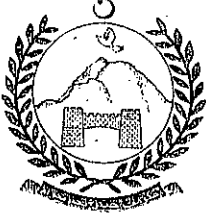
**CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA**

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

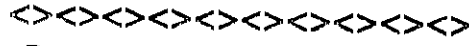
Copy forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Home & T.A. Department.
4. Provincial Police Officer, Khyber Pakhtunkhwa.
5. Accountant General, Khyber Pakhtunkhwa.
6. Director, Information & Public Relations, Khyber Pakhtunkhwa.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa
8. PS to Chief Secretary, Khyber Pakhtunkhwa
9. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA AS(HRD)/DS(E.)/SO(E.II) Establishment Department.
10. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/ Director Protocol/ Estate Officer/ACSO Cypher/Deputy Director (IT) Administration Department, Khyber Pakhtunkhwa.
11. Officers concerned.
12. Manager, Govt. Printing Press Peshawar.

*(KASHIF IQBAL JILANI)*  
SECTION OFFICER (ESTT-I)

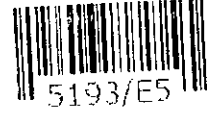


GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT



Dated Peshawar, 15-04-2019

43



**NOTIFICATION**

**No.SO(Police-II)/HD/SMY-07/019**: The Competent Authority, on the recommendation of Departmental Selection Board (DSB), is pleased to promote Mr. Muhammad Saleem Ullah Deputy Director I.T (a.c.b) of Information Technology Wing Khyber Pakhtunkhwa Police to the rank of Deputy Director I.T (BS-18) on regular basis w.e.f 21-01-2019 in the best public interest.

2. The officer shall remain on probation for a period of one year extendable for another one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

**HOME SECRETARY  
KHYBER PAKHTUNKHWA**

**Copy forwarded for information and necessary action to:-**

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. Provincial Police Officer, Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa.
4. Director Information & Public Relations, Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Establishment Department, Khyber Pakhtunkhwa.
7. PS to Secretary Administration Department, Khyber Pakhtunkhwa.
8. Officer concerned.
9. Manager Govt. Printing Press Peshawar.
10. P.S to Home Secretary, Khyber Pakhtunkhwa.

**Section Officer (Police-II)**

SE+V  
17/4



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**OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar**

Dated Peshawar 06 February 2017

**SENIORITY LIST OF OFFICERS BS-18 INFORMATION TECHNOLOGY OF KHYBER PAKHTUNKHWA POLICE**

No. 94 /SE-I, The Seniority List of Officers BS-18 Information Technology Group of Khyber Pakhtunkhwa Police is hereby published for information of all concerned.

S.No	Name of Officers	D.O.Birth	Domicile	Qualification	D.O App:	Method of App:	Remarks
1.	Mr. Johar Ali	17.03.1968	Swabi	M.S Computer Science	14.09.1995	Through PSC	
2.	Muhammad Ashfaq	15.09.1982	Khyber Agency	M. Sc Computer Science MBA Finance	01.11.2010	Through PSC	
3.	Mr. Muhammad Aftab	16.09.1977	Charsadda	M.S Computer Science	10.01.2011	Through PSC	
4.	Mr. Muhammad Saleem Ullah	20.09.1982	Dir Upper	M.S Computer Science	27.07.2012	Through PSC	

(SYED AKHTAR ALI SHAH)PSP

Addl: IGP HQrs:

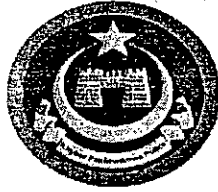
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Endst: No. & date even.

Copy to all concerned

Najaf

3  
SE-1



45

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

Dated Peshawar 28 February 2018

SENIORITY LIST OF OFFICERS BS-18 INFORMATION TECHNOLOGY OF KHYBER PAKHTUNKHWA POLICE

No. 235 /SE-I, The Seniority List of Officers BS-18 Information Technology Group of Khyber Pakhtunkhwa Police is hereby published for information of all concerned.

S.No	Name of Officers	D.O.Birth	Domicile	Qualification	D.O.App	Method of App	Remarks
1.	Mr. Johar Ali	17.03.1968	Swabi	M.S Computer Science	14.09.1995	Through PSC	
2.	Muhammad Ashfaq	15.09.1982	Rhyber Agency	M. Sc Computer Science MBA Finance	01.11.2010	Through PSC	
3.	Mr. Muhammad Aftab	16.09.1977	Charsadda	M.S Computer Science	10.01.2011	Through PSC	
4.	Mr. Muhammad Saleem Ullah	20.09.1982	Dir Upper	M.S Computer Science	27.07.2012	Through PSC	

(SHER AKBAR)

PSP, S.St

Deputy Inspector General of Police, HQrs;  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Endst: No. & date even.

Copy to all concerned

45





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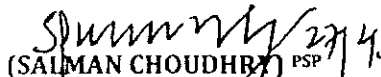
OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

Dated Peshawar 27-04-2020

**SENIORITY LIST OF OFFICERS BS-18 INFORMATION TECHNOLOGY OF KHYBER PAKHTUNKHWA POLICE**

No. 804 /SE-I, The Seniority List of Officers BS-18 Information Technology Group of Khyber Pakhtunkhwa Police is hereby published for information of all concerned.

S.No	Name of Officers	D.O.Birth	Domicile	Qualification	D.O App:	Method of App:	Remarks
1.	Mr. Johar Ali	17.03.1968	Swabi	M.S Computer Science	14.09.1995	Through PSC	
2.	Muhammad Ashfaq	15.09.1982	Khyber Agency	M. Sc Computer Science MBA Finance	01.11.2010	Through PSC	
3.	Mr. Muhammad Aftab	16.09.1977	Charsadda	M.S Computer Science	10.01.2011	Through PSC	
4.	Mr. Muhammad Saleem Ullah	20.09.1982	Dir Upper	M.S Computer Science	27.07.2012	Through PSC	
5.	Mr. Nauman Rafi	27.09.1979	Peshawar	Master in Computer Science	07.03.2018	Regularize through (Regularization of Services ) Act, 2018	

  
(SALMAN CHOUDHRY) PSP  
Deputy Inspector General of Police, HQrs.,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Endst: No. & date even.

Copy to all concerned

47

CENTRAL POLICE OFFICE PESHAWAR

Form No. 92/0516

Date: Peshawar, the 24<sup>th</sup> Sept. 2014.

**NOTIFICATION**

No. 929 /SB-3, On the recommendation of Khyber Pakhtunkhwa Public Service Commission Peshawar vide letter No. PSC/SR VI/063533 dated 20.08.2014 the following candidates are hereby appointed as Programmer BS-17 purely on temporary basis in Khyber Pakhtunkhwa Police Department from the date they actually report to assume their duties at the place of posting subject to medical fitness, verification of all documents/testimonials from the respective Boards/Institutions, Character/anti corruption and fulfillment of all other legal formalities:-

S/No.	Name of Candidates	Father Name	Post
1.	Muhammad Saleem Gul	Umar Gul	Programmer (BS-17)
2.	Azmat Ullah Khan	Ate Ullah	Programmer (BS-17)

02. Terms and Conditions will be the same which has been specified in the Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules 2014.

03. Their posting Notification will be issued separately.

Sd/-  
**NASIR KHAN DURRANI**  
Inspector General of Police  
Khyber Pakhtunkhwa  
Peshawar.

Encls. No. 7 Date recd.

Copy forwarded to the:

- Principal Secretary to Governor Khyber Pakhtunkhwa.
- Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- Chief Secretary Government of Khyber Pakhtunkhwa Peshawar.
- Secretary Govt. of Khyber Pakhtunkhwa Public Admin. Dept. Peshawar.
- Secretary, Govt. of Khyber Pakhtunkhwa Finance Dept. Peshawar.
- Secretary, Govt. of Khyber Pakhtunkhwa Home & Tribal Affairs Dept. Peshawar.
- Secretary, Khyber Pakhtunkhwa Public Service Commission Peshawar.
- All Addl. Inspectors of Police in Khyber Pakhtunkhwa.
- All Heads of Police in Khyber Pakhtunkhwa Peshawar.
- Accountant General Khyber Pakhtunkhwa Peshawar.
- ESQ to IGP Khyber Pakhtunkhwa Peshawar.
- Director IT CPO Peshawar.
- Director Recruitment Khyber Pakhtunkhwa Public Service Commission Peshawar.
- AIG Establishment CPO Peshawar.
- Prin. Secy to IGP Khyber Pakhtunkhwa Peshawar.
- Supd. Secy to IGP/Accountant IGP Peshawar.
- Mr. Muhammad Saleem Gul & Umar Gul / O Raees ul Kabay Bazar Khasra No. 92 TIC No. 28 Peshawar City.
- Mr. Asmat Khan / Mr. Ate Ullah Khan, Station Master, Dept. of Transport, Peshawar.
- Chief Registrar CPO.
- IGP's Office.

**ATTESTED**

(NAJIB UR-REHMAN HECVI) DSP  
AIG Establishment  
For Inspector General of Police  
Khyber Pakhtunkhwa

48



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

No. SOC(E&AD)9-15/2019

Dated Peshawar the 14<sup>th</sup> May, 2019.

4071  
15-5-19

To,

The Secretary to Govt. of Khyber Pakhtunkhwa  
Establishment Department.

**SUBJECT: DECISION OF MEETING OF THE PROVINCIAL CABINET  
DATED 09.05.2019.**

Dear Sir,

I am directed to forward herewith the following decision of the meeting of the Provincial Cabinet held on 09.05.2019 under the chairmanship of Chief Minister, Khyber Pakhtunkhwa for implementation.

**ADDITIONAL ITEM NO. 08  
SETTLEMENT OF ANOMALIES ARISING OUT IN THE WAKE OF PROMULGATION OF THE  
KHYBER PAKHTUNKHWA EMPLOYEES (REGULARIZATION OF SERVICES), ACT, 2018**

**Decision of the Cabinet:**

The Cabinet approved recommendations of the Ministerial Committee as under:-

- i) With regard to contingent/fixed pay/daily wages staff appointed/recruited by the departments prior to promulgation of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 without adopting codal formalities under Project Policy, it was agreed that those contingent employees, 35 in number, (31 in P&D and 4 in Home Department) may be given one time relaxation for regularization of their services, subject to certification of their credentials and suitability by the concerned Government Departments provided that it should not be quoted as precedent to follow in other cases; rather a special dispensation to the contingent paid employees vide order of Peshawar High Court decision given in the Writ Petition No. 6553-P/2018 dated 12.03.2019.
- ii) A Grievances Redressal Committee headed by Establishment Department consisting of representatives from Finance, Law and concerned administrative departments may be constituted. The Grievances Redressal Committee would report to the same ministerial committee.
- iii) All the positions created by Finance Department for all the regularized projects under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 shall be created/placed at the strength of attached formations of respective administrative departments except the positions of Planning Cells.

**Implementing Department: Establishment**

2. It is requested that an implementation report of the Cabinet decision as required under Rule 23 (2) of the Khyber Pakhtunkhwa Government Rules of Business, 1985 may kindly be furnished on top priority basis to the Cabinet Section, Administration Department.

Yours faithfully,

(TAJ MUHAMMAD)  
SECTION OFFICER (CABINET)

**ENDST. NO. & DATE EVEN.**

Copy to:-

- 1. P.S to Secretary Administration Department.
- 2. PA to Deputy Secretary (Cabinet) Administration Department.

SECTION OFFICER (CABINET)

SO (OM)

PS 15/5



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

Dated Peshawar, the 20<sup>th</sup> May, 2019

**NOTIFICATION**

**No. SO(O&M)/E&AD/3-15/2018:** In pursuance of Provincial Cabinet decision for additional Item No. 8 dated 09.05.2019 the Provincial Government has been pleased to constitute Grievances Redressal Committee for settlement of anomalies arising out in the wake of promulgation of the Khyber Pakhtunkhwa Employees (Regulation of Services) Act, 2018.

i)	Secretary Establishment.	Chairman
ii)	Representative of Finance Department.	Member
iii)	Representative of Law, Parliamentary Affairs & Human Rights Department.	Member
iv)	Representative of the concerned Department.	Member

**CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA**

**ToR's**

- To place recommendations for settlement of anomalies arising out in wake of promulgation of above mentioned Act, before the Ministerial Committee.
- The Grievances Redressal Committee would report to the Ministerial Committee notified vide notification No. SO(O&M)/E&AD/3-15/2018 on 04.03.2019

**Endst: No. & Date of even:**

**Copy to:-**

1. PS to Minsters Finance, Law and Information & Public Relations.
2. All Administrative Departments concerned whose projects were regularized through ibid Act.
3. The Secretary Finance Department, Government of Khyber Pakhtunkhwa.
4. The Secretary Law Department, Government of Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Establishment Department.
7. PS to Special Secretary (Regulation/Establishment), Establishment Department.
8. PA to Deputy Secretary (Policy), Establishment Department.

  
(GAUHAR ALI)  
SECTION OFFICER (O&M)

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RECOMMENDATIONS OF THE MINISTERIAL COMMITTEE

In pursuance of the directions of Ministerial Committee meeting dated 6.3.2019 the issues of regularized employees of various departments are classified in line with the Anomaly Committee's recommendations. Under the Rules of Business creation/abolition of posts is the domain of Finance Department. At the start of regularization process of the Project Employees, all concerned Administrative Departments were requested to coordinate their cases with the Finance Department for creation of posts on regular side. Moreover, subsequent to promulgation of the Regularization Act, 2018 they were again reminded to expedite the process of creation of posts with the Finance Department. Resultantly, Finance Department issued a schedule of meetings starting from 7.5.2018 to 16.5.2018 with the concerned departments for creation of posts. After that process, Finance Department addressed/asked the Administrative Departments concerned to ensure provision of a certificate to the effect that "all educational qualification and other credentials of the project employees have been verified and found correct" prior to creation of posts on regular side. After completion of the relevant conditions and formalities of Finance Department as well as meetings with the departments concerned, posts have been created on regular side. However, the following departments have raised issues/difficulties:-

I. Health Department

Name of the Project Regularized	Issues	Remarks
	Employees appointed without advertisement	
MNCH (approved on 7.3.2007 and revised from time to time till 2017-18)		Since the issue was subjudice before the Peshawar High Court and the Court in its order dated 12.3.2019 has decided the case in favour of the petitioners, hence the issue stands resolved. It is, therefore, proposed that the qualifications, credential and experience as required under Sections 3,4&5 of the ibid Act should be checked and after that Administrative Department may issue notification.
<u>Summary</u>		
Total Sanctioned Strength	=	431
Posts created by Finance Department	=	398
Employees appointed without advertisement	=	197
<u>Breakup of employees</u>		
Superintendent (BS-17)		01
Computer Operator (BS-16)		02
Account Assistant (BS-14)		04
Junior Clerk (BS-11)		04
Driver (06)		51

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Naib Qasid (BS-03)	43	
Helper (BS-03)	19	
Cook (BS-03)	15	
Sweeper (BS-03)	18	
Chowkidar (BS-03)	40	

**II P&D Department**

Name of the Project Regularized	Issues	Remarks
	Employees appointed on contingent basis	
Monitoring & Evaluation (Revised in 2014-15)		With regard to contingent/fixed pay/daily wages staff appointed/recruited by the departments prior to promulgation of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 without adopting codal formalities under Project Policy, it was agreed that those contingent employees 31 in number of P&D Department may be given one time relaxation for regularization of their services subject to verification of their qualifications and credentials by the concerned Government Departments provided that it should not be quoted as precedent to follow in other cases rather as a special dispensation to the contingent paid employees on the analogy of Peshawar High Court decision dated 12.03.2019.

**Summary**

Total Sanctioned Strength	=	166
Posts created by Finance Department	=	132
Employees appointed on contingent basis	=	19

**Breakup of employees**

Office Assistant (BS-16)	01	
IT Assistant (BS-16)	03	
Driver (BS-6)	04	
Naib Qasid (BS-3)	09	
Chowkidar (BS-3)	01	
Sweeper (BS-3)	01	

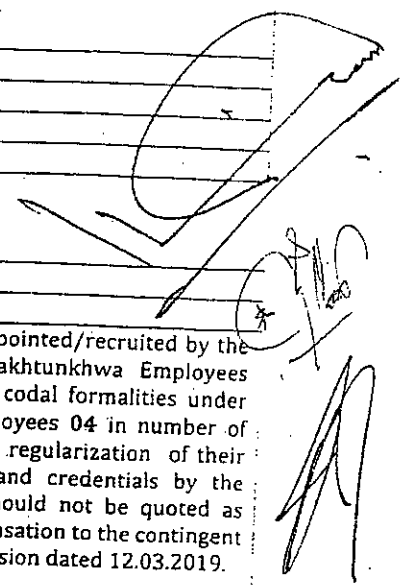
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Sustainable Development Unit		
Summary		
Total Sanctioned Strength	=	34
Posts created by Finance Department	=	27
Employees appointed on contingent basis	=	12
Office Assistant(BS-16)	01	With regard to contingent/fixd pay/daily wages staff appointed/recruited by the departments prior to promulgation of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 without adopting codal formalities under Project Policy, it was agreed that those contingent employees 31 in number of P&D Departments may be given one time relaxation for regularization of their services subject to verification of their qualifications and credentials by the concerned Government Departments provided that it should not be quoted as precedent to follow in other cases rather as a special dispensation to the contingent paid employees on the analogy of Peshawar High Court decision dated 12.03.2019.
Junior Clerk (BS-11)	01	
Driver(BS-6)	02	
Naib Qasid(BS-3)	04	
Chowkidar(BS-3)	04	

III. Home & Tribal Affairs Department

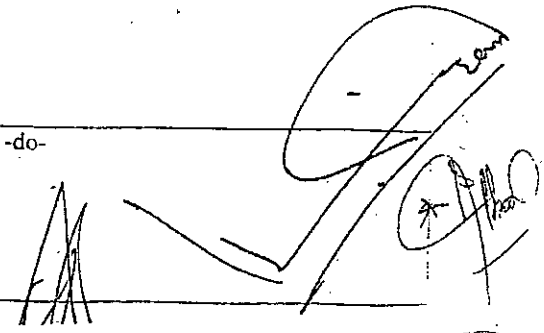
Name of the Project Regularized	Issues	Remarks
Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department	Employees appointed on contingent basis	With regard to contingent/fixd pay/daily wages staff appointed/recruited by the departments prior to promulgation of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 without adopting codal formalities under Project Policy, it was agreed that those contingent employees 04 in number of Home Departments may be given one time relaxation for regularization of their services subject to verification of their qualifications and credentials by the concerned Government Departments provided that it should not be quoted as precedent to follow in other cases rather, as a special dispensation to the contingent paid employees on the analogy of Peshawar High Court decision dated 12.03.2019.



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<b>Summary</b>		
Total Sanctioned Strength	=	50
Posts created by Finance Department	=	36
Employees appointed on contingent basis	=	04
<b>Breakup of employees</b>		
Naib Qasid (BS-3)	04	
Coordination Unit for Implementation of Law & Order initiatives in Khyber Pakhtunkhwa	Procurement Officer (BS-17) holding the post in "Coordination Unit for Implementation of Law & Order Initiatives" in Police Department does not possess the requisite qualification for the post. The incumbent has M.A English only whereas the required qualification was Master in Social Sciences.	It was observed that MA English is as good as other social sciences and the incumbent might have possessed sufficient experience before the regularization of the said post and would perform his duty quite well now, hence the Committee may decide. However, it is proposed that the officer may be allowed to participate in a training course in the relevant field.
Traffic Control Management System and FM Radio.	One No. of Computer Operator of the said projects does not meet the prescribed qualification/criteria although the posts of the Computer Operators did exist in BS-16 prior to their regularization in the projects.	With regard to Computer Operates having less qualification, the Administrative Department should take up case with Finance Department to create SNE positions in BS-12. However, the incumbents will be given grace period of four years to acquire the prescribed qualification for the post of computer operator (BPS-16) i.e. Graduation with Diploma in IT (DIT). <b>Note:- The grace period shall commence from the issuance of the regularization notification.</b>
Computerization of Arms License	15 NOs of Computer Operators of the said projects do not meet the prescribed qualification/criteria although the posts of the Computer Operators did exist in BS-16 prior to their regularization in the projects.	-do-
Prison Management Information System.	13 NOs of Computer Operators of the said projects do not meet the prescribed qualification/criteria although the posts of the Computer Operators did exist in BS-16 prior to their regularization in the projects.	-do-



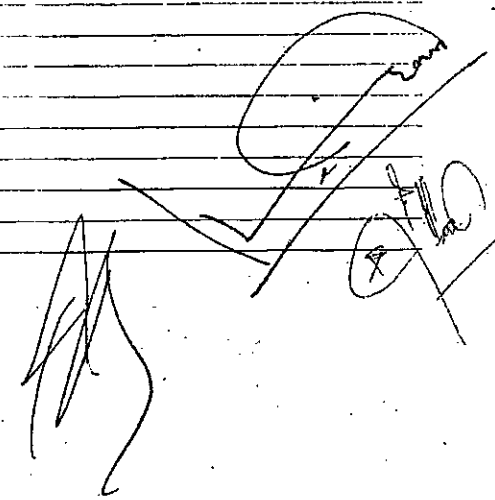


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IV. Relief, Rehabilitation and Settlement Department

Name of the Project Regularized	Issues	Remarks
	Posts adjustment in PDMA	
Provincial Reconstruction, Rehabilitation & Settlement Authority (PaRRSA) under PDMA		With regard to adjustment/merger of PaRRSA employees the competent authority (Chief Minister) has approved the recommendations of the Committee set up in Finance Department thus the issue has been resolved.
<b>Summary</b>		
Total Sanctioned Strength	= 68	
Posts to be created/adjusted by Finance Department	= 68	
<b>Breakup of employees</b>		
Officers	27	
Accounts Assistant	01	
Computer Operator	11	
Office Assistant	07	
Sub Engineer	04	
Helpline Assistant	01	
Petty Cash Clerk	01	
Receptionist	01	
Naib Qasid	07	
Driver	06	
Sweeper	01	



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V. Local Government Department

Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendations of the Anomaly Committee
Establishment of Planning Cell	02 Nos of Assistant (BS-16)	<ul style="list-style-type: none"> <li>➤ The issue of service structure of employees i.e., Assistants, Computer Operator, Driver, Naib Qasids &amp; Muslim Sweeper.</li> <li>➤ Placement of employees.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Service structure is not an anomaly and is the responsibility of the Standing Service Rules Committee (SSRC).</li> <li>➤ Planning Cells shall form part and parcel of Provincial Planning Service (PPS).</li> </ul>
	One No. of Computer Operator (BS-16)		
	03 Nos. of Drivers (BS-03)		
	02 Nos. of Naib Qasids (BS-03)		
	One No. of Sweeper (BS-03)		

VI. ST& IT Department

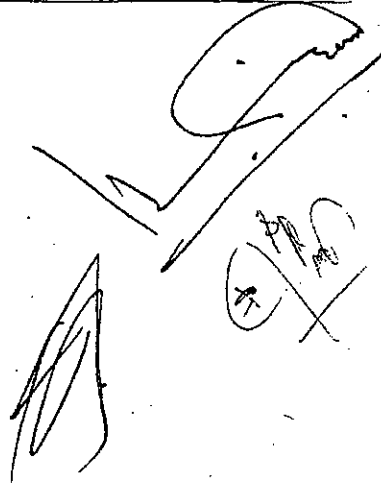
Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendations of the Anomaly Committee
Common Application for Government Departments (E-Office)	<ul style="list-style-type: none"> <li>i. Project Manager (BS-18)</li> <li>ii. Application Manager (BS-17)</li> <li>iii. E-Office Trainer (BS-16)</li> <li>iv. Web Developer (BS-16)</li> <li>v. Office Assistant (BS-14)</li> <li>vi. Assistant IT Manager (BS-16)</li> <li>vii. Support Engineer (BS-16)</li> <li>viii. Assistant IT-Manager (BS-16)</li> <li>ix. Computer Operator (BS-16)</li> <li>x. Office Peon (BS-04)</li> <li>xi. Driver (BS-07)</li> </ul>	<p>The issue of adjustment of the employees in their respective five departments where they are working i.e. Establishment, Administration, Elementary &amp; Secondary Education, ST&amp;IT and Health Departments.</p>	<p>Since posts have already been created by the Finance Department, therefore, in order to settle the anomaly, all the positions may be shifted/placed / adjusted at the strength of Staff Training Institute (STI).</p>
	Computer Operator (BS-16)		

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VII. Sports Department

Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendations of the Anomaly Committee
Establishment of Engineering Wing	03 Nos. of Site Engineer (BS-17)	Nomenclature of 03 Civil Engineers was reflected as Sub-Divisional Officer (SDO) in PC-I of the project. Finance Department notified the same posts as Site Engineers. The Civil Engineers working in the Engineering Wing have broader job description, they not only supervise sites but also work at the department like preparations of PC-I, input on ADP, Monitoring of C&W portfolio etc and requested that the same may be amended as per the analogy of Public Works Department.	The committee observed that as Finance Department has re-designated the 03 posts of Sub-Divisional Officers as Site Engineers (BS-17) so there is no anomaly involved.
	i. Site Engineer (BS-17) ii. Architect (BS-17) iii. Sub-Engineer (BS-16) iv. Draftsman (BS-15)	The issue of service structure (issues of promotion and posting transfer) of the incumbents is not clear from the Regularization Act, 2018 that whether the regularized staff will be merged in the Establishment Department for the promotion purpose or otherwise. The service structure for the post of Sub-Divisional Officer, Architect/Designer, Sub-Engineer and Draftsman.	Service structure at this stage is premature and is the internal issue of the department; therefore, the Administrative Department may settle the same through SSRC.
		Fixation of 30% Secretariat/Special Allowance.	The committee observed that the instant issue is not an anomaly.

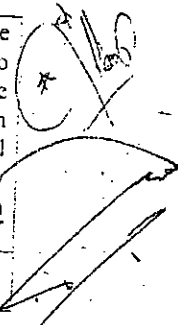


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VHL. Population Welfare Department

Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendations of the Anomaly Committee
Establishment of Population & Research Training Institute and Social Mobilization (KPPRTI)	Assistant Director/Project Coordinator (BS-17)	<p>➤ The incumbent appointed for the post of Assistant Director/Project Coordinator for the project "Establishment of Population &amp; Research Training Institute and Social Mobilization (KPPRTI)" 2015-18 it was observed that;</p> <p>a) The qualification i.e. MA in Gender Studies on the basis he was appointed is not included in the approved service rules of the Directorate General.</p> <p>b) The result of the M.Phil Degree was notified by the University of Peshawar on 03.08.2016 while closing date of the advertisement was 24.04.2016 and interview was conducted on 08.06.2016 but 07 marks of one step higher qualification awarded.</p>	<p>The Committee observed that the Administrative Department has raised the issue which was the domain of Project Shortlisting and Selections Committees as provided in the Project Policy. To a query as to whether proper procedure was adopted by both the Committees, representative of the Administrative Department categorically informed the Anomaly Committee that proper procedure was followed by both the Committees. As such and as per clarification of the Administrative Department it was unanimously agreed that this is not an anomaly and Administrative Department may settle the issue at their own level and follow the recommendations of Shortlisting and Selection Committees.</p>
Establishment of 100 Family Welfare Centres FWCs in Khyber Pakhtunkhwa	Helper/Dai/Aya	<p>The issue of training at the time of recruitment i.e. most of the Helper/Dai/Aya recruited before 17.02.2017 under the project were having experience certificate instead of training. The Directorate General amended service rules on 17.02.2017 and the word "trained" was deleted.</p>	<p>The Committee observed that the service rules have been amended to the benefit of the incumbent and the training has been done away with therefore, there seem no anomaly at all. The Administrative Department may issue regularization notification accordingly.</p>
	Mst. Ruby Rehman FWW	<p>It was observed during the scrutiny that the incumbent FWW, Mst. Ruby Rehman, was murdered/died on 30.07.2018 and the</p>	<p>The Committee observed that although she died before her</p>



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	issue of regularization order remains yet to be issued.	regularization notification as provided under Section-5 of the Act but she was holding the post on the date of enforcement of the Act i.e. 02-03-2018 however, her regularization was delayed for obvious reasons and had the Administrative Department carried out scrutiny she would have regularized before her death. Therefore, the Committee recommends her regularization.
<ul style="list-style-type: none"> <li>i. Mst. Tahira Noor D/o Noor Bacha, FWW, DPW-Office Bunir.</li> <li>ii. Mst. Raheela Mehtab D/O Mehtab Shah (Aya/Helper) DPW-Office Charsadda.</li> <li>iii. Mst. Haseena Maroof D/o Maroof Shah Khattak, DPW-Office Nowshera (Aya/Helper)</li> </ul>	Mst. Tahira Noor D/o Noor Bacha, FWW, DPW-Office Bunir, Mst. Raheela Mehtab D/O Mehtab Shah (Aya/Helper) DPW-Office Charsadda & Mst. Haseena Maroof D/o Maroof Shah Khattak, DPW-Office Nowshera (Aya/Helper) resigned on 05/05/2018, 01/06/2018 & 31/07/2018 respectively. Some portion of their salaries is pending.	The Committee observed that there is no anomaly as the resignations tendered have been accepted as clarified by representatives of the Administrative Department however, for clearance of any pending liabilities the Administrative Department may take up case with Finance Department.
Mst. Aneela Khatoon D/o Sher Zaman (Dai/Aya/Helper) DPW office Hangu	Mst. Aneela Khatoon D/o Sher Zaman (Dai/Aya/Helper) DPW office Hangu is undergoing 24 Months Training of FWW (selected on open merit) and regularly getting stipend of Rs. 6000/- PM from 20.03.2018 onward as confirmed by Principal RTI while she has been reported continuously as present vide DPWO Hangu letter reflected in the minutes of the scrutiny committee and also got salary up to June, 2018.	The Committee observed that the issue does not come under the definition of anomaly and the Administrative Department is required to initiate appropriate disciplinary action against the employee at its own level.
Ms. Balqees W/o Imtiaz Ali (Aya/Helper) DPW Office Shangla	Ms. Balqees W/o Imtiaz Ali (Aya/Helper) DPW Office Shangla was absent.	-do-
	24 Family Welfare Workers were recruited under the project "100 FWC in KP" and they were fulfilling the required qualification of having SSC with LHV Diploma under the prevailing service rules of the Directorate General of Population Welfare at the time of their recruitment in the project, but in February, 2017 due to amendments in the	The committee recommended that the concerned Administrative Department may arrange appropriate training course for employees to cover up the training deficiencies of the employees so regularized under ibid Act

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	service rules, the qualification of LHV has been deleted and at time of regularization, only SSC with FWW training course is required qualification which they do not possess.
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**IX. Industries Department.**

Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendation of the Anomaly Committee
Strengthening of Planning Cell	One No. of Account Officer (BS-16)	Anomaly in the post of Admn & Account Officer (BS-16)	The committee observed that since the incumbent was recruited in BS-16 under the Project Policy and upon regularization the post of Admn & Account Officer has been created in BS-16, hence there is no anomaly.

**X. Agriculture Department.**

Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendation of the Anomaly Committee
Strengthening of Planning Cell and Monitoring	One No. of Assistant (BS-16)	The issue of adjustment of Assistant (BS-16)	The Administrative Department was directed to adjust the Assistant (BS-16) in Directorate/attached formations. Finance Department will make necessary alteration in its notification for shifting of the post on the strength of attached department.
	One No. Assistant Programmer (BS-16)	The issue of adjustment of Assistant Programmer (BS-16)	-do-

**XI. Food Department.**

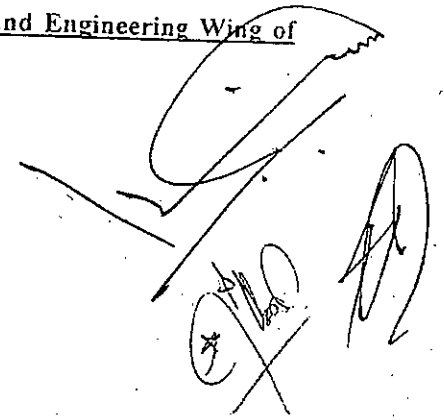
Name of the Project Regularized	Category/Scale of the Employees having anomaly	Issues	Recommendation of the Anomaly Committee
"Automation of Food Department"	04 Nos. Computer Operator (BS-16)	Computer Operators of the project i.e. "Automation of Food Department" do not possess relevant qualification i.e. at least 2 <sup>nd</sup> class Bachelor Degree in Computer Science or at least 2 <sup>nd</sup> class Bachelor Degree + 01 year Diploma in Information Technology (DIT).	With regard to Computer Operates having less qualification, the Administrative Department should take up case with Finance Department to create SNE positions in BS-12. However, the incumbents will be given grace period of four years to acquire the prescribed qualification for the post of computer operator (BPS-16) i.e. Graduation with Diploma in IT (DIT). Note:- The grace period shall commence from the

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04 Nos. of Computer Operator (BS-16)	Computer Operators, namely (1) Ifrikhar Ahmad (2) Jamal Ali (3) Yasir Khan (4) Naveed Khan have remained willfully absent from duty and are being processed under E&D Rules and the Anomaly Committee was therefore requested to guide in this regard.	<b>issuance of the regularization notification.</b> The Secretary withdrew the case being internal issue of the Administrative Department.
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The Committee also recommended that all the positions created by Finance Department for all of the regularized projects under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 shall be created/placed at the strength of attached formations of respective Administrative Departments except the positions of Planning Cells which fall under the Provincial Planning Service (PPS) and Engineering Wing of Sports Department. Finance Department will take further appropriate action accordingly.

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**Subject: - REQUEST FOR UPGRADATION OF THE POST OF COMPUTER OPERATOR FROM (BS-12) TO (BS-16)**

It is submitted that the project "Traffic Control Management System and FM Radio" was regularized by the Provisional Government of Khyber Pakhtunkhwa vide Home & Tribal Affairs Department Notification No. F.No.SO(DEV)HD/General-Projects /2017-18/Vol.-III (203940) dated Peshawar June 20,2018 (Annex-A). As per decision of the Provisional Cabinet all the Computer Operator who have BA/BSC + DIT Qualification was regularized in BPS -16.

It is further submitted that I have not been regularized due to lack of prescribed qualification at that stage, in this regard a meeting of the Provisional Cabinet was held on 14, May 2019 (Annex-B), in which it was decided that the incumbent will be regularized in BPS-12 and will be given grace period of 4 year to acquire the prescribed qualification for the post of Computer Operator (BPS-16) i.e. Graduation with Diploma in IT (DIT) (Appointment in BPS-12 (Annex-C)).

Now, I have acquired the prescribed qualification for the post of Computer Operator BPS-16 Degree attached duly verified by University of Peshawar (Annex-D). It is therefore requested that as per decision of the Provisional Cabinet (mentioned in my appointment order), my upgradation case from Computer Operator BPS-12 to Computer Operator BPS-16 may kindly be taken with concerned departments, please.

The approved post of Computer Operator (BPS-16) by finance department is also attached (Annex-E), please.

  
**(Hizer Rehman)**  
Computer Operator  
City Traffic Police Peshawar





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Nauman has Master in Computer Science

OFFICE OF THE  
SR: SUPERINTENDENT OF POLICE,  
COORDINATION, CCP, PESHAWAR.  
Phone NO.0919213757

No. 190 /PA/Coord:

Dated 10/12/2021

TO:

The Capital City Police Officer,  
Peshawar.

Subject:

COMPLAINT AGAINST DEPUTY DIRECTOR (IT) MR. NUMAN RAFFI OF CCP.

Kindly refer to your office No. 394/PA/CCPO, dated 30.03.2021, on the subject cited above.

Enquiry was conducted into the matter, detail report is as under:-

A project "Traffic Control Management System & FM Radio" was initiated in 2012-13 by Directorate of Information Technology, ST&IT Department, Khyber Pakhtunkhwa. The Directorate of IT hired Mr. Nauman Rafi in grade 18 as their employee for the maintenance of the said project along with four Computer Operators and three Class-IV. The project was shifted to Home Department's ADP in 2017. 58 projects were regularized through a regularization Act 2018 which also included the same project.

According to this Service Act, Section 5 (ii) which is reproduced as follows:

- "the employee shall possess the same qualification and experience as required for a regular post;"
- Mr. Nauman Rafi has not completed all of the codal formalities such as his qualification was not as per requirement of regular post. According to KP Police IT Wing Service Rules 2014, Page 7, Appendix, Sr. No.1, Column 3, with amendments Section 3, ii (a) which is reproduced as "in column No. 3 the word MS Computer Science/Information Technology with five year experience in the relevant field".
- The above rules explains that MS in Computer Science degree (18 years qualification along with five years post qualification experience) is required for direct


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appointment/induction in BS-11, whereas Mr. Nauman has Master in Computer Science (MCS) (10 years qualification with in post qualification experience)

- After Regularization Act a number of anomalies were found in the record of Project Employees. To address these anomalies, an Anomaly Committee was constituted under the Chairmanship of Secretary Establishment Department for settlement of anomalies arising out in the wake of promulgation of KP Employees Regulation of Services Act, 2018. The committee submitted its recommendation to create post in lower scale such as for Computer Operator BS-10 a post of BS-12 should be created.
- The recommendation of Anomaly Committee was submitted to Ministerial Committee under the Chairmanship of Minister Finance, as per approval of Cabinet Decision dated 28.02.2019. The Ministerial Committee recommended that four year grace period will be granted to those employees who have shortage of qualification to complete their qualification, till those employees will remain in the scale where they can be adjusted according to their qualification. The recommendation of Ministerial Committee was approved by Cabinet.
- In those employees who having anomalies, one Mr. Hizer Rohman is in the same project as of Mr. Nauman, who was regularized as Computer Operator in BS-12 instead of BS-10 due to less/low qualification (FA instead of BA) and grace period of four years was allotted to him to complete his qualification i.e Graduation with DIT.
- As per Act 2018 and IT Rules 2014, Mr. Nauman Raff doesn't fulfill the criteria and can be adjusted in BS-17 as his qualification met for BS-17 and a grace period of four years may be allotted to him to complete his qualification (MS Computer Science).

Submitted please.



  
Sr. Superintendent of Police,  
Coordination, CCP, Peshawar.

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Subject: REQUEST FOR PROMOTION FROM ACTING CHARGE BASIS TO REGULAR BASIS

1. I was appointed as Network Administrator(BS-17) through Khyber Pakhtunkhwa Public Service Commission on KPK/PSG/SR-V/031699 dated 14.06.2012 vide (Flag A).

2. On 02/12/2015 I was promoted on a vacant post as Deputy Director IT/System Analyst/Database Administrator on BS-18 as acting charge basis vide (Flag B) due to shortage of required service length of 5 years.

3. Mr. Muhammad Aftab Dy: Deputy Director IT/System Analyst/Database Administrator BS-18 has also been promoted on acting charge basis in the same order (Flag B). However, he has been promoted on regular basis on completion of the required service length of 5 years vide office Notification No 770 dated 06 September 2017(Flag C).

4. The required service length of 5 years of the undersigned has also been completed on 27-07-2017.

5. In view of the above it is requested that the undersigned may also be promoted on regular basis as Deputy Director IT/System Analyst/Database Administrator BS-18.

*Muhammad Saleem Ullah*  
( MUHAMMAD SALEEM ULLAH )  
Dy: Director IT (Acting charge basis)  
IT Section, CPO

*Director IT*

*Submitted for your kind information, Sir.*

*Muhammad Aftab*

*11/9/17*

*CP*

*12/9/17*

Respected Sir,

Subject REQUEST FOR PROMOTION FROM ACTING CHARGE BASIS TO REGULAR BASIS

1 I was appointed as Network Administrator (BS-17) through Khyber Pakhtunkhwa Public Service Commission on KPI/PSC/SR-V/031699 dated 14.06.2012 vide (Flag A).

2 On 02/12/2015 I was promoted on a vacant post as Deputy Director IT/System Analyst/Database Administrator on BS-18 as acting charge basis vide (Flag B) due to shortage of required service length of 5 years

3 Mr Muhammad Aftab Dy Deputy Director IT/System Analyst/Database Administrator BS-18 has also been promoted on acting charge basis in the same order (Flag B) However, he has been promoted on regular basis on completion of the required service length of 5 years vide office Notification No 770 dated 06 September 2017 (Flag C).

4 The required service length of 5 years of the undersigned has also been completed on 27-07-2017

5 in view of the above it is requested that the undersigned may also be promoted on regular basis as Deputy Director IT/System Analyst/Database Administrator BS-18

( MUHAMMAD SALEEM ULLAH )  
Dy: Director IT (Acting charge basis)  
IT Section, CPO

Director IT

*intentional idea*

*( )  
SA/BS-18*

*CP discuss*

*[Signature]*

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

In Re:

Service Appeal No.10748/2020

Nauman Rafi. .... **Appellant**

**Versus**

The IGP, Khyber Pakhtunkhwa & others. . . **Respondents**

**I N D E X**

<b>S.No.</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Application for Placing on File Additional Documents with Affidavit		1-2
2.	Copy of Minutes of Departmental Selection Board Meeting held on 27.02.2017 with Better Copy		3-4
3.	Copy of Notification dated 08 <sup>th</sup> June, 2022		5
4.	Copy of Notification dated 12 <sup>th</sup> Feb, 2020		6
5.	Copy of Letter dated 03.09.2020		7

Through

Respondent No.4

Dated: 01.12.2022

**Muhammad Amin Khattak Lachi**  
Advocate Supreme Court  
Cell: 0313-9791207

①

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

In Re:

Service Appeal No.10748/2020

Nauman Rafi. .... **Appellant**

**Versus**

The IGP, Khyber Pakhtunkhwa & others. . . **Respondents**

**APPLICATION ON BEHALF OF**  
**RESPONDENT NO.4 FOR PLACING ON**  
**FILE CERTAIN DOCUMENTS, WHICH**  
**ARE NECESSARY FOR THE JUST**  
**DECISION OF THE TITLED APPEAL.**

**Respectfully Sheweth:**

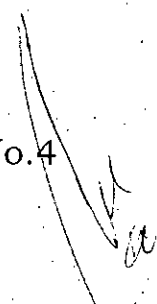
1. That the titled appeal is pending adjudication before this Hon'able Tribunal and is fixed for 05.12.2022.
2. That the annexed documents are necessary for the fair, just decision of the matter, hence this application.
3. That there is no legal bar to place the annexed documents on file, rather it is in the best interest of justice to allow it.

(2)

It is, therefore, most humbly prayed that on acceptance of the instant application, the attached documents may very graciously be placed on file for the best interest of law, fairness and justice.

Through

Respondent No.4

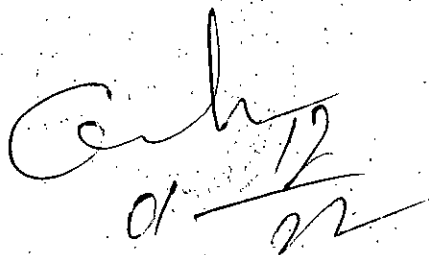
  
**Muhammad Amin Khattak Lachi**  
Advocate Supreme Court

Dated: 01.12.2022

**AFFIDAVIT**

It is stated on oath that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

DEPONENT

  
01/12/22

Annexure (C)

3

**MINUTES OF DEPARTMENTAL PROMOTION BOARD MEETING HELD ON 27.07.2015**

A Meeting of the Departmental Promotion Board was held on 27.07.2015 at 10:00 hours in Conference Room at GPO under the Chairmanship of Mr. Syed Ali Shah Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department, Information Technology (IT) Wing Khyber Pakhtunkhwa Police Department on Regular Basis.

The following Officers attended the meeting:

1. Mr. Syed Ali Shah Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
2. Mr. Salah-ud Din Khan Addl. IGP/Special Branch Officer, Khyber Pakhtunkhwa Police Department
3. Mr. Ishtiaq Ahmad Khan Marwar Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
4. Mr. Shahab Masood Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
5. Mr. Muhammad Shahzad Aslam Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
6. Mr. Muhammad Talib Khan Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
7. Mr. Muhammad Aman Shinwar Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
8. Mr. Mubarak Zeb Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
9. Mr. Abdul Kamil Khan Addl. Secy. Govt. of Khyber Pakhtunkhwa Police Department
10. Mr. Iqbal Khan Dar Sery (R.O.V) Govt. of Khyber Pakhtunkhwa Police Department
11. Mr. Naimishwar Rehman Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
12. Mr. Maazam Khan Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department
13. Mr. Falak Nawaz Addl. IGP/IGP General of Police, Khyber Pakhtunkhwa Police Department

The Chairman apprised the Board that he has been appointed as Dy. Director IT BS-18 in Khyber Pakhtunkhwa Police Department, Information Technology Wing Khyber Pakhtunkhwa Police Department.

The Board thoroughly examined the records of Mr. Muhammad Aftab BS-18 in Khyber Pakhtunkhwa Police Department, Information Technology Wing Khyber Pakhtunkhwa Police Department.

Recommendations of the meeting are noted as under:

S. #	Name of Officer with Designation	Recommendations	Remarks
1.	Mr. Muhammad Aftab BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer: 01.1977</li> <li>• Qualification: B.Sc. Computer Science</li> <li>• Date of joining service: 01.2011</li> <li>• Length of service: 04 years 07 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• It is medically fit.</li> <li>• To be promoted to the post of Mr. Muhammad Aftab BS-18 for promotion to the post of Technology Wing (IT) BS-18 on the provision of Article 10 will be an appointment for one or another officer as per Section 21 of Police Act, 1973 read with Police Department (Transfer) Rule, 2006.</li> </ul>	<ul style="list-style-type: none"> <li>• 01.1977</li> <li>• B.Sc. Computer Science</li> <li>• 01.2011</li> <li>• 04 years 07 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• It is medically fit.</li> <li>• To be promoted to the post of Mr. Muhammad Aftab BS-18 for promotion to the post of Technology Wing (IT) BS-18 on the provision of Article 10 will be an appointment for one or another officer as per Section 21 of Police Act, 1973 read with Police Department (Transfer) Rule, 2006.</li> </ul>
2.	Mr. Muhammad Saleem Ullah BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer: 20.08.1980</li> <li>• Qualification: M.Sc. Computer Science</li> <li>• Date of joining service: 27.07.2012</li> <li>• Length of service: 04 years 02 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• It is medically fit.</li> <li>• To be promoted to the post of Mr. Muhammad Saleem Ullah BS-18 for promotion to the post of Technology Wing (IT) BS-18 on the provision of Article 10 will be an appointment for one or another officer as per Section 21 of Police Act, 1973 read with Police Department (Transfer) Rule, 2006.</li> </ul>	<ul style="list-style-type: none"> <li>• 20.08.1980</li> <li>• M.Sc. Computer Science</li> <li>• 27.07.2012</li> <li>• 04 years 02 months</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• It is medically fit.</li> <li>• To be promoted to the post of Mr. Muhammad Saleem Ullah BS-18 for promotion to the post of Technology Wing (IT) BS-18 on the provision of Article 10 will be an appointment for one or another officer as per Section 21 of Police Act, 1973 read with Police Department (Transfer) Rule, 2006.</li> </ul>



**MINUTES OF DEPARTMENTAL SELECTION BOARD  
MEETING HELD ON 27.02.2017**

A Meeting of the Departmental Selection Board was held on 27.02.2022 at 02:15 hours in Conference Room at CPO under the Chairmanship of Mr. Nasir Khan Durrani, Inspector General of Police, Khyber Pakhtunkhwa to discuss the cases of promotion of Information Technology (IT) Wing Khyber Pakhtunkhwa Police from BS-18 on Acting Charge to BS-18 on Regular Basis.

The following Officers attended the meeting:-

1. Mr. Syed Akhtar Ali Shah Addl: IGP/HQrs Khyber Pakhtunkhwa, Peshawar
2. Mr. Salah-ud-Din Khan Addl: IGP/Special Branch Khyber Pakhtunkhwa, Peshawar.
3. Mr. Ishtiaq Ahmad Khan Marwat, Addl: IGP Invest: Khyber Pakhtunkhwa, Peshawar.
4. Ch: Shahab Mazhar Bahalli DIG of Police E & I Khyber Pakhtunkhwa, Peshawar.
5. Mr. Muhammad Shahzad Aslam Siddiqui Commandant FRP Khyber Pakhtunkhwa.
6. Mr. Muhammad Tahir Khan Capital City Police Officer Peshawar.
7. Mr. Muhammad Alam Shinwari DIG of Police HQrs: Khyber Pakhtunkhwa, Peshawar.
8. Mr. Mubarak Zeb DIG of Police CTD Khyber Pakhtunkhwa, Peshawar.
9. Mr. Abdul Kamal Khan Addl: Sec: Govt: of Khyber Pakhtunkhwa Home & TA Peshawar
10. Mr. Javed Khan Dy: Secy (R-IV) Govt: of Khyber Pakhtunkhwa Estt: Deptt:
11. Mr. Najeeb-ur-Rehman Buggi AIG/Establishment Khyber Pakhtunkhwa, Peshawar.
12. Mr. Moazzam Khan SO (R-II) Govt: of Khyber Pakhtunkhwa, Finance Deptt:
13. Mr. Falak Nawaz AIG Legal CPO Peshawar.

The Chairman apprised the Board that there are two (02) vacant posts of Dy: Director IT BS-18 in Khyber Pakhtunkhwa Police whereupon promotion of Officers of Information Technology Wing KP Police to be considered.

The Board thoroughly examined the period of the Officers as per Khyber Pakhtunkhwa Police Department Information Technology Wing Rules-2014.

Recommendations of the meeting are noted against each:-

S.#	Name of Officer with Designation	Recommendations of the Board
1.	Mr. Muhammad Aftab BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 16.09.1977</li> <li>• Qualification = M.Sc Computer Science</li> <li>• Date of Joining service = 10.01.2011</li> <li>• Length of service = 06 yrs 01 month &amp; 15 days</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Regular Basis</li> <li>• <b>The Board recommended that the officer may be cleared for promotion to the post of Dy: Director Information Technology Wing (IT) BS-18 on Regular Basis subject to the provision of ACRs from 10.07.2015 to 31.12.2015. He will be on probation for a period of one year extendable for another year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</b></li> </ul>
2.	Mr. Muhammad Saleem Ullah BS-18 On Acting Charge Basis	<ul style="list-style-type: none"> <li>• Date of birth of the Officer = 20.09.1982</li> <li>• Qualification = M.Sc Computer Science</li> <li>• Date of Joining service = 27.07.2012</li> <li>• Length of service = 04 years 07 month</li> <li>• No enquiry is pending against the officer nor was any punishment awarded to him during his service.</li> <li>• His service record upto 2015 is generally good.</li> <li>• He is medically fit.</li> <li>• To be promoted on Acting Regular Basis.</li> </ul>

4

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The Board recommends that the officer to be taken from promotion due to his service of 05 years and 11 months required for the promotion to BS-19 on Regular per CP Service Rules 2002. Khyber Pakhtunkhwa.



(SYED ARIF ALI SHAH)  
Addl. Inspector General of Police HQrs.  
Khyber Pakhtunkhwa  
Peshawar



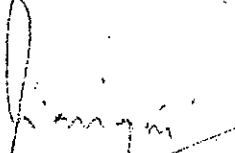
(TALAT UDDIN KHAN)  
Addl. Inspector General of Police Special Branch  
Khyber Pakhtunkhwa  
Peshawar



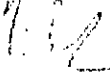
(ISHTIAQ AHMAD KHAN MARWAT)  
Addl. Inspector General of Police Investigation  
Khyber Pakhtunkhwa  
Peshawar



(SYED ALI MAZHAR BHATTI)  
Deputy Inspector General of Police  
Enquiry & Investigation  
Khyber Pakhtunkhwa  
Peshawar



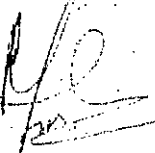
(MUHAMMAD SHAHZAD ASLAM SIDDIQUI)  
Commandant Frontier Reserve Police  
Khyber Pakhtunkhwa  
Peshawar



(MUHAMMAD TAHIR KHAN)  
Capital City Police Officer  
Peshawar



(MUHAMMAD ALAM SHINWARI)  
Deputy Inspector General of Police HQrs.  
Khyber Pakhtunkhwa  
Peshawar



(MUABAR ZAF)  
Deputy Inspector General of Police  
Counter Terrorism Department  
Khyber Pakhtunkhwa  
Peshawar



(ABDUL KAMAL KHAN)  
Additional Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Home & Tribal Affairs Department,  
Peshawar



(JAVED KHAN)  
Dys. Secretary (II-IV)  
Govt. of Khyber Pakhtunkhwa,  
Establishment Department,  
Peshawar

4

	<ul style="list-style-type: none"> <li>The Board recommended that the officer to be deferred from promotion due to less service of 05 years in BS-17 required for the promotion to BS-18 on Regular Basis as per IT Service Rules 2014 Khyber Pakhtunkhwa.</li> </ul>
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Sd/-  
(SYED AKHTAR ALI SHAH)

Addl: Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(SALAH-UD-DIN KHAN)

Addl: Inspector General of Police Special Branch  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(ISHTIAQ AHMAD KHAN MARWAT)

Addl: Inspector General of Police Investigation  
Khyber Pakhtunkhwa,  
Peshawar.

Sd/-  
(SHAHAB MAZHAR BHALLI)

Deputy Inspector General of Police  
Enquiry & Inspection  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(MUHAMMAD SHAHZAD ASLAM SIDDIQUI)

Commandant Frontier Reserve Police  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(MUHAMMAD TAHIR KHAN)

Capital City Police Officer,  
Peshawar.

Sd/-  
(MUHAMMAD ASLAM SHINWARI)

Deputy Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(MUBARAK ZEB)

Deputy Inspector General of Police  
Counter Terrorism Department  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(ABDUL KAMAL KHAN)

Additional Secretary,  
Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department,  
Peshawar.

Sd/-  
(JAVED KHAN)

Dy: Secretary (R-IV)  
Govt. of Khyber Pakhtunkhwa  
Establishment Department  
Peshawar.

Sd/-  
(SYED AKHTAR ALI SHAH)

Addl: Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Sd/-  
(SALAH-UD-DIN KHAN)

Addl: Inspector General of Police Special Branch  
Khyber Pakhtunkhwa  
Peshawar.

5



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

1041 Ev  
21/06/22

Dated Peshawar the 08, 2022

NOTIFICATION

No. SC(Budget)/HD/5-14/2020: In continuation to this Department Notification  
No. SC(Budget)/HD/5-14/2019 dated 12.02.2020 and in line with the recommendations of the  
Ministerial Committee constituted by the Provincial Government on 26.02.2019, the services of  
Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator is regularized in (BS-16) under DDO  
Code PRS907-FM Radio Traffic Branch Khyber Pakhtunkhwa, as the incumbent has acquired the  
prescribed qualification in grace period given by the Committee for the said post i.e. Bachelor  
Degree in Arts, with effect from the date of declaration of his results.

Note: It is to mention here that Finance Department has already created post of Computer  
Operator in BS-16 vide letter No. FC-III/HD/7-1/2017-18 dated 28.06.2018.

SECRETARY

POST NO. & DATE EVEN

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, with reference to his letter  
No. 1376-77/E-V dated 10.05.2022.
4. PS to Chief Secretary, Khyber Pakhtunkhwa
5. The Section Officer (Dev), Home & Tribal Affairs Department with reference to  
Notification No. SC(Dev)/HD/General-Projects/2017-18/Vol-III (203940) dated  
20.06.2018.
6. The Section Officer (Police-II), Home & Tribal Affairs Department with the  
request to process such cases in future, being services matter.
7. PS to Secretary, Establishment & Administration Department.
8. PS to Secretary, Finance Department, Peshawar.
9. PS to Secretary, Home & Tribal Affairs Department.
10. PA to Additional Secretary (Dev), Home & Tribal Affairs Department.
11. Official concerned.
12. Master file.

*S. Ahmad*  
08/06/2022  
SECTION OFFICER (BUDGET)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT**

Dated Peshawar the June 08, 2022

**NOTIFICATION**

**No.SO(Budget)/HD/5-14/2020:** In continuation to this Department Notification No.SO(Budget)/HD/5-14/2019 dated 12.02.2020 and in line with the recommendations of the Ministerial Committee constituted by the Provincial Government on 26.02.2019, the services of Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator is regularized in (BS-16) under DDO Code PR5907-FM Radio Traffic Branch Khyber Pakhtunkhwa, as the incumbent has acquired the prescribed qualification in grace period given by the Committee for the said post i.e. Bachelor Degree in Arts, with effect from the date of declaration of his results.

**Note:** It is to mention here that Finance Department has already created post of Computer Operator in BS-16 vide letter No.BO-III/FD/7-1/2017-18 dated 28.06.2018.

SECRETARY

**ENDST NO. & DATE EVEN**

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, with reference to his letter No.1376-77/E-V dated 10.05.2022.
4. PS to Chief Secretary, Khyber Pakhtunkhwa.
5. The Section Officer (Dev), Home & Tribal Affairs Department with reference to Notification No.SO(Dev)/HD/General-Projects/2017-18/Vol-III (203940) dated 20.06.2018.
6. The Section Officer (Police-II), Home & Tribal Affairs Department with the request to process such cases in future, being services matter.
7. PS to Secretary, Establishment & Administration Department.
8. PS to Secretary, Finance Department, Peshawar.
9. PS to Secretary, Home & Tribal Affairs Department.
10. PA to Additional Secretary (Dev), Home & Tribal Affairs Department.
11. Official concerned.
12. Master File.

Sd/-

SECTION OFFICER (BUDGET)

ATTESTED



(6) 1020/ES

Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
Dated Peshawar the February 12<sup>th</sup>, 2020

**NOTIFICATION**

**No.SO(Budget)/IID/5-14/2019:** In compliance with the Provincial Government of Khyber Pakhtunkhwa, Employees (Regularization of Services) Act 2018 & recommendation of the Ministerial Committee duly approved by the Provincial Cabinet, the Provincial Government is pleased to regularize the services of Mr. Hizer Rehman S/o Tahir Rehman, Computer Operator project employee working under the project "Traffic Control Management System and FM Radio" DDO Code PR5907-Traffic Control Management System & FM Radio, Police Department with effect from 07-03-2018.

2. The incumbent regularized in (BS-12) due to less/low qualification and he will be given grace period of four years with immediate effect to acquire the prescribed qualification for the post of Computer Operator (BPS-16) i.e. 2<sup>nd</sup> Class Graduation with Diploma in IT. (DIT) in line with the recommendations of the Ministerial Committee. The incumbent will draw Pay & Allowances in his own pay scale i.e. (BS-12).

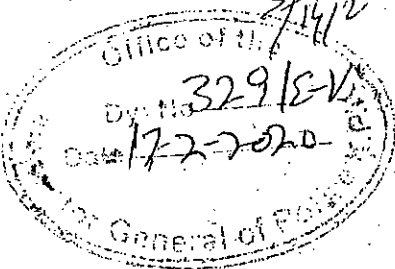
Secretary to Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs, Department

**Endst No & date even**

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Official concerned, with the direction to produce medical certificate from the Police Services, Hospital, Peshawar.
4. The Inspector General of Police, Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Establishment & Admn Department.
7. PS to Secretary Finance Department, Peshawar.
8. PS to Home Secretary, Khyber Pakhtunkhwa.
9. PA to Deputy Secretary (Admn), Home Department.

SECTION OFFICER (BUDGET)





OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

7

No.CPO/E-II 1637

Dated Peshawar 03/09, 2020

To : The Capital City Police Officer,  
Peshawar

Subject: REPRESENTATION AGAINST SENIORITY LIST OF OFFICERS BS-18  
INFORMATION TECHNOLOGY GROUP OF KHYBER PAKHTUNKHWA  
POLICE DATED 27.04.2020 NO.804/SE-I

Memo:

Please refer to your office letter No. 6511/EC-II dated 21.05.2020 on the subject cited above.

As approved by the Competent Authority and aspects of AIG Legal CPO is reproduce for necessary action at your end:-

"The perusal of record reveals that applicant Numan Rafi was appointed directly in BPS-18 through Regularization of Services Act 2018 on 20.06.2018, while Saleem Ullah was appointed in regular basis in BPS-17 and was promoted to BPS-18 on Acting Charge Basis on 02.12.2015 due to less service in BPS-17 which was about 06 months, later on he was promoted on regular basis after DSB approval on 12.04.2019.

According to rule, Mr. Saleem Ullah was eligible for regular promotion after 06 months of his Acting Charge Basis promotion, but it was late due to not placing before next DSB, which was not his fault, the seniority list already prepared is correct and need not changes".

KASHIF ZULFIQAR, PSP  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa

Endst: No. & date even.

Copy forwarded to the:-

1. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
3. AIG Legal CPO Peshawar.