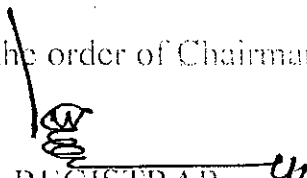


FORM OF ORDER SHEET

Court of _____

Case No. - _____

888/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/04/2023	<p>The appeal of Mr. Faridoon Khan presented today by Mr. Muhammad Zafar Khan Tahirkheli 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 PAKHTUKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No. 888 /2023

Faridoon Khan

Versus


Govt. of KP etc

=====

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Dated: 19th April, 2023


Muhammad Zafar Khan (Tahirkheli)
ASC

87, Al-Falah Street,
Peshawar Cantt
Tel: 0300-9597670

①

BEFORE THE KHYBER PAKHTUKHWA SERVICES TRIBUNAL,
PESHAWAR

Service appeal No. 888 / 2023

Faridoon Khan s/o Haji Shamshad Khan,
Work Munshi (BPS-07), Highway Division,
Communication & Works Department, Khyber Pakhtunkhwa Peshawar.

.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary, Peshawar.
2. , Secretary, Works & Services Department, Peshawar.
3. Chief Engineer (Center),
Works & Services Department, Peshawar.

.....Respondents

=====

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT 1974, FOR THE GRANT
OF PROMOTION TO THE POST OF SUB-ENGINEER (BPS-11) ON THE
BASIS OF HIS QUALIFICATION AND 26 YEARS OF CONTINUOUS
SERVICE IN BPS-07, WHEREIN HIS REPRESENTATION /
DEPARTMENTAL APPEAL DATED 16-01-2023 (COPY ANNEXED
MARKED "A") WAS REFUSED.**

=====

Prayer:

By accepting this appeal and directing the respondent department to consider the appellant for promotion to the post of Sub-Engineer (BPS-11) on the basis of his qualification and 26 years of continuous service in BPS-07.

=====

RESPECTFULLY SHEWETH

1. The appellant being qualified and eligible was selected and appointed as Work Munshi (BPS-05) vide notification dated 15-06-1995. The post was later on upgraded to BPS-07 in the year 2015. (Copy annexed hereto marked "B").
2. That the office of Chief Engineer (Center) respondent No. 3 vide office order dated 21-12-2018, allowed promotion to all Daftaries / Record Lifters / Naib Qasid / Chowkidars (having passed Secondary School Examination) to the post of Junior Clerks BPS-11 in C&W Department. The appellant while serving as Work Munshi BPS-07, having Diploma of Associate Engineer was however ignored for the said benefit.
3. That the appellant submitted his representation followed by a writ petition No. 2456-P / 2019 before the Peshawar High Court Peshawar, which was disposed of vide order dated 02-12-2020 wherein the matter was remitted to the department with the direction to do the needful within 30 days strictly in accordance with the law. (Copy Annexed "C")

- 4. That surprisingly, despite clear direction of the Court for grant of upgradation / promotion in BPS-11 the department only changed the petitioner's designation from work Munshi BPS-7 to road Inspector BPS-7 vide order dated 01-12-2021, by clearly ignoring the Hon'ble Court directions. (Copy Annexed "D")
- 5. The appellant submitted his representation dated 16-01-2023 requesting the authority that he should be considered for promotion to the post of Sub-Engineer (BPS-11) keeping in view his 26 years of continuous service and 03 years diploma in Associate of Engineering (Civil), however the same was not decided till the statutory period of limitation. (Annex "A")
- 6. Feeling aggrieved and finding no other remedy the appellant has been constrained to approach the Hon'ble Tribunal for the redress of his grievance, inter-alia, on the following.

Grounds:

- (a) The respondents have acted in most arbitrary manner while ignoring the legitimate right of the petitioners to be considered for promotion in a similar manner and fashion, in which the other employees of the same department have been treated and were allowed the opportunities of future advancement.
- (b) That Article 38(e) of Constitution of Islamic Republic of Pakistan safeguards the interest of the petitioners, whereby the government is required to reduce disparity in income and earnings of the individuals, including persons in various classes of services in Pakistan.

Similarly, Article 25 safeguards all the citizens against discrimination and Article 27 provides the safeguard against discrimination in services.

- (c) The appellant has served the department honestly and diligently to the utmost satisfaction of his superiors during entire period of his service. Neither any disciplinary proceedings were ever initiated against him nor was he served with any adverse remarks.
- (d) That the post of Work Munshi / Road Inspector (BPS-7) has no future prospects of further promotion to any higher scale in the department. The appellant has remained stagnant on the post for the last 26 years without any hope of future advancement.
- (e) That vide office order dated 21-12-2018, all Daftaries / Record Lifters / Naib Qasid / Chowkidars (having passed Secondary School Examination) were allowed promotion to the post of Junior Clerks BPS-11 in the Department, however in-spite of having Diploma in Associate Engineering, the appellant was arbitrarily ignored.

That even Quli (BPS-01), Mate (BPS-04), Road Inspectors (BPS-07) and Supervisor (BPS-09), are allowed promotion as Work Supervisor (BPS-11) in the department, having much less academic qualification.

- (f) The appellant having higher academic qualification and having served the department for 26 long years was not even considered for such like promotion as Sub-Engineer (BPS-11). Thus denying him the right of his legitimate expectancy of future advancement. (Copy annexed "E")

- (g) That the post of Work Munshi previously held by the appellant was of Basic Pay Scale 07 (BPS-7) and that of the Road Inspector is also BPS-7. Being at par and having similar job description and duties, the appellant having 26 years of service was entitled to be considered for promotion to the post of Sub-Engineer (BPS-11) and has been arbitrarily ignored.
- (i) The appellant has diploma of Associate Engineer dated 05-12-1995 and admittedly 26 years of continuous service in BPS-07.


In view of the Government of Khyber Pakhtunkhwa Gazette dated 15-04-2020, the method for recruitment to the post of Civil Engineer in Communication & Works Department, prescribes 5% quota for promotion to the post of Sub-Engineer (BPS-11), form amongst the road inspectors with 07 years of service as such, having three years diploma of Associate Engineering in Civil Technology from a recognize board. (Copy annexed "F")

The appellant fully meets the requisite criteria and is entitled for consideration for promotion to the post of Sub-Engineer (BPS-11).

- (k) The respondent department has ignored the appellant without any plausible explanation or reason, thus the impugned omission is arbitrary, discriminatory, against the principles of equity, justice, law and propriety calling for interference by the Hon'ble Tribunal.
- (l) The appellant seeks permission to take additional grounds at the time of hearing of the instant appeal.

In view of the above, it is respectfully prayed that by accepting this appeal the respondent department may be directed to consider the appellant for promotion to the post of Sub-Engineer (BPS-11) on the basis of his qualification and 26 years of continuous service in BPS-07.

Any other remedy deemed appropriate may also be granted in addition to the relief claimed above.


Appellant


Through:


Muhammad Zafar Khan (Tahirkheli)
ASC

Peshawar, dated
19th April, 2023

Certificate;

It is certified that no earlier appeal on the similar grounds or cause of action was filed prior to the present service appeal.


Appellant

(4)

BEFORE THE KHYBER PAKHTUKHWA SERVICES TRIBUNAL,
PESHAWAR

SA No. _____/2023

Faridoon Khan

Versus

Govt. of KP etc

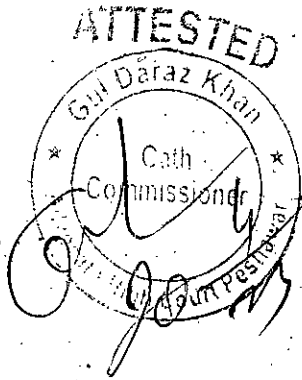
=====


AFFIDAVIT

=====

I, Faridoon Khan s/o Haji Shamshad Khan, Work Munshi, Highway Division, Communication & Works Department, Khyber Pakhtunkhwa Peshawar, the Petitioner, do hereby solemnly affirm and declare on Oath that contents of this application are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Court.

Peshawar, dated
19th April, 2023




DEPONENT
NIC No. 17301-2038250-1
Cell No. 0300-5863113

Identified by:


M. Zafar Khan Tahirkheli
ASC

BEFORE THE KHYBER PAKHTUKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2023

Faridoon Khan

Versus

Govt. of KP etc

=====
ADDRESSES OF PARTIES

Petitioners

Faridoon Khan s/o Haji Shamshad Khan,
Work Munshi,
Highway Division, Communication & Works Department,
Khyber Pakhtunkhwa Peshawar

Respondents

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary, Peshawar.
2. Secretary, Works & Services Department, Peshawar.
3. Chief Engineer (Center),
Works & Services Department, Peshawar.

Petitioner

Through:

Peshawar, dated
19th April, 2023

Muhammad Zafar Khan (Tahirkheli)
ASC

ANNEXURE A

The Chief Engineer (Center),
Communication & Works Department,
Khyber Pakhtunkhwa, Peshawar.

Adm
16/01/2023

DN 306

Through Proper Channel

SUBJECT PROMOTION TO THE RANK OF SUB ENGINEER

Dear Sir,

With great reverence the following few lines are submitted for your kind perusal and sympathetic consideration:-

- i. That having 03 years Diploma of Associate Engineering (Civil), the undersigned was appointed in C&W Department as Work Munshi in BPS-5 on 15-6-1995.
- ii. That with the passage of time, the Provincial Government upgraded various posts including the post of Work Munshi from BPS-5 to BPS-7, whereas the post of Junior Clerk was upgraded twice first from BPS-5 to BPS-7 and secondly from BPS-7 to BPS 11 and thus discriminated treatment was done with the holders of the post of Work Munshi.
- iii. That after serving the department for long span i.e 24 years, the appellant preferred an appeal to the C&W Department on 14-1-2019 for grant/promotion in BPS-11 but in vain.
- iv. That when no response was received from the department on my appeal, the undersigned preferred writ petition before the Peshawar High Court for grant of BPS-11 being 03 years Diploma holder in Associate of Engineering i.e, basic qualification for the post of Sub Engineer (BPS-11).
- v. That the Hon'able Court disposed of the W.P with the clear direction to the respondent No.3, Chief Engineer (Center) for disposing the pending appeal strictly in accordance with law keeping in view the up-gradation and promotion policies of the Government within 30 days positively.
- vi. That it is regretted to say that despite clear direction of the Court for grant of up-gradation/promotion in BPS-11 the department has only changed my designation from Work Munshi BPS-7 to Road Inspector BPS-7, by-passing the Hon'able Court directions.

Keeping in view of my long service of 26 years and having 03 years Diploma in Associate of Engineering (Civil) which is prescribed for initial appointment of Sub Engineer (BPS-11) and whereas for promotion to the post of Sub Engineer from amongst the holder of the posts of Road Inspector (BPS-7) etc with at least 05 years are required, therefore, the undersigned may be promoted to the post of Sub Engineer on the basis of my qualification and about 26 years as Work Munshi/Road Inspector otherwise, the undersigned has no option but knock the door of Peshawar High Court, Peshawar again in light of its directions, referred to in sub para-v above.

TRUE COPY

Amel
H/way Kamran Est. clerk
16/01/2023

Yours Obediently

(Faridoon Khan) 16/01/2023
Road Inspector (BPS-7)

ANNEXURE ¹⁰ C

OFFICE OF THE EXECUTIVE ENGINEER HIGHWAY DIVISION PESHAWAR.
OFFICE ORDER.

No. 6465 / 1-E Dated Peshawar, the 15/6/1995. (9)

As approved by the Departmental Appointment/Promotion Committee in his meeting held on 13-6-1995 in the Highway Division Peshawar Mr. Faridoon S/O Shamshad Khan Village & P.O. Badaber Tehsil and District Peshawar is hereby appointed as Work Munshi in BPS No. 5 @ Rs. 1400/-P.M plus usual allowances as admissible under the rules in the time scale of Rs. 1400-66-2390 against the existing vacancy with effect from the date he actually report for duty.

His appointment is subject to the production of the following documents.

1. Medical Fitness Certificate From Civil Surgeon.
2. Character Certificate.

In case he wish to resign at any time 14 days Notice or deposit of 14 days pay in lieu of notice will be necessary.

His pay will be chargeable to the budgethead 30000 C-S 310000-Works 311000 Admn-4 Executive Engineer Highway Division Peshawar.

EXECUTIVE ENGINEER,
HIGHWAY DIVISION
PESHAWAR.

Copy to:-

1. The Sub Divisional Officer Highway Maintenance Sub Division Peshawar for information and necessary action.
2. The Assistant (local) for information.
3. District Peshawar for information.

EXECUTIVE ENGINEER,
HIGHWAY DIVISION
PESHAWAR.

TRUE COPY

IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P. No _____ / 2019



Faridoon Khan s/o Haji Shamshad Khan,
Work Munshi (BPS-07), Highway Division,
Communication & Works Department, Khyber Pakhtunkhwa Peshawar.

.....Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary, Peshawar.
2. Secretary, Works & Services Department, Peshawar.
3. Chief Engineer (Center),
Works & Services Department, Peshawar.

.....Respondents

=====

**Petition under Article 199 of the Constitution of
Islamic Republic of Pakistan, 1973, For an Order**

- (a) Directing the respondents to grant up-gradation to the petitioner to BPS-11 on the analogy of Junior Clerks and other officials of the same department, being a Diploma Holder and having no future prospects and further advancement in his service career, who is serving on the post of Work Munshi (BPS-07) for the last 24 years.
- (b) Granting any other relief deemed appropriate.

=====

RESPECTFULLY SHEWETH

ATTESTED
EXAMINER
Peshawar High Court,

1. The petitioner being qualified and eligible was selected and appointed as Work Munshi (BPS-05) vide notification dated 15-06-1995. (Copy annexed hereto marked "A").
2. That the Government of Khyber Pakhtunkhwa vide notification dated 20-05-2014, upgraded various posts of Civil Secretariat of different categories ranging from BPS-07 to BPS-16 to next higher scale.

Similarly the Government of Khyber Pakhtunkhwa Finance Department vide notification No FD/O(FR)7-20/2015 dated 30-06-2015 accorded the approval of up-gradation to the Provincial Government Employees serving in BPS-1 to BPS-16. (Copies annexed hereto marked "B" & "C").

3. That the office of Chief Engineer (Center) respondent No. 3 vide office order dated 21-12-2018, allowed promotion to all Daftaries / Record Lifters / Naib Qasid / Chowkidars (having passed Secondary School Examination) to the post of Junior Clerks BPS-11 in C&W Department. (Copy annexed hereto marked "D")

PESHAWAR HIGH COURT, PESHAWAR.

FORM OF ORDER SHEET



Date of Order or Proceeding	Order or other proceedings with Signature of Judge
2	3
02.12.2020	<p><u>Writ Petition No. 2456-P of 2019.</u></p> <p><u>Present:</u> Mr. Muhammad Zafar Tahirkheli, advocate for the petitioner.</p> <p>Mr. Rab Nawaz Khan, Addl. AG alongwith Haseebullah, Supdt. C&W Department, for the respondents.</p> <p style="text-align: center;">***</p> <p><u>IKRAMULLAH KHAN, J.-</u> Through the instant petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner Faridoon Khan has set the following prayer:-</p> <p style="text-align: center;"><i>“It is respectfully prayed that the respondents may kindly be directed to grant up-gradation to the petitioner to BPS-11 on the analogy of Junior Clerks and other officials of the same department, being a Diploma Holder and having no future prospects and further advancement in his service career, who is serving on the post of Work Munshi (BPS-07) for the last 24 years; Any other remedy deemed appropriate may also be granted in addition to the relief claimed above”</i></p> <p>2. Learned counsel for the petitioner contended that persons having low educational qualification like Junior Clerks etc. were upgraded to BPS-11 while the petitioner and similar other persons having higher qualification and performs high/ technical work were kept in low grade which is sheer discrimination in view of Article 25 of the Constitution of Islamic Republic of Pakistan, 1973. However, during the course of arguments, it was brought</p>

ATTESTED
EXAMINER
Peshawar High Court,

into the notice of this Court that a departmental appeal/ representation of the petitioner is pending with respondent No.3. In order to arrive at a just and fair conclusion, while Article 199 of the Constitution also demands that in case alternate remedy is available, then, before approaching the Court under the Constitutional jurisdiction, the aggrieved person shall first knock the door of the concerned authority for redressal of his grievance.

3. In view of above, since the appeal of the petitioner is still pending with respondent No.3, therefore, in order to meet the ends of justice, we dispose of this petition with directions to the respondent No.3 to dispose of the appeal/ representation of the petitioner but strictly in accordance with law keeping in view the upgradation and promotion policies of the Government. The needful be done within a period of thirty (30) days positively. The petitioner would be at liberty to approach the proper forum if he is not satisfied with the orders of the respondent No.3 rendered in his appeal/ representation.

Announced:
02.12.2020


JUDGE


JUDGE

80702
Date of Presentation of Application 20-04-2023
No of Pages 7-8
Copying fee 28-00
Total 28-00
Date of Preparation of Copy 20-04-2023
Date of Delivery of Copy 20-04-2023
Presented By 30

CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court Peshawar
Authorized Under Article 7 of
The Oath-taking and Obedience Order 1947
20 APR 2023



OFFICE OF THE EXECUTIVE ENGINEER
C&W HIGHWAY DIVISION-I PESHAWAR

No. 2028416-E Dated Peshawar the: 01/12/2021
Ph No.091-9211371 EMAIL: - xencmhighway2010@gmail.com

ANNEXURE D

(11)

SUBJECT:- OFFICE ORDER

On the recommendation of DPC in its meeting held on 1-12-2021, the following work munshi (BPS-07) have been cleared for promotion to the posts of Road Inspector (BPS-07) on regular basis, he will be on probation for a period of one year in C&W department Highway Division -I Peshawar with immediate effect.

Sr.No	Name & Fahter Name	From	Promoted To
1	Faridon Khan S/O Shamshad Khan	Work Munshi BPS-07	Road Inspector (BPS-07)
2	Saad Gul S/O Anar Gul	Work Munshi BPS-07	Road Inspector (BPS-07)

Copy Forwarded to:-

EXECUTIVE ENGINEER

1. The Accountant General KPK Peshawar for information.
2. The Superintending Engineer C&W Circle Peshawar for information.
3. The Sub Divisional Officer, Highway Sub Division No. I & II Peshawar for Information.
4. Mr. Faridon Khan S/O Shamshad Khan (Road Inspector) r/o Village Badber Tehsil & District Peshawar for information
5. Mr. Saad Gul S/O Anar Gul (Road Inspector) r/o Village Terai Payan Tehsil & District Peshawar for information.

TRUE COPY

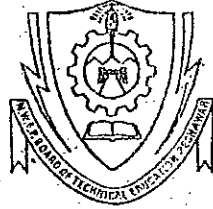
EXECUTIVE ENGINEER

S. No. 009052

ANNEXURE 2
Roll No. 11975

N.W.F.P. Board of Technical Education

(12)



PESHAWAR - PAKISTAN

DIPLOMA OF ASSOCIATE ENGINEER

SESSION 19 93

(ANNUAL / SUPPLEMENTARY)

This is to certify that

~~MISS~~ / MR. FARID DOON KHAN
~~DAUGHTER~~ / SON OF MR. SHAMSHAD KHAN
 REGISTERED NO. GCT/P/85-14149
 OF THE GOVT: COLLEGE OF TECHNOLOGY PESHAWAR
 HAS PASSED THE DIPLOMA OF ASSOCIATE ENGINEER EXAMINATION IN
CIVIL, TECHNOLOGY, CONDUCTED BY THE N.W.F.P. BOARD OF
 TECHNICAL EDUCATION PESHAWAR IN THE MONTH OF JUNE, 1995
 SHE/HE SECURED 1735/3400 MARKS AND WAS PLACED IN "C" GRADE.

In recognition thereof this
DIPLOMA OF ASSOCIATE ENGINEER
 is awarded to her/him at Peshawar
 on the 5th, day of DECEMBER, 19 95

Peshawar 5.12.1995

M. S. Khan
ASSISTANT SECRETARY

Abdul
SECRETARY

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ANNEXURE F

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

(15)

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 15TH APRIL, 2019.

**GOVERNMENT OF NWFP
COMMUNICATION & WORKS DEPARTMENT.**

NOTIFICATION

Dated: 25th March, 2019.

No. SOE/C&WD/8-12/2009.— In pursuance of the provisions contained in sub rule (2) of Rule-3 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules issued in this behalf, the Communication & Works Department in consultation with Establishment Department and Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in columns 3 to 5 of the Appendix to this Notification which shall be applicable to posts in column 2 of the said Appendix.

Secretary to Govt of NWFP
Communication & Works Department.

1173

Printed and published by the Manager,
State P.W. Dept., Khyber Pakhtunkhwa, Peshawar.


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APPENDIX

D) ENGINEERING SERVICE

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
1.	Chief Engineer	-	-	By selection, on merit from amongst Superintending Engineers/Principal Design Engineers, with at least 17 (seventeen) years of service in BPS-17 and above, possessing Degree in B.E/B.Sc. Engineering (Civil) from a recognized University and have successfully completed Senior Management Course Training.
2.	Superintending Engineer/Principal Design Engineer	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Design Engineers/Senior Engineers/Research Officers with at least 12 (twelve) years of service in BPS-17 and above, possessing Degree in B.E/B.Sc. Engineering (Civil/Mechanical/Electrical) from a recognized University.
3.	Executive Engineer/Design Engineer/Senior Engineer/ Research Officer	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officers/Assistant Engineers/Junior Engineers/Assistant Research Officers, possessing Degree in B.E/B.Sc. Engineering, (Civil/Mechanical/Electrical) from a recognized University, with at least 5 (five) years service as such, and have passed the Professional Examination as prescribed in B&R Code.
4.	Sub Divisional Officer/Assistant Engineer/Junior Engineer/ Assistant Research Officer	Degree in BE/B.Sc. Engineering (Civil/Mechanical/ Electrical) from a recognized University	21 - 32 Years	<p>(a) Sixty-five percent (65%) by initial recruitment;</p> <p>(b) sixteen and half percent (16.50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such;</p> <p>(c) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who possess Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 05 (five) years service as such;</p> <p>(d) three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years service as such; and</p> <p>(e) ten percent (10%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B-Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years service as such.</p> <p>Note: The seniority in all cases shall be determined from the date of initial appointment.</p>
5.	Sub Engineer	Diploma of Associate Engineering (Civil/ Electrical/Mechanical) from a recognized Board of Technical Education.	18 - 30 Years	<p>a. Seventy Five percent (75%) by initial recruitment;</p> <p>b. Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Work Superintendents/ Work Supervisors/Surveyors, with five years service as such, having three years Diploma of Associate Engineering in Civil Technology from a recognized Board;</p> <p>Note-1: For the purpose of promotion, joint seniority list of Works Superintendents, Supervisors and Surveyors, with reference to their regular appointment to the post shall be maintained and in case the two dates are similar, the official in BS-11 shall rank senior.</p> <p>c. Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Road Inspectors, with seven years service as such, having three years Diploma of Associate Engineering in Civil Technology, from a recognized Board.</p>

				<p>c. Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Work Superintendents/Work Supervisors/Road Inspectors, with seven years service as such, having three years Diploma in Electrical/Mechanical Technology from a recognized Board;</p> <p>Note-2: For the purpose of promotion, joint seniority list of Works Superintendents/Work Supervisor & Road Inspectors, with reference to their regular appointment to the post shall be maintained, in case the two dates are similar, the official in BS-11 shall rank senior.</p> <p>d. Two point five percent (2.5%) By Transfer from amongst the Draftsmen with seven years service as such, having Diploma in Civil/Electrical/Mechanical Technology, from a recognized Board;</p> <p>e. Two point five percent (2.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers with ten years service as such, having Diploma in Civil/Electrical/Mechanical Technology, from a recognized Board; and</p> <p>f. Five percent (5%) by promotion, from amongst the Work Superintendents/Work Supervisors/Road Inspectors, who have passed "B" Grade Departmental Examination with seven years service as such;</p> <p>Note-3: For the purpose of promotion, joint seniority list of Works Superintendents/Work Supervisors & Road Inspectors, with reference to their regular appointment to the post shall be maintained, in case the two dates are similar, the official in BS-11 shall rank senior.</p> <p>Note-4: (i) if no suitable candidate is available for transfer, as prescribed in sub clause (e), then the vacancy shall be filled in by way as prescribed in sub clause (c); and (ii) if no suitable candidate is available for promotion, as prescribed in sub clause (f), then the vacancy shall be filled in by way as prescribed in sub clause (c);</p>
6.	Work Superintendent/Work Supervisor	<p>a. Secondary School Certificate from a recognized Board; and</p> <p>b. Diploma of Associate Engineering in Civil Technology from the Board of Technical Education</p>	18 - 30 Years	By Initial Recruitment.
7.	Surveyor	<p>a. Secondary School Certificate from a recognized Board; and</p> <p>b. Diploma of Associate Engineering in Civil Technology from the Board of Technical Education</p>	18 - 30 Years	By Initial Recruitment.
8.	Road Inspector	Diploma of Associate Engineering in Civil Technology from a recognized Board of Technical Education.	20 - 30 Years	<p>a) Fifty percent (50%) by Initial Recruitment AND</p> <p>b) Fifty percent (50%) by promotion, on basis of seniority-cum-fitness, from amongst Work Munshties with at least ten years service as such</p>
9.	Work Munshti	Secondary School Certificate from a recognized Board.	20 - 30 Years	By Initial Recruitment

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VAKALATNAMA

In the Court of **Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No. ____/2023

ID No.	B.C- 10-7764
Advocate	M. Zafar
Cell No.	0300-9597670
CNIC	17301-1639615-3

Petitioner
Plaintiff
Applicant
Appellant
Complainant

Faridoon Khan

Decree-Holder

VERSUS

Respondent
Defendant
Opponent
Accused

Govt. of Khyber Pakhtunkhwa etc.

Judgment-Debtor

I / We **Faridoon Khan** the above noted appellant do hereby appointed and constitute, **Muhammad Zafar Khan Tahirkheli Advocate Supreme Court of Pakistan**, to appear, plead, act, compromise, withdraw or refer to arbitration for me / us as my / our counsels / advocates in the above noted matter, without any liability for his default and with the authority to engage any other Advocate / Counsel at my / our cost.

The Client / Litigant will ensure his presence before the Court on each and every date of hearing and the counsel would not be responsible if the case is proceeded ex-parte or is dismissed in default of appearance. All cost awarded in favour shall be the right of Counsel or his nominee, and if awarded against shall be payable by me/us.

I/We authorize the said Advocates to withdraw and receive on my / our behalf all sums and amounts payable or deposited on my / our account in the above noted matter.

Client

M. Zafar Khan/Khan Tahirkheli

Attested & Accepted (Advocates)

Dated 19/04/2023

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