


# FORM OF ORDER SHEET

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

**Appeal No.** \_\_\_\_\_

**1216/2023**

S.No:	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/05/2023	<p>The appeal of Mr. Kifayat Ullah resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <b>31-05-2023</b></p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

Respected Sir,

It is submitted that the present appeal was received on 12.01.2023, which was returned to the counsel for the appellant for removing objection (Flag-A). Today i.e. 10.02.2023 he re-filed the same without removing the objection with a note i.e. (Flag-B).

The appeal is now submitted to your honor under rules 7 (c) of the Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.

Worthy Chairman

REGISTRAR  
10/2/23

Be returned to  
bring the appeal in  
conformity with Rule 6(c)  
of the KPST Rules, 1974

16/2/23

ST No. 602

Date - 16/02/2023

R/Sir,

The office objection has been removed and the appeal is resubmitted in accordance with rule 6(c) of the KPST Rules, 1974.


W/h/d  
29/5/23

The appeal of Mr. Kifayat Ullah Additional Assistant Commissioner Charsadda received today i.e. on 12.01.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Addresses of respondents no. 4 to 125 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 169 /S.T,

Dt. 13/1 /2023

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.

High Court Pesh.

*Received, 18/1/23*

The Respondents no. 4 to 125 are the employees of Respondent no. 2, therefore to be served through Respondent no. 2, further more the home addresses of the Respondents no. 4 to 125 has already been provided.



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR.**

**APPEAL No. 1216 /2023**

**KIFAYAT ULLAH**

**VS**

**GOVT. OF KPK & OTHERS**

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**APPELLANT**

**THROUGH:**

**NOOR MUHAMMAD KHATTAK  
ADVOCATE SUPREME COURT**

- 1 -

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

APPEAL NO. 1216 /2023

Mr. Kifayat Ullah, Additional Assistant Commissioner,  
District Charsadda.

.....APPELLANT

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary, Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Mst: Tahreem Shah, Additional Assistant Commissioner Peshawar.
5. Mr. Sajid Ullah, Additional Assistant Commissioner (UT), Kohat.
6. Mr. Ahmad Nasrullah, Section Officer Mines & Minerals Department, Peshawar.
7. Mr. Fida Hussain, Additional Assistant Commissioner Charsadda.
8. Mr. Faisal Ismail, Additional Assistant Commissioner Daggar Buner.
9. Mr. Syed Mehar Ali Shah, Additional Assistant Commissioner Mandan Buner.
10. Mr. Muhammad Sohail, Additional Assistant Commissioner (REV) Tribal District Mohmand.
11. Mr. Farangis Azim, Section Officer Finance Department, Peshawar.
12. Mr. Atta Ullah, Additional Assistant Commissioner-I Bannu.
13. Mr. Atif Afridi, Additional Assistant Commissioner-I Hangu.
14. Mr. Navaira Farooq, Assistant Commissioner (Baffa Pakhel) Mansehra.
15. Mr. Aamir Zeb, Additional Assistant Commissioner (REV) Tribal District Khyber.
16. Mr. Sadiq Ali, Additional Assistant Commissioner Wana District South Waziristan.

17. Mr. Tauseef Ur Rehman, Additional Assistant Commissioner Lower Mohmand, Tribal District Mohmand.
18. Mr. Muhammad Amir Khan, Additional Assistant Commissioner Upper Kurram, Tribal District Kurram.
19. Mr. Sheroz Rashid Ahmad Khan, Additional Assistant Commissioner (Central) Tribal District Kurram.
20. Mr. Syed Muhammad Arsalan, Additional Assistant Commissioner (Upper Orakzai) Tribal District Orakzai.
21. Mr. Additional Assistant Commissioner (Nawagai) Tribal District Bajaur.
22. Mr. Muhammad Fayaz, Additional Assistant Commissioner (REV) Tribal District Kurram.
23. Mr. Khalid Imran, Additional Assistant Commissioner (REV) District North Waziristan.
24. Mr. Zyed Khan Safi, Additional Assistant Commissioner (Mir Ali) Tribal District North Waziristan.
25. Mr. Muhammad Buraq Awan, Additional Assistant Commissioner (REV) District South Waziristan.
26. Mst. Syeda Zainab Naqvi, Additional Assistant Commissioner District Peshawar.
27. Mr. Anis Ur Rehman, Additional Assistant Commissioner (REV) Lower Kohistan.
28. Mr. Riaz Ali, Additional Assistant Commissioner (Barikot) District Swat.
29. Mr. Wasim Ullah Khan Khattak, Assistant Commissioner Judhi, Torghar.
30. Mst: Sonia Naz, Section Officer Finance Department Chief Minister Secretariat Peshawar.
31. Mr. Shayan Ali, Section Officer Finance Department Peshawar.
32. Mr. Kabir Ahmad Khan, Additional Assistant Commissioner (Drosh) Lower Chitral.
33. Mr. Adnan Khan, Additional Assistant Commissioner (Dara Adam Khel) Tribal District Sub Division Kohat.
34. Mr. Sohail Ahmad Shah Bukhari, Additional Assistant Commissioner (Sarwakai) South Waziristan.
35. Mr. Fahad Zia, Additional Assistant Commissioner Kolai Palas, Kohistan.

36. Mr. Khayyam Nasir, Additional Assistant Commissioner (Wazir) Tribal District Sub Division Bannu.
37. Mr. Haroon Salim, Additional Assistant Commissioner Baizai Tribal District Mohmand.
38. Mr. Khizar Faiz, Assistant Commissioner Central Kurram.
39. Mst; Sana Shah, Additional Assistant Commissioner-II Lahor Swabi.
40. Mr. Asfandyar Khalid, Additional Assistant Commissioner (REV) Tribal District Orakzai.
41. Mr. Shahid, Additional Assistant Commissioner (Razmak) Tribal District North Waziristan.
42. Mr. Muhammad Ali, Additional Assistant Commissioner (Mastuj) Upper Chitral.
43. Mr. Inam Ullah, Additional Assistant Commissioner (Darazinda) D.I.Khan.
44. Mr. Awais Khan, Additional Assistant Commissioner (Bettani) District Lakki Marwat.
45. Mr. Sheroze Mufti, Additional Assistant Commissioner (REV) Chitral Lower.
46. Mr. Junaid Akbar, Additional Assistant Commissioner Upper Mohmand Tribal District Mohmand.
47. Mr. Muhammad Shahbaz Khan, Additional Assistant Commissioner Khar Bajaur.
48. Mr. Irshad Ul Haq, Section Officer Chief Minister Secretariat Peshawar.
49. Mr. Muhammad Fasih Ishaq Abbasi, Additional Assistant Commissioner (Rodkahi) D.I. Khan.
50. Mr. Shahab Ahmad Khan, Section Officer Irrigation Department Peshawar.
51. Mr. Junaid Khalid, Section Officer Mines & Minerals Department Peshawar.
52. Mr. Amir Mustafa, Section Officer Local Govt & Rural Development Department Peshawar.
53. Mr. Munir Ahmad Khan, Section Officer Irrigation Department Peshawar.
54. Mst: Tania Shaheen, Section Officer Finance Department Peshawar.
55. Mr. Syed Yasir Ali Shah, Section Officer Health Department Peshawar.
56. Mr. Muhammad Sohail Khan, Section Officer Labour Department Peshawar.
57. Mst. Mariam Hameed, Assistant Commissioner Samar Bagh, Dir Lower.
58. Mr. Salim Ullah Khan, Section Officer Forestry, Environment & Wildlife Department Peshawar.

59. Mr. Kamran Khan, Section Officer Relief, Rehabilitation & Settlement Department Peshawar.
60. Mr. Muhammad Hamid Siddique, Section Officer Auqaf Department Peshawar.
61. Mr. Saad Muneer, Section Officer Energy & Power Department Peshawar.
62. Mst: Sameera Saba, Additional Assistant Commissioner Peshawar.
63. Mr. Bilal Nasir, Section Officer Transport Department Peshawar.
64. Mr. Sultan Noor Ud Din Ahmar, Section Officer Finance Department Peshawar.
65. Mr. Luqman, Section Officer Sports, Culture & Tourism Department Peshawar.
66. Mr. Muhammad Ihsan Tahir, Section Officer Food Department Peshawar.
67. Mr. Allah Nawaz, Section Officer Agriculture, Livestock & Cooperative Department Peshawar.
68. Mr. Shahid Ullah, Section Officer Agriculture, Livestock & Cooperative Department Peshawar.
69. Mr. Shakeel Ahmad, Assistant Director PMRU o/o Chief Secretary KPK, Peshawar.
70. Mr. Hazrat Bilal, Section Officer Finance Department Peshawar.
71. Mr. Amir Ullah Khan, Section Officer Industries Department Peshawar.
72. Mr. Riyaz Ahmad, Section Officer P & D Department Peshawar.
73. Mr. Sikandar Afzaal, Section Officer Health Department Peshawar.
74. Mr. Usman Hamza, Section Officer Zakat, Usher & Social Welfare Department Peshawar.
75. Mr. Aftab Alam, Additional Assistant Commissioner Mardan.
76. Mr. Naseer Abbas Khalil, Section Officer E & SE Department Peshawar.
77. Mr. Muhammad Saqib, Section Officer Industries Department Peshawar.
78. Mr. Noor Nawaz, Section Officer E & SE Department Peshawar.
79. Mr. Zarak Yar Khan Toru, Section Officer Finance Department Peshawar.
80. Mr. Baqir Ali, Section Officer E & SE Department Peshawar.



81. Mr. Muhammad Idrees Khan, (Section Officer E & SE Department Peshawar.
82. Mr. Adnan Mumtaz, Section Officer Mines & Minerals Department Peshawar.
83. Mr. Noman Parvaiz, Section Officer Forestry, Environment & Wildlife Department Peshawar.
84. Mr. Mishab Waheed, Section Officer P & D Department Peshawar.
85. Mr. Syed Aehsan Ali Shah, Section Officer P & D Department Peshawar.
86. Mr. Junaid Shah, Section Officer E & SE Department Peshawar.
87. Mr. Zeeshan Najeeb, Section Officer Relief, Rehabilitation & Settlement Department Peshawar.
88. Mr. Ishtiaq Ahmad, Section Officer Agriculture, Livestock & Cooperative Department Peshawar.
89. Mr. Shah Nawaz Khan, Section Officer Governor Secretariat Peshawar.
90. Mr. Naveed Ahmad, Assistant Registrar KP Appellate Tribunal Sales Tax Peshawar.
91. Mr. Umar Mukhtar, Assistant Director Board of Revenue Peshawar.
92. Mr. Marium Burki, Finance Officer D.I. KHAN.
93. Mr. Muhammad Faizan Zeb, Section Officer E & SE Department Peshawar.
94. Mr. Fawad Ahmad Khan, Section Officer Health Department Peshawar.
95. Mst: Sabeeha Hastam, Finance Officer Mardan.
96. Mr. Aftab Ahmad, Finance Officer District Shangla.
97. Mst: Khaula Haqdar, Finance Officer District Charadda.
98. Mr. Muhammad Ali, Finance Officer Battagram.
99. Mr. Sohny Saleem, Section Officer Finance Department Peshawar.
100. Mr. Ramiz Ali Shah, (Finance Officer Peshawar.
101. Mr. Umer Ahmad Khitran, Finance Officer Lakki Marwat.
102. Mr. Aimal Khan, Finance Officer BUNER.
103. Mr. Jamshed Alam Khan, Finance Officer Kohat.
104. Mst. Haseena Khan, Assistant Director Private School Regulatory Authority, Peshawar.
105. Mr. Sanaullah, (Finance Officer Bajaur.
106. Mst. Brekhna Habib, Section Officer Health Department Peshawar.

- 107. Mr. Nadir Nazar, Section Officer Health Department Peshawar.
- 108. Mr. Nasir Ali, Section Officer Higher Education Department Peshawar.
- 109. Mr. Saddam Hussain, Assistant Commissioner (Inland Revenue) FBR, Peshawar.
- 110. Mst. Madeeha Khan, Assistant Director PDMA Peshawar.
- 111. Mst. Nayab Abbasi, Section Officer Finance Department Peshawar.
- 112. Mr. Shah Wali Khan, Section Officer Chief Minister Secretariat Peshawar.
- 113. Mr. Waseem Yousaf Khan Khattak, Section Officer Home Department Peshawar.
- 114. Mst. Samia Jabeen, Section Officer Higher Education Department Peshawar.
- 115. Mst. Samira Mahsood, Section Officer E & SE Department Peshawar.
- 116. Mst. Shagufta Sarwar, Section Officer Chief Minister Secretariat Peshawar.
- 117. Mst. Sana Fatima, Section Officer LAW Department Peshawar.
- 118. Mst. Sahar Anwar Khan, Services placed at the disposal of P & D Department Peshawar.
- 119. Mst. Sanovia Kakar, Section Officer Law & PAs Department Peshawar
- 120. Mst. Misbah Khalid, Section Officer Health Department Peshawar.
- 121. Mst. Sara Humayoun, Section Officer Inter Provincial Coordination Department Peshawar.
- 122. Mst. Shawana Haleem, Finance Officer Dir Lower.
- 123. Mst. Christina Zeb Ul Nisa Feroz, Assistant Commissioner (Puran) District Shangla.
- 124. Mr. Fawad Ahmad, Assistant Director PDMA Peshawar.
- 125. Mr. Adnan Haider Malooki, Assistant Director PDMA Peshawar.

.....RESPONDENTS

**SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 15-04-2022 WHEREBY APPELLANT HAS BEEN PROMOTED TO THE POST OF PMS OFFICER (BPS-17) WITH IMMEDIATE EFFECT INSTEAD OF 20.02.2020 AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF THE APPELLANT ON THE EXPIRY OF STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER:**

**That on acceptance of this appeal the impugned notification dated 15.04.2022 may kindly be modified/rectified to the extent of appellant and the appellant may kindly be promoted to the post of PMS BPS-17 Officer w.e.f 20.02.2020 instead of with immediate effect with all back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.**

**R/SHEWETH:**

**ON FACTS:**

1. That appellant is the employee of respondent Department and serving as Additional Assistant Commissioner (BPS-17) at Charsadda, District Charsadda quite efficiently and upto the entire satisfaction of his superiors.
2. That appellant while serving as Tehsildar (BPS-16), the respondent Department issued a list in respect of panel of Tehsildars for consideration to the next higher scale i.e. PMS (BPS-17) wherein name of the appellant was placed at Serial No.47 in the ibid list. Copy of the list is attached as Annexure.....**A.**
3. That it is important to mention here, that through letter dated 18.02.2020 the meeting of the provincial Selection Board (PSB) was scheduled to be held on 20/02/2020 but unfortunately the meeting was postponed due to the decision of Peshawar High Court, setting aside the Act of Provincial Assembly enhancing the age of retirement to 63 years. That working papers in respect of promotion of Tehsildar BPS-16 to the post of PMS Officer BPS-17 were prepared whereafter the Seniority list of the eligible Tehsildar BPS-16 was issued whereby the appellant was placed at Serial No.47 of the ibid seniority list. Copies of the letter dated 18.02.2020, working paper and seniority list are attached as annexure.....**B, C & D.**
4. That since the appellant apprehended that the nominees of the Khyber Pakhtunkhwa Public Service Commission would be appointed, therefore, the appellant preferred a representation/application before the worthy Chief Secretary Khyber Pakhtunkhwa, Peshawar to re-schedule the PSB as soon as possible for promotion to the post of PMS BPS-17 but the same could not be held. Copy of the application dated 14.02.2020 is attached as annexure.....**E.**
5. That feeling aggrieved the appellant knocked the door of Peshawar High Court in writ petition No.2520-P/2020, but during the pendency of the mentioned writ petition, department appointed the private respondents as PMS Officers (BPS-17) on the recommendation of the Public Service Commission vide Notification dated 29.05.2020. Copies of the memo of writ petition and Notification dated 29.05.2020 are attached as annexure.....**F & G.**
6. That subsequently another PSB meeting was held on 09.06.2020 and the respondent department promoted the other colleagues of the appellant to the post of PMS Officer (BPS-17) on regular basis vide

Notification dated 02.07.2020, but the appellant was ignored/deferred for promotion on the account of pendency of CPLA against the appellant before the August Supreme Court of Pakistan. Copies of the PSB meeting and Notification date 02.07.2020 are attached as annexure .....**H& I.**

7. That appellant aggrieved from the ibid notification dated 02.07.2020 filed departmental appeal which was rejected vide order dated 22.09.2020 followed by the service appeal No.12449/2020 before the Khyber Pakhtunkhwa Service Tribunal which was dismissed on the ground of jurisdiction vide order dated 25.02.2021. Copies of Departmental Appeal, Appellate Order dated 22.09.2020 and Judgment dated 25.02.2021 are attached as Annexure .....**J, K,&L.**
8. That the appellant filed writ petition No.1275-P/2021 before the Honorable Peshawar High Court, Peshawar against the notification dated 02.07.2020, but during the pendency of said writ petition the respondent department issued the impugned notification dated 15.04.2022 whereby the appellant has been promoted to the post of PMS BPS-17 on the regular basis with immediate effect instead of 20.02.2020 when the first meeting of PSB was scheduled for the promotion of the appellant with other colleagues to the post of PMS BPS-17 Officer, that on production of impugned order the appellant sought withdrawal of the instant writ petition which was allowed on 17.05.2022. Copies of the impugned notification dated 15.04.2022 and withdrawal order dated 17.05.2022 are attached as Annexure .....**M& N.**
9. That the appellant feeling aggrieved from the impugned notification dated 15.04.2022, preferred departmental appeal before the competent authority but the same has not been responded till date. Copy of the Departmental Appeal is attached as Annexure .....**O.**
10. That appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned notification dated 15.04.2022 whereby the appellant was promoted to the post of PMS BPS-17 Officer with immediate effect instead of w.e.f 20.02.2020 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified.
- B- That appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as subject noted above and as such the respondents violated Article- 4 & 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That the impugned notification dated 15.04.2022 is against the law, facts and norms of natural justice, therefore not tenable and liable to be set aside.


- D- That appellant has been discriminated by the respondents by not promoting the appellant to the post of PMS-17 Officer from the date when appellant promotion was due w.e.f 20.02.2020.
- E- That the respondents acted in arbitrary and malafide manner while issuing the impugned notification dated 15.04.2022 with immediate effect instead of due date i.e. 20.02.2020.
- F- That the respondents violated Section-9 of the Civil Servant Act, 1973 read rule-7 of the Appointment, Promotion & Transfer Rules, 1989 by issuing the impugned notification dated 15.04.2022 with immediate effect instead of 20.02.2020.
- G- That appellant is fully entitled for promotion from the date when the first PSB was scheduled i.e. 20.02.2020.
- H- That the impugned notification dated 15.04.2022 is violative of Article-38 (e) of the Constitution of Islamic Republic of Pakistan, 1973.
- I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

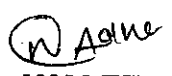
It is therefore, most humbly prayed that the appeal of appellant may be accepted as prayed for.


Dated: .12.2022

  
**APPELLANT**

**THROUGH**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE SUPREME COURT**

  
**WALEED ADNAN**


  
**UMAR FAROOQ MOHMAND**

**&**

  
**MUHAMMAD AYUB  
ADVOCATES**

**AFI-DAVIT**

I Kifayat Ullah, Additional Assistant Commissioner, Charsadda, do hereby solemnly affirm that the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

  
**Deponent**

1/A

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

CM NO. \_\_\_\_\_ /2022

IN

APPEAL NO. \_\_\_\_\_ /2021

**KIFAYAT ULLAH VS GOVT OF KPK & OTHERS**

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

**R.SHEWETH:**

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

**GROUND OF APPLICATION:**

- A- That valuable rights of the appellant are involved in this case hence the appeal deserves to be decided on merit.
- B- That it is worth mentioning that similar nature Service Appeals of *the eve pending adjudication before this Hon'ble tribunal.*
- C- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather than technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

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

  
**Applicant**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**

**AFFIDAVIT**

I, Kifayat Ullah, Additional Assistant Commissioner, District Charsadda, do hereby solemnly affirm and declare on Oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

  
**DEPONENT**

PANEL OF TEHSILDARS FOR CONSIDERATION. (For Senior Member)

S No	Seniority No	Name of officers with qualification	Date of birth	Date of 1 <sup>st</sup> entry into Govt services	Date of appointment/promotion to BS-16	Date of regular appointment/promotion to the present scale	Whether fulfil (the prescribed length of service)	Quantified scores	Missing PERs (If any)	Disciplinary proceeding (If any)	Case (If any) in any court of law including NAB/Pica bargaining with NAB	Mandatory training for promotion	Research papers	Present posting	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1.	1.	Mr. Muhsin-ud Ikramullah (M.A)	09.03.1965	01.07.1995	06.09.2008	06.09.2008	Yes	-	2015 to 2018	Pending Anti-Corruption Case	-	Yes	-	Tehsildar Paharpur	Promoted from Naib Tehsildar Deficient PER
2.	2.	Mr. Kiramullah (M.A)	20.01.1961	08.01.1981	06.09.2008	06.09.2008	Yes	-	1.1.2018 to 30.6.2014	No	No.	Yes	-	AAC (OPS)	On 14.11.2017, Opted not to be promoted. Now seek promotion PMS BS-17 10.01.2018.
3.	3.	Mr. Abdul Ghafor (B.A)	15.12.1974	14.02.2004	04.06.2013	04.06.2013	Yes	-	2018	No	No	No	-	Tehsildar Domail	Promoted from Naib Tehsildar On 07.09.2011 opted not to be promoted
4.	4.	Mr. Hidayatullah (B.A)	28.04.1962	13.03.1991	04.06.2013	04.06.2013	Yes	-	-	No	No	Yes	-	AAC (OPS)	Eligible.
5.	5.	Mr. Shah Nawaz (B.A)	01.10.1959	11.11.1981	04.06.2013	04.06.2013	Yes	-	-	Exonerated in VR case	-	No	-	Tehsildar Kakki	Promoted from Naib Tehsildar On 28.06.2011 opted not to

UP-186/2018-20 Anwar Ahmed Vs Govt of Punjab, F-1010P2010 PGR

Sl. No.	Name	Grade	Joining Date	Relief Date	Age	Category	Sub-category	Yes	No	Remarks	Remarks
6	Mr. Asad Bano (BA)	BA	10.03.2013			Yes				Waiting for posting in BOR.	Promoted from Supt. on 18.05.2013. On 07.09.2013 opted not to be promoted. Now such promotion as PNS BS-17 on 09.01.2015.
7	Mr. Ghalib (BA)	BA	24.03.2013			No	No	No		Settlement Tehsildar Makhsud	Promoted from DK Under provision of length of service not completed
8	Mr. Asif Rehman Shah (BA)	BA	06.05.2015			No	No	Yes		Revenue Jumud	Deficient PERS.
9	Mr. Waheed Ahmad (BA)	BA	10.02.2015			Under study	No	Yes		LAC (OPS) CPIC	
10	Syed Amir Lata Shah (BA)	BA	10.02.2015			No	No	Yes		Tehsildar Haripur	Eligible
11	Mr. Muhammad Imdad (BA)	BA	01.02.2015			No	No	Yes		Tehsildar Bank of Khyber	Eligible
12	Mr. Shah Bakht (BA)	BA	15.12.2015			No	No	Yes		AAC (OPS)	Eligible
13	Mr. Fiaz Ahmed Qureshi (BA)	BA	15.12.2015			No	No	Yes		AAC (OPS)	Eligible
14	Mr. Asif M. Khan (BA)	BA	15.12.2015			No	No	Yes		AAC (OPS)	Eligible
15	Mr. Javed (BA)	BA	15.12.2015			No	No	Yes		AAC (OPS)	Eligible

11/11



Sl. No.	Name	Date of Birth	Date of Joining	Date of Last Promotion	Date of Last Increment	Present Status	Remarks	Length of Service	Length of Service	Length of Service	Length of Service	Length of Service	Length of Service	Length of Service
16	Mr. Sahib Zada (BA)	10.11.1961	04.09.1988	15.12.2016	15.12.2016	Yes								LAC(OPS) SHGPE Eligible
17	Mr. Zahid Ransal (BA)	18.05.1964	01.03.1990	15.12.2016	15.12.2016	Yes								Tehsildar (Khwaza) Eligible
18	Mr. Habib Ahmad Jan (MA)	01.03.1963	02.07.1987	15.12.2016	15.12.2016	Yes								LAC(OPS) Eligible
19	Mr. Tahir Ashraf (MA)	24.01.1970	28.02.1988	16.11.2017	16.11.2017	No								RO/PESCO (Abdullah) Promoted from Assistant Length of service not completed
20	Mr. Akbar Khan (BA)	10.04.1964	04.12.1989	06.04.2018	06.04.2018	No		2016 to 2018	No	No	No			Tehsildar (Tachibhai) Promoted from Sub Registrar Length of service not completed
21	Mr. Abdul Qayyum (BA)	20.02.1965	20.03.1988	16.11.2017	16.11.2017	No		2001 2017 & 2018	No	No	No			Tehsildar (Razvi) Promoted from Sub Registrar Length of service not completed
22	Mr. Muhammad Azam Khan (BA)	08.12.1959	14.07.1982	16.11.2017	16.11.2017	No		2016 & 2018	No	No	Yes			Tehsildar (Charrada) Promoted from Sub Registrar Length of service not completed
23	Mr. Waheedullah (MA/LLB)	10.02.1973	20.09.1995	16.11.2017	16.11.2017	No			No	No	Yes			Tehsildar (Puran) Promoted from Sub Registrar Length of service not completed
24	Mr. Ajam Khan (BA)	15.06.1963	07.10.1987	16.11.2017	16.11.2017	No			No	No	Yes			Tehsildar (Khar Tribal District Bajaur) Promoted from District Kanungo Length of service not completed
25	Mr. Muhammad Javed (BA)	22.04.1966	25.09.1990	16.11.2017	16.11.2017	No			No	No	Yes			Tehsildar (Havlian) Promoted from District Kanungo Length of service not completed

26	26	Mr. Shah Nadeem (BSC)	02.04.1983	09.08.2004	16.11.2017	16.11.2017	No			No	No	No	Nowshera	DK Length of service not completed.
27	27	Mr. Arshad Mehmood (MSC/LLB)	04.02.1967	17.09.1991	16.11.2017	16.11.2017	No			No	No	No	Tehsildar Manshra	Promoted from Assistant Length of service not completed.
28	28	Muhammad Hasrat Khan (BA)	15.04.1968	17.09.1991	16.11.2017	16.11.2017	No			No	No	No	Tehsildar Khanpur	Promoted from Assistant Length of service not completed.
29	29	Mr. Niamanillah Kundi (BA)	22.09.1965	09.01.1992	16.11.2017	16.11.2017	No		2017, 2018	No	No	No	Tehsildar Ichangira	Promoted from Assistant Length of service not completed.
30	30	Mr. Raja Tasawar Khan (BA)	15.04.1968	05.03.1992	16.11.2017	16.11.2017	No		2017, 2018	No	No	No	Tehsildar Ghazi	Promoted from Assistant Length of service not completed.
31	31	Mr. Ishaq Ali Khan (BA)	14.10.1963	13.09.1992	16.11.2017	16.11.2017	No			No	No	No	Tehsildar Soiwam	Promoted from Assistant Length of service not completed.
32	32	Muhammad Zaman (BA)	04.01.1968	25.10.1992	16.11.2017	16.11.2017	No			No	No	No	Settlement Tehsildar Nowshera	Promoted from Assistant Length of service not completed.
33	33	Muhammad Imran Zaman (BA)	05.05.1979	23.04.2008	16.11.2017	16.11.2017	No		2018	No	No	No	Tehsildar Swabi	Promoted from Assistant Length of service not completed.

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34.	Mr. Khalid Mansoor (MA)	10.03.1974	12.08.2008	16.11.2017	16.11.2017	No	-	2017, 2018	No.	No.	No.	No.	No.	No.	At the disposal of Comr Peshawar	Promoted from Assistant Length of service not completed.
35.	Mr. Ahmad Hashmi (BA)	02.04.1983	02.02.2009	06.04.2018	06.04.2018	Yes	-	-	No.	No.	No.	Yes	-	Tosid	Eligible	
36.	Mr. Yadhullah Khan Khattak (MA)	23.05.1979	02.02.2009	17.01.2019	17.01.2019	Yes	-	-	No	No	No	Yes	-	Taxildar Badsher	Eligible	
37.	Muhammad Yar (MA)	02.02.1979	02.02.2009	17.01.2019	17.01.2019	Yes	-	-	No	No	No	Yes	-	Taxildar Mana	Eligible	
38.	Mr. Mujahid Ali (MA)	19.04.1974	02.02.2009	06.04.2018	06.04.2018	Yes	-	-	No	No.	No.	Yes	-	At the disposal of Comr Peshawar	Eligible	
39.	Syed Abdul Akbar Shah (MS/MMA)	11.04.1981	02.02.2009	06.04.2018	06.04.2018	Yes	-	2017 & 2018	No.	No.	No.	No.	-	At the disposal of Comr Peshawar	Eligible	
40.	Mr. Rabim Shah (BA)	13.01.1969	03.09.1990	06.04.2018	06.04.2018	No	-	-	NO	No.	No.	No.	-	Taxildar Thali	Promoted from Assistant Length of service not completed	
41.	Mr. Muhammad Nawaz (MA)	25.12.1961	09.10.1980	06.04.2018	06.04.2018	No	-	2017 & 2018	NO	No.	No.	No.	-	Taxildar Karim	Promoted from Assistant Length of service not completed	
42.	Mr. Farooq Shah (BA)	04.01.1961	01.12.1984	06.04.2018	06.04.2018	No	-	1986 & 2018	N.	No.	No.	No.	-	Reader to MBR-I	Promoted from Assistant Length of service not completed	
43.	Mr. Muhammad Avez (BA)	20.02.1983	30.04.2009	17.01.2019	17.01.2019	No.	-	2018	Na.	No.	No.	No.	-	Taxildar CLCP Khyber	Promoted from Assistant Length of service not completed	
44.	Syed Sultan Haidar Shah (BA, LLB)	08.12.1972	02.02.2009	17.01.2019	17.01.2019	Yes	-	-	No	No	No	Yes	-	Taxildar Inspector Stamps Peshawar	Eligible	

APPROVED



48	Mr. Faraz Nisar (M.Sc)	09.12.1982	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Tehsildar C&P Chyab	Eligible
49	Mr. Dilnawaz Khan (LLB)	22.03.1979	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Tehsildar/ Inspector Stamps Mardan	Eligible
50	Mr. Ghayal Ullah (M.A)	09.01.1977	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Tehsildar/ Revenue Inspector Peshawar	Eligible Promoted on Tehsildar subject to contrary Judgement of Supreme Court of Pakistan
51	Mr. Faqir Hussain (BA)	10.10.1983	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Senior Tehsildar Mandera	Eligible
52	Mr. Zubair Khalid (M.Com)	15.04.1981	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Tehsildar PDA	Eligible
53	Mr. Waqar Ahmed (M.A)	24.04.1980	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	Yes		Tehsildar/ Inspector Stamps Abbottabad	Eligible
54	Muhammad Faraz Qureshi (MBA)	17.05.1982	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	No		Tehsildar Lara	Promoted from NT
55	Mr. Faqir Rehman (M.A)	10.07.1975	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	No		Tehsildar Baita Pahel	Promoted from NT
56	Mr. Farukh Jadom (B.Sc)	04.05.1984	02.02.2009	17.01.2019	17.01.2019	Yes		2018	No	No	No		AAC (Rev) OPS Charsadda	Promoted from NT

UNTESTED

		Mr. Fayaz Ahmad (M.A)	10.03.1982	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	No	Tehsildar LA Abbottabad	Promoted from NT.
	55	Mr. Bilal Ahmad (BA, B.Ed)	10.10.1978	02.02.2009	17.01.2019	17.01.2019	Yes		2018	No	No	No	Tehsildar Torghar	Promoted from NT.
56	56	Mr. Tanveer Shahzad (M.A)	30.12.1977	02.02.2009	17.01.2019	17.01.2019	Yes			No	No	No	Settlement Tehsildar Abbottabad	Promoted from NT.
57	57	Mr. Ejaz Ahmad (M.A)	15.04.1976	02.02.2009	17.01.2019	17.01.2019	Yes		2013 & 2018	No	No	No	Tehsildar Abbottabad	Promoted from NT.
58	58	Muhammad Salim (BSC)	03.05.1978	02.02.2009	17.01.2019	17.01.2019	Yes		2018	No	No	No	Tehsildar Oghi	Promoted from NT.
59	59	Mr. Adil Waseem (BA)	25.12.1988	27.02.2009	17.01.2019	17.01.2019	Yes		2018	No	No	No	Tehsildar Madan	Promoted from NT.
60	60	Mr. Muhammad Yousaf (BA)	12.04.1964	22.04.1991	26.03.2019	26.03.2019	No			No	No	No	Tehsildar Mulkaw	Promoted from Assistant Under probation. Length of service not completed.
61	61	Mr. Tanzil-ur-Rehman	13.02.1988	14.04.2009	26.03.2019	26.03.2019	Yes			No	No	No	Tehsildar Shah Alam	Promoted from NT Under probation



		Mr. Rob Nawaz (BA)	12.02.1964	27.12.1983	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Beoni	Promoted from SR Under probation Length of service not completed
63	63	Mr. Abdul Qayam (BA)	24.04.1974	27.12.1993	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Behraun	Promoted from NT Under probation
64	64	Mr. Shaikat (Jabal) (M.A)	21/11/1973	19.10.1992	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Tank	Promoted from NT Under probation
65	65	Mr. Abdur Rashid (M.S.C)	05.01.1962	28.03.1988	26.03.2019	26.03.2019	Yes			No	No	No		Al the disposal of Cm/ Marwa	Promoted from NT Under probation
66	66	Sahibzade Ahmed Ali M.A (B. Ed)	17.04.1962	28.08.1988	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Khadkiel	Promoted from NT Under probation
67	67	Mr. Gohar Ali (B.A)	31.03.1980	29.05.2009	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Lakari Marwa	Promoted from NT Under probation
68	68	Mr. Sher Dil (BA)	24.01.1974	10.04.1995	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Kola Pains	Promoted from NT Under probation
69	69	Muhammad Shabb (BA)	01.01.1968	09.12.1990	26.03.2019	26.03.2019	Yes		2000	No	No	No		Tehsildar Kohar	Promoted from NT Under probation
70	70	Mr. Muhammad Arshad (BA)	20.01.1967	02.09.1984	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Mahal Kuram	Promoted from NT Under probation
71	71	Mr. Nawab Gul (M.A)	15.11.1966	01.01.1995	26.03.2019	26.03.2019	Yes			No	No	No		Tehsildar Lachi	Promoted from NT Under probation



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

No. SO(PSB)ED/1-1/2020/(1)  
Dated Peshawar, the 18.02.2020

PS/SMBR  
Dy No. 1340  
Date 18/2/2020  
Govt. of Khyber Pakhtunkhwa

- To
1. The Additional Chief Secretary,  
Government of Khyber Pakhtunkhwa,  
Planning & Development Department.
  2. The Senior Member,  
Board of Revenue, Khyber Pakhtunkhwa

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to the subject and to say that meeting of Provincial Selection Board will be held on 20.02.2020 at 10:00 am under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting is enclosed.

2. You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,

(Abdul Hameed)  
SECTION OFFICER (PSB)

Encl. As above  
Endst. of even No. & date.

A copy is forwarded to:-

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (Reg.) Establishment Department.
4. The P.S to Special Secretary (Estt) Establishment Department.
5. The P.Ss to Additional Secretaries (Reg.-I&II) Establishment Department.

SECTION OFFICER (PSB)

Attested

Handwritten signature

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

-19- C-17

ESTABLISHMENT DEPARTMENT.

FILLING OF 53 POSTS OF PROVINCIAL MANAGEMENT SERVICE BS-17 FALLING TO THE PROMOTION SHARE OF TEHSILDARS BS-16 ON REGULAR BASIS.

	Nomenclature of the post / Basic Scale.	Provincial Management Service (BS-17) as detailed in schedule-II (Annex-I)		
	Service/Group/Cadre.	Provincial Management Service		
	Sanctioned strength of the cadre.	826 (767 schedule posts + 20% DTL subtracting 59 posts in the share of PAS)		
		Direct	Promotion	Transfer
(i)	Percentage of share.	50% by initial recruitment through Public Service Commission & 10% by selection on merit from amongst the graduate Ministerial Staff through Public Service Commission.	20% for Tehsildars.	
(ii)	No. of posts allocated to each category.	398 + 80 for selection through Public Service Commission.	153 for Tehsildars.	
(iii)	Present occupancy position	119 + 34	100	
(iv)	No. of vacancies.	279 + 46	53 on regular basis.	
(v)	How did the vacancy(ies) under promotion quota accrue and since when?	Explanation at (Annex-II).		
(vi)	Recruitment Rules.	<p>According to Provincial Management Service Rules 2007, the following method has been prescribed for recruitment to the posts of PMS BS-17(Annex-III).</p> <p>1) Fifty percent by initial recruitment on the recommendations of the Khyber Pakhtunkhwa Public Service Commission based on the result of competitive examination to be conducted by it in accordance with the provisions contained in schedule-IV:</p> <p>2) Subject to rule 7, by promotion in the following manner:</p> <p>(a) twenty per cent from amongst Tehsildars, who are graduates, on the basis of seniority-cum-fitness, having three years service as Tehsildar and Naib Tehsildar and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Provincial Staff Training Institute;</p> <p>(b) twelve per cent, on the basis of seniority-cum-fitness, from amongst Superintendents, who are graduates having three years service as Superintendent and Assistant and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute; and</p> <p>(c) eight per cent, on the basis of seniority-cum-fitness, from amongst Personal Assistants and Senior Scale Stenographers, who have opted to join Provincial Management Service and are graduates with three years service as Private Secretary or Personal Assistant and have undergone a training course of nine weeks at the Pakistan Provincial Services Academy or Staff Training Institute."</p>		

*Attested*

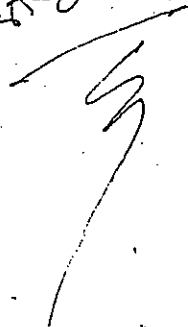


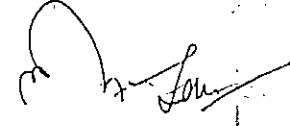
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		3) Ten per cent by selection on merit, on the basis of competitive examination, to be conducted by the Commission in accordance with the provisions contained in Schedule-VIII, from amongst persons holding substantive posts of Superintendents, Private Secretaries, Personal Assistants, Assistants, Senior Scale Stenographers, Stenographers, Data Entry Operators, Computer Operators, Senior and Junior Clerks borne on the cadres strength of Secretariat who possess 2 <sup>nd</sup> Class Bachelor's Degree from a recognized University and have at least five years service as such.
(vii)	Required length of service.	03 years as Tehsildar/Naib Tehsildar.
(viii)	Whether to be promoted on regular basis or appointed on acting charge basis?	53 on regular basis.
(ix)	Mandatory training, if any.	09 Weeks mandatory training.
(x)	Minimum required score on EI.	Not applicable.

Attested  




SENIOR MEMBER  
BOARD OF REVENUE





-21- 19

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

No. SO(PSB)ED/ 1-1/2020/13  
Dated Peshawar, the 08.06.2020

To

1. The Additional Chief Secretary,  
Government of Khyber Pakhtunkhwa,  
Planning & Development Department.
2. The Senior Member,  
Board of Revenue Khyber Pakhtunkhwa.

SUBJECT: MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

In continuation of this Department letter of even No. dated 05.06.2020, I am directed to say that meeting of Provincial Selection Board will be held on 09.06.2020 at 1200 hours under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting along with the working papers are enclosed.

You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,

*[Signature]* 8/6/2020  
SECTION OFFICER (PSB)

Encl. As above  
Encl. of even No. 8. Date  
A copy is forwarded to:

1. The PS to Chief Secretary, Khyber Pakhtunkhwa.
2. The PS to Secretary Establishment Department.
3. The PS to Special Secretary (Reg.) Establishment Department.
4. The PS to Additional Secretary (Reg.) Establishment Department.

*[Signature]* 8/6/2020  
SECTION OFFICER (PSB)

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SENIORITY LIST OF GRADUATE TEHSILDARS.

S.#	Name of officer with academic qualifications	Date of birth	Date of 1 <sup>st</sup> entry into Govt. service	Regular appointment/Promotion to present posts			Present Posting
				Date	BS	Method of recruitment	
1.	Muhammad Kyarallah (M.A)	09.03.1965	01.07.1995	06.09.2008	16	Promotee	Tehsildar Pharipur
2.	Mr. Kiramatullah (M.A)	20.01.1961	08.01.1981	06.09.2008	16	Promotee	AAC (OPS)
3.	Mr. Abdul Ghafar (B.A)	15.12.1974	14.02.2004	04.06.2013	16	Promotee	Tehsildar Domail
4.	Mr. Hidayatullah (B.A)	28.04.1962	13.03.1991	04.06.2013	16	Promotee	AAC (OPS)
5.	Mr. Shah Nawaz (B.A)	01.10.1959	11.11.1981	04.06.2013	16	Promotee	Tehsildar Kakki
6.	Mr. Abdul Hadi (MA)	18.04.1960	23.06.1983	16.06.2013	16	Promotee	Awaiting posting in BOR.
7.	Mr. Gohar Ali (BA)	20.02.1964	19.12.1985	26.03.2019	16	Promotee	Settlement Tehsildar Malakand
8.	Mr. Abdur Rehman Shah (BA)	15.02.1985	23.01.2007	10.02.2015	16	Promotee	Tehsildar Jamrud
9.	Mr. Waheed Ahmad (BA)	01.01.1967	29.01.1986	10.02.2015	16	Promotee	LAC CPEC Tahkot
10.	Syed Mir Laiq Shah (BA)	27.04.1963	08.03.1983	10.02.2015	16	Promotee	Tehsildar Haripur
11.	Mr. Muhammad Junaid Khan (BSC)	10.02.1988	01.02.2016	01.02.2016	16	Direct	Tehsildar the Bank of Khyber.
12.	Mr. Shah Behram (BA)	20.11.1973	28.06.1997	15.12.2016	16	Promotee	AAC (OPS)
13.	Mr. Fiaz Ahmad Qureshi (BA)	12.04.1962	15.08.1982	15.12.2016	16	Promotee	AAC (OPS)
14.	Mr. Abdul Muqsit (MA)	20.01.1965	28.08.1988	15.12.2016	16	Promotee	AAC (OPS)
15.	Mr. Jehan Said (M.Com)	10.01.1964	28.08.1988	15.12.2016	16	Promotee	AAC(OPS)
16.	Mr. Sahib Zada (BA)	10.11.1961	04.09.1988	15.12.2016	16	Promotee	LAC (OPS) SNGPL
17.	Mr. Zahid Kamal (BA)	18.05.1964	01.03.1990	15.12.2016	16	Promotee	Tehsildar Khwezai
18.	Mr. Habib Ahmad Jan (MA)	01.03.1963	02.07.1987	15.12.2016	16	Promotee	AAC (OPS)
19.	Mr. Tahir Ashraf (MA)	24.01.1970	28.02.1988	16.11.2017	16	Promotee	RO PESCO Abbottabad
20.	Mr. Afsar Khan (BA)	10.04.1964	04.12.1989	06.04.2018	16	Promotee	Tehsildar Takhtbhai
21.	Mr. Abdul Qayum (BA)	20.02.1965	20.03.1988	16.11.2017	16	Promotee	Tehsildar Razar
22.	Muhammad Azam Khan (BA)	08.12.1959	14.07.1982	16.11.2017	16	Promotee	Tehsildar Charsadda
23.	Mr. Waheedullah (MA/LLB)	10.02.1973	20.09.1995	16.11.2017	16	Promotee	Tehsildar Puran
24.	Mr. Ajam Khan (BA)	15.06.1963	07.10.1987	16.11.2017	16	Promotee	Tehsildar Khar Bajaur.

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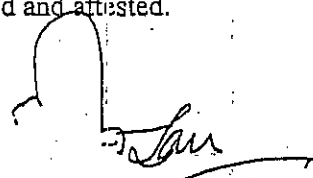
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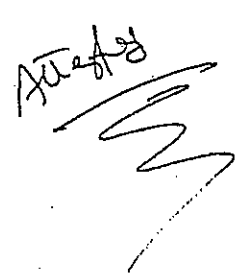
25	Muhammad Javed	22.04.1966	25.09.1990	16.11.2017	16	Promotee	Tehsildar Havelian
26	Mr. Shah Nadeem (BSc)	02.04.1983	09.08.2004	16.11.2017	16	Promotee	Tehsildar Nowshera
27	Mr. Arshad Mehmood (MSC/LLB)	04.02.1967	17.09.1991	16.11.2017	16	Promotee	Tehsildar Mansehra
28	Muhammad Hasrat Khan (BA)	15.04.1968	17.09.1991	16.11.2017	16	Promotee	Tehsildar Khanpur
29	Mr. Niamatullah Kundi (BA)	22.09.1965	09.01.1992	16.11.2017	16	Promotee	Tehsildar Jehangira
30	Mr. Raja Tasawar Khan (BA)	15.04.1968	05.03.1992	16.11.2017	16	Promotee	Tehsildar Ghazi
31	Mr. Ishaq Ali Khan (BA)	14.10.1963	13.09.1992	16.11.2017	16	Promotee	Tehsildar Spinwar
32	Muhammad Zaman	04.01.1968	25.10.1992	16.11.2017	16	Promotee	Settlement Tehsildar Nowshera
33	Muhammad Imran Zaman (BA)	05.05.1979	23.04.2008	16.11.2017	16	Promotee	Tehsildar Swabi
34	Mr. Khalid Mansoor (MA)	10.03.1974	12.08.2008	16.11.2017	16	Promotee	At the disposal of Cmr Peshawar
35	Mr. Ahmad Hashmi (BA)	02.04.1983	02.02.2009	06.04.2018	16	Promotee	TOSD
36	Mr. Yadullah Khan Khattak(MA)	23.05.1979	02.02.2009	17.01.2019	16	Promotee	Tehsildar Badkber
37	Muhammad Yar (MA)	02.02.1979	02.02.2009	17.01.2019	16	Promotee	Tehsildar Matta
38	Mr. Mujahid Ali (MA)	19.04.1974	02.02.2009	06.04.2018	16	Promotee	Awaiting posting in BOR
39	Syed Abdul Akbar Shah (MSc/MA/M.Phil)	11.04.1981	02.02.2009	06.04.2018	16	Promotee	At the disposal of Cmr Peshawar
40	Mr. Rahim Shah (BA)	13.01.1969	03.09.1990	06.04.2018	16	Promotee	Tehsildar Thall
41	Mr. Muhammad Nawaz (MA)	25.12.1961	09.10.1980	06.04.2018	16	Promotee	Tehsildar Karrum
42	Mr. Farooq Shah (BA)	04.01.1961	01.12.1984	06.04.2018	16	Promotee	Reader to MBR-I
43	Mr. Muhammad Ayaz	20.02.1983	30.04.2009	17.01.2019	16	Promotee	Tehsildar CLCP Khyber
44	Syed Sultan Haider Shah (BA, LLB)	08.12.1972	02.02.2009	17.01.2019	16	Promotee	Tehsildar/Inspector Stamps Peshawar
45	Mr. Aftab Ahmad(MSc)	08.12.1982	02.02.2009	17.01.2019	16	Promotee	Tehsildar CLCP Khyber
46	Mr. Dil Nawaz Khan	22.03.1979	02.02.2009	17.01.2019	16	Promotee	Tehsildar/Inspector Stamps Mardan
47	Mr. Kifayat Ullah(M.A)	09.01.1977	02.02.2009	17.01.2019	16	Promotee	Tehsildar Reconciliation Peshawar
48	Mr. Faqir Hussain (BA)	10.10.1983	02.02.2009	17.01.2019	16	Promotee	Settlement Tehsildar Mansehra
49	Mr. Zulfiqar Khan (M.Com)	15.04.1983	02.02.2009	17.01.2019	16	Promotee	Tehsildar PDA
50	Mr. Waqar Ahmad (M.A)	24.04.1980	02.02.2009	17.01.2019	16	Promotee	Tehsildar/Inspector Stamps Abbottabad
51	Muhammad Faraz Qurashi (MBA)	17.03.1982	02.02.2009	17.01.2019	16	Promotee	Tehsildar Lora
52	Mr. Fazal ur Rehman (M.A)	10.07.1975	02.02.2009	17.01.2019	16	Promotee	Tehsildar Baffa Pakhal
53	Mr. Farukh Jadoon (BSc)	04.05.1984	02.02.2009	17.01.2019	16	Promotee	AAC(Rev) OPS Charsadda
54	Mr. Fayaz Ahmad (M.A)	10.03.1982	02.02.2009	17.01.2019	16	Promotee	Tehsildar LA Abbottabad
55	Mr. Bilal Ahmad (BA, B.Ed)	10.10.1978	02.02.2009	17.01.2019	16	Promotee	Tehsildar Torghar
56	Mr. Tanveer Shahzad (M.A)	30.12.1977	02.02.2009	17.01.2019	16	Promotee	Settlement Tehsildar Mansehra

57.	Mr. Ejaz Ahmad (M.A)	15.04.1976 Abbottabad	02.02.2009	17.01.2019	16	Promotee	Tehsildar Abbottabad
58.	Muhammad Salim (BSC)	03.05.1978 Abbottabad	02.02.2009	17.01.2019	16	Promotee	Tehsildar Oghi
59.	Mr. Adil Waseem (BA)	25.12.1988 Nowshera	27.02.2009	17.01.2019	16	Promotee	Tehsildar Madan
60.	Mr. Muhammad Yousaf	12.04.1964.	22.04.1991	26.03.2019	16	Promotee	Tehsildar Molkaw
61.	Mr. Tanzil-ur- Rehman	13.02.1988 NWA	14.04.2009	26.03.2019	16	Promotee	Tehsildar Shah Alam
62.	Mr.Rab Nawaz (BA)	12.02.1964 Chitral	27.12.1983	26.03.2019	16	Promotee	Tehsildar Booni
63.	Mr.Abdul Qayum (BA)	24.04.1974 Kohistan	27.12.1993	26.03.2019	16	Promotee	Tehsildar Behrain
64.	Mr. Shaukat Iqbal (M.A)	2/11/1973 DIKhan	19.10.1992.	26.03.2019	16	Promotee	Tehsildar Tank
65.	Mr.Abdur Rashid (MSC)	05.01.1962 Swabi	28.08.1988	26.03.2019	16	Promotee	Tehsildar Barikot
66.	Mr. Ahmad Ali M.A (B.ed)	17.04.1962 Swabi	28.08.1988	26.03.2019	16	Promotee	Tehsildar Gagra
67.	Mr.Gohar Ali (B.A)	31.03.1980 Bannu	29.05.2009	26.03.2019	16	Promotee	Tehsildar Bannu
68.	Mr.Sher Dil (BA)	24.01.1974 Kohistan	10.04.1995	26.03.2019	16	Promotee	Tehsildar Kolai Kohistan
69.	Muhammad Shoaib (BA)	01.01.1968 Kohat	09.12.1990	26.03.2019	16	Promotee	Tehsildar Kohat
70.	Mr.Muhammad Arshad (BA)	20.01.1967 Kohat	02.09.1984	26.03.2019	16	Promotee	Tehsildar Mahal Kurram
71.	Mr.Nawab Gul (M.A)	15.11.1966 Kohat	01.01.1995	26.03.2019	16	Promotee	Tehsildar Upper Orakzai

Certificate: Certified that the seniority list is final, notified, undisputed and attested.



SENIOR MEMBER  
BOARD OF REVENUE




The Worthy Chief Secretary  
Khyber Pakhtunkhwa

**SUBJECT: REPRESENTATION/APPLICATION FOR PROMOTION AS  
PMS BS-17**

Dear Sir,

Most respectfully it is submitted that we were appointed as Naib Tehsildar in the year 2009 through Public Service Commission. More than half of our batch mates have been promoted to the post of PMS BS-17. The promotion case of the applicants is still pending despite the facts that Board of Revenue has already forwarded the Working Papers of the applicants to the Establishment Department on 05-12-2019.

We were appointed as Naib Tehsildar in the year 2009 and promoted to the post of Tehsildar on 17-01-2019. On 14-10-2019 we were nominated for nine weeks mandatory training which was completed on 15-12-2019. The probation period of one year has been completed on 1-6-2020. Furthermore, the interviews of 122 candidates for PMS on fresh appointment have been completed by the Public Service Commission and the result has been announced on 12-02-2020. If the PSB not considered our case for promotion on regular basis as PMS BS-17, the newly recommended candidates for PMS will become senior and we will become junior to those 122 newly recommended PMS Officers.

In view of the above it is humbly requested to convene the meeting of PSB for considering the promotion case of the applicants on regular basis as PMS BS-17, please.

Yours faithfully,

- 1. Mujahid Ali Tehsildar
- 2. Sultan Hader Tehsildar
- 3. Kafayatullah Tehsildar
- 4. Zulfikar Tehsildar
- and others

16/6/20  
14-02-2020

Forwarded to the:

- Additional Chief Secretary Khyber Pakhtunkhwa
- Senior Member Board of Revenue Khyber Pakhtunkhwa
- Secretary to Government of Khyber Pakhtunkhwa Establishment Department
- Special Secretary Establishment Department
- Section Officer (E-II) Establishment Department

**ATTESTED**



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IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P No. 2520 /2020

Kifayat Ullah S/O Haji Akbar  
Tehsildar, Bara District Khyber. . . . . Petitioner

VERSUS

1. Secretary, Govt. of KP,  
Establishment Department,  
Civil Secretariat, Peshawar.
2. Chief Secretary, Govt. of KP,  
Civil Secretariat, Peshawar.
3. Senior Member, Board of  
Revenue, KP, Peshawar . . . . . Respondents

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WRIT PETITION UNDER ARTICLE 199 OF  
THE CONSTITUTION OF ISLAMIC  
REPUBLIC OF PAKISTAN, 1973.

☞<=>☞<=>☞<=>☞<=>☞

Respectfully Sheweth:

1. That petitioner is performing his duties as Tehsildar B-16 in District Khyber under the supervision of Board of Revenue.
2. That petitioner has 20% share into his cadre of Tehsildar for promotion to the post of Provincial Management Service (PMS B-17) and are eligible for promotion to the post of PMS B-17 with effect from 17-01-2020, but no process was initiated for the said purpose.
3. That almost all 53 posts of PMS B-17 in their share are lying vacant but due to the change scenario the matter could not be made finalized.

ATTESTED

4. That In the seniority list of Board of Revenue, the name of petitioner was figured at S. No. 47 being eligible and qualified for promotion to the post of PMS B-17. (Copy as annex "A")
5. That working paper for the said purpose were finalized by the department and Meeting of Provincial Selection Board (PSB) was scheduled for 20-02-2020, but the same could not be held for no just reason. (Copy as annex "B" & "C")
6. That In the meanwhile, the Commission recommended 127 candidates for appointment as PMS Officers and if the recommendations were finalized, they will become senior to petitioner as the process of promotion of petitioner case is held for no legal reason.

Hence this Writ Petition, inter alia, on the following grounds:-

**GROUND S:**

- a. That to fill up the posts of PMS B-17, petitioner department has 20% quota in their share and the process of promotion requires to be initiated / finalized.
- b. That for the said purpose, Meeting of PSB was scheduled for 20-02-2020 but the same was postponed due to unknown reason.
- c. That the matter was delayed by the PSB for no legal reason.
- d. That at present petitioner etc has into his credit 20% quota in the cadre of PMS B-17 fixed for promotion of Tehsildars.
- e. That no reason for none finalizing of quota of promotion of Tehsildars B-16 was given.
- f. That at present the departments have 53 vacancies of the post of PMS B-17 which cannot be kept vacant for indefinite period.
- g. That by not holding Meeting of PSB fixed for 20-02-2020 is based on malafide.

**ATTESTED**



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It is, therefore, most humbly prayed that on acceptance of the Writ Petition, in exercise of the extraordinary constitutional jurisdiction, this Hon'ble Court may graciously be pleased to:-

- a. Direct respondents to convene Meeting of PSB for promotion to the post of PMS B-17 with regard to 20% quota of Tehsildars B-17 without further delay;

AND/OR

- b. Any other writ/order/direction deemed proper and just in the circumstances of the case, be also issued/ordered/given.

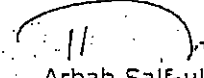
INTERIM RELIEF:

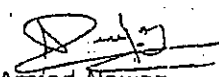
By keeping in view the above facts and circumstance of the case, respondents be restrained from finalizing the list of the candidates recommended by the Commission for appointment as PMS officers B-17 till the final disposal of the case.

Petitioner

Through

  
Saadullah Khan Marwat

  
Arbab Saif-ul-Kamal

  
Amjad Nawaz

Advocates,

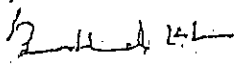
Dated: 07-05-2020

LIST OF BOOKS:

Constitution.

CERTIFICATE:

As per Instructions of my client, no such like Writ Petition has earlier been filed on the same subject. (D.B Case)

  
Advocate

**ATTESTED**

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BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

W.P.No: \_\_\_\_\_/2020

Kifayat Ullah .....Petitioner

Versus

Secretary, Govt. of KP, Establishment  
Department, and others ..... Respondents

AFFIDAVIT

I, Kifayat Ullah S/o Haji Akbar, Tehsildar, Bara, District  
Khyber (Petitioner), do hereby affirm and declare on oath that  
the contents of the accompanying Writ Petition are true and  
correct to the best of my knowledge and belief and nothing has  
been concealed from this hon'ble court.

Deponent  
17301-1876467-5  
0300-9590673

Identified by:

Arbab Saiful Kamal  
Advocate High Court

No. <u>87830</u> Date <u>May 2020</u> At <u>Tehsildar</u> By <u>Kifayat Ullah</u> <u>Arbab Saiful Kamal</u> <u>Advocate</u>	I have verified on solemn oath that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.
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**ATTESTED**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

Dated Peshawar the May 29, 2024

**NOTIFICATION**

**NO.SOE-UCED/381/2024:-** On the recommendations of the Khyber Pakhtunkhwa Public Service Commission, the competent authority is pleased to appoint the following candidates as officers of Provincial Management Service (PPS-17) (Rs.30370-2300-76370) subject to the terms & conditions mentioned hereunder :-

Sr.#	Name of candidate with father's name	District/Agency of Domelle/Zona
1.	Ms. Tahreem Shah D/O Saad Sohail Shah	Abbottabad / 5
2.	Mr. Sajid Ullah S/O Rasool Shah	Karak / 4
3.	Mr. Ahmad Nasrullah Malik S/O Nasrullah Khan Malik	Hangu / 4
4.	Mr. Fida Hussain S/O Noor Hani Gul	Swat / 3
5.	Mr. Faisal Ismail S/O Muhammad Ismail	Swat / 3
6.	Syed Mehar Ali Shah S/O Syed Muhammad Ali Shah	Dir Lower / 3
7.	Mr. Muhammad Sohail S/O Muhammad Umer	Malakand / 3
8.	Ms. Faharis Azim D/O Muhammad Azim Khan	Peshawar / 2
9.	Mr. Atta Ullah S/O Sultan Mughal	Peshawar / 2
10.	Mr. Arif Afridi S/O Muhammad Khurshid Afridi	Khyber / 1
11.	Ms. Navaira Farooq D/O Muhammad Farooq	Harpur / 3
12.	Mr. Aamir Zeb S/O Alamzeb	Charsadda / 2
13.	Mr. Saadiq Ali S/O Muhammad Ismail	Charsadda / 2
14.	Mr. Tabseef ur Rehman S/O Sana ur Rehman	Peshawar / 2
15.	Mr. Muhammad Amir Khan S/O Sharif Ullah	Nowshera / 2
16.	Mr. Sheraz Rashid Ahmad Khan S/O Rashid Ahmad Khan	Lakki Marwat / 4
17.	Syed Muhammad Arslan S/O Mutahir Shah	Charsadda / 2
18.	Mr. Muhammad Bilal Naseer S/O Naeir Muhammad Khan	Swabi / 2
19.	Mr. Muhammad Fayaz S/O Muhammad Iqbal	Charsadda / 2
20.	Mr. Khalid Imran S/O Gul Nawab Khan	South Waziristan / 1
21.	Mr. Zyed Khan Saifi S/O Ihsanullah Khan Saifi	Mohmand / 1
22.	Mr. Muhammad Burq Awan S/O Tariq Awan	Manshera / 5
23.	Syeda Zainab Naqvi D/O Syed Ali Anjum Naqvi	Peshawar / 2
24.	Mr. Anis ur Rehman S/O Muhammad Dost	Chitral / 3
25.	Mr. Rinz Ali S/O Mehmood Khan	South Waziristan / 1
26.	Mr. Wasim Ullah Khan Khattak S/O Nasim Khan Nasim	Karak / 4
27.	Ms. Sorjia Naz D/O Niaz Muhammad Khan	Nowshera / 2
28.	Mr. Shayan Ali S/O Muhammad Ali	Peshawar / 2
29.	Mr. Kabir Ahmad Khan S/O Bakhtyar	Swat / 3
30.	Mr. Adnan Khan S/O Muhammad Jan Momand	Mohmand / 1
31.	Mr. Sohail Ahmad Shah Bukhari S/O Sher Ahmad Shah Bukhari	D.I.Khan / 4
32.	Mr. Fahd Zia S/O Zia ul Islam	Manshera / 5
33.	Mr. Khayyam Nasir S/O Mirza Khan	Mohmand / 1

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34.	Mr. Huroon Salim S/O Muhammad Sulim Khan	South Waziristan / 1
35.	Mr. Khizar Faiz S/O Faiz ur Rab	Swabi / 2
36.	Ms. Sana Shah D/O Syed Yousaf Shah	Mansheru / 5
37.	Mr. Asfandyar Khalid S/O Khalid Khan	Peshawar / 2
38.	Mr. Shahid S/O Ilam Shah	Kohat / 4
39.	Mr. Muhammad Ali S/O Miun Bahadar	Malakand / 3
40.	Mr. Inam Ullah S/O Asaf Mir	North Waziristan / 1
41.	Mr. Awaiz Khan S/O Hidayat Ullah Khan	Mohmand / 1
42.	Mr. Sheroze Mufti S/O Mufti Attaullah Jan	Peshawar / 2
43.	Mr. Junaid Akbar Marwat S/O Muhammad Akbar Khan	Peshawar / 2
44.	Mr. Muhammad Shahbaz Khan S/O Chulam Asif Khan	Peshawar / 2
45.	Mr. Irshad ul Haq S/O Ihsan ul Haq	Malakand / 3
46.	Mr. Muhammad Fasih Ishaq Abbasi S/O Muhammad Ishaq Abbasi	Abbottabad / 5
47.	Mr. Shahab Ahmad Khan S/O Shah Naraz Khan	Lakki Marwat / 4
48.	Mr. Junaid Khalid S/O Muhammad Khalid	Abbottabad / 5
49.	Mr. Amir Mustafa S/O Abduljabbar	Peshawar / 2
50.	Mr. Munir Ahmad Khan S/O Shurif Khan	Mohmand / 1
51.	Ms. Tania Shaheen D/O Muhammad Shaheen	Abbottabad / 5
52.	Syed Yasir Ali Shah S/O Shoukat Ali Shah	Peshawar / 2
53.	Mr. Muhammad Sohail Khan S/O Rajwall Khan	Nowshera / 2
54.	Ms. Mariam Hameed D/O Hameed Khan	Swabi / 2
55.	Mr. Salimullah Khan Ayubi S/O Amanullah Khan	Chitral / 3
56.	Mr. Kamran Khan S/O Farman Ullah	Malakand / 3
57.	Mr. Muhammad Hamid Siddique S/O Muhammad Siddique	Abbottabad / 5
58.	Mr. Saad Muneer S/O Muneer Ahmad	Mansheru / 5
59.	Ms. Sameem Saba D/O Wilayat Shah	Peshawar / 2
60.	Mr. Bilal Nasir S/O Nasir Ali	Mohmand / 1
61.	Mr. Sultan Noor ud Din Ahmar S/O Sultan Noor Ahmad	D.I. Khan / 4
62.	Mr. Luqman S/O Abdul Qadus	Tribal Sub Division Bannu / 1
63.	Mr. Muhammad Ahsan Tahir S/O Muhammad Tahir Farooq	Kohat / 4
64.	Mr. Allah Nawaz S/O Abdul Haseeb	Bajaur / 1
65.	Mr. Shahidullah S/O Ghani ur Rehman	Mardan / 2
66.	Mr. Shakeel Ahmad S/O Shah Zada	Bajaur / 1
67.	Mr. Hazrat Bilal S/O Hazrat Jamal	Mardan / 2
68.	Mr. Amir Ullah Khan S/O Shah Teman Khan	Tribal Sub Division Bannu / 1
69.	Mr. Riyaz Ahmad S/O Abdul Hamid Khan	Chitral / 3
70.	Mr. Sikandar Afzal S/O Alamgeer Khan	Charsadda / 2
71.	Mr. Usman Hamza S/O Yaqoob Khan	Peshawar / 2
72.	Mr. Aftab Alam S/O Shah Muslim	Malakand / 3
73.	Mr. Naseer Abbas Khalil S/O Nausherawan	Peshawar / 2
74.	Mr. Muhammad Saqib S/O Gulzar Muhammad	Mardan / 2
75.	Mr. Noor Nawaz S/O Zerab Gul	Bajaur / 1
76.	Mr. Zarak Yar Khan Toru S/O Hanifullah Khan Toru	Mardan / 2
77.	Mr. Baqir Ali S/O Zulfikar Ali	Mardan / 2
78.	Mr. Muhammad Idrees Khan S/O Saeed ur Rehman	Charsadda / 2
79.	Mr. Adnan Mumtaz S/O Mumtaz Khan	Karak / 4
80.	Mr. Noman Pervaiz S/O Muhammad Pervaiz	Swat / 3
81.	Ms. Misbah Waheed D/O Abdul Waheed Khan	Abbottabad / 5
82.	Syed Ahsan Ali Shah S/O Syed Liaqat Shah	Harpur / 5

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83.	Mr. Junaid Shah S/O Bahramand	Malakand / 3
84.	Mr. Zeeshan Najeeb S/O Najeeb Ullah	Peshawar / 2
85.	Mr. Ishfaq Ahmad S/O Saïd Muhammad	Bujuar / 1
86.	Mr. Shah Nawaz Khan S/O Wali Muhammad	Nowshera / 2
87.	Ms. Natasha Sumbal D/O Afsar Saïd	Mardan / 2
88.	Mr. Naveed Ahmed S/O Azizullah	Chitral / 3
89.	Mr. Umar Mukhtar S/O Ahmed Mukhtar	Peshawar / 2
90.	Ms. Mariam Burki D/O Munir Jan	South Waziristan / 1
91.	Mr. Muhammad Faizan Zeb S/O Aurangzeb	Abbottabad / 5
92.	Mr. Fawad Ahmad Khan S/O Mohabat Khan	Peshawar / 2
93.	Ms. Sabeeha Hastam D/O Hastam Khan	Mardan / 2
94.	Mr. Aftab Ahmed S/O Muhammad Shuaib	Swat / 3
95.	Ms. Khula Haqdar D/O Muhammad Haqdar	Charsadda / 2
96.	Mr. Muhammad Ali S/O Muhammad Khurshid	Abbottabad / 5
97.	Ms. Sohny Saleem D/O Muhammad Saleem	D.I. Khan / 4
98.	Mr. Ramiz Ali Shah S/O Rafiqat Shah	Abbottabad / 5
99.	Mr. Umer Ahmad Khithran S/O Ghulam Ahmad	Tank / 4
100.	Mr. Aimal Khan S/O Muhammad Ilyas	Dir Lower / 3
101.	Mr. Jamshed Alam Khan S/O Muhammad Nawaz	Lakki Marwat / 4
102.	Ms. Haseena Khan D/O Baitullah Khan	Bannu / 4
103.	Mr. Sahaulah S/O Ghulam Rehman	Dir Lower / 3
104.	Ms. Brekhna Habib D/O Qazi Habib ul Haq	Nowshera / 2
105.	Mr. Nadeer Nazir S/O Akbar Khan	Chitral / 3
106.	Mr. Nasir Ali S/O Abdul Ahad	Buner / 3
107.	Mr. Saddam Hussain S/O Jamshed Khan	Mohmand / 1
108.	Ms. Mudecha Khan D/O Nisar Khan	Swabi / 2
109.	Ms. Nayab Abbasi D/O Khaliq Dad Abbasi	Abbottabad / 5
110.	Mr. Shah Wali Khan S/O Saif Ullah Khan	South Waziristan / 1
111.	Mr. Waseem Yousuf Khan Khattak S/O Muhammad Yousuf Khan	Karuk / 4
112.	Ms. Samia Jabeen D/O Muhammad Sharif	Lakki Marwat / 4
113.	Ms. Samira Muhsood D/O Abdul Hakeem Jan Muhsood	South Waziristan / 1
114.	Ms. Shagufta Sarwar D/O Hakim Sarwar	Chitral / 3
115.	Ms. Sana Fatima D/O Syed Wajid Ali	Abbottabad / 5
116.	Ms. Sahar Anwar Khan D/O Muhammad Anwar	Swabi / 2
117.	Ms. Sanovia Kakar D/O Shah Parvez	Peshawar / 2
118.	Ms. Misbah Khalid D/O Khalid Khan	Manshra / 5
119.	Ms. Sara Humayoun D/O Muhammad Humayoun	Swat / 3
120.	Ms. Shawana Halcem D/O Rohaleem Jan	Bajaur / 1
121.	Ms. Christina Zeb ul Nisa Feroz D/O Sikandar Feroz	Peshawar / 2
122.	Mr. Fawad Ahmad S/O Khosh Wali	Chitral / 3
123.	Mr. Adnan Haider Malooki S/O Abdur Rashid Khan	Peshawar / 2

*[Handwritten signature]*

**TERMS & CONDITIONS**

- a) They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act 1973 and the Rules made thereunder.
- b) The appointed officers shall remain on probation for a period of one-year, in terms of Section 6(1) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 which is extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation period as specified in Rule-15(2) of the rules Ibid.

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**ATTESTED**

- c) Their services will be liable to termination at any time without assigning any reason before the expiry of the period of probation/extended period of probation if their performance during this period is not found satisfactory. In such an event, they will be given one month prior notice of termination from service or one month pay in lieu thereof. In case they wish to resign at any time, one month prior notice shall be necessary or in lieu thereof, pay for one month shall be forfeited.
- d) They will not be entitled to any TA/DA on their first appointment as Provincial Management Service (BS-17) officers.

2- If the above terms & conditions are acceptable to them, they should report to the Director General, Pakistan Provincial Services Academy, Peshawar on 02<sup>nd</sup> June, 2020 (P.N).

**CHIEF SECRETARY  
KHYBER PAKHTUNKHWA**

**ENDST. NO. AND DATE EVEN.**

A copy is forwarded to the:-

- 1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2. Director General, Pakistan Provincial Services Academy, Peshawar with reference to letter No. PPSA/TRG/C-86/939, dated: 19.05.2020.
- 3. Director Examination, Khyber Pakhtunkhwa Public Service Commission, 2 Fort Road Peshawar Cantt with reference to letter No. PSC-PMS-EXAM-2018/004947 dated: 28.02.2020.
- 4. Deputy Secretary (Admn.), Administration Department.
- 5. SO(Secret)/SO(Admn)/S.O.(Budget)/E.O/Programmer/Librarian, E&A.D.
- 6. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 7. PS to Secretary Establishment Department.
- 8. PS to Secretary Administration Department.
- 9. PS to Secretary Finance Department.
- 10. PS to Special Secretary(Estt), Establishment Department.
- 11. PA to Deputy Secretary(Estt) Estt: Dept.
- 12. Manager, Govt. Printing Press Peshawar.
- 13. All candidates concerned.
- 14. Office order file.

*(Signature)*  
C (SHAHBAZ KHATTAK)  
SECTION OFFICER (E-II)

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ITEM NO (03)

ESTABLISHMENT DEPARTMENT

(Meeting of PSB held on 09.06.2020)

**SUBJECT: PROMOTION OF TEHSILDARS BS-16 TO THE POST OF PMS BS-17**

Secretary Establishment apprised the Board that number of posts falling to the share of Tehsildar to PMS BS-17 is 153 where 98 officers are already working. Hence 55 posts of PMS BS-17 are lying vacant. The Board considered promotion against 53 posts by excluding 02 posts vacated due to conditional retirement of the officers in wake of Peshawar High Court judgment dated 19.02.2020.

2. According to the Provincial Management Service Rules, 2007, the posts of PMS in BS-17 falling in the share of Tehsildars are required to be filled as under:-

*"Twenty percent from amongst Tehsildars who are graduates, on the basis of seniority cum fitness having three years service as Tehsildar/ Naib Tehsildar and have undergone a training course of 9 weeks at the Pakistan Provincial Services Academy or Provincial Staff Training Institute"*

3. The service record of the officers included in the panel were discussed as follows:-

S#	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Muhammad Ikramullah.	His date of birth is 9.3.1965. He joined government service on 1.7.1995. He was promoted as Tehsildar BS-16 on 6.9.2008. The Board was informed that a case is pending against him in Anti Corruption Court. Besides his PER for the year 2015 to 2019 are also not available.  The Board recommended to defer his promotion.
2.	Mr. Kiramatullah.	His date of birth is 20.1.1961. He joined government service on 8.1.1981. He was promoted as Tehsildar BS-16 on 6.9.2008. The Board was informed that he opted to forego his promotion twice, once on 02.01.2012 and again on 14.11.2017. His case was considered in terms of Rule 7(5) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 which provides that if a civil servant declines to avail the benefit of promotion for

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		<p>prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>
43.	Mr. Aftab Ahmed.	<p>His date of birth is 08.12.1982. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. He has undergone mandatory training for promotion. He has completed prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>
44.	Mr. Dil Nawaz Khan.	<p>His date of birth is 22.03.1979. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. He has undergone mandatory training for promotion. He has completed prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>
45.	Mr. KifayatUllah.	<p>His date of birth is 09.01.1977. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. The Board was informed that he was removed from service in a disciplinary proceedings and on acceptance his appeal by Service Tribunal, he was conditionally reinstated into services as Niab Tehsildar subject to the final decision of pending CPLA in the Supreme Court of Pakistan. Similarly his promotion as Tehsildar on 17.01.2019 was also conditional subject to the said CPLA.</p>

ATTESTED

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		<p>The Board therefore, decided to wait for the outcome of CPLA and keep him under watch till then.</p>
46.	Mr. Faqir Hussain.	<p>His date of birth is 10.10.1983. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. He has undergone mandatory training for promotion. He has completed prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>
47.	Mr. Zulfiqar Khan.	<p>His date of birth is 15.04.1983. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. He has undergone mandatory training for promotion. He has completed prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>
48.	Mr. Waqar Ahmad.	<p>His date of birth is 24.04.1980. He joined government service on 02.02.2009. He was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. He has undergone mandatory training for promotion. He has completed prescribed length of service for promotion. No inquiry is pending against him. His PER dossier is complete. His service record upto 2019 is generally good.</p> <p>The Board recommended the officer for promotion to PMS BS-17 on regular basis. He will be on probation for a period of one year.</p>

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the July 02, 2020

**NOTIFICATION**

**NO.SOE.II(ED)2(192)2020:** The Competent Authority, on the recommendations of the Provincial Selection Board in its meeting held on 09.06.2020, is pleased to promote the following Tehsildars (BS-16) to the post of Provincial Management Service (BS-17), on regular basis with immediate effect:-

S.No.	NAME OF OFFICERS	PRESENT POSTING
01.	Mr. Hidayatullah	Additional Assistant Commissioner-II (OPS), Bannu
02.	Mr. Abdur Rehman Shah	Awaiting for posting in Establishment Department.
03.	Syed Mir Laiq Shah	Tehsildar, Board of Revenue.
04.	Mr. Muhammad Junaid	Additional Assistant Commissioner-III (OPS), Bannu
05.	Mr. Shah Behram	Additional Assistant Commissioner-II (OPS), Daraban, D.I.Khan.
06.	Mr. Faiz Ahmad Qureshi	Additional Assistant Commissioner-II (OPS), Chitral
07.	Mr. Abdul Muqsit	Additional Assistant Commissioner (Razar) (OPS), Swabi.
08.	Mr. Jehan Said	Additional Assistant Commissioner-I (OPS), Charsadda.
09.	Mr. Sahib Zada	Land Acquisition Collector (OPS), SNGPL on deputation basis.
10.	Mr. Zahid Kamal	Tehsildar, Board of Revenue.
11.	Mr. Habib Ahmad Jan	Asstt to Commissioner (Pol/Dev:) (OPS), Malakand Division.
12.	Mr. Muhammad Yar	Additional Assistant Commissioner-VIII (Matta), (OPS) Swat.
13.	Syed Sultan Haider Shah	Additional Assistant Commissioner-I (OPS), Lakki Marwat
14.	Mr. Aftab Ahmad	Additional Assistant Commissioner (OPS), Jammud.
15.	Mr. Dil Nawaz Khan	Additional Assistant Commissioner, Shabqadar (OPS) Charsadda.
16.	Mr. Faqir Hussain	Additional Assistant Commissioner-III (OPS), Charsadda.
17.	Mr. Zulfiqar Khan	Additional Assistant Commissioner (Rev) (OPS), Bannu.
18.	Mr. Waqar Ahmad	Additional Assistant Commissioner (OPS), Kolai Pallas.

Contd. Page-2

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- 2 -

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

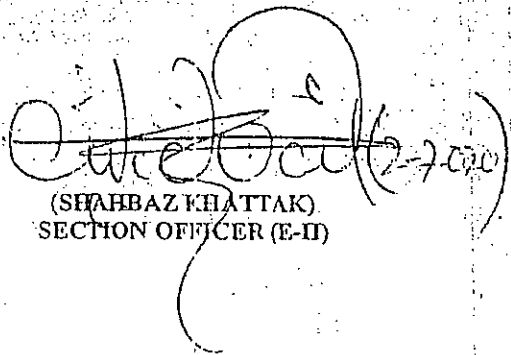
3. The officer mentioned at S.No. 01, 04 to 08 and 11 to 18 are allowed to actualize their promotion against their already occupied posts. However, posting / transfer notification in respect of officers mentioned at S.No. 02, 03, 09 & 10 will be issued later on.

CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

ENDST: NO. & DATE EVEN

A copy is forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
4. All Concerned Commissioners.
5. Accountant General, Khyber Pakhtunkhwa.
6. All Concerned Deputy Commissioners.
7. All concerned District Accounts Officers.
5. Deputy Director (I.T), Administration Department with request to upload the Notification on official website.
6. S.O (Secret) / S.O (Admn) / E.O, E&A Department.
7. PS to Chief Secretary, Khyber Pakhtunkhwa.
8. PS to Secretary, Establishment Department.
9. Officers concerned.
10. Office order file.
11. Personal files of the officers concerned.

  
(SHAHBAZ KHATTAK)  
SECTION OFFICER (E-II)

"J"

21-39

To: The worthy Chief Minister,  
Khyber Pakhtunkhwa  
Chief Minister's Secretariat, Peshawar.

*[Signature]*

Through Proper Channel

**Subject: Departmental Review against the Notification dated 02.07.2020.**

Respected Sir,

1. That the appellant is serving as Tehsildar and placed at Serial No.45 of the updated Seniority List. He rendered meritorious service in the Department.
2. That previously he was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules-2011 and was imposed upon major penalty of removal from service which was challenged before the Khyber Pakhtunkhwa Service Tribunal in Service Appeal No.1099/2014 which was allowed vide Judgment dated 20.11.2015 (Annex;- 'A'). The appellant was reinstated into service. Being aggrieved, the Department had preferred CPLA before the Apex Court which is pending.
3. That PMS posts (BPS-17) were lying vacant in the Promotion quota for Tehsildars, for which the names of eligible Officers were processed for promotion. The meeting of PSB was scheduled on 20.02.2020 but unfortunately on the same day, the meeting was postponed (Annex;- 'B') due to the decision delivered by the Peshawar High Court setting aside the Act of Provincial Assembly enhancing the age of retirement to 63 years. Since the appellant apprehended that the nominees of Public Service Commission may, in the meanwhile be appointed, therefore, a request was made to the Department to re-schedule the PSB as soon as possible but the same could not be held, therefore, a Writ Petition was filed in the High Court which is pending. In the meantime the Public Service Commission nominees were appointed as PMS Officers (BPS-17) vide Notification dated 29.05.2020 (Annex;- 'C').
4. That subsequently, another meeting of the PSB was held on 09.06.2020 and vide impugned Notification dated 02.07.2020 (Annex;- 'D') other colleagues of the appellant were promoted to the next higher grade while the appellant was deferred on account of pendency of the CPLA before the Apex Court and that his promotion as Tehsildar on 17.01.2019 was also conditional subject to the said CPLA.
5. That being aggrieved, the appellant prefers this Departmental Representation inter-alia on the following grounds:-

GROUNDS:

- A. That the ground of deferment of the appellant for promotion to the next higher grade is not legally correct and therefore, not sustainable in the eye of law.
- B. That the Judgment of a forum is fully operative until and unless the same is suspended by a higher forum and pendency of an appeal simpliciter is no ground much less legal to deprive a person from the benefit of the judgment. Even filing of the appeal before the Supreme Court will not prevent the execution of the Judgment under Order-20 Rule-1 of the Supreme Court Rules, 1980 (Annex;- 'E').
- C. That previously the appellant was promoted to the post of Tehsildar subject to the decision of the same CPLA, therefore, not promoting him on the same ground is

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

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(5)

27-40-2

beyond comprehension:

- D. That previously other Officers namely Fazal Hussain, Ghulam Habib, Habib Arif, Atta-ur-Rahman were promoted to the next higher grade inspite of the fact that their CPLAs were pending against them in the Apex Court.
- E. That promotion is effected under Section-9 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Section-7(3) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 wherein no such conditionality is provided. Similarly, under Para-V(a) of the Promotion Policy, the deferment is only provided where (i) the inter-se seniority is disputed/subjudice; (ii) disciplinary or departmental proceedings are pending; (iii) PER Dossier etc. is incomplete. Thus the non-promotion of the appellant is neither supported by the law nor the Policy governing the promotion.
- F. That the removal from service of the appellant was neither factually correct nor legally sustainable. It was a false and concocted case which was subsequently disbelieved by the competent court of law and thus brushed aside, therefore, the same was illegally made ground for the deferral of the appellant.
- G. That the appellant was also entitled for promotion on 20.02.2020 when the promotion was not effected due to the decision of the High Court as explained here above. The settled law on the point is that a civil servant is entitled for promotion with effect from the date of occurrence of vacancy and since the vacancies were available on the date of the previous PSB i.e. 20.02.2020, therefore, appellant is entitled for promotion with effect from 20.02.2020.
- H. That the non-consideration of the appellant for promotion by the PSB on 20.02.2020 was not due to any act on the part of the appellant, therefore, the appellant may not be made to suffer on that account.

It is, therefore, respectfully prayed that on acceptance of this Departmental Representation, the appellant may graciously be promoted to PMS Officer (B/PS-17) with effect from 20.02.2020 with all back benefits after modifying the impugned Notification dated 02.07.2020.

Yours faithfully

Kifayatullah,  
Tehsildar, Peshawar

Dated: 20/07/2020

**ATTESTED**

**ATTESTED**

K

28-41-  
D.H.



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
BOARD OF REVENUE,  
REVENUE & ESTATE DEPARTMENT.  
No. Estt: I/PF/Kifayatullah/ 26422  
Peshawar dated the 3/10/2020.

To

*Amra*

Mr. Kifayatullah,  
Tehsildar Reconciliation Peshawar.

Through: Deputy Commissioner Peshawar.

SUBJECT:- DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION DATED 02.07.2020.

Your Departmental Appeal has been examined and dismissed by the Chief Secretary Khyber Pakhtunkhwa (appellate authority) vide order No. SOE-II/(ED)2 (192)2020 dated 22.09.2020 (copy enclosed).

*[Signature]*  
Assistant Secretary (Estt.)

No. Estt: I/PF/Kifayatullah/ \_\_\_\_\_

Copy forwarded to the Section Officer (E-II), Establishment Department with reference to his order cited above.

*[Signature]*  
Assistant Secretary (Estt.)

**ATTESTED**

**ATTESTED**

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H

98-42-

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

PS/SMBR
Div: 1498
Date: 24/9/2020
Ex: 24/9/2020

Dated Peshawar the September 22, 2020

ORDER

AS (Estt)

NO.SOE-11(ED)2192/2020: WHEREAS Mr. Kifayatullah, Tehsildar, Board of Revenue, Peshawar filed a departmental appeal wherein he raised the following objections;

Recd-I  
05-9-20

- i. That he was at S.No.45 of the seniority list of Tehsildars and was eligible for promotion with effect from 20.02.2020 when the PSB was first scheduled and postponed later on due to the decision delivered by Peshawar High Court, Peshawar by setting aside the act of Provincial Assembly enhancing the age of retirement to 63 years. But, the recommendees by Khyber Pakhtunkhwa Public Service Commission were appointed as PMS BS-17 vide notification dated: 29.05.2020 and placed above the Tehsildars who were promoted by PSB in its meeting held on dated: 09.06.2020.
- ii. That PSB meeting was again rescheduled on 09.06.2020 whereby his colleagues were promoted to the post of PMS BS-17 vide impugned notification 02.07.2020 while the applicant was deferred on account of pendency of CPLA before the apex court and that his promotion as Tehsildar on 17.01.2019 was also conditional subject to the said CPLA.
- iii. That previously other officers namely Mr. Fazal Husain, Ghulam Habib, Habib Arif, Atta-ur-Rehman were promoted to the next higher grade inspite of the fact that CPLAs were pending against them in the Apex court.

Recd-I  
05/09/2020

Recd-I

AND WHEREAS Mr. Kifayatullah, Tehsildar, Board of Revenue, Peshawar prayed that on acceptance of his appeal he may be considered for promotion to the post of PMS BS-17 with effect from 20.02.2020 with all back benefits after modifying the impugned notification dated: 02.07.2020.

AS

AND WHEREAS PSB was scheduled on 20.02.2020 but was postponed due to the judgment passed by Peshawar High Court Peshawar dated: 19.02.2020 in writ petition No.5673-P/2019. Resultantly, a considerable number of officers included in the panel of PSB got retired as they attained age of superannuation i.e. 60 years in the light of the said judgment. In light of the decision, the Provincial Government decided the retirement cases as per circular letter No: SO(Policy)E&AD/1-13/2019 dated: 16.03.2020 and fresh working papers had to be prepared. Working out the new panels and the corresponding quotas of promotion due to retirements turned out to be a voluminous task. PSB was not scheduled again till 09.06.2020 as the Government of Khyber Pakhtunkhwa declared emergency in the wake of the escalation in the transmission of COVID-19 and ordered closure of all departments except a few essential ones. These departments, being closed could not prepare the working papers.

M.B.R. 25/09/2020

AS

AND WHEREAS contrary to the claim of the applicant his case has no similarity to the appointment of the PMS officers under initial quota, as under Article-240(b) of Constitution of Pakistan the process of recruitment of PMS officers through Khyber Pakhtunkhwa Public Service Commission was initiated on 20.10.2017 with the placement of requisition to Khyber Pakhtunkhwa Public Service

AS  
24/9/20

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ATTESTED

50-43-

Commission and after completion of the whole recruitment process, Establishment Department issued their appointment notification dated: 29.05.2020. Meanwhile, promotion process continued unabated and various PSB meetings were held on 08.11.2017, 28.12.2017, 03.05.2018, 17.09.2018, 26.12.2018, 19.04.2019, 23.09.2019 and 09.06.2020 which clearly indicates that no parallel can be drawn between initial recruitment and promotion of the applicants.

AND WHEREAS contrary to the assertion of the applicant on perusal of the minutes of the PSB meeting held on 09.06.2020 was revealed that "he was promoted from Naib Tehsildar as Tehsildar on 17.01.2019. The Board was informed that he was removed from service in the disciplinary proceedings and on acceptance of his appeal by the Service Tribunal, he was conditionally re-instated into services as Naib Tehsildar subject to the final decision of the pending CPLA in the Supreme Court of Pakistan. Similarly, his promotion to the Tehsildar on 17.01.2019 was also conditional subject to the said CPLA. The Board therefore, decided to wait for the outcome of CPLA and keep him under watch till then as there was neither any ground nor justification for two consecutive conditional promotions.

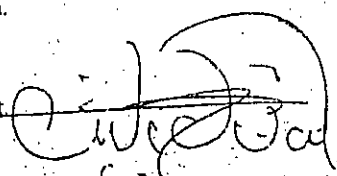
AND WHEREAS the claim of the applicant regarding promotion of other officers to the post of PMS BS-17 despite a pending CPLAs is not justifiable. The working papers and minutes of the PSB meeting held on 29.12.2009 in which the officers who the applicant refer to; were considered for their promotion to the post of PMS BS-17 it is revealed that there was no CPLA pending against any of them.

NOW THEREFORE, after due consideration of all the points voiced in the appeal and record, rules / policies in vogue, the competent authority has found no reason to accede to the request of the applicant, which is regretted being devoid of merit.

CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

Encls. No. & Date even  
Copy forwarded to the:-

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
2. PSO to Chief Secretary, Khyber Pakhtunkhwa.
3. PS to Chief Secretary, Khyber Pakhtunkhwa.
4. PS to Secretary Establishment.
5. PS to Special Secretary (Estt.), Establishment Department
6. Official concerned.
7. Manager, Government Printing Press.



(SHAHBAZ KHATTAK)  
SECTION OFFICER  
(ESTABLISHMENT-II)

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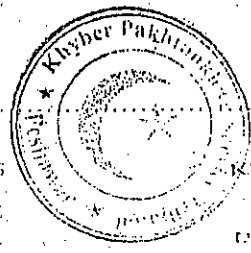
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12449/2020

Mr. Kifayatullah  
Tehsildar, Peshawar



Appellant

Versus

- The Govt. of Khyber Pakhtunkhwa  
through Chief Secretary,  
Civil Secretariat, Peshawar.
- The Secretary  
Govt. of Khyber Pakhtunkhwa  
Establishment Department,  
Civil Secretariat, Peshawar.
- The Senior Member Board of Revenue,  
Khyber Pakhtunkhwa, Peshawar.

11852  
21-10-2020

Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 02.07.2020 WHEREBY APPELLANT WAS DEFERRED FROM PROMOTION AGAINST THE POST OF PMS (BPS-17) AGAINST WHICH HE PREFERRED DEPARTMENTAL APPEAL BUT THE SAME WAS UNLAWFULLY REGRETTEED VIDE IMPUGNED APPELLATE ORDER DATED 22.09.2020.

PRAYER:

21/10/20  
Registrar

On acceptance of the instant appeal, the impugned Notification dated 02.07.2020 and impugned appellate order dated 22.09.2020 may graciously be set aside and appellant be promoted against the post of PMS (BPS-17) w.e.f. 20.02.2020 with all back benefits.

Respectfully Sheweth,

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

ATTESTED  
  
Registrar  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

- 22 - 45 -

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 12449/2020

Date of Institution ... 21.10.2020

Date of Decision ... 25.02.2021



Kifayatullah, Tehsildar, Peshawar.

(Appellant)

VERSUS

The Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat,  
Peshawar and two others. (Respondents)

Present:

MR. KHALID REHMAN,  
Advocate

--- For Appellant.

MR. MUHAMMAD RASHEED,  
Deputy District Attorney

--- For respondents.

MR. MIAN MUHAMMAD  
MR. HAMID FAROOQ DURRANI,

--- MEMBER (Executive)  
--- CHAIRMAN


JUDGEMENT.

MIAN MUHAMMAD, MEMBER(E):- The instant service appeal has been instituted under Section-4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974, against the impugned notification dated 02.07.2020 whereby the appellant stands deferred for promotion to PMS (BS-17) and the impugned appellate order dated 22.09.2020 vide which departmental appeal of the appellant was turned down.

FACTS.

02. Brief facts leading to the service appeal are that the appellant was initially appointed as Naib Tehsildar (BS-14) through Public Service Commission in 2009

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Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

- 30 - 46 -

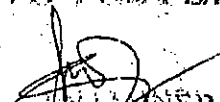
who was then promoted to the post of Tehsildar (BS-16) on 17.1.2019. The Provincial Selection Board in its meeting dated 09.06.2020 deferred the promotion case of the appellant on the ground that CPLA of the respondent departments was pending in the Apex court and his promotion will be decided after outcome of the CPLA. The appellant feeling aggrieved with the notification dated 02.07.2020, preferred departmental appeal which was rejected by the competent authority on 22.09.2020, hence, the instant service appeal before the Services Tribunal on 21.10.2020.

03. We have heard the arguments of learned counsel for the appellant as well as Deputy District Attorney for respondents and perused the record thoroughly.

ARGUMENTS.

04. Learned counsel for the appellant contended that Provincial Selection Board has made CPLA as basis for deferment of the appellant's promotion to higher post in BS-17 (PMS). Background of the CPLA is that the appellant had been removed from service on disciplinary proceedings and the Khyber Pakhtunkhwa Services Tribunal reinstated him in service through its judgement dated 20.11.2015 in service appeal No. 1099/2014 against which the respondent department subsequently filed CPLA in the august Supreme Court of Pakistan and which is still pending there. It was further argued that the PSB could not convene its scheduled meeting on 20.02.2020 when the appellant was on the panel of officers for consideration to be promoted to BS-17 in Provincial Management Service. It was therefore not his fault and as such was eligible for promotion from that date due to availability of vacancy falling in quota reserved for promotion at that very point of time. As a result of not

ATTESTED


  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

34 47-

convening meeting of the PSB, 123 direct recruitees in BS-17 (PMS) recommended by the Public Service Commission were notified on 29.05.2020 rendering the appellant to become junior to them. He pleaded that as per principle, vacancy in a cadre or service group will have to be filled from promotion quota first and then in direct or initial quota. He quoted Section-9 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-7(3) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 as well as para-V(a) of the Promotion Policy and submitted that deferment is recommended when inter-seniority is disputed/subjudice, disciplinary/departmental proceedings are pending or PER dossier of an officer is incomplete. The appellant was not hit by any of the category of deficiency and as such he was by all means eligible for promotion to BS-17. More so even in subsequent PSB meeting held on 09.06.2020 he was deferred on the ground that CPLA was pending in the Apex court and his earlier promotion as Tehsildar on 17.01.2019 was also conditional subject to the said CPLA. This is again an illegal and illogical ground and the appellant has been condemned unheard because no case of litigation could be held as a Bar to deprive him of promotion which is a vested right of the appellant. He quoted some other officers such as Fazal Hussain, Ghulam Habib, Atta Ur Rehman and Habib Arif etc who were recommended by the PSB despite the fact that their CPLA was pending before the Apex court at relevant point of time. To strengthen his arguments the learned counsel for the appellant placed reliance on order No. XX of Supreme Court Rules 1980, 1993 SCMR 2258, 2006 SCMR 1938 and 2010 PLC (C.S)-760.

05. Learned Deputy District Attorney, contrary to the arguments of learned counsel for the appellant, raised preliminary objection on maintainability of the

ATTESTED

  
 ATTESTING OFFICER  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

- 35-48-

appeal under Section-4 (b)(i) and contended that determining the suitability of an officer for a particular post falls in the domain of DPC/PSB and as such the Services Tribunal has no jurisdiction on such issues to be adjudicated upon. It was further argued that the appellant has been promoted even to BS-16 as Tehsildar on 17.01.2019 on conditional basis because of pending CPLA in the august Supreme Court of Pakistan and second conditional promotion to BS-17 is not only unreasonable but also not covered under the relevant law, rules and promotion policy. He also raised objection on the contention of learned counsel for appellant with regard to the notification of direct recruitees dated 29.05.2020 mainly on the ground that it has neither been assailed nor impugned in the present memo of appeal. Similarly, 123 private respondents in notification dated 29.05.2020 have not been made party for the purpose of joinder and non-joinder and the service appeal has inner defects and liable to be dismissed even on ground of merits. Reliance was placed on case law reported as 2005 SCMR 1742, PLD 2008 Supreme Court 769.

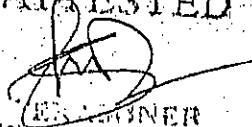
### CONCLUSION.

06. Without touching the facts, circumstances and merits of the case the question of jurisdiction comes in the way of adjudication under Section-4 (b)(i) which stipulates that:-

(b) "no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining--  
(i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade.

We understand that the Provincial Selection Board met on 09.06.2020 to determine the fitness or otherwise of the officers on penal for consideration to be promoted to next higher scale i.e. from BS-16 to BS-17 and scrutiny of the documents/service

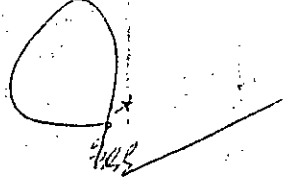
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 Khyber Pakhtunkhwa  
 Service Tribunal

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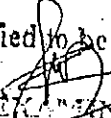
record was the prime and sole criteria before the PSB which the forum did take into consideration before making its recommendations to the competent Authority for approval. As this Tribunal is hit by the above mentioned provision of law, the service Appeal in hand is therefore, dismissed. Parties are left to bear their respective costs. File be consigned to the record room.

**ANNOUNCED**  
25.02.2021

  
(MIAN MUHAMMAD)  
MEMBER(E)

  
(HAMID FAROOQ DURRANI)  
CHAIRMAN

Certified to be true copy

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 25/02/2021  
Number of Pages 2400  
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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)**

Dated Peshawar the 15<sup>th</sup> April, 2022

**NOTIFICATION**

**NO.SOE(E,IDE&AD/2(192)2022 :-** The Competent Authority (Chief Minister Khyber Pakhtunkhwa) on the recommendation of Provincial Selection Board, in its meeting held on 07/04/2022, is pleased to promote the following (PMS BS-17 a.c.h) to PMS (BS-17) on regular basis with immediate effect:-

S.#	Name of Officer	Place of Posting
1.	Mr. Gohar Ali	Settlement Officer (OPS), Malakand
2.	Mr. Muhammad Ayaz	Additional Assistant Commissioner (Lahor-II), Swabi
3.	Mr. Kifayat Ullah	Additional Assistant Commissioner, Charsadda
4.	Muhammad Yousaf	Additional Assistant Commissioner, Lower Khurram
5.	Mr. Rab Nawaz	Additional Assistant Commissioner (Booni) Upper Chitral (Mulkhow Torkhow)

2. The promotion in respect of Mr. Kifayat Ullah (PMS BS-17) will be subject to final outcome of CPLA pending in Supreme Court of Pakistan.
3. The officers on promotion will remain on probation for a period of one year, in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 and extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation period as provided in rule-15(2) of rules ibid.
4. Posting / transfer notification in respect of the above officers will be issued separately.

*[Handwritten signature]*  
15/04/2022  
Establishment & Administration Deptt.

**CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA**



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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)**

Copy of the above is forwarded to the:-

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa
3. Principal Secretary to Governor, Khyber Pakhtunkhwa
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
5. All Divisional Commissioners, Khyber Pakhtunkhwa.
6. All concerned Deputy Commissioners, Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. Concerned District Accounts Officers, Khyber Pakhtunkhwa.
9. Manager Govt: Printing Press
10. Section Officers (Admin) (Secret), P.S.B & Estate Officer E&A Departments
11. PS to Chief Secretary, Khyber Pakhtunkhwa
12. PS to Secretary Establishment Department
13. PS to Special Secretaries (Estt / Reg) Establishment Department
14. PA to Additional Secretaries (Estt/Reg/HRD), Establishment Department
15. Officers concerned for necessary action under intimation to this section.
16. Office Order File

*M. Irfan Usman* 15/04/2022  
(MUHAMMAD IRFAN USMAN)  
SECTION OFFICER (E-II)  
ESTABLISHMENT DEPARTMENT

Establishment &  
Administration Deptt



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IN THE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No. 1275/2021

Mr. Kifayatullah  
Tehsildar, Peshawar

Petitioner

Versus

1. The Govt. of Khyber Pakhtunkhwa  
through Chief Secretary,  
Civil Secretariat, Peshawar.
2. The Secretary  
Govt. of Khyber Pakhtunkhwa  
Establishment Department,  
Civil Secretariat, Peshawar.
3. The Senior Member Board of Revenue,  
Khyber Pakhtunkhwa, Peshawar.....

Respondents

WRIT PETITION UNDER ARTICLE, 199 OF THE CONSTITUTION OF  
THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.



Respectfully Sheweth,

Facts giving rise to the present writ petition are as under:-

1. That initially the petitioner was inducted in the Respondent Department as a Naib Tehsildar way back in the year 2009 on the recommendation of the Khyber Pakhtunkhwa Public Service Commission. Later on, on account of his meritorious services he was promoted to the post of Tehsildar on 17.01.2019 and presently he is serving as Tehsildar and placed at Serial No.45 of the updated Seniority List. He rendered meritorious service in the Department.
2. That previously he was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules-2011 and was imposed upon major penalty of removal from service which was challenged before this Hon'ble Tribunal in Service Appeal No.1099/2014 which was allowed vide Judgment dated 20.11.2015 (Annex;-A). The petitioner was reinstated into service. Being aggrieved, the Department had preferred CPLA before the Apex Court which is still pending.
3. That PMS posts (BPS-17) were lying vacant in the Promotion quota for Tehsildars, for which the names of eligible Officers were processed for

PESHAWAR HIGH COURT, PESHAWAR - 53-

ORDER SHEET

Date of Order or Proceedings	Order or others Proceedings with Signature of Judge
1	2
17.05.2022	<p><u>W.P No.1275/2021 with IR with CM No.1111/2021.</u></p> <p>Present: Petitioner in person.</p> <p>Mr. Mubashir Manzoor, AAG, for the respondents.</p> <p>*****</p> <p><u>MUSARRAT HILALI</u> The former seeks withdrawal of the instant petition. Allowed. Dismissed as withdrawn.</p> <p><b>Announced:</b> 17.05.2022</p> <p style="text-align: right;">   <b>MUSARRAT HILALI</b>            JUDGE         </p> <p style="text-align: right;">             JUDGE         </p>

(D.B) (Hon'ble Justice Musarrat Hilali and Hon'ble Mr. Justice Mohammad Ibrahim Khan)  
 \*Mahmood Shah\*

To

The Worthy Chief Minister,  
Khyber Pakhtunkhwa,  
Chief Minister's Secretariat, Peshawar.

"0"

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Through Proper Channel

Subject: DEPARTMENTAL APPEAL/ REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION DATED 15.04.2022 WHEREBY THE APPELLANT HAS BEEN PROMOTED TO THE POST OF PMS OFFICER (BPS-17) WITH IMMEDIATE EFFECT INSTEAD OF 20.02.2020.

Respected Sir,

1. That the appellant is the employee of respondent Department and serving as Additional Assistant Commissioner (BPS-17) at Charsadda, District Charsadda quite efficiently and up to the entire satisfaction of his superiors.
2. That the appellant while serving as Tehsildar (BPS-16), the respondent Department issued a list in respect of panel of Tehsildars for consideration to the next higher scale i.e. PMS (BPS-17) wherein name of the appellant was placed at Serial No.47 in the ibid list.
3. That through letter dated 18.02.2020 the Provincial Selection Board (PSB) was scheduled to be held on 20/02/2020 but unfortunately the meeting was postponed due to the decision of Peshawar High Court, setting aside the Act of Provincial Assembly enhancing the age of retirement to 63 years. That working papers in respect of promotion of Tehsildar BPS-16 to the post of PMS Officer BPS-17 was prepared whereafter the Seniority list of the eligible Tehsildars (BPS-16) was issued wherein the appellant was placed at Serial No.47.
4. That since the appellant apprehended that the nominees of the Khyber Pakhtunkhwa Public Service Commission would be appointed, therefore, the appellant preferred a representation/application before the worthy Chief Secretary Khyber Pakhtunkhwa, Peshawar to convene/conduct the PSB as soon as possible for promotion to the post of PMS BPS-17 but the same could not be held.
5. That feeling aggrieved the appellant knocked the door of Peshawar High Court in writ petition No.2520-P/2020, but during the pendency of the mentioned writ petition, department appointed the private respondents as PMS Officers (BPS-17) on the recommendation of the Public Service Commission vide Notification dated 29.05.2020.
6. That subsequently PSB meeting was held on 09.06.2020 and the respondent department promoted the other colleagues of the appellant to the post of PMS Officer (BPS-17) on regular basis vide Notification dated 02.07.2020.
7. That the appellant aggrieved from the ibid notification dated 02.07.2020 filed departmental appeal which was rejected vide order dated 22.09.2020 followed by the service appeal No.12449/2022 before the Khyber Pakhtunkhwa Service Tribunal which was dismissed on the ground of jurisdiction vide order dated 25.02.2021.
8. That the appellant filed writ petition No.1275-P/2021 before the Honorable Peshawar High Court, Peshawar against the notification dated 02.07.2020, but during the pendency of said writ petition the respondent department issued the impugned notification dated 15.04.2022 whereby the appellant was promoted

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to the post of PMS BPS-17 on the regular basis with immediate effect instead of 20.02.2020 when the first meeting of PSB was scheduled for the promotion of the appellat with other colleagues to the post of PMS BPS-17 Officer, that on production of impugned order by the respondent department, the appellat sought withdrawal of the instant writ petition which was allowed on 17.05.2022.

9. That the appellat feeling aggrieved from the impugned notification dated 15.04.2022 prefers departmental appeal before the competent authority.

It is therefore most humbly prayed that acceptance of this representation/appeal the impugned notification dated 15.04.2022 may kindly be modified/rectified to the extent of the appellat and he may kindly be promoted to the post of PMS (BPS-17) w.e.f. 20.02.2020 instead of 'with immediate effect' with all back benefits including seniority.

Dated: 15/9/2022

Yours Obediently



KIFAYAT ULLAH  
ADDITIONAL ASSISTANT COMMISSIONER,  
DISTRICT CHARSADDA

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

APPEAL NO: \_\_\_\_\_ OF 20\_\_\_\_

*Kifayat Ullah*

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

*Govt of KPK & others*

(RESPONDENT)  
(DEFENDANT)

I/We *(Appellant)*

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

Dated. \_\_\_\_/\_\_\_\_/202

*[Signature]*  
CLIENT

**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**  
**(BC-10-0853)**  
**15401-0705985-5**

**UMAR FAROOQ**

*[Signature]*  
**WALEED ADNAN**

&

*[Signature]*  
**M. AYUB**  
**ADVOCATES**

**OFFICE:**

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Deans trade centre Peshawar cantt:  
Mobile No. 0334-5277323