

2nd Mar, 2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Sultan Shah, Superintendent for respondents present.

Learned counsel for the appellant submitted that the respondents might be directed to produce notification of department regarding service structure, notification of Finance Department dated 28.02.2023 regarding creation of posts for household staff and service structure formulated for household staff on the direction of the Hon'ble Peshawar High Court, Peshawar vide order dated 21.02.2021 and COC No. 394/2022 and 395/2022 in case titled "Yasir Zeb-vs-Government" and titled "Amin Ul Haq-vs-Government". Respondents are directed to submit the same on the next date. To come up on 18.05.2023 before DB. PP given to the parties.

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Peshawar



(Rozina Rehman)
Member (Judicial)

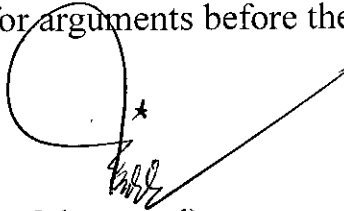


(Kalim Arshad Khan)
Chairman

27.10.2022

Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments before the D.B on 05.12.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

05th Dec. 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Former seeks adjournment due to engagement of learned senior counsel for the appellant in Honourable Peshawar High Court today. Last opportunity is granted. To come up for arguments on 02.03.2023 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

Counsel was informed telephonically on 29/11/22

SCANNED
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PESHAWAR

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Jamshed Khan Vs Govt;

→ Service structure formulated for household staff on the direction of Hon'ble High Court wide order Dated: 21/2/2021 and COC # 394/2022 & 395/2022 In Case title "Yasir Zeb vs Government" & Amin ul Haq vs Govt" & also ~~in COC # 627/20~~.

→ Notification of Deptt: regarding service structure

→ Notification of Finance Deptt: Dated 28/2/2023 regarding creation of posts for household staff.

Accountant and although he was transferred and posted as Tehsil Revenue Accountant Puran on 02.08.2013 but in his capacity as Patwari whereas the private respondents was transferred and posted as Tehsil Revenue Accountant Alpuri on regular basis on 05.01.2016 which order was not challenged by the appellant. He has rather challenged the order dated 31.10.2017 vide which the private respondent No.7 was appointed as District Revenue Accountant (BS-14) on acting charge basis. Similarly during the pendency of this appeal the private respondent No.7 was promoted to the post of District Revenue Accountant (BS-14) on regular basis vide order dated 12.02.2009 bearing Endst: No. Estt:V/DPC/NT/2019/3983-94 which was also not challenged by the appellant. The appellant has only challenged the promotion of the private respondents made on acting charge basis and has neither challenged the transfer of the private respondents as Tehsil Accountant made on 05.01.2016 nor his subsequent promotion to the post District Revenue Accountant (BS-14) on regular basis, therefore, we find no merit on this appeal, it is therefore, dismissed. Consign.

6. *Pronounced in open Court at Swat and given under our hands and the seal of the Tribunal on this 09th day of February, 2023.*

KALIM ARSHAD KHAN
Chairman
Camp Court Swat

SALAH UD DIN
Member (Judicial)
Camp Court Swat

16.05.2022

Appellant present through counsel. Mr. Naseer Ud Din Shah Assistant Advocate General for the respondents present.

Learned counsel for the appellant stated at the bar that he has submitted an application for amending the title of appeal, which is yet to be adjudicated. The application is available on record, notice of which is given to the respondents and to come up for reply as well as arguments on application as well as main appeal on 17.06.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

7-6-22

Proposed D.B. is in Taper, therefore the case is adjourned to 25-8-22 for same



25.08.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for reply and arguments on application as well as arguments on main appeal on 27.10.2022 before the D.B.



(Salah-Ud-Din)
Member (Judicial)

05.07.2021

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Sultan Shah Superintendent for respondents present.

Former made a request for adjournment. Adjourned. To come up on 26.10.2021 for arguments before D.B.

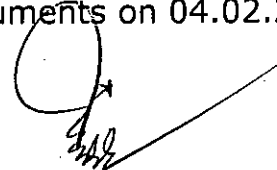

(Rozina Rehman)
Member(J)

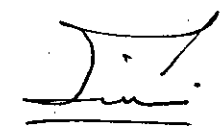

Chairman

26.10.2021

Junior of learned counsel for the appellant present. Mr. Javed Ullah, Assistant Advocate General for the respondents present.


Junior counsel for the appellant sought adjournment on the ground that learned senior counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 04.02.2022 before the D.B.


(MIAN MUHAMMAD)
MEMBER (E)


(SALAH-UD-DIN)
MEMBER (J)

04.02.2022

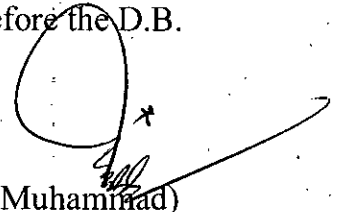
Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 16.05.2022 for the same as before.


Reader

09.11.2020

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Naheed, Assistant for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 18.01.2021 for hearing before the D.B.



(Mian Muhammad)
Member (E)

18.01.2021

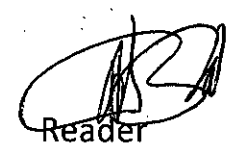
Due to COVID-19, the case is adjourned for the same on 02.04.2021 before D.B.



READER

02.04.2021

Due to non availability of the concerned D.B, the case is adjourned to 05.07.2021 for the same.



Reader

4-4 .2020

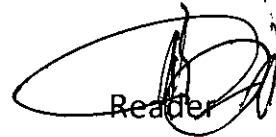
Due to COVID19, the case is adjourned to

7/7/2020 for the same as before.


Reader

07.07.2020

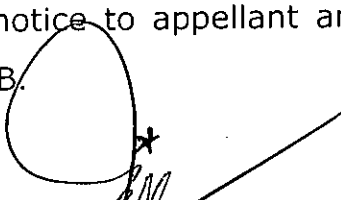
Due to COVID19, the case is adjourned to 01.09.2020 for the same as before.

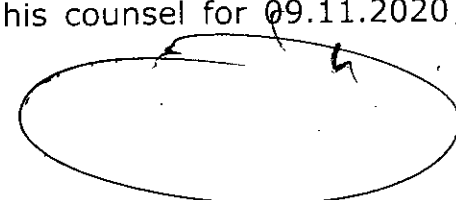

Reader

01.09.2020

Appellant is not present in person nor anyone else representing him has forth come for the appellant. Mr. Muhammad Jan, Deputy District Attorney alongwith representative of the department Mr. Zar Muhammad, Assistant for the respondents also present.

The representative of the department submitted record which has been placed on file. Respondents were directed to ensure attendance of an officer not below BPS-17 but that direction has not been followed. They are once again directed to ensure attendance of an officer not below grade 17 failing which they would expose themselves to appropriate legal action. In this regard the present official representing respondents is directed to obtain copy of the order sheet for its communication to them for following the direction of this Tribunal. As regard the absence of appellant, the case was consecutively adjourned on two dates of hearing due to COVID-19, therefore, it would be appropriate to issue notice to appellant and his counsel for 09.11.2020 before D.B.

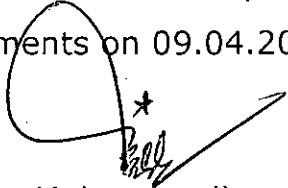

(Mian Muhammad)
Member (Executive)

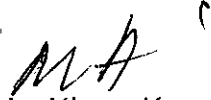

(Muhammad Jamal Khan)
Member (Judicial)

03.03.2020

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Nageebullah, Stenographer for the respondents present.

Representative of the department namely Nageebullah present in the court but has not furnished the record mentioned in order sheet dated 03.07.2019. He is strictly directed to furnish the said record on the next date otherwise, coercive measures would be adopted. Respondents are also directed to direct any BPS-17 officer to attend the court as a representative. To come up for record and arguments on 09.04.2020 before D.B.


(Mian Mohammad)
Member


(M. Amin Khan Kundi)
Member

5.10.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Sultan Shah, Assistant for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 02.12.2019 for arguments before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

02.12.2019

Learned counsel for the appellant present. Mr. Zia Ullah, learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 17.01.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

17.01.2020

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant appeal is adjourned to 03.03.2020 for further proceedings/arguments before D.B.


Member


Member

03.07.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Record reveals that the name of the appellant was shown at serial No. 55 of tentative seniority list of Senior Drivers but the respondent-department has excluded the name of appellant from the final seniority list. Learned Deputy District Attorney Mr. Ziaullah, stated that the appellant belong to House Hold Staff and the seniority list of House Hold Staff is separately maintained therefore, respondent-department is directed to furnish record of promotion of the appellant, as senior driver, final seniority list of the Drivers of the Establishment as well as House Hold Staff alongwith rules. Representative of the department is also absent therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit record on the next date positively. Adjourned to 29.08.2019 for record and arguments before D.B.



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

29.08.2019

Clerk to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 15.10.2019 before D.B.



Member



Member

01.01.2019

Neither appellant nor his counsel present. Mr. Muhammad Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is not present, therefore, notice be issued to respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 06.03.2019 before S.B. Notice be also issued to appellant and his counsel for attendance for the date fixed.


Muhammad Amin Khan Kundi
Member

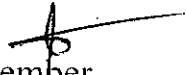
06.03.2019 No one present on behalf of appellant. Naqib Ullah Senior Scale Stenographer representative of the respondent department present. Written reply already submitted and placed on file. To come up for rejoinder/arguments on 08.05.2019 before D.B.


Member

08.05.2019

Junior to counsel for the appellant and Mr. Muhammad Jan, DDA for respondents present.

Due to paucity of time, the instant matter is adjourned to 03.07.2019 for arguments before D.B.



Member


Chairman

06.08.2018

Appellant Jamshed Khan in person present. Mr. Sultan Shah, Supdt alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Representative of the respondents made a request adjournment. Granted. Case to come up for written reply/comments on 20.09.2018 before S.B.


Chairman

22-9-18 due to Muharram holidays
case was not heard on 20-9-18.
Adjourn for 13-11-18.

(Reader)

13.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 01.01.2019. Written reply received on behalf of respondents by Mr. Naqib Ullah Senior Scale Stenographer and placed on file.


READER

23.05.2018

Counsel for the appellant Jamshed Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving as Driver in Administration Department and later on he alongwith 56 others were promoted from the post of Driver (BPS-4) to the post of Senior Driver (BPS-6) vide order dated 13.02.2013. It was further contended that the name of the appellant was also shown in seniority list of Senior Drivers at serial No. 55 available on record but the appellant was verbally informed by the competent authority that he belong to House Hold Staff therefore, his name would not be mentioned in the future seniority list of Senior Drivers. It was further contended that the respondent-department are also reluctant to provide privileges and benefits of the post of Senior Driver although the other colleagues of the appellant are enjoying the benefits of promotion since their date of promotion i.e 13.02.2013. It was further contended that the appellant also filed departmental appeal but the same was rejected hence, the present service appeal. It was further contended that the respondents-department are bound to mention the name of the appellant in the future seniority list and also provide privileges/benefits of the post of Senior Driver (BPS-6)



The contention raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days thereafter notice be issued to the respondents for written reply/comments for 06.08.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

Appellant Deposited
Security & Process Fee

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 591/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	27/04/2018	<p>The appeal of Mr. Jemshed Khan presented today by Mian Muhammad Imran Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 27/4/18</p>
2-	15/05/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/05/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 591 /2018

Jamshed Khan S/O Fazal Sarwar Khan R/O District Bannu, (Driver, Administration
Department Civil Secretariat Peshawar)

.....Appellant

VS

Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat
Peshawar Et. Al.

INDEX

Serial No	Documents	Flag/Annex	Page
1.	Service Appeal		1-5
2.	Copy of Appointment Order Dated: 15/5/2006	A	6
3.	Copy of Transfer Order Dated: 08/09/2010	B	7
4.	Copy of Transfer Order Dated: 01/06/2011	C	8
5.	Copy of Promotion Order Dated: 13/02/2013	D	9
6.	Copy of Seniority List Dated: 29/10/2015	E	10-13
7.	Copy of Departmental Appeal	F	14-15
8.	Copy of Rejection Letter Dated: 05/04/2018	G	16
9.	Copy of Establishment Department Letter Dated: 03/04/2018	H	17
10.	Copy of Appointment Order of other Colleague/Driver along with Pay Slips	I & J	18-21
11.	Copy of APT Rules, 1989	K	22-25
12.	Copy of SO(A) Letter Dated: 28/12/2016	L	26
13.	Copy of Relevant Part of Rules of Business 1985	M	27-29
14.	Copies of Service Rules of Drivers and Finance Department Letter Dated: 26/02/2018	N & O	30-33

Through

Appellant

(Mian Muhammad Imran)
Advocate High Court

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 591 /2018

Jamshed Khan S/O Fazal Sarwar Khan R/O District Bannu, (Driver, Administration Department Civil Secretariat Peshawar)

.....Appellant

VS

1. Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa Administration Department Civil Secretariat Peshawar
3. Secretary to Government of Khyber Pakhtunkhwa Establishment Department Civil Secretariat Peshawar

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 FOR THE ISSUANCE OF DIRECTIONS TO PLACE THE APPELLANT AT THE RIGHT PLACE IN THE SENIORITY LIST OF THE DRIVERS OF THE CIVIL SECRETARIAT PESHAWAR AND TO CONSIDER AND TREAT THE APPELLANT AS A "SENIOR DRIVER" KEEPING IN VIEW THE FACT THAT THE APPELLANT HAS BEEN PROMOTED TO THE POST OF "SENIOR DRIVER" ON THE RECOMMENDATION OF "DEPARTMENTAL PROMOTION COMMITTEE" ON 13/02/2013

The appellant is pleased to beseech before this Honorable Tribunal as under;

1. That the appellant was appointed as "Driver" (BPS-04) on 15/05/2006 in "Frontier House Islamabad (Pakhtunkhwa House)", Administration Department Peshawar. (Copy of the Appointment Order is attached as F/A)
2. That on 08/09/2010 the appellant was transferred from Pakhtunkhwa house Islamabad to Driver's Pool of Administration Department Peshawar. (Copy of Transfer Order is attached as F/B)
3. That the appellant was further transferred to "communication and works department" (C&W) followed by transferring to Pakhtunkhwa house Islamabad on 01/06/2011. (Copy of the Transfer Order Dated 01/06/2011 is attached as F/C)

4. That it is intrinsic to bring into notice of this honorable tribunal that on 13/02/2013, on the recommendations of departmental promotion committee (DPC), 57 drivers of civil secretariat were promoted to the post of "Senior Driver" (BPS- 06) including the appellant at Serial No. 32 of the promotion order. (Copy of the promotion order is attached as F/D)
5. That it is also inevitable to submit that the Respondent no 2 issued a tentative seniority list of senior drivers (BPS-06) of Civil Secretariat on 29/10/2015 wherein the Appellant was placed at Serial No. 55 out of 80 Senior Drivers. (Copy of seniority list is attached as F/E).
6. That it is legit to bring into notice that despite the issuance of the promotion order as "Senior Driver" (BPS-06), the Respondents showed reluctance and remained lethargic and adamant to provide perks and privileges of "Senior Driver" (BPS-06) to the appellant but his other colleagues who have been promoted under the same order, they have been enjoying the promotion benefits and privileges since the date of promotion, i.e. 13/2/2013 but on the other hand, the appellant didn't get his promotion as "Senior Driver" which is a gigantic example of the mendacity and spitefulness of the Respondents.
7. That it is further submitted that the appellant has also been deprived from his seniority in the relevant list of Drivers of the Civil Secretariat Peshawar which is also against the mandate of law and rules.
8. That feeling aggrieved from the anomalies, irregularities and continuous violation of his fundamental rights, the appellant preferred a departmental appeal to the Respondent No. 02 (Secretary Administration) which was declined on 05/04/2018 by referring that as per the opinion of the Establishment Department, the appellant being a house-hold staff cannot be enlisted in the seniority list of the secretariat drivers. (Copies of the Departmental Appeal, Rejection Letter Dated: 5/4/2018 along with Establishment Department Letter are attached as F/F,F/G & F/H respectively)
9. That the appellant being a permanent civil servant working in the Administration Department, in absence of any other remedy, knocks the door of this Honorable Tribunal on the following grounds inter alia;

GROUND:

- A. That the act of the Respondents not to include the appellant in the seniority list of the drivers of civil secretariat is against the mandate of law, rules, and constitution of Islamic Republic of Pakistan 1973.

B. That the appellant has been kept in the seniority list of the drivers and on the same basis, he has been promoted as a "Senior Driver" on 13/02/2013 on the recommendation of the "Departmental Promotion Committee" along with other drivers but lamentably, other drivers got their promotion as "Senior Driver" but the appellant has been kept on the post of "Driver" and neither he has been promoted nor any perks and privileges of the "Senior Driver" were extended to the appellant which is sheer violation of the fundamental rights of the appellant as well as the doctrine of "Locus Poententia" is rightly applicable.

C. That the appellant is a permanent civil servant of the Administration Department and has been appointed under the relevant rules i.e. "Rule 10 (2) of APT Rules 1989" in BPS-04 as a "Driver" on 15/5/2006. It is rudimentary to submit that other class-IV employees of the Administration Department have also been appointed under the ibid rule carrying the post of "Driver" having the same terms & conditions but they have been enlisted in the seniority list of the "Drivers" and have also been promoted to "Senior Driver" post but the appellant have been deprived from such opportunity which is against the rules and law. (Copy of the Appointment Letter of other colleague of the Appellant is attached as F/I along with Pay Slip of the month of Sep 2013 attached as F/J as well as Relevant Rule of APT, 1989 as F/K)

D. That it is brazen violation of the right of the appellant because each and every civil servant has got his legitimate expectation to get promotion to the higher scale but the Respondents are indifferent to promote the appellant despite of the fact that his promotion order has already been issued on 13/02/2013 (F/D) which is equivalent to crippling the right of the appellant.

E. That, it is also indispensable to submit that even the status of the civil servants working in the governmental houses under the Administration Department has been endorsed by the Respondents as regular employees of the Administration Department but still showing reluctance to promote and include the appellant in the seniority list of the Drivers of the Civil Secretariat is against the norms of justice and equality. (Copy of SO(A) letter to SO(R-IV) Dated: 28/12/2016 is attached as F/L)

F. That a stark perusal of the rejection letter vide dated: 05/04/2018 shows the point that the departmental appeal has been rejected/declined on the ground of being house-hold staff which is not even a ground to reject the heretofore appeal because the appellant is a permanent civil servant of Civil Secretariat working in the Administration Department and factually,

Administration Department is a department of Civil Secretariat Peshawar as per the mandate of Rule 3 (1) and Schedule-1, column 2 of the Rules of Business, 1985. (Copy of the Relevant Rules and Schedule-1 of the Rules of Business is attached as F/M)

- G. That it is also axiomatic to submit that there is not even an iota and speck of difference in the job description of the employees who got promotion along with the appellant on 13/02/2013 (F/D) and all of them have been getting the benefits of such promotion as "Senior Driver" but the appellant has not been granted such benefits despite of issuance of promotion order which is unlawful.
- H. That it is also submitted that the appellant is a permanent civil servant of Administration Department like other Drivers because he has, not only, performed his duties at Frontier House Islamabad but has also been transferred to other departments of the Secretariat like C&W, Finance etc and performed duties over there.
- I. That it is also inevitable to submit that the government of Khyber Pakhtunkhwa Finance department issued letter no BOIV/FD/2-4/2017-18/SNE Dated: 26/02/2018 where the avenues of promotion for the "DRIVER" cadre of the civil secretariat has been enhanced/extended by introducing about 5 posts of Garage superintendent (BPS-16) and about 05 posts of Driver cum supervisor (BPS-08). By excluding the appellant from the seniority list of the drivers of the civil secretariat Peshawar is pushing the said person to the wall which is equivalent to violation of his Article 4 and 25 of the Constitution and he would not be able to enjoy the perks and privileges of the aforesaid newly created posts. (Copies of the service rules and finance department letter dated 26/02/2018 are attached as F/N,O)
- J. That noteworthy is that the appellant was promoted by the "Departmental Promotion Committee" on 13/02/2013 which consisted of competent cum able officers who were well versed about the scenario along with the concern rules so calling in question/not extending the promotion order of the appellant is imprudent in conjunction with the probity that such promotion is still intact and in field.
- K. That it is also a fact that a number of house hold staff i.e. "Malis" have been promoted to the ministerial cadre who were initially appointed in the governmental rest houses and currently performing their duties on the posts of "Assistants" etc in civil secretariat and the appellant being house hold staff which comes under the administration department is not receiving the benefits of promotion which is colossal violation of the fundamental right of the petitioner.

L. That it is also stated that in the terms & conditions of the appointment order, it is clearly mentioned that the appellant will be considered for appointment against a higher post, if found eligible and due for promotion. Thus, the appellant has vested right to be promoted to higher post as his order has already been issued and still intact.

M. That any other grounds though not taken may be raised at the time of arguments with the prior permission of this honorable tribunal.

PRAYER:

It is, therefore, most convivially and humbly prayed that on the acceptance of this appeal, this Honorable Tribunal may be pleased to direct the Respondents to;

1. Enlist/Incorporate the appellant in the Seniority List of the "Drivers" of the Civil Secretariat as per the mandate of law and rules keeping in view the fact that the appellant is a permanent employee of Administration Department Civil Secretariat Khyber Pakhtunkhwa
2. Consider the appellant as "Senior Driver" from the date of his promotion with all back/consequential benefits keeping in view the fact that the appellant has already been promoted to the post of "Senior Driver" by the DPC on 13/02/2013.
3. Any other relief which deems fits and appropriate may also be granted in favor of the appellant.

Through

Appellant



(Mian Muhammad Imran)
Advocate High Court

&



(Muhammad Uzairullah Jan)
Advocate

OFFICE NO. 05, SHAN PLAZA
SIKANDAR PURA CHOWK
HASHTNAGRI PESHAWAR
0333 95 77770 0333 92 74073

GOVERNMENT OF N.-W.F.P.
ADMINISTRATION DEPARTMENT

DATED PESHAWAR THE 15.05.2006

ORDER.

NO.E&A(A.D)4(75)/2003. Under rule 10 sub rule 2 of the N-WFP Civil Servants (Appointment, Promotion & Transfers) Rules, 1989 read with amendment vide notification No.SOR.VI(E&AD)1-3/2003.Vol.V dated 03.07.2003 and No.SOR.VI(E&AD)1-13/2005 dated 10.08.2005, Mr. Jamshed Khan S/O Fazal Sarwar Khan, resident of District Bannu is hereby appointed as Driver in BS-4 (2345-100-5345) against an existing vacancy in Frontier House, Islamabad under the administrative control of Administration Department in relaxation of ban, with immediate effect on the following terms and conditions:-


- i. He will get pay at the minimum of BS-4 including usual allowances as admissible under the rules. He will also be entitled to annual increment as per existing policy.
- ii. His services will be liable to termination with or without any reason on two months notice from either side. In case of termination without notice by the employer or two months notice from the employee for resignation, two months pay and allowances shall be paid by the Government or refunded by the employee as the case may be.
- iii. He will not be entitled of pension/gratuity.
- iv. He will not contribute towards G.P.Fund. However, they will contribute C.P.Fund 10% of minimum of pay scale and an equal amount of 10% contribution will be made by the Government as per rules.
- v. His appointment will be purely temporary and will not confer on him any right for regular appointment.
- vi. He will be allowed Conveyance, Medical, House Rent Allowance, Leave and T.A/D.A as per Government rules.
- vii. He will be considered for appointment against higher post, if found eligible and due for promotion.
- viii. He will be entitled to facility of Benevolent Fund as per existing recruitment policy.
- ix. He shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar before reporting himself for duty as required under the rules.

SECRETARY TO GOVT: OF N-WFP
ADMINISTRATION DEPARTMENT.

ENDST: NO. & DATE EVEN.

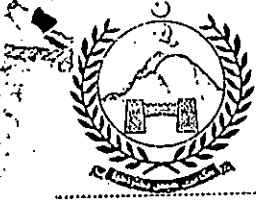
Copy forwarded to:-

1) Accountant General, N-WFP, Peshawar.
2) Comptroller, Frontier House, Islamabad.
3) D.S to Secretary, Admn. Department


22/5/

To be substituted for order of even No

7



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Dated Peshawar the 08-09-2010

ORDER

No.E&A(AD)03(04)/2010. The following postings/ transfers amongst Drivers are hereby ordered with immediate effect:-

S#	Name	From	To
1.	Mr. Muhammad Riaz	Driver's Pool Administration Department	Pakhtunkhwa House, Islamabad
2.	Syed Nasir Shah	Pakhtunkhwa House, Islamabad	Retained in Pakhtunkhwa House, Islamabad
3.	Mr. Jasmsheed	Pakhtunkhwa House, Islamabad	Driver's Pool Administration Department

DEPUTY SECRETARY (ADMN)
ADMINISTRATION DEPARTMENT

ENST OF EVEN NO & DATE.

Copy forwarded to the :-

1. Comptroller, Pakhtunkhwa House Islamabad
2. Section Officer (Transport) Administration Deptt.
3. Officials concerned.
4. Personal files.

Ehsan Elahi
(EHSAN ELAHI)
SECTION OFFICER (ADMN)

*He may be
relieved today.*



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Date: 01/06/2010

8

ORDER

No.E&A(AD)4(01)/2010 The following postings/transfers amongst the officials are hereby ordered with immediate effect:-

S#	Name & Designation	From	To
1.	Mr.Nasir Shah, Driver	Pakhtunkhwa House Islamabad	Communication & Works Department
2.	Mr.Jamshid Khan, Driver	Communication & Works Department	Pakhtunkhwa House Islamabad.
3)	Mr.Muhammad Tariq S/o Liaquat Ali,Driver	Administration Department	Finance Department
4)	Mr.Muhammad Irfan Driver	Staff Training Institute	Higher Education Department.
5).	Mr.Taj Mohammad, Driver.	High Education Department.	Staff Training Institute

DEPUTY SECRETARY (ADMN)
ADMINISTRATION DEPARTMENT

ENST OF EVEN NO & DATE:

Copy forwarded to the:-

- 1) Accountant General Khyber Pakhtunkhwa
- 2) Section Officer (Admn) Communication & Works Department.
- 3) Section Officer(Admn) Higher Education Department.
- 4) Section Officer(Admn) Staff Training Institute.
- 5) Section Officer(Admn) Finance Department.
- 6) Comptroller, Khyber Pakhtunkhwa House Islamabad.
- 7) Bill Assistant /Estab; Asst-II E&A Department
- 8) Official(s) concerned.
- 9) Personal file(s)

Ehsan Elahi
(EHSAN ELAHI)
SECTION OFFICER ADMN



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

①
②
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ORDER

Dated Peshawar the 13-02-2013

NOE&A(AD)03(89)/98. On the recommendations of Departmental Promotion Committee (DPC), approval is hereby accorded to promote the following Drivers of Civil Secretariat, Khyber Pakhtunkhwa to the post of Senior Driver (BPS-06) with immediate effect:-

1) Muhammad Bakhtiar Khan	22) Shaqat Ali	43) Amir Zeb
2) Azmat Ali	23) Liqat Ali S/O Fazle kurim	44) Ijaz Ahmad s/o Shamsur Rahman
3) Abdur Rashid	24) Roohullah S/O Jalal	45) Tawab Shah
4) Haya Khan	25) Inamullah S/O Faz wahid	46) Asfandiyar Khan
5) Sartaj Khan	26) Yousaf Khan S/O Khan Mir	47) Tariq Bilal
6) Hamid Shah	27) Abdul Haleem Khan	48) Kashif Jehan
7) Akramullah	28) Rafi Ullah	49) Shahzeb
8) Mr.Hushim Khan	29) Khan Afsar	50) Raj Wali
9) Dosham Khan	30) Tariq Nazir	51) Rizwan Ullah
10) Farhad Khan	31) Ubaid Ullah	52) Mr. Khalid Khan =2
11) Raz Muhammad	32) Jamshed Khan	53) Ziaur Rahman s/o Jamil
12) Shahin Shah	33) Noor Hayat S/O Mir Muhammad	54) Akhtar Ali S/O M. Ali
13) Amir Muhammad	34) Kaptan Ahmad	55) Umer Rahman S/O Khaista
14) Jandool Khan	35) Shah Dalaz Khan S/O Shah Baraz	56) Nasir Khan
15) Siddiq Akber	36) Shaqat Ali S/O Said Muhammad	57) Asim Gul
16) Jalal Khan	37) Haq Nawaz	
17) Fayaz uli S/O	38) Aktamad Ali-1 S/O Muhammad Ali	
18) Mr.Muhammad Ayaz S/o Yousf	39) Nizakat Hussain S/O Khadim Hussain	
19) Sherbat Khan	40) Muhammad Mi-keen	
20) Muhammad Inayat 2	41) Muhammad Ali S/O Ali	
21) Roqia khlan	42) Ali Hinder	

ENDST: NO. & DATE EVEN.

SECRETARY ADMINISTRATION

Copy forwarded to:-

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2) All Section Officer (General/Admn) Civil Secretariat
- 3) Section Officer (Transport) Administration Department..
- 4) Establishment Assistant I / Bill Assistant E&A department.
- 5) Officials concerned.
- 6) Personal File.
- 7) Office Order File.

Maqbool Hussain

(MAQBOOL HUSSAIN)
SECTION OFFICER (ADMN)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Date Peshawar: 10-10-2015

27/10/2015

10

NOTIFICATION

NO.E&A(AD)03/89)2015 :- In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the seniority list of Senior Drivers of Civil Secretariat, as stood on 31-10-2015 with the request to kindly circulate the same into the notice of all officials working in your respective departments with a view to conveying their reservations on the said Lists, if any, to this department on or before 15/11/2015 for considerations/settlement before final declaration thereof.

TENTATIVE SENIORITY LIST OF SENIOR DRIVERS OF CIVIL SECTT, AS STOOD ON 31-10-2015

No.	NAME & FATHER NAME	Designation	DATE OF BIRTH	JOINING GOVT. SERVICE	DATE OF SECT. AS DRIVER	Domestic Zone	Department	Pay Scale	Retirement Date	Remarks
1	Sher Muhammad	Senior Driver	04-06-1957	18-06-1987	18-06-1987	Swa/Zone-3	Admn Department	6	03-06-2017	
2	Momin Khan	Senior Driver	01-07-1957	13-11-1994	13-11-1994	Bannu/Zone-4	Information	6	30-07-2017	
3	Aman Ullah Khan	Senior Driver	01-07-1962	03-07-1988	11-11-1993	Peshawar/Zone-2	Finance Deptt	6	30-07-2022	Documents missing
4	S Nasir Ah Sha	Senior Driver	01-01-1961	17-11-1994	17-11-1994	Peshawar/Zone-2	Hosing Deptt.	5	31-01-2020	Documents missing
5	Fazli Maula	Senior Driver	20-11-1964	01-01-1995	01-01-1995	Peshawar/Zone-2	Administration Deptt.	6	24-11-2024	
6	Zahid Hussain	Senior Driver	20-08-1959	11-08-1987	03-01-1995	Peshawar/Zone-2	O/O Panjvani Secy Health Asmn Deptt.	6	16-08-2018	
7	Mr Ayaz S/O Fazal Khan	Senior Driver	01-04-1965	06-04-1995	03-01-1995	Abbottabad/Zone-5	Public Health	6		
8	Mr Afzal Khan	Senior Driver	01-07-1968	15-10-1995		Kohat/Zone-4	Governor Sectt.	6		
9	Asad Khan	Senior Driver	01-07-1962	20-07-1995	01-07-1995	Chashma/Zone-4	Administration Deptt.	6		
10	Yousaf Iqbal, S/O Khaisa Khan	Senior Driver	01-07-1974	01-12-1994	17-08-1995	Peshawar/Zone-2	Finance Deptt.			
11	Sabih Ullah	Senior Driver	03-03-1973	02-11-1995	02-11-1995	Charsadda/Zone-2	Administration Deptt.	6	30-07-2022	Documents missing
12	Muhammad Ijaz S/O Hamish Khan	Senior Driver	01-07-1962	30-11-1995	30-11-1995	Peshawar/Zone-2	?	6	02-03-2023	Documents missing
13	Inayat Ullah	Senior Driver	12-12-1967	06-05-1992	01-05-1996	Karak/Zone-4	Industries Deptt	6	30-07-2022	
14	Mr. Muhammad Ayaz S/O Mian Gul	Senior Driver	20-07-1975	04-03-1996	04-03-1996	Mardan/Zone-2	Administration Deptt.	6	11-12-2017	
15	Muhammad Iftikhar S/O Muh. Zarar	Senior Driver	01-07-1958	02-11-1988	06-03-1996	Peshawar/Zone-2	CM Sectt	6	18-07-2035	
16	Hafeez ur Rahman	Senior Driver				Peshawar/Zone-2	Administration Deptt.	6	30-07-2018	

11

1	2	3	4	5	6	7	8	9	10	11
18	Zamab Gul	Senior Driver	20-08-1959	01-04-1996	01-04-1996	Bannu/Zone-4	Education Dept	6	19-08-2019	CNIC Missing
19	Azeem Khan	Senior Driver	01-07-1965	18-01-1988	07-04-1996	Peshawar/Zone-2	CM Sectt	6	30-07-2025	
20	Ahmad Ali Khan s/o Qalandar	Senior Driver	04-04-1971	10-11-1996	10-11-1996	Dir/Zone-3	Administration Deptt	6	03-04-2031	
21	Wazir Khan	Senior Driver	01-07-1960	01-01-1983	05-11-1997	Chitral/Zone-3	Administration Deptt.	6	30-07-2020	
22	Muhammad Hafeez	Senior Driver	01-07-1958	02-11-1988	20-07-1998	Peshawar/Zone-2	?	6	30-07-2018	
23	Ghulam Hassan	Senior Driver	13-01-1964	20-07-1998	20-07-1998	Nowshera/Zone-2	Law Department	6	12-01-2024	Document Missing
24	Mian Khan	Senior Driver	01-07-1956	02-09-1989	01-03-1995	Charsada/Zone-2	S T I Department	6	30-07-2016	Missing CNIC
25	Nisar Akhmad	Senior Driver	01-07-1971	17-12-1995	13-03-1995	Peshawar/Zone-2	CM Sectt	6	30-07-2031	
26	Tariq Mehmood	Senior Driver	15-04-1967	20-04-1999	20-04-1999	Kohat/Zone-4	Administration Deptt.	6	14-04-2027	
27	Liaqat Ali (2) S/O Mardan Ali Shah	Senior Driver	12-07-1957	01-09-1999	01-09-1999	Peshawar/Zone-2	P&D Department	6	11-07-2017	
28	Umar Muhammad	Senior Driver	01-01-1960	01-08-1983	01-09-1995	Swat/Zone-3	P&D Department	6	31-01-2020	
29	Umar Muhammad	Senior Driver	01-07-1960	01-09-1999	01-09-1999	Peshawar/Zone-2	P&D Department	6	30-07-2020	
30	Khan Badshaha s/o Muhammad Gul	Senior Driver	01-07-1966	01-09-1999	01-09-1999	Peshawar/Zone-2	Food Deptt	6	20-07-2026	
31	Azmat Ali	Senior Driver	01-12-1964	04-12-1983	25-01-2001	Peshawar/Zone-2	Admn Department	6	30-12-2024	
32	Abdur Rashid	Senior Driver	01-02-1965	21-06-1987	01-02-2001	Peshawar/Zone-2	R&R&S Deptt	6	03-03-2025	
33	Sartaj Khan	Senior Driver	30-11-1964	06-07-1987	21-06-2001	Peshawar/Zone-2	Information Deptt	6	29-11-2024	
34	Hamid Shah	Senior Driver	01-06-1955	01-06-1984	12-10-2001	Peshawar/Zone-2	Finance Deptt.	6	01-07-2015	
35	Mr. Hashim Khan	Senior Driver	01-07-1969	25-04-2002	25-04-2002	Peshawar/Zone-2	P&D Department.	6	30-07-2029	
36	Ikramullah	Senior Driver	01-01-1957	18-10-1986	16-11-2002	Peshawar/Zone-2	Minister Finance	6	31-01-2017	
37	Dosham Khan	Senior Driver	12-02-1951	16-11-2002	16-11-2002	Swat/Zone-3	Finance Department	6	11-02-2021	
38	Farihad Khan	Senior Driver	01-01-1983	01-05-1998	15-11-2009	Peshawar/Zone-2	C&V Department	6	01-07-2020	
39	Raz Muhammad	Senior Driver	01-07-1970	19-07-1983	14-11-2002	Peshawar/Zone-2	Administration Deptt	6	30-07-2030	
40	Shahin Shah	Senior Driver	11-02-1973	16-06-1983	31-12-2002	Peshawar/Zone-2	R&R&S Deptt.	6	19-02-2033	
41	Jalal Khan	Senior Driver	01-07-1964	14-05-1992	31-05-2003	K Agency/Zone-1	E&AD	6	30-07-2024	
42	Siddiq Akbar	Senior Driver	01-07-1979	19-08-2003	19-08-2003	Peshawar/Zone-2	Administration Deptt.	6	30-07-2039	
43	Inamullah S/O Fazlwanid	Senior Driver	01-07-1974	01-11-2003	01-11-2003	Swat/Zone-3	Administration Deptt.	6	30-07-2034	
44	Fayaz ali S/O Hakim Khan	Senior Driver	01-07-1970	13-02-1996	07-01-2004	Mardan/Zone-2	IND Department	6	30-07-2039	
45	Muhammad Ayaz S/o M. Yousaf	Senior Driver	01-07-1957	18-03-1991	05-05-2004	Peshawar/Zone-2	Agriculture Deptt.	6	30-07-2017	Documents missing

45	Sherbat Khan	Senior Driver	01-07-1980	28-02-1988	11-11-2004	Bannu/Zone-4	CM Sect	6	30-07-2040	Documents missing
47	Muhammad Saeeq=2	Senior Driver	01-01-1981	15-12-2004	15-12-2004	Bannu/Zone-4	CM Sect	6	04-01-2021	
48	Shafiq Ali	Senior Driver	21-04-1976	01-06-2005	01-05-2005	Karachi/Zone-4	Administration Deptt	6	19-04-2035	Cross Zeb
49	Liaqat Ali =3 S/O Fazle karim	Senior Driver	01-08-1977	01-06-2005	01-05-2005	Peshawar/Zone-2	Administration Deptt.	6	31-08-2037	
50	Roozullah S/O Jalal Khan	Senior Driver	01-07-1986	01-06-2005	01-06-2005	Peshawar/Zone-2	IPC Department	6	30-07-2046	Documents missing
51	Abdul Haleem Khan	Senior Driver	01-07-1984	01-04-1988	07-05-2005	Charsadda/Zone-2	Administration Deptt	6	30-07-2024	
52	Rafiq Ullah	Senior Driver	01-07-1978	17-01-2006	17-01-2006	Bannu/Zone-4	CM Sectt	6	30-07-2038	
53	Tariq Nazir S/O Muhammad Nazir	Senior Driver	04-12-1977	17-12-1995	07-04-2006	Peshawar/Zone-2	CM Sectt	6	03-12-2037	
54	Ubaid Ullah	Senior Driver	01-07-1985	09-04-2006	09-04-2006	Mardan/Zone-2	Auqaf	6	30-07-2045	
55	Jamshed Khan	Senior Driver	10-05-1979	10-05-2006	10-05-2006	Bannu/Zone-4	Administration Deptt.	6	09-05-2039	Household stuff
56	Noor Hayat S/O Mir Muhammad	Senior Driver	01-07-1971	15-05-2006	15-05-2006	Mardan/Zone-2	P&D	6	30-07-2031	
57	Kaptan Ahmad	Senior Driver	01-07-1977	16-05-2006	16-05-2006	Peshawar/Zone-2	Administration Deptt.	6	30-07-2037	
58	Shah Dolaz Khan S/O Shah Baraz Khan	Senior Driver	14-06-1974	18-07-2006	18-07-2006	Bannu/Zone-4	PHE	6	12-08-2034	
59	Fazal Amin s/o Sher Ali	Senior Driver	20-03-1980	20-07-2006	20-07-2006	Peshawar/Zone-2	Finance Department.	6	19-03-2040	
60	Shoukat Ali 1 s/o said Muhammad	Senior Driver	16-01-1981	21-01-2007	21-01-2007	Charsadda/Zone-2	Finance Deptt.	6	15-01-2041	
61	Haq Nawaz S/O Imdad	Senior Driver	09-01-1975	01-06-1995	20-03-2007	Peshawar/Zone-2	E&SE	5	09-01-2035	
62	Muhammad Iyyab	Senior Driver	01-07-1988	13-04-1987	03-07-2007	Charsadda/Zone-2	Administration Deptt	6	11-03-2028	
63	Ahmad Ali-2 S/O Muhammad Ali	Senior Driver	01-07-1981	15-05-2007	15-05-2007	Peshawar/Zone-2	Energy&Power	6	31-07-2015	
64	Muhammad Miskeen S/O Ghulam Hussain	Senior Driver	01-07-1955	25-10-1994	29-03-2007	Abbottabad/Zone-5	CM Sectt	6	30-07-2015	
65	Hizakat Hussain S/O Khadim Hussain	Senior Driver	01-07-1975	22-01-1994	29-03-2007	Peshawar/Zone-2	Energy Power Deptt.	6	30-07-2015	
66	Ali Haider	Senior Driver	01-07-1975	22-01-1994	29-03-2007	Peshawar/Zone-2	Administration Deptt.	6	30-07-2015	
67	Roozullah S/O Hayat Khan	Senior Driver	01-07-1975	22-01-1994	29-03-2007	Peshawar/Zone-2	Administration Deptt.	6	30-07-2015	
68	Amir Zeb S/O Jehanzeb	Senior Driver	12-01-1984	27-07-2007	27-07-2007	Peshawar/Zone-2	Sports Deptt	5	14-01-2044	
69	Muhammad Bakhtiar Khan s/o fazal mure	Senior Driver	01-07-1977	31-07-2007	31-07-2007	Peshawar/Zone-2	E&SE	6	30-07-2037	
70	Taj Muhammad s/o Lal Muhammad	Senior Driver	01-07-1985	22-08-2007	22-08-2007	Peshawar/Zone-2	IPC Department	6	30-07-2045	
71	Fayaz Khan S/O Muhammad Younas	Senior Driver	07-04-1988	23-08-2007	23-08-2007	Peshawar/Zone-2	CM Sectt	6	06-04-2048	
72	Iftikhar Ahmed S/O Abdul Ghaflar	Senior Driver	22-06-1976	24-03-2004	07-09-2007	Peshawar/Zone-2	Administration Deptt.	6	21-06-2036	
73	Ijaz Ahmad s/o Shamsur Rahman	Senior Driver	14-04-1975	06-10-2007	06-10-2007	Charsadda/Zone-2	?	6	13-04-2035	

12

Sl. No.	Name	Designation	1	2	3	4	5	6	7	8	9	10	11
74	Tawab Shah	Senior Driver	10-11-1966	01-11-2007	01-11-2007	Peshawar/Zone-2	Agriculture Deptt.	6	09-11-2008				
75	Asfandyar Khan	Senior Driver	15-12-1987	04-12-2007	04-12-2007	Charsadda/Zone-2	ST&IT	6	14-12-2007				
76	Taqe Ehsan S/O Muhammad Rafiq	Senior Driver	01-07-1970	11-12-2007	11-12-2007	Peshawar/Zone-2	Local Govt Deptt.	6	30-07-2008				
77	Kashif Jehan	Senior Driver	01-07-1973	11-12-2007	11-12-2007	Peshawar/Zone-2	Local Govt Deptt.	6	30-07-2008				
78	Shahzeed	Senior Driver	15-02-1980	11-12-2007	11-12-2007	Nowshera/Zone-2	Home Department	6	30-07-2008				
79	Raj War	Senior Driver	08-02-1974	27-12-2007	27-12-2007	Nowshera/Zone-2	Home Department	6	14-07-2008				
80	Rozia Khan	Senior Driver	01-07-1960	?	?	Peshawar/Zone-2	Social Welfare Deptt.	6	07-07-2008				Documents missing
						Bannu/Zone-4	P&D	6	30-07-2008				Documents Missing

13

Endst: No. E&A(AD)104(17)2015

Copy forward to:-

1. All Section Officer (Admn/General), Civil Secretariat.
2. The Section Officer (Transport) Administration Department.
3. The Section officer (Admn), Governor's Secretariat, Peshawar.
4. The Section Officer (Admn), FATA Secretariat
5. All Private Secretaries to Provincial Minister.
6. All Personal Assistant to Additional Secretaries / Deputy.

Yasir Hassani
 (YASIR HASSANI)
 SECTION OFFICER (ADMN)

Yasir Hassani
 (YASIR HASSANI)
 SECTION OFFICER (ADMN)

To

The Secretary to Government of Khyber Pakhtunkhwa,
Administration Department,
Civil Secretariat Peshawar

APPLICATION/APEAL FOR REMOVAL OF ANOMALIES IN THE SENIORITY LIST OF DRIVERS OF CIVIL SECRETARIAT PESHAWAR AS THE APPLICANT/APELLANT WAS ON 32ND POSITION IN THE LIST VIDE NOE&A (AD)03(89)/98 DATED: 13/02/2013 AND WAS ALSO PROMOTED TO BPS-06 UNDER THE SAME ORDER BUT THE DEPARTMENT REMAINED ADAMANT TO PROMOTE THE APPLICANT/APELLANT AND STILL WORKING IN BPS-05 IN CONJUNCTION WITH THE FACT THAT ANOTHER SENIORITY LIST WAS ISSUED IN OCTOBER 2015 WHEREIN THE APPLICANT/APELLANT WAS PLACED AT SERIAL NO. 55 WHICH IS A BRAZEN VIOLATION OF THE FUNDAMENTAL RIGHT OF THE APPLICANT /APELLANT

Respected Sir,

1. That the applicant/appellant was appointed as "Driver" in BPS-04 on 15/5/2006 in the Khyber Pakhtunkhwa House, Islamabad. (Appointment Order attached)
2. That it is indispensable to submit that the applicant/appellant, since inception of his service, has been performing to the entire satisfaction of his high-ups and never caused any sort of complaint or problems for the department.
3. That it is further essential to submit that the applicant/appellant during his more than a decade of service, has been transferred to different departments including C&W, Driver's Pool Administration Department, and other departments where his service remained up-to-the-mark. (Transfers Order attached)
4. That the stroke of misfortune hit the undersigned when the Administration Department issued promotion order vide NOE&A(AD)03(89)/98 Dated: 13/02/2013 where the undersigned has also been granted promotion to BPS-06 as "Senior Driver" along with other drivers of civil secretariat Peshawar, but such benefit has not been extended to the undersigned hitherto and the undersigned has been working in BPS-05 till date. (Promotion Order attached)
5. That It is further axiomatic to submit that another seniority list of the Drivers was issued by the Administration Department in the month of October 2015 where, the undersigned was placed at serial no. 55 and his seniority was unlawfully ignored keeping in view the promotion order Date: 13/02/2013. (Seniority List attached)

PTO

(2)

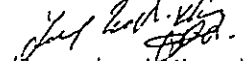
15
E

GROUND FOR THE INSTANT APPEAL/APPLICATION:

- A. That the undersigned is a permanent civil servant and has lawfully been appointed on the post of "Driver".
- B. That the undersigned was promoted as "Senior Driver" (BPS-06) on 13/02/2013 vide order NOE&A(AD)03(89)/98 along with other drivers of the Civil Secretariat Peshawar but despite issuance of said promotion order, the undersigned has not been extended the benefits and has not been promoted despite the fact that other drivers have been granted promotion under the aforesaid order which is sheer violation of Article 25 of the Constitution of Pakistan.
- C. That despite issuance of promotion order, which signifies the probity that the undersigned was senior than others, the department issued another tentative seniority list in October 2015 wherein the undersigned was again placed at serial no. 55 which endorses the fact that the undersigned was eligible for promotion but still his right has been crippled and he has not been promoted.
- D. That the undersigned has performed his duties in different departments i.e. C&W, Pool of Administration Department and other departments and he has been kept in the seniority list till October 2015 which has accrued a vested right to the undersigned to be promoted so, not granting him promotion is tantamount to violate his fundamental rights.
- E. That each and every civil servant has got the "Legitimate Expectation" to get promotion and issuance of promotion order to the undersigned on 13/02/2013 has further enhanced his expectation and established his right to be promoted but still the undersigned has not been extended promotion to BPS-06 which is against the mandate of law and rules.
- F. That the issuance of promotion order to the undersigned on 13/02/2013 and not to implement such order to the extent of the undersigned is beyond the understanding of a prudent mind and due to this reason, the "Doctrine of Locus Poententia" is rightly applicable.

In light of the foregoing submissions, it is therefore, most humbly requested that on acceptance of this application/appeal, the undersigned may kindly be promoted to BPS-06 with all back benefits keeping in view the promotion order vide NOE&A(AD)03(89)/98 Dated: 13/02/2013 and may be retained at the right place in the seniority list of Drivers please.

Your's Sincerely


(Jamshed Khan)

S/O Fazal Sarwar Khan
Driver,
K-P House Islamabad.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

No. 18/ADM/02/15-6/2006
Dated Islamabad the 01 of 2017

14
16

To,

Mr. Jamshed Khan, Driver
Pakhtunkhwa House, Islamabad


Subject:

APPLICATION / APPEAL FOR REMOVAL OF ANOMALIES... APPLICANT
/ APPELLANT.


I am directed to refer to your application / appeal dated NIL on the subject noted above and to state that your case was referred to Establishment Department for advice (copy enclosed). Establishment Department has advised in the matter that you, being a household staff, cannot be enlisted in the seniority list of Secretariat Drivers (copy enclosed). Therefore, this Department cannot accede to your request.

Encl. as above.
Page-147-148/C

Ends of even No & date.


(MUHAMMAD YOUSAF KHAN)
SECTION OFFICER (ADMN)

Copy forwarded for information to PA to Deputy Secretary (Admn)
Administration Department.


SECTION OFFICER (ADMN)



Government of Khyber Pakhtunkhwa
ESTABLISHMENT DEPARTMENT
(Regulation Wing)

1018

17

No.SOR.IV(ED)/1-5/2018
Dated, Peshawar, the April 3rd, 2018

To

The Section Officer (Admin),
Administration Department.

SUBJECT: APPLICATION FOR SENIORITY/PROMOTION.

I am directed to refer to your letter No.E&A(AD)02(536)2006 dated 15.03.2018 on the subject noted above and to state that the applicant namely Mr. Jamshed Khan Driver being a household staff, cannot be enlisted in the seniority list of Secretariat Drivers.

2. However, separate seniority lists are required to be prepared for secretariat and household staff.

Encl: (original file)

Section Officer (R IV) 03/4/18

7 Deptt:
7 Seniority List
7 BCI - Same

Supdt (A)
4/3/18

ORDER.

(1)

(18)

NO.E&A(A.D)4(75)/2003. Under rule 10 sub rule 2 of the N-WFP Civil Servants (Appointment, Promotion & Transfers) Rules, 1989 read with amendment vide notification No.SCR.VI(E&AD)1-3/2003, Vol.V dated 03.07.2003 and No.SOR.VI(E&AD)1-13/2005 dated 10.03.2005, Mr. Kiptan Ahmad S/O Ali Ahmad, resident of village Hindko Kalay P.O Mathra, Tehsil and District Peshawar is hereby appointed as Driver in BS-4 (2345-100-5345) against an existing vacancy in Establishment & Administration Department in relaxation of ban, with immediate effect on the following terms and conditions:-

- i. He will get pay at the minimum of BS-4 including usual allowances as admissible under the rules. He will also be entitled to annual increment as per existing policy.
- ii. His services will be liable to termination with or without any reason on two months notice from either side. In case of termination without notice by the employer or two months notice from the employee for resignation, two months pay and allowances shall be paid by the Government or refunded by the employee as the case may be.
- iii. He will not be entitled of pension/gratuity.
- iv. He will not contribute towards C.P.Fund. However, they will contribute C.P.Fund 10% of minimum of pay scale and an equal amount of 10% contribution will be made by the Government as per rules.
- v. His appointment will be purely temporary and will not confer on him any right for regular appointment.
- vi. He will be allowed Conveyance, Medical, House Rent Allowance, Leave and T.A/D.A as per Government rules.
- vii. He will be considered for appointment against higher post, if found eligible and due for promotion.
- viii. He will be entitled to facility of Benevolent Fund as per existing recruitment policy.
- ix. He shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar before reporting himself for duty as required under the rules.

SECRETARY TO GOVT. OF N-WFP
ADMINISTRATION DEPARTMENT.

ENDST: NO. & DATE EVEN.

Copy forwarded to:-

- 1) Accountant General, N-WFP, Peshawar.
- 2) Section Officer (Transport), Admn: Deptt.
- 2) P.S to Secretary, Admn: Department.
- 3) P.A to Dy. Secy (Admn), Admn: Deptt.
- 4) Mr. Kiptan Ahmad S/O Ali Ahmad, resident of village Hindko Kalay P.O Mathra, Tehsil and District Peshawar.
- 5) Personal file.


(SHAH JEHAN)

SECTION OFFICER (ADMN)

Per: 00324199
 Name: JAMSHED KHAN
 Dsg: DRIVER
 CHIC No. 411012940705

PR4019 - S.O. (ADMIN) ESTD. & ADMN
 Min: Ser & Gen Adm (Estab & Ad
 NTN:
 GPF #:
 (Old #):

19
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PAYS AND ALLOWANCES		DEPT CODE	PR4019
0001-Basic Pay			7,220.00
1001-House Rent Allowance 45%			1,563.00
1210-Convey Allowance 2005			1,840.00
1300-Medical Allowance			1,000.00
1567-Washing Allowance			1,000.00
1580-Overtime Allowance			100.00
1948-Adhoc Allowance 20100 50%			1,500.00
1955-Special Allowance 30%			2,070.00
1970-Adhoc Relief Allow 2011			1,242.00
Grass Pay and Allowances			621.00
DEDUCTIONS:			19,623.00
GPF Balance	2,818.00		
3503-MVC Loan Principal Insts		31,920.00	465.00
3501-Benevolent Fund			645.00
3511-Addl Group Insurance			180.00
3604-Group Insurance			7.00
			67.00
Total Deductions			1,304.00
NET AMOUNT PAYABLE			18,239.00
QUALIFYING SERVICE	D.O.B	LFP Quota:	
Yes	10.05.1979	United Bank Limited New Bus Stand Br.	
07 Years, 04 Months 016 Days		0001000728	

GOVERNMENT OF PAKISTAN
 FEDERAL BUREAU OF INVESTIGATION
 FEDERAL POLICE

Per: 00335118
 Name: KIPTAN AHMAD
 Dsg: SENIOR DRIVER
 CHIC No. 1730180208273
 GPF Interest Applied

P Sec: 005740001/September 2013
 PR4019 - S.O. ADMIN ESTAB. & ADMIN
 Min: Sci Tech & Info Tech
 NTN:
 GPF #:
 (Old #):

PAYS AND ALLOWANCES		DEPT CODE	PR4019
0001-Basic Pay			7,920.00
1210-Convey Allowance 2005			1,840.00
1300-Medical Allowance			1,000.00
1567-Washing Allowance			1,000.00
1580-Overtime Allowance			100.00
1948-Adhoc Allowance 20100 50%			1,500.00
1955-Special Allowance 30%			2,150.00
1970-Adhoc Relief Allow 2011			1,290.00
2118-Adhoc Relief Allow (2012)			645.00
Grass Pay and Allowances			1,584.00
DEDUCTIONS:			19,217.00
GPF Balance	3,018.00		
3501-Benevolent Fund			498.00
3511-Addl Group Insurance			180.00
3604-Group Insurance			7.00
			67.00
Total Deductions			752.00
NET AMOUNT PAYABLE			18,465.00
QUALIFYING SERVICE	D.O.B	LFP Quota:	
Yes	01.07.1977	Payment through DDO.	
07 Years, 04 Months 016 Days			

Government of Khyber Pakhtunkhwa
 Accountant General Khyber Pakhtunkhwa, Peshawar
 Monthly Salary Statement (March-2018)



20

Personal Information of Mr KIPTAN AHMAD d/w/s of ALI AHMAD
 Personnel Number: 00335118 CNIC: 1730180208273
 Date of Birth: 01.07.1977 Entry into Govt. Service: 16.05.2006

NTN:
 Length of Service: 11 Years 10 Months 017 Days

Employment Category: Active Temporary

Designation: SENIOR DRIVER

DDO Code: PR4014-ESTABLISHMENT & ADMINISTRATION DEPARTMENT. 80003819-GOVERNMENT OF KHYBER PAKH

Payroll Section: 005

GPF A/C No: 335118

Vendor Number: -

Pay and Allowances:

GPF Section: 001

Interest Applied: Yes

Cash Center:

GPF Balance:

114,326.00

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 07

Pay Stage: 13

Wage type		Amount	Wage type		Amount
0001	Basic Pay	18,920.00	1210	Convey Allowance 2005	1,932.00
1300	Medical Allowance	1,500.00	1567	Washing Allowance	150.00
1580	Overtime Allowance	2,000.00	1966	Special Allowance 30%	5,676.00
2148	15% Adhoc Relief All-2013 /	425.00	2199	Adhoc Relief Allow @10%	301.00
2211	Adhoc Relief All 2016 10%	1,534.00	2224	Adhoc Relief All 2017 10%	1,892.00

Deductions - General

Wage type		Amount	Wage type		Amount
3007	GPF Subscription - Rs1010	-1,010.00	3501	Benevolent Fund	-600.00
3609	Income Tax	-130.00	4004	R. Benefits & Death Comp:	-690.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6503	MCYC Loan Principal Insta	39,900.00	-665.00	18,620.00

Deductions - Income Tax

Payable: 1,362.24

Recovered till March-2018: 973.00

Exempted: 0.19

Recoverable: 389.43

Gross Pay (Rs.): 34,330.00

Deductions: (Rs.): -3,095.00

Net Pay: (Rs.): 31,235.00

Payee Name: KIPTAN AHMAD
 Account Number: 08987927363703

Bank Details: HABIB BANK LIMITED, 22089S POLICE ROAD, PESHAWAR. POLICE ROAD, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Aailed: Eamed: Balance:

Permanent Address: City: HANDKO KALAY MATHRA Domicile: -

Temp. Address: City:

Email: kiptanahmad1977@gmail.com

Housing Status: No Official

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (March-2018)



(21)

Personal Information of Mr JAMSHED KHAN d/w/s of FAZAL SARWAR KHAN

Personnel Number: 00324199

CNIC: 6110119940705

NTN:

Date of Birth: 10.05.1979

Entry into Govt. Service: 16.05.2006

Length of Service: 11 Years 10 Months 017 Days

Employment Category: Active Temporary

Designation: DRIVER

80003823-GOVERNMENT OF KHYBER PAKH

DDO Code: PR4019-ESTABLISHMENT & ADMINISTRATION DEPARTMENT.

Payroll Section: 005

GPF Section: 001

Cash Center:

GPF A/C No: 324199

Interest Applied: Yes

GPF Balance:

87,413.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 07

Pay Stage: 11

Wage type		Amount	Wage type		Amount
0001	Basic Pay	17,700.00	1001	House Rent Allowance 45%	1,589.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1567	Washing Allowance	150.00	1580	Overtime Allowance	2,000.00
1966	Special Allowance 30%	5,310.00	2148	15% Adhoc Relief All-2013	387.00
2199	Adhoc Relief Allow @10%	270.00	2211	Adhoc Relief All 2016 10%	1,279.00
2224	Adhoc Relief All 2017 10%	1,770.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3007	GPF Subscription - Rs1010	-1,010.00	3501	Benevolent Fund -	-600.00
3609	Income Tax	-113.00	4004	R. Benefits & Death Comp:	-690.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 1,175.40 Recovered till March-2018: 837.00 Exempted: 0.15- Recoverable: 338.55

Gross Pay (Rs.): 33,887.00 Deductions: (Rs.): -2,413.00 Net Pay: (Rs.): 31,474.00

Payee Name: JAMSHED KHAN

Account Number: 0001000728

Bank Details: UNITED BANK LIMITED, 210570 New Bus Stand Br.Bannu, New Bus Stand Br.Bannu., BANNU

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: PESHAWAR

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: rean.kpk100@gmail.com



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(F)

For official use

(22)

GOVERNMENT OF KHYBER PAKHTUNKHWA

**THE KHYBER PAKHTUNKHWA CIVIL SERVANTS
(APPOINTMENT, PROMOTION AND TRANSFER)
RULES, 1989**

Compiled by:

O&M SECTION, REGULATION WING
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

PART-III

23

INITIAL APPOINTMENT

10. **Appointment by Initial Recruitment** :- (1) Initial appointment to posts ¹[in various basic pay scales] shall be made-

- (a) if the post falls within the purview of the Commission, on the basis of Examination or test to be conducted by the Commission; or
- (b) if the post does not fall within the purview of the Commission, in the manner as may be determined by Government.

²(2) Initial recruitment to posts which do not fall within the purview of the Commission shall be made on the recommendation of the Departmental Selection Committee, after vacancies have been advertised in newspapers.

³Provided that nothing contained in this sub-rule shall apply to the household staff of the Chief Minister House Peshawar, Khyber Pakhtunkhwa House Islamabad, Khyber Pakhtunkhwa Rest Houses Bannu, Swat and Abbottabad, Khyber Pakhtunkhwa House Nathia Galli and Shahi Mehman Khana, Peshawar and any other House to be established by the Government:

⁴Provided further that the appointment in Basic Pay Scale-1 to 4 shall be made on the recommendations of the Departmental Selection Committee through the District Employment Exchange concerned, ⁵[or, where in a District, the office of the Employment Exchange does not exist, after advertising the posts in the leading newspapers] ⁶[]

(3) A candidate for initial appointment to a post must possess the educational qualification or technical qualifications and experience and except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post, provided that-

- (i) ⁷where recruitment is to be made on the basis of written examination, then, notwithstanding anything to the contrary contained in any other rules for the time being in force, age shall be reckoned on 1st January of the year in which the examination is proposed to be held;
- (ii) in other cases as on the last date fixed for submission of applications for appointment.

⁸(4) Where a civil servant dies or is rendered incapacitated/invalidated permanently during service then notwithstanding the procedure provided for in sub-rule (2), the

¹ The words in basic pay scale-16 to 21 substituted by Notification No. SOR-I(S&GAD)1-117/91 (C), dated 12-10-1993.

² Sub rule (2) of Rule-10 substituted by Notification No. SOR-I(S&GAD) 1-117/91 (C), dated 12-10-1993.

³ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 03-07-2003.

⁴ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 16-03-2004

⁵ Sentence added in the Proviso vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 23-01-2006.

⁶ 2nd Proviso in sub- rule (2) of Rule 10 was deleted vide Notification No. SOR-VI(E&AD)1-3/2008

dated 09-05-2008 and added again vide Notification No. SOR-VI(E&AD)1-3/2008 dated 03-11-2008.

⁷ Clause (i) substituted vide Notification No. SOR-I(S&GAD)1-1/80, dated 17-5-1989.

⁸ Sub rule (4) substituted vide Notification No. SOR-VI (E&AD)1-3/2011/Vol-VIII, dated 31-08-2012.

appointing authority may appoint one of the children of such civil servant, or if the child has not attained the age prescribed for appointment in Government Service, the widow/wife of such civil servant, to a post in any of the Basic Pay Scales 1-10:

Provided that the child or the widow/wife as the case may be, possesses the minimum qualification prescribed for appointment to the post:

Provided further that if there are two widows/wives of the deceased civil servant, preference shall be given to the elder widow/wife.

Provided also that the appointment under this sub rule is subject to availability of a vacancy and if more than one vacancies in different pay scales are available at a time, and the child or the widow/wife, as the case may be, possesses the qualifications making him or her eligible for appointment in more than one post, he /she shall ordinarily be appointed to the post carrying higher pay scale.

Provided further that this shall not apply to any post in BPS-1-10 falling in the purview of the Khyber Pakhtunkhwa Public Service Commission.

¹(5) Notwithstanding anything contained in any rule for the time being in force, two percent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for disabled candidates and ten percent of all posts meant for initial recruitment shall be reserved for female candidates:

Explanation-I---For the purpose of reservation under this sub-rule "disability" does not include such disability which hampers in the smooth performance of the duties required of a disabled candidate.

Explanation-II---Ten per cent quota reserved above shall be in addition to the posts exclusively reserved for female candidates.

²(6) Notwithstanding anything contained in any rule for the time being in force, five per cent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates hailing from earthquake affected areas of District Mansehra, Battagram, Shangla, Kohistan and Abbottabad (Calamity hit area) for a period of three years commencing from 1st February, 2006.

³(7) Notwithstanding anything contained in any rule for the time being in force, 0.5 percent of all the posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates belonging to minorities in addition to their participation in the open merit:

Provided that, the reservation shall not apply to--

- (i) the percentage of vacancies reserved for recruitment on merit;
- (ii) short term vacancies likely to last for less than one year; and
- (iii) isolated posts in which vacancies occur only occasionally.

¹ Sub rule (5) substituted vide Notification No. SOR-VI (E&AD)1-10/03 (VI), dated 04-12-2007.

² Sub rule (6) inserted vide Notification No. SOR-VI(E&AD)1-3/03 (VI), dated 01-02-2006

³ Sub rule (7) added vide Notification No. SOR-VI(E&AD)1-3/08, dated 06-01-2009

25

SENIORITY

17. **Seniority :-** (1) the seniority inter se of civil servants ¹(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ²[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-I:- If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher post, it would not adversely effect the interest of his seniors in fixation of his seniority in the higher post.

Explanation-II:- If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incomplete record or for any other reason not attributing to his fault or demerit.

Explanation-III:- A junior person shall be deemed to have superseded a senior person only if both the junior and the senior persons were considered for the higher post and the junior person was appointed in preference to the senior person.

(2) Seniority in various cadres of civil servants appointed by initial recruitment vis-à-vis those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

³(3) In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post.

⁴(4) The inter-se-seniority of civil servants in a certain cadre to which promotion is made from different lower posts, carrying the same pay scale shall be determined from the date of regular appointment/promotion of the civil servants in the lower post.

¹ Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(S&GAD)4-1/80, dated 17-05-1989.

² The words inserted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 04-02-1996.

³ Sub-rule (3) of Rule 17 added vide Notification No. SOR-I(E&AD)4-1/80/IV, dated 28-5-2002.

⁴ Sub-rule (4) of Rule 17 added vide Notification No. SOR-VI (E&AD) 1-3/2008 dated 19-11-2009.

25-A

11

Provided that if the date of regular appointment of two or more civil servants in the lower post is the same, the civil servant older in age, shall be treated senior.

18. General Rules: - In all matters not expressly provided for in these rules, civil servants shall be governed by such rules as have been or may hereafter be prescribed by Government and made applicable to them.

19. Repeal:- The Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

(Authority; No. SORI(S&GAD)4-1/80, dated 13th May, 1989)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

26

No. FSA(AD) 04(17)/2015 VOI-IV
Dated Peshawar the 28-12-2016

17

To,

The Section Officer (Reg-IV)
Establishment Department.

Subject:

REQUEST FOR INCLUSION IN THE SENIORITY LIST OF MATRICULATE
CLASS-IV.

I am directed to refer your letter No. SOR-IV(ED)/1-5/2016/VOI-II dated 30-11-2016 on the subject noted above and to state that Civil Officers Mess Peshawar comprising of a State Guest House and the other is Officers Club Side. The State Guest House is similar to other Houses of Administration Department i.e Khyber Pakhtunkhwa House, Islamabad, Khyber Pakhtunkhwa House, Abbottabad and Shahi Mehman Khana Peshawar for which Finance Department had sanctioned / created various catagoires posts in 1994 (copy of the same is once again enclosed for ready reference). These posts have been created on regular / permanent basis against which the appointment was made under Government Servants (Appointment, Promotion & Transfer) Rules, 1989. Moreover, appointment on club side is made by the Manager of Civil Officers Mess on fixed Pay as per their By Laws. It is therefore clarified that the applicants are regular employees of Administration Department.

(KALIRAN KHATTAK) 28/12/16
SECTION OFFICER (ADMN)



(M) (27)

**GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)**

NOTIFICATION

Peshawar the, dated 6th April, 1985.

No. SO(O&M) S&GAD/3-3/1985,---In pursuance of the provision contained in Article 139 of the constitution of the Islamic Republic of Pakistan and in suppression of the North-West Frontier Province Government Rules of Business, 1972, the Governor of the North-West Frontier Province is pleased to make the following rules:

PART - A --- GENERAL

1. **SHORT TITLE AND COMMENCEMENT.**
 - (1) These rules may be called the North-West Frontier Province Government Rules of Business, 1985.
 - (2) They shall come into force at once.
2. **DEFINITION .---** In these rules, unless the context otherwise requires.
 - (a) "**Assembly**" means the Provincial Assembly of the North-West Frontier Province;
 - (b) "**Attached Department**" means a Department mentioned in column 3 of *Schedule-I*;
 - (c) "**Business**" means all work done by Government;
 - (d) "**Cabinet**" means the Cabinet of Ministers appointed under Article 132 of the Constitution and includes the Chief Minister appointed under Article 130 of the Constitution;
 - (e) "**Case**" means a particular matter under consideration and includes all papers relating to it and required to enable the matter to be disposed of, viz: correspondence and notes and also any previous papers on the subject or subjects covered by it or connected with it;
 - (f) "**Chief Secretary**" means the officer notified as such in the Gazette, who shall in addition to other Departments and functions that may be allotted to him

from time to time, be incharge of the Establishment and Administration Department and shall also be the Secretary to the Cabinet;

- (g) "Constitution" means the Constitution of the Islamic Republic of Pakistan;
- (h) "Department" means a self-contained administrative unit in the Secretariat responsible for the conduct of business of Government in a distinct and specified sphere, and declared as such by the Government;
- (i) "Federal Government" means the Executive Government of the Islamic Republic of Pakistan;
- (j) "Gazette" means the official gazette of the North-West Frontier Province.
- (k) "Government" means the Executive Government of the North-West Frontier Province.
- (l) "Governor" means the Governor of the North-West Frontier Province;
- (m) "Head of Attached Department" means the officer shown in column 4 of Schedule-I;
- (n) "Member" means a Member of the Assembly;
- (o) "Minister" means the Minister-in-Charge of the Department to which a particular case pertains;
- (p) "Public Service Commission" or "Commission" means the North-West Frontier Province Public Service Commission constituted under any law for the time being in force;
- (q) "Schedule" means a Schedule appended to these rules;
- (r) "Secretariat" means the Departments of Government when referred to collectively;
- (s) "Secretary" means the Secretary to Government and includes the Chief Secretary, and the Additional Chief Secretary;
- (t) "Section" means a basic working unit in a Department as determined by Government; and
- (u) "Speaker" means the Speaker of the Assembly.

3. COMPOSITION OF DEPARTMENTS AND ALLOCATION OF BUSINESS.-

- (1) The Secretariat shall comprise of the Departments specified in column 2 of *Schedule-I*.
- (2) The Chief Minister may in consultation with the Governor, wherever he may deem fit, constitute new Departments or vary the composition or number of the Departments.
- (3) The business of Government shall be distributed amongst several Departments in the manner indicated in *Schedule-II*:

Provided that the Chief Minister may in consultation with the Governor, whenever he may deem fit, transfer any particular subject or matter from the Department, to which it stands assigned in accordance with *Schedule-II*, to any other Department.

- (4) The Chief Minister may, assign.-
 - (a) A Department; or
 - (b) Part of a Department; or
 - (c) Part of different Departments; or
 - (d) More than one Department; or
 - (e) One or more Departments together with part or parts of other Departments;

to a Minister:

Provided that a Department or Part of a Department not so assigned shall be in the charge of the Chief Minister.

4. ORGANIZATION OF DEPARTMENTS.-

- (1) Each Department shall consist of a Secretary to Government and of such other officials subordinate to him as Government may determine:

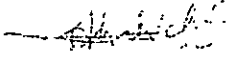
Provided that the same person may be Secretary of more than one Department.

- (2) The Secretary shall be the official head of the Department and shall be responsible for its efficient administration and discipline, and for the proper conduct of business allocated to the Department under rule 3.

SERVICE RULES FOR THE STAFF OF ADMINISTRATION DEPARTMENT

(30)

Nomenclature of post	Minimum qualification for appointment by recruitment or by transfer	Minimum qualification for appointment by promotion	Age Limit	Method of recruitment
2	3	4	5	6
1. Technical Officer BS-15	i. Retired Junior Commissioned Officer (JCO) in the relevant field from EME or other Technical Corps. OR ii. Diploma in auto mechanic from recognized institution with six (6) years practical experience in various types of vehicles in reputed workshop/ organization. Preferably in Govt. Workshop.		i) 30-40 yrs in respect of retired persons ii) 25-35 yrs in respect of fresh candidates.	By initial recruitment.
2. Garage Supdt BS-11				By selection on merit from amongst the holders of the posts of Drivers.
3. MT Technician BS-7 Motor Mechanic BS-7	Certificate in relevant field from recognized institution with seven years practical experience, preferably in Govt. workshop.		18-32	i. 50% by initial recruitment. ii. 50% by promotion from amongst the holders of the posts of Junior Mechanics on seniority-cum-fitness basis or Drivers promoted from the posts of Junior Mechanics/Auto Electricians.


 Section Officer (Admin)
 Establishment & Staff Department

31

1	2	3	4	5	6
	Nomenclature of post	Minimum qualification for appointment by initial recruitment or by transfer	Minimum qualification for appointment by promotion	Age Limit	Method of recruitment
4.	Driver BS-4 ✓	Literate having LTV driving license issued by the competent authority. Preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.		18-32	i. 50% by initial recruitment. ii. 50% by promotion from amongst the holders of the posts of Junior Mechanics/Auto Electricians/Greasers, possessing valid driving license.
5.	Junior Mechanic BS-3	Certificate from recognized institution in relevant field with two years practical experience.		-do-	By initial recruitment.
6.	Auto Electrician BS-2	i. Certificate in Auto Electrician from a recognized institution with two years practical experience.		-do-	By initial recruitment.
7.	Greaser BS-2	Literate.		-do-	By promotion from amongst the holders of the post of Cleaners on seniority-cum-fitness basis provided that the post shall be filled in by initial recruitment, if no suitable candidate is available for promotion.
8.	Cleaner BS-1	-do-		-do-	By initial recruitment.

Shahid
 Section Officer (Admin)
 Establishment & Admin. Department



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

2-4

No./BOIV/FD/2-4/2017-18/SNE
Dated Peshawar the 26-02-2018

32

To,

The Secretary to Govt. of Khyber Pakhtunkhwa,
Administration Department,

Subject:

DEMANDS OF DRIVER'S ASSOCIATION OF CIVIL
SECRETARIAT KHYBER PAKHTUNKHWA.

Dear Sir,

I am directed to refer to your letter No.E&A(AD)04(152)Drivers, dated. 31-01-2018, on the subject noted above and to state that in pursuance of the approval accorded by the Honorable Chief Minister, Khyber Pakhtunkhwa on a summary moved by the Administration Department, Khyber Pakhtunkhwa, the competent authority has been pleased to create posts of drivers as per the following tabulation with immediate effect in public interest, subject to the condition that necessary amendments may be made in the service rules of the above posts of drivers by the Administration Department.

S.No	DDO Code	Department	Designation	No of Posts
1	PR-4012	Chief Minister Secretariat	Garage Superintendent BPS-16	1
			Driver Cum-Supervisor BPS-08	1
2	PR-4041	Finance Department	Garage Superintendent BPS-16	1
			Driver Cum-Supervisor BPS-08	1
3	PR-4017	Administration Department	Garage Superintendent BPS-16	2
			Driver Cum-Supervisor BPS-08	2
4	PR-4058	P & D Department	Garage Superintendent BPS-16	1
			Driver Cum-Supervisor BPS-08	1
Grand Total				10

2- Audit Copies of the above posts may be prepared and send to this department for authentication with fulfillment of conditions as stated in para-1 above please.

Yours faithfully,

(MOAZAM KHAN)
BUDGET OFFICER-IV

Endst: of even No. & Date

Copy forwarded for information and necessary action to:-

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
 - 2) Director, FMIU, Finance Department.
 - 3) Section Officer (Admn) Finance Department
 - 4) Section Officer (Admn) Chief Minister Secretariat
 - 5) Section Officer (General) P & D Department
 - 6) Section Officer (Budget) Administration Department.
 - 7) Budget Officer-XI, Finance Departments alongwith a copy of summary for Chief Minister duly approved for further necessary action.
- Mr. Manzoor Khan and Mr. Shah Jehan Khan, Presidents Driver Association Civil Secretariat Peshawar

BUDGET OFFICER-IV



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar, the 30-06-2015

33

NOTIFICATION

NO.FD/SO(FR)7-20/2015. The competent authority has been pleased to accord approval to the upgradation of pay scales of the following provincial government employees with effect from 01-07-2015:

- a) Two pay scale upgradation will be allowed to all provincial government employees from BS-01 to BS-05.
 - b) One pay scale upgradation will be allowed to all provincial government employees from BS-06 to BS-15.
 - c) Special Compensatory Allowance equal to difference of notional upgradation of BS-16 to BS-17 will be allowed to all provincial government employees in BS-16 in lieu of upgradation.
 - d) Upgradation will be applicable to both pay and allowances with freezing limits and other conditions currently in vogue unless revised by the government.
 - e) Pay fixation on upgradation will be applicable w.c.f. 01-07-2015 or 01-12-2015 on the option to be given by the concerned employee.
 - f) All provincial government employees who have been upgraded en-block or individually in last five years starting from 01-07-2010 or have been granted special allowance / pay equal to 40 % or more of their normal pay shall not be entitled for the instant upgradation.
2. Pay of existing incumbents of the posts shall be fixed in higher pay scales at a stage next above the pay in the lower pay scale.
 3. All the concerned Departments will amend their respective service rules to the same effect in the prescribed manner.
 4. The above upgradation scheme shall not be applicable to employees of Autonomous Bodies, Semi Autonomous Bodies and Public Sector Companies.
 5. Explanatory note and subsidiary instructions on the subject will be issued separately.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

P.T.O

