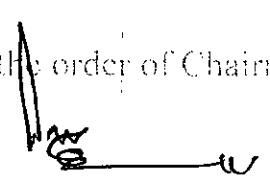


# FORM OF ORDER SHEET

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

Case No. \_\_\_\_\_ 867/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/04/2023	<p>The appeal of Mr. Sher Wali Jhang presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 867 /2023

Sher Wali Jhang ..... Appellant

Versus

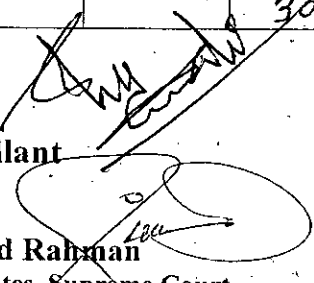
The Govt. of KPK and others ..... Respondents

INDEX

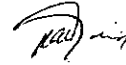
S.No.	Description of Documents	Date	Annex	Pages
1.	Memo of Service Appeal with Affidavit			1-5
2.	Joint Application	22.09.2020	A	6-7
3.	Letter thereby application of appellant for for amendments in the Recruitment Rules for promotion to the next higher grade was referred to Establishment & Law Department	28.12.2020	B	8
4.	Letters of Establishment & Law Departments	28.01.2021 03.02.2021	C	9-10
5.	Letter of Respondent No.3/Establishment Department to Respondent Department	09.04.2021	D	11
6.	Letter of Law Department to Respondent Department	14.04.2021	E	12
7.	Letter thereby Respondent Department referred the Working Paper of the appellant for promotion to the Establishment Department	21.06.2021	F	13-25
8.	Letter of Respondent Department to Respondent No.3/Establishment Department for considering the appellant for promotion pending the amendment in the Rules	29.06.2021	G	26
9.	Impugned Notification	25.11.2022	H	27
10.	Departmental Appeal	22.12.2022	I	28-29
11.	Wakalat Nama			30

Through


Appellant

  
Khaled Rahman  
Advocates, Supreme Court

&

  
Muhammad Amin Ayub

&

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

Dated: 17/04/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 867/2023

**Sher Wali Jhang**  
Ex-Sub Divisional Officer,  
C&W Department, Peshawar

.....**Appellant**

Versus

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

---

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

---

Respectfully Sheweth,

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

1. That appellant was a senior-most Officer of C&W Department working as SDO (BPS-17) and stood retired as such on 30.06.2021. Throughout his service, appellant performed his duties to the best of his capabilities and no complaint whatsoever has ever been filed against him.
2. That appellant while performing his duty against the subject post filed a joint Representation/Application on 22.09.2020 (**Annex:-A**) for amendments in the Recruitment Rules for promotion to the next higher grade, which was instantly referred to the Establishment & Law Department for advise on 28.12.2020 (**Annex:-B**), who advised the Respondent Department to amend the Service Rules through SSRC in order to provide the quota for B.Tech. (Hons) Degree holders as is evident from the letters dated 28.01.2021 and 03.02.2021 (**Annex:-C**) of

Establishment Department as well as Law Department respectively.

3. **That** in continuation of the correspondence *ibid*, Respondent No.3/Establishment Department wrote a letter dated 09.04.2021 (*Annex:-D*) and also Law Department, Govt. of Khyber Pakhtunkhwa vide letter dated 14.04.2021 (*Annex:-E*) to the Respondent Department with the advice to place the matter of amendments in Service Rules before the Standing Service Rules Committee for decision.
4. **That** inspite of the fact that no SSRC was conducted for amendments in the Rules and as the appellant was at the verge of retirement, therefore, the Department through letter dated 21.06.2021 (*Annex:-F*) referred the Working Paper of the appellant for promotion to the Establishment Department. Later on, 29.06.2021 (*Annex:-G*) again the Respondent Department requested the Respondent No.3/Establishment Department for considering the appellant for promotion pending the amendment in the Rules but no action was taken and thus the appellant stood retired without availing the last opportunity of promotion.
5. **That** appellant served the Department for long 40 years wherein he availed just a single opportunity of promotion, while the last one was missed due to non-framing of Rules. Now the Service Rules have been amended vide impugned Notification dated 25.11.2022 (*Annex:-H*) but desired separate promotion quota from BPS-17 to BPS-18 has not been provided for the B.Tech. (Hons) Degree holders against which the appellant preferred a departmental appeal (*Annex:-I*) on 22.12.2022 which was not decided within the statutory period of 90 days, hence this appeal *inter-alia* on the following grounds:-

**Grounds:**

- A. **Because** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned Notification whereby no promotion quota for B.Tech. (Hons) Degree holder SDOs/Assistant Engineers (BPS-17) to the post of Executive Engineer (BPS-18) in the C&W Department has been provided, which is unjust, unfair and hence not sustainable in the eye of law.
- B. **Because** the appellant has been meted out a discriminatory treatment in violation of Article 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973 inasmuch as other similarly placed Officers counterparts of the appellant serving in

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

- C. **Because** in view of the judgments of the superior fora and the anomalous state of affairs, the Provincial Government constituted a high level committee to resolve the issue. The committee was comprising of the high-ranking Officers of the Provincial Government under the chairmanship of Additional Chief Secretary, Khyber Pakhtunkhwa. The committee so constituted after thoroughly investigating the issue and after long threadbare discussion reached to the conclusion that the C&W Department should also reserve separate quota for B.Tech. (Hons) Degree holder SDOs in the light of the judgments of the superior fora on the analogy of other Departments. In spite of clear recommendations; the SSRC was misled into concurring with the C&W Department's Proposal and thus did not reserve separate quota as per recommendations of the high level committee. Thus the impugned Notification is unlawful, arbitrary, unreasonable, discriminatory and hence not sustainable in the eye of law and liable to be set aside.
- D. **Because** the appellant has suffered a lot as he has served the Department for long 40 years and remained deprived of career advancement and it was lately when the Department realized the Rules were amended and appellant got the first opportunity of promotion to the next higher grade (SDO BPS-17) in 2016. In case the Rules were timely amended in line with Rules of other Departments then appellant would have been timely considered for promotion to BPS-18, however, due to the lethargic attitude of the C&W Department, the matter stood delayed and finally even more messed up while issuing the impugned Notification. The other counterparts of the appellant serving in other Departments have got numerous opportunities of promotion to BPS-18 and even BPS-19 but the appellant has been deprived of it in violation of law. Thus the impugned Notification is arbitrary, unfair, unjust and thus not maintainable under any canons of law, justice and fair-play.
- E. **Because** the Provincial Government has adopted a highly discriminatory attitude in respect of its officers as on the one hand the appellant and his other colleagues have been refused the channel of promotion to the next higher grade by means of the impugned Notification whereas other Officers serving in other Departments of the Provincial Government have been provided such opportunity which is against

the law of the land and thus not maintainable.

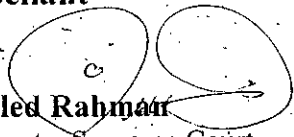
- F. **Because** numerous colleagues of the appellant serving in the C&W Department after serving for the whole of their lives stood retired including the appellant without any substantial career advancement inspite of long meritorious services. In the same way, the appellant also suffered in as much as he also stood retired after more than 40 years of his service without any meaningful career advancement.
- G. **That** appellant would like to offer some other grounds during the course of arguments.

It is therefore, humbly prayed that on acceptance of this appeal, the impugned Notification dated 25.11.2022 may graciously be struck down being ultra vires, discriminatory, unreasonable and this Tribunal may further be pleased to direct the Respondents to act in the matter in accordance with law and to amend the impugned Notification dated 25.11.2022 in line with the recommendations of the high level committee and reserve separate promotion quota of 20% to the B.Tech. (Hons) Degree holder SDOs/Assistant Engineers (BPS-17) to the post of Executive Engineer (BPS-18) in the C&W Department w.e.f. 20.09.2020 and with directions to the Respondents to act in the matter in accordance with law and to consider the appellant for notional promotion to the post of Executive Engineer (BPS-18) w.e.f. occurrence of vacancy with all consequential benefits including issuance of revised pension papers alongwith revised emoluments viz-a-viz BPS-18 from the due date.

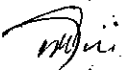
Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

**Through**


  
**Appellant**

  
**Khaled Rahman**  
Advocate, Supreme Court

&

  
**Muhammad Amin Ayub**

&

  
**Muhammad Ghazanfar Ali**  
Advocates, High Court

Dated: 17/04/2023

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2023

Sher Wali Jhang ..... Appellant

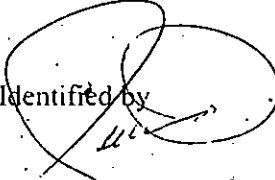
Versus

The Govt. of KPK and others ..... Respondents


Affidavit

I, Sher Wali Jhang, Ex-Sub Divisional Officer, C&W Department, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Identified by



Khaled Rahman  
ASC



Deponent

CNIC - 17301-2621669-5

To,

The Secretary to Govt. of Khyber Pakhtunkhwa,  
C&W Department, Peshawar.

Subject: - AMENDMENTS IN THE RECRUITMENT RULES OF C & W DEPARTMENT FOR THE POST OF RESEARCH OFFICER, RESEARCH ROAD LABORATORY & TECHNICAL OFFICERS (BPS-18).

Dear Sir,

It is with great honor to state that we the undersigned had been working in the C & W Department since 1981-initially appointed as Sub Engineers on the basis of Diploma in Associate Engineering (Civil) and after serving of decades were promoted as Assistant Engineers, BPS-17 in 2016, after completing almost 36 years service in the Department, on the basis of B.Tech Engineering Degree Reserved Quota as per recruitment rules of C & W Department.

Being B. Tech Degree holder, Assistant Engineers, there is no opportunity of further promotion from BPS-17 to BPS-18, whereas the Government Departments do care of their subordinate's promotion to the higher scale from BPS-17 to BPS-18 & above, by this way till our retirement, there is no likely hood of our promotion and otherwise have been compelled to serve in the Department in BPS-17, irrespective of the facts that we are otherwise eligible for promotion to BPS-18, having bachelor degree in B. Tech Engineering.

In pursuance of different Hon'ble High Courts and August Supreme Court of Pakistan decisions, allowed reservation of specific quota for B.Tech Degree holders Assistant Engineers for promotion from BPS-17 to BPS-18. The Government of Sindh / Balochistan, Works & Services Departments have made amendments in their respective recruitment rules and reserved specific quota for B.Tech degree holder, Assistant Engineers from BPS-17 to BPS-18.

It is further added that according to the various decisions of the Hon'ble High Courts / Supreme Court of Pakistan, are available in the Department, wherein it has been upheld that framing of the service rules is the domain of the Administrative Department to be made keeping in view of their employees future utilization in their services / cadres, so it would be appropriate, if C & W Department consider the posts of Research Officer of Road Research Laboratory, and Technical Officers

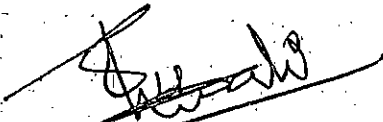



(BPS-18) of C&W for reserving to the B.Tech degree holder Assistant Engineers for their promotion against these posts, therefore, necessary amendments in the recruitment schedule method of recruitment rules for aforesaid posts may be processed and finalized in order to enable this category / group of Assistant Engineers to get their promotion being qualified and otherwise eligible for the same.

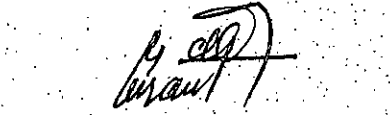
In view of the above circumstances and in order to facilitate the B.Tech Degree holders Assistant Engineers, the posts as mentioned above, may be declared/allocated for promotion to be filled in, from amongst the B.Tech Degree Holders Assistant Engineers for which necessary amendments in the requisite schedule of recruitment rules of C & W Department may be processed and finalized, so that we can get the promotion to BPS-18 at the last stage of our career.

We shall be thankful for this act of kindness.

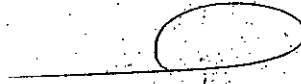
Yours Sincerely,

  
(Sher Wali Jang)  
SDO, C&W Department  
Currently posted as  
Assistant Director (Technical),  
Anti-Corruption Establishment,  
Khyber Pakhtunkhwa,  
Peshawar.

  
(Shoukat Ullah Shah)  
Now AD, PRIP  
Khyber Pakhtunkhwa,  
Peshawar.

  
(Muhammad Ghazanfarullah)  
SDO, C&W Building Sub  
Division, Bannu.

Dated 22-09-2020





GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

No. SOE/C&WD/8-12/2020  
Dated Peshawar, the Dec 28, 2020

To

1. The Secretary to  
Govt of Khyber Pakhtunkhwa  
Law Department, Peshawar
2. The Secretary to  
Govt of Khyber Pakhtunkhwa  
Establishment Department, Peshawar

Subject: **AMENDMENTS IN THE APPOINTMENT AND RECRUITMENT RULES, 2010 OF THE  
COMMUNICATION & WORKS DEPARTMENT**

Dear Sir,

I am directed to refer a joint application dated 22.09.2020 submitted by Mr. Sher Wali Jang & others B-Tech (Hons) Assistant Engineers C&W Department for amendments in the existing service rules of C&W Department for the post of Research Officer RR&MT Lab and Technical officers (BS-18) (Copy enclosed). In the application, it has mentioned that they were initially inducted/appointed as Sub Engineer in 1981 on the basis of Diploma of Associate Engineering (Civil) and after serving of decades were promoted as AE in 2016, in light of reserved quota for B-Tech (Hons) Sub Engineer. It has further mentioned that there is no further opportunity for promotion of B-Tech Holder Assistant Engineers, irrespective of the facts that they are otherwise eligible for promotion to BS-18, having Bachelor Degree in B-Tech Engineering.

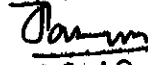
2. In this connection, an application dated 19.11.2020 has been received from Khyber Pakhtunkhwa Association of Government Engineers (KPAGE), stating therein that B-Tech Degree Holders have submitted an application for promotion to the designated posts BS-18 of Engineers, which is against the Supreme Court of Pakistan judgment announced on 03.10.2018, its verdict may be perused as under (Copy enclosed):

"the net result of above discussion is that this petition fails. It is dismissed and leave refused, however with note of caution that government shall not allow or permit any person to perform professional engineering work as defined in the PEC Act, who does not possess accredited engineering qualification from the accredited engineering institution and his name is not registered as registered engineer or professional engineer under the PEC Act"

3. In the application, it has further added that under Section 27 (1) & (2) of PEC Act, 1976 provides that the professional engineering works can only be executed by the "Professional Engineer", registered by the Council and Non-compliance to this section could attract penalties for both, employer as well as for the legally ineligible and technically incompetent employee performing duties as pseudo Professional Engineer. In the last para, it has mentioned that decision of Apex Supreme Court of Pakistan and Pakistan Engineering Council Act, 1976 promoting B-Tech to BS-18 is clear violation and will agitate the aggrieved young engineers of C&W Department.

4. In light of aforesaid circumstance, the C&W Department is requested to tender suitable advice that as to whether the Department can make amendment in the existing service rules of C&W Department for promotion of B-Tech (Hons) Assistant Engineers/SDOs (BS-17) to the post of Research Officer RR&MT Lab and Technical officers (BS-18) or otherwise, please

Yours' faithfully

  
28.12.2020

(ZAHOOR SHAH)  
SECTION OFFICER (Estb)

Endst. even No. & date

Copy forwarded to PS to Secretary C&W Department, Peshawar.

  
SECTION OFFICER (Estb) B



9 Annex C<sup>33</sup>  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMN: DEPARTMENT  
(REGULATION WING)

No.SOR-V(E&AD)/1-1/C&W/2019/Vol-V  
Dated 28<sup>th</sup> January, 2021

To

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Communication & Works Department.

Subject:

AMENDMENT IN THE APPOINTMENT AND RECRUITMENT  
RULES, 2010 OF COMMUNICATION AND WORKS  
DEPARTMENT.

Dear Sir,

I am directed to refer to your letters No.SOE/C&WD/8-12/2020 dated 28-12-2020 on the subject noted above and to state that as per rule-3 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the subject case may be placed before the Standing Service Rules Committee (SSRC).

Yours faithfully,

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

Endst: of even No. & Date.

Copy forwarded to:

1. PS to Secretary, Establishment Department.
2. PA to Deputy Secretary (R-III) Establishment Department.

  
SECTION OFFICER (REG-V)

9 c



-10

GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

\*\*\*\*\*  
No. SO(OP-II)/LD/15-7/2012-VOL-II / 1426-20  
DATED PESHAWAR THE 3 FEBRUARY, 2021.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Communication & Works Department.

Attention: Section Officer (Estb)

Subject: AMENDMENT IN THE APPOINTMENT AND RECRUITMENT RULE  
2010 OF THE COMMUNICATION AND WORKS DEPARTMENT.

Dear Sir,

I am directed to refer to your Department's letter No.SOE(C&WD)/8-12/2020 dated 28.12.2020, on the subject noted above and to state that the Law Department has examined the case and is of the view that by virtue of Rule 3(2) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Administrative Department, in consultation with Establishment Department and Finance Department is empowered to lay down method of recruitment for the relevant posts in the department, to serve the purposes of the department, in public interest.

Yours Faithfully,

Section Officer (Opinion-II)

Endst: of even No. & date.

Copy forwarded to the:-

1. P.S to Secretary Law, Department.
2. PA to Law Officer, Law Department.

Section Officer (Opinion-II)

11  
Annex D  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMIN. (DEPARTMENT)  
(REGULATION WING)

Ho No: VIB/ADVT. I/CA/W/2019/14  
Dated 06<sup>th</sup> April 2021

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Communication & Works Department.

Subject

**JOINT APPLICATION FOR RECONVIVATION OF PROMOTION  
QUOTA IN BA-10 & ABOVE FOR UTACH (HON) DEGREE  
HOLDER SUB-DIVISIONAL OFFICERS / ASSISTANT  
ENGINEERS (R-17) ON THE ANOLOGY OF B.E. ENGINEERING  
DEGREE HOLDER SUB-DIVISIONAL OFFICERS.**

(Seal Sr.

I am directed to refer to this Department letter of even number dated  
28-01-2021 and to forward herewith a joint application alongwith a letter from PSO to  
Chief Secretary on the subject noted above with the advice to place the matter  
before Standing Service Rules Committee for decision being its mandate please.

Encl: As above.

Yours faithfully,

Endst: of even No. & Date.

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

Copy forwarded to:

1. PSO to Chief Secretary, Khyber Pakhtunkhwa.
2. PA to Deputy Secretary (R-III) Establishment Department.

  
SECTION OFFICER (REG-V)

D



No.SO (OP-II)LD/15-7/2012/Vol-II

12  
Amra E  
**GOVERNMENT OF THE KHYBER PAKHTUNKHWA.**  
**LAW, PARLIAMENTARY AFFAIRS AND HUMAN**  
**RIGHTS DEPARTMENT**

Peshawar,

Dated the 14-04-2021 44575

To

The Secretary,  
Government of the Khyber Pakhtunkhwa,  
Communication and Works Department.

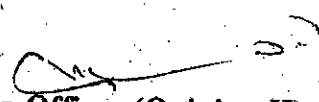
Attention: **Section Officer (Estb)**

**SUBJECT: AMENTMENTS IN THE APPOINTMENT AND RECRUITMENT**  
**RULES, 2010 OF THE COMMUNICATION AND WORKS**  
**DEPARTMENT.**

Dear Sir,

I am directed to refer to your Department's letter No. SOE/C&WD/8-12/2020, dated 09.03.2021, on the subject noted above and to state that the Administrative Department may spell out its proposition regarding the issue of extension of Section 27 (1) and (2) of the Pakistan Engineering Council Act, 1976, to the Provincial Government of Khyber Pakhtunkhwa.

Yours faithfully,

  
Section Officer (Opinion-II)

Endst: No. & date even:-

Copy is forwarded for information to:-

- 1) PS to Secretary, Government of the Khyber Pakhtunkhwa Law Department.
- 2) PA to Legal Drafter, Law Department.

Section Officer (Opinion-II)

D

E



13  
Annex F<sup>3</sup>  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

No. SOE/C&WD/4-5/72  
Dated Peshawar, the June 21, 2021

To

The Section Officer (PSB)  
Establishment & Admin Department  
Peshawar

Subject: **PROMOTION OF B-Tech (Hons) ASSISTANT ENGINEERS / SDOs  
(BS-17) TO THE RANK OF DEPUTY DIRECTOR BS-18 (TECHNICAL)  
C&W DEPARTMENT ON REGULAR BASIS**

I am directed to refer to the subject noted above and to forward herewith working paper (07 sets) along-with related documents duly completed in all respect for promotion of B-Tech (Hons) Assistant Engineers/SDOs (BS-17) to the rank of Deputy Director (BS-18) Technical on regular basis for placing before Provincial Selection Board (PSB) for consideration, please

*Zahoor Shah*  
17.6.2021  
(ZAHOOR SHAH)  
SECTION OFFICER (Estb)

Enclst even No. & date

(Copy forwarded to the:

1. PS to Secretary C&W Department, Peshawar
2. PA to Additional Secretary C&W Department, Peshawar
3. PA to Deputy Secretary (Admin) C&W Department, Peshawar

*F*

**WORKING PAPER FOR PROVINCIAL SELECTION BOARD**

Department: Communication & Works Department

- 1. Nomenclature of the post/Basic Scale Deputy Director Technical (BS-18)
- 2. Service/Group/Cadre Engineering (C&W)
- 3. Sanctioned strength of the Cadre Total posts = 02 (Annex-I)

		Direct	Promotion	Transfer
4.	i. Percentage of share		100%	
	ii. No. of posts allocated to each category	-	02	-
	iii. Present occupancy position	-	--	-
	iv. No. of vacant vacancies in each category	-	02	-

v. How did the vacancy(ies) under promotion quota accrue and since when

**Position of 02 Nos Regular Posts**

Due to new creation of posts of Deputy Director (Technical) C&WD (Annex-II) - 02 Nos

-----  
Regular Vacant Posts

- 02 Nos

vi. Recruitment Rules

By promotion, on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officers/Assistant Engineers/ Junior Engineers/Assistant Research Officer, possessing Degree in B.E/B.Sc. Engineering, (Civil/ Mechanical/Electrical) from a recognized University, with at least 5 (five) years service, and have passed the Professional Examination as prescribed in B&R Code (Annex-III).

vii. Required length of service

At least 05 (five) years of service in BPS-17 as such:

viii. Whether to be promoted on regular basis or appointed on acting charge basis?

Regular = 02 posts

ix. Mandatory training, if any

Nil

x. Minimum required score on EI.

50

  
SECRETARY

Dated 17/06/2021





PANEL OF OFFICERS FOR CONSIDERATION

PSB-II

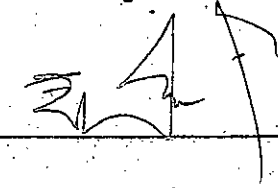
Sl. No.	Sen. No.	Name of Officer with qualification	Date of Birth	Date of 1 <sup>st</sup> entry into Govt Service	Date of Appointment/promotion to BS-17	Date of regular Appointment/promotion to the present scale	Whether fulfill the prescribed length of service	Quantified score	Missing PERs (if any)	Disciplinary proceedings (if any)	Case (if any) in any court of Law, including NAB/ Plea bargaining with NAB	Mandatory Training for promotion	Research papers	Present posting	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	1	Sher Wali Jhang B-Tech (Hons)	01.07.1961 Mardan	14.02.1981	04.11.2016	04.11.2016	--	95.00	No	No	No	No	Nil	Assistant Director ACE Peshawar	The officer has passed Departmental Professional Exam
2	2	M. Chozanfar Ullah B-Tech (Hons)	04.05.1964 Bannu	21.10.1985	04.11.2016	04.11.2016	--	00	01.01.2017 to 31.12.2020	Yes	No	No	Nil	SDO O/O XEN Mega Projects-II Peshawar	He is involved in inquiry case regarding Accident & Emergency Building Khyber Teaching Hospital (KTH) Peshawar. In the instant case, the inquiry report received, which was processed and submitted to Chief Minister (CA) for orders, who tentatively imposed minor penalty of "withholding of 02 annual increments for 02 years" through show cause notice, which is not yet finalized (Annex-IV). The officer has passed Departmental Professional Exam
3	3	Shaikat Ullah Shah B-Tech (Hons)	28.02.1962 Lakki Marwat	14.03.1988	04.11.2016	04.11.2016	--	00	01.01.2017 to 31.12.2020	No	No	No	Nil	Awaiting posting	The officer has passed Departmental Professional Exam

4	4	Ali Rehman B-Tech (Hons)	11.12.1964 Malakand	13.03.1988	04.01.2018	04.01.2018	--	00	05.01.2018 to 31.12.2020	Yes	No	No	Nil	Assistant Director PKHA Peshawar	He is involved in inquiry case regarding "AOM&R/ Special Repair to all Roads in District Malakand for the year 2013-14 SH: Road Mehrdi Musa Miana". In the instant case, the inquiry report received, which was processed and submitted to Chief Minister (CA) for orders, who tentatively imposed minor penalty of "withholding of 02 annual increments for 02 years" through show cause notice, which is not yet finalized (Annex-V). The officer has passed Departmental Professional Exam
---	---	-----------------------------	------------------------	------------	------------	------------	----	----	--------------------------------	-----	----	----	-----	--	---

1. Certified that the officers appearing at Sr.No.1, 2 & 3 included in the panel are working in BPS-17 since 04.11.2016, while the officer appearing at Sr.No.4 working in BPS-17 since 04.01.2018, which are placed before PSB for consideration their promotion to the posts of BS-18.

2. Certified that the officers included in the panel are not involved in any NAB case nor entered into plea bargain or VR with National Accountability Bureau (NAB)

Signature: \_\_\_\_\_




Date: 17/06/2021

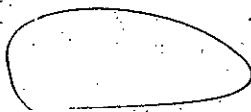
CERTIFICATE

-17

1. Certified that the officers appearing at Sr.No.1, 2 & 3 included in the panel are working in BPS-17 since 04.11.2016, while the officer appearing at Sr.No.4 working in BPS-17 since 04.01.2018, which are placed before PSB for consideration their promotion to the posts of BS-18
2. Certified that the officers included in the panel have passed Professional Exam as prescribed in B&R Code, required for promotion.
3. Certified that no disciplinary action/proceedings or criminal charges in any court of law are pending against any of the officers included in the panel except Sr.No. 2 & 4
4. Certified that the officers included in the panel are not involved in any NAB case, nor entered into plea bargain or VR with National Accountability Bureau (NAB).
5. Seniority list of BS-17 as stood on 01.06.2020 is final & un-disputed (Annex-VI).

  
SECRETARY

Dated 17/06/2021



-18

**PANEL PROFORMA FOR  
PROVINCIAL SELECTION BOARD**



In respect of Sher Wali Jhang Personnel No. \_\_\_\_\_

Domicile: Mardan		Service/Group = Engineering (C&W)			Sen. No. 80	
Educational Qualification		Date of Birth		Date of Superannuation		
B-Tech (Hons)		01.07.1961		20.06.2021		
<b>SERVICE PARTICULARS</b>						
Date of joining/ Service	Date of promotion in		Length of service		Eligibility for consideration	
	Present Scale	Lower Rank	Total	In present scale		
14.02.1981	04.11.2016 (B-17 Regular)	---	Y M 40 04	Y M 04 07		
<b>Important Appointments held in the present Rank/Post</b>						
1	Deputy Director (OPS) ACE Peshawar					
2	Assistant Director ACE Peshawar					
<b>Penalties (if any)</b> Nil.						
<b>Training Courses (other than mandatory training)</b>						
Nil						
<b>Number of PERs</b>						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/ Remarks in
BPS-17	03	01	--	--	-	-
BPS-18	-	--	-	-	-	-
BPS-19	-	-	-	-	-	-
BPS-20	-	-	-	-	-	-
Awaited Reports (PERs)			Additional Information (if any)			
Nil			Nil			
<b>EFFICIENCY INDEX</b>						
Required Threshold	Score of PERs + Training Reports		Marks awarded by PSB		Total	
50	95.00					
<b>RECOMMENDATIONS OF PSB</b>						
Promoted		Deferred			Superseded	

Prepared by \_\_\_\_\_

*[Signature]*  
Checked by \_\_\_\_\_

**ATTESTED**

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PBS-III



**PANEL PROFORMA FOR  
PROVINCIAL SELECTION BOARD**

In respect of Muhammad Ghazanfarullah Personnel No. \_\_\_\_\_

Domicile: Bannu		Service/Group = Engineering (C&W)		Sen. No. 81	
Educational Qualification B-Tech (Hons)		Date of Birth 04.05.1964	Date of Superannuation 03.05.2024		
<b>SERVICE PARTICULARS</b>					
Date of joining/ Service	Present Scale	Date of promotion in		Length of service	
		Lower Rank	Total	In present scale	Eligibility for consideration
21.10.1986	14.11.2016 (B-17 Regular)	---	34 03	Y M Y M 04 07	
Important Appointments held in the present Rank/Post					
1 SDO C&W Sub Division Bannu					
2 SDO O/O, XEN Mega Projects-II Peshawar					
Penalties (if any) Nil.					
Training Courses (other than mandatory training) Nil					
Basic Pay Scale	Outstanding	Number of PERs		Below Average	Adverse Report/Remarks in
		Very Good	Good		
BPS-17		PERs not available			
BPS-18					
BPS-19					
BPS-20					
Awaited Reports (PERs)		Additional Information (if any)			
Nil		Nil			
<b>EFFICIENCY INDEX</b>					
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB		Total	
50	00.00				
<b>RECOMMENDATIONS OF PSB</b>					
Promoted	Deferred	Superseded			

*[Signature]*

Prepared by \_\_\_\_\_

Checked by \_\_\_\_\_

*[Signature]*

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**PANEL PROFORMA FOR  
PROVINCIAL SELECTION BOARD**

PBS-III



In respect of Shaukat Ullah Shah Personnel No. \_\_\_\_\_

Domicile: Lakki Marwat		Service/Group = Engineering (C&W)		Sen. No. 82		
Educational Qualification		Date of Birth		Date of Superannuation		
B-Tech (Hons)		28.08.1962		27.08.2022		
<b>SERVICE PARTICULARS</b>						
Date of joining/ Service	Date of promotion in		Length of service		Eligibility for consideration	
	Present Scale	Lower Rank	Total	In present scale		
14.03.1988	14.11.2016 (B-17 Regular)	---	33 03	04 07		
<b>Important Appointments held in the present Rank/Post</b>						
1	Assistant Director PRIP C&W Peshawar					
2	Awaiting posting					
<b>Penalties (if any)</b> Nil.						
<b>Training Courses (other than mandatory training)</b>						
Nil						
<b>Number of PERs</b>						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/ Remarks in
BPS-17	PERs not available			-	-	-
BPS-18				-	-	-
BPS-19				-	-	-
BPS-20				-	-	-
<b>Awaited Reports (PERs)</b>			<b>Additional Information (if any)</b>			
Nil			Nil			
<b>EFFICIENCY INDEX</b>						
Required Threshold	Score of PERs + Training Reports		Marks awarded by PSB		Total	
50	00.00					
<b>RECOMMENDATIONS OF PSB</b>						
Promoted		Deferred		Superseded		

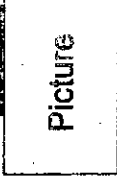
Prepared by \_\_\_\_\_

Checked by \_\_\_\_\_

21

PBS-III

**PANEL PROFORMA FOR  
PROVINCIAL SELECTION BOARD**



In respect of Ali Rehman Personnel No. \_\_\_\_\_

Domicile: Malakand	Service/Group = Engineering (C&W)	Sen. No. 101
Educational Qualification B-Tech (Hons)	Date of Birth 12.11.1964	Date of Superannuation 11.11.2024

**SERVICE PARTICULARS**

Date of joining/ Service	Present Scale	Date of promotion in Lower Rank	Length of service Total			Eligibility for consideration
			Y	M	Scale	
13.03.1988	04.01.2018 (B-17 Regular)	---	33	03	03	05

Important Appointments held in the present Rank/Post

1	SDO C&W Division Malakand	
2	Assistant Director PKHA Peshawar	

Penalties (if any) Nil.

Training Courses (other than mandatory training)

Nil

Basic Pay Scale	Number of PERs					Below Average	Adverse Report/ Remarks in			
	Outstanding	Very Good	Good	Average	Below Average					
BPS-17	PERs not available					-	-			
BPS-18						-	-	-	-	-
BPS-19						-	-	-	-	-
BPS-20						-	-	-	-	-

Awaited Reports (PERs)	Additional Information (if any)
Nil	Nil

**EFFICIENCY INDEX**

Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
50	00.00		

**RECOMMENDATIONS OF PSB**

Promoted	Deferred	Superseded

*Ali Rehman*

Prepared by

Checked by

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**SANCTIONED POSTS OF Deputy Director (Technical) (BS-18)**  
**COMMUNICATION & WORKS DEPARTMENT**

Sl.No.	Prov/District	Sanctic Pos
1	Deputy Director (Tech) C&W Department	02

Director, C&W Department  
Government of Punjab  
Lahore

P





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## SHOW CAUSE NOTICE

I, Mahmood Khan Chief Minister Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Muhammad Ghazanfar Ullah Assistant Engineer (BS-17) C&W Department; presently working as SDO O/O XEN Provincial Building (Construction) Division No.II Peshawar; as follows.

1. (i) That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given an opportunity of hearing vide communication letter dated 13.11.2020; and;
- (ii) On going through the report of the inquiry Committee, the material on record and other connected papers including your defence before the inquiry committee;

I am satisfied that you have committed the following acts/ omission specified in rule 3 of the said rules:

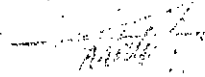
You showed negligence in the supervision of the scheme, which caused wastage of public money, resulting the failure in the achievements of the project objectives. The project has been shown as complete in June, 2017 but it is still physically incomplete even after exhausting the funds almost three years ago. Number of items are yet to be installed, tested and commissioned, due to which formal handing/taking over of the building could not be done between C&W Department and Hospital authorities. Moreover, hefty amount of Rs.1.372 billion has been spent on this building, which is 95% over and above the original estimated cost of Rs. 672.13 million and it speaks volumes poor estimation.


2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of "Withholding of two annual increments for two years." under Rule 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within seven (07) days or not more than fifteen (15) days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

5. A copy of the findings of the inquiry officer is enclosed.

  
(MAHMOOD KHAN)  
Chief Minister  
Khyber Pakhtunkhwa



PS

SENIORITY LIST OF ASSISTANT ENGINEERS (BS-17)

Sl. No	Name of Officer with Academic Qualifications	Date of Birth and Domicile	Date of 1 <sup>st</sup> Entry into Govt Service as Sub Engineer	Regular Appointment/Promotion to Present Posts (BS-17)			Seniority position in AE/SDO (BS-17)	Present Appointment
				Date	BPS	Method of Recruitment		
1	Sher Wali Jhang B-Tech (Hons)	01.07.1961 Mardan	14.02.1981	04.11.2016	17	By promotion	80	Assistant Director ACE Peshawar
2	M. Ghazanfar Ullah B-Tech (Hons)	04.05.1964 Bannu	21.10.1986	04.11.2016	17	By promotion	81	SDO O/O XEN Mega Project-II Peshawar
3	Shaukat Ullah Shah B-Tech (Hons)	28.02.1962 Lakki Marwat	14.03.1988	04.11.2016	17	By promotion	82	Awaiting Posting
4	Ali Rehman B-Tech (Hons)	11.12.1964 Malakand	13.03.1988	04.01.2018	17	By promotion	101	Assistant Director PKHA Peshawar

CERTIFICATE

Certified that the seniority list is final and un-disputed and attested

**PER GRADING AND QUANTIFICATION FORM FOR REGULAR PROMOTION TO BPS-18  
IN RESPECT OF MR. SHER WALI JHANG, ASSISTANT ENGINEER, C&W DEPARTMENT**

**PSB-IV**

Seniority No. 80

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Counter signing officer			
<b>Scale (BPS-17)</b>							
2017	06.01.2017	31.12.2017	A thorough professional having full command over his subject		Agree with remarks of R.O.	Very Good	8
2018	01.01.2018	31.12.2018	An honest and dedicated officer		Agree with remarks of R.O.	Outstanding	10
2019	01.01.2019	31.12.2019	Expert in technical matter. Knows his job very well		Agree with remarks of R.O.	Outstanding	10
2020	01.01.2020	31.12.2020	Well versed/expert in technical matters. A sound & focused officer		Agree with remarks of R.O.	Outstanding	10
<b>Total (BPS-17)</b>							<b>38.00</b>

**Comprehensive Efficiency Index**

PERs Quantified Score 60:40 @ 100%	Basic Scale	Aggregate Score	Weightage Factor	Points obtained
	Present Scale	38 / 4	9.50 * 10	95.00
	(i) Additions*	---	---	---
	(ii) Deletions**	---	---	---
	<b>Total (A)</b>			<b>95.00</b>

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- 26  
Amir G  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT.

No. SOE/C&WD/4-5/72  
Dated Peshawar, the June 29, 2021

The Section Officer (PSB)  
Establishment & Admn Department  
Peshawar

**PROMOTION OF B-Tech (Hons) ASSISTANT ENGINEERS / SDOs  
(BS-17) TO THE RANK OF DEPUTY DIRECTOR (BS-18 (TECHNICAL)  
C&W DEPARTMENT ON REGULAR BASIS**

I am directed to refer to this Department's letter of even number dated 21.06.2021 on the subject noted above and to state that only two (02) Nos newly created posts of Deputy Director (Technical) C&W Department are to be filled by way of promotion from amongst Assistant Engineer/SDOs (BS-17) promoted on the basis of B-Tech (Hons); rather the same is to be placed before SSRC for consideration.

2. I am further directed to request that the promotion of Mr. Sher Wali Jang Assistant Engineer/SDO C&W Department to the rank of Deputy Director (Technical) C&W Department may be considered, as he is retiring from Govt service on attaining the age of superannuation i.e. 60 years w.e.f. 30.06.2021, please.

*Zahoor Shah*  
29.6.2021  
(ZAHOOR SHAH)  
SECTION OFFICER (Estb)

Endst even No. & date

Copy forwarded to the:

1. PS to Secretary C&W Department, Peshawar
2. PA to Additional Secretary C&W Department, Peshawar
3. PA to Deputy Secretary (Admin) C&W Department, Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, Nov 25, 2022

**NOTIFICATION:**

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

**AMENDMENTS**

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

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

SECRETARY TO  
Government of Khyber Pakhtunkhwa  
Communication & Works Department

End of even number and date

Copy is forwarded to the:-

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

*(JAZ KHAN)*  
SECTION OFFICER (Estb) 25/11/22

Scanned with CamScanner

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To

The Secretary  
Govt. of Khyber Pakhtunkhwa  
C&W Department, Peshawar.

Diary No. 1234  
Date 27/12/2022  
Secretary, C&W Dept.

Subject: Departmental Representation for Notional Promotion to EPS-18.

Respected Sir.

1. That the appellant was a senior officer of C&W Department working as SDO (BPS-17) and stood retired as such on 30.06.2021.
2. That there was no promotion quota reserved for the Officers (BPS-17) holding B.Tech (Hons) Degree to the post of Executive Engineer / Technical Officer (BPS-18) and in this regard amendments in the Rules was pending before SSRC.
3. That appellant alongwith his two other colleagues filed a representation to your good-self for his promotion to next higher grade and accordingly C&W Department referred the matter to the Establishment and Law Departments for advice, who advised the C&W Department to amend the Service Rules through SSRC in order to provide the quota for B.Tech (Hons) Degree holders.
4. That inspite of the fact that no SSRC was conducted for amendments in the Rules and as the appellant was at the verge of retirement, therefore, the Department through letter dated 21.06.2021 referred the Working Paper of the appellant for promotion to the Establishment Department. Later on, on 29.06.2021 again the C&W Department requested the Establishment Department for considering the appellant for promotion pending the amendment in the Rules but no action was taken and thus the appellant stood retired without availing the last opportunity of promotion.
5. That the appellant served the Department for long 40 years, wherein he availed just a single opportunity of promotion, while the last one was missed due to the non-framing of the Rules.
6. That now the Rules have been amended vide Notification dated 25/11/2022 but desired separate quota has not been provided for the B.Tech (Hons) Degree holders.
7. That the Rules *ibid*, are illegal, discriminatory, unreasonable and therefore not sustainable, therefore, the same need suitable amendments on the pattern of other departments like Public Health Engineering, Irrigation, LG&RD and Energy & Power Departments in Khyber Pakhtunkhwa.

1


It is, therefore, humbly requested that the Rules *ibid*, may kindly be amended as mentioned above and appellant may be provided opportunity of notional promotion to BPS-18 with all consequential pensionary benefits.

Yours faithfully,



**SHER WALLANG**  
Ex-SDO  
C&W Department  
(0333-9101091)

Dated 22/12/2022.



WAKALAT NAMA

IN THE COURT OF KPK Service Tribunal Peshawar

Sher Wali Shah

Appellant(s)/Petitioner(s)

VERSUS

Goat and others

Respondent(s)

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

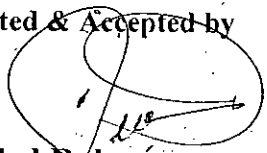
1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for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

AND hereby agree:-

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


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

Attested & Accepted by




**Khaled Rahman,**  
Advocate,  
Supreme Court of Pakistan

&

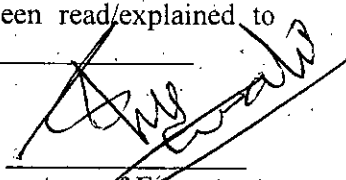


**Muhammad Amin Ayub**  
Advocate, High Court

&



**Muhammad Ghazanfar Ali**  
Advocate, High Court



Signature of Executants

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



WAKALAT NAMA

IN THE COURT OF KPK Service Tribunal Peshawar

Sher Wali Jhang

Appellant(s)/Petitioner(s)

VERSUS

Goat and others

Respondent(s)

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

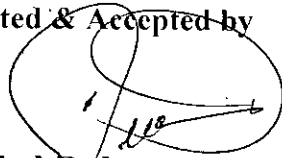
1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for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

**AND hereby agree:-**

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


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

Attested & Accepted by




**Khaled Rahman,**  
Advocate,  
Supreme Court of Pakistan

&



**Muhammad Amin Ayub**  
Advocate, High Court

&



**Muhammad Ghazanfar Ali**  
Advocate, High Court



Signature of Executants

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