

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

AMENDED APPEAL. 163 /2023

In Service Appeal No. _____/2022

Muhammad Zubair.....APPELLANT

Versus

Govt. of KP through its chief Secretary etc.....RESPONDENTS

I N D E X

S.No	Documents	Annexure	Pages
1.	Servie Appeal with affidavit	1-5
2.	Memo of Address of Parties	6
3.	Copy of order dated 03.04.2008	A	7
4.	Copy of departmental appeal alongwith notification dated 17.04.2004	B and C	8-11
5.	Copy of the notification dated 06.12.2012	D	12-15
6.	Copy of the appointment and promotion order dated 15-12-2016 and 22-03-2022 E	16-18
7.	Vakaltnama		19



APPELLANT

THROUGH



ASAD ULLAH

ADVOCATE PESHAWAR

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Amended Appeal No. 163 /2023

~~In Service Appeal No. _____/2022~~

Mr. Muhammad Zubair, Electrician, Administration Department,
Civil Secretariat Peshawar, Khyber
Pakhtunkhwa.....**Appellant.**

Versus

1. Government of Khyber Pakhtunkhwa through its chief Secretary, Civil Secretariat, Peshawar
2. The Secretary Administration Civil Secretariat, Peshawar Khyber Pakhtunkhwa
3. Secretary Establishment Civil Secretariat, Peshawar Khyber Pakhtunkhwa.....**Respondent (S)**

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNAL ACT, 1974

Respectfully Sheweth,

1. That the constitution of Islamic Republic of Pakistan aims at protecting civil servants in order to ensure smooth running of affairs of the government and institutions so as to benefit the public citizenry.
2. That the Constitution of Islamic Republic of Pakistan equally be-shields civil servants from being treated otherwise than in accordance with law.

In Sheikh Riaz-ul-Haq's Case, it was held that, "Admittedly, civil servants being citizens of Pakistan have fundamental rights including the right to access to justice as envisaged under Article 9 of the Constitution".

ON FACTS

3. That the appellant was appointed as electrician (BPS-03), in the establishment and administration department on 03-04-2008, **(Copy of the order dated 03-04-2008 is annexed as Annexure "A")**

4. That the appellant performed his duty to the best of ability, determination and to the entire satisfaction of the competent authority right from day first and holding no stigma on his part till date.
5. That in the mean while the appellant preferred departmental appeal on 24-08-2022 seeking insertion of his name in the seniority list entitling him to be considered for promotion by taking into account notification dated 17-04-2004 but of no avail. **(Copy of the departmental appeal along with notification dated 17-04-2004 as annexed as annexure "B" and "C")**

In Suo Moto Case No. 19 of 2016, it was held that, "Good governance was not a favor to be bestowed on the people; it was their right".

6. Even otherwise the appellant is entitled to have a service structure like that of other employees serving in the civil secretariat.
7. That having left with no other option but to approach the Hon'ble tribunal aimed at placing the name of the appellant in the seniority list like that of employees taking benefit of notification dated 06-12-2012 and 17-04-2004 and in either case formation of service structure; as such the instant appeal inter alia on the following grounds. **(Copy of the notification dated 06-12-2012 is annexed as annexure "D")**

GROUND

- A. That non-insertion of Mr. Muhammad Zubair in seniority in seniority list as that of other employee serving in civil secretariat as against law.
- B. That even otherwise the appellant is entitled to have his service structure enabling him to raise high in so far ladder of promotion.
- C. That the purported omission on the part of respondents to the determination of appellant itself speaks volumes

engraving danger to the notion of good governance hence requires interference of the Hon'ble Court.

In Qaiser Iqbal's Case, it was held that, "Rule of law meant supremacy of law as opposed to arbitrary authority of the Government; said supremacy guaranteed three concepts; first, the absence of arbitrary power; second, equality before law and third the rights of a citizen"

- D. That it is cardinal principle of law and justice that what cannot be done directly cannot be done indirectly.
- E. That in the P&DD department same class IV employee who was appointed on contract basis as Electrician (BPS-5) and later on promoted on regular basis to the post of Junior Clerk (BPS-11). **Copy of Appointment and Promotion order dated 15-12-2016 and 22-03-2022 is attached as annexure..... E**
- F. That the appellant have the same right in light of rule of parity to be considered for promotion having 14 years service in accordance with the article 4 and 25 of the constitution of Islamic republic of Pakistan 1973.
- G. That public functionary has to reinforce good governance, observe rules strictly and adhere to rule of law in public service.
- H. That "Expressi o Unis Est Exclusio Alterius", commanding that when law requires a thing to be done in particular manner then, it should be done in that manner as anything done in conflict of the command of law shall be unlawful being prohibited.
- I. That " Ignorantia juris non excusat", commanding that ignorance of the law of arguments.

PRAYER

It is therefore humbly prayed that on acceptance of this Service Appeal: -

- 1. The respondents shall be directed to place the name of appellant in seniority list with that of employees taking

4

2. The respondents shall be directed to formulate service structure of the appellant cadre aimed at extension of equal treatment and in accordance with law, who falls in the same category but the appellant is continuously deprived to be considered for promotion to the post of Junior Clerk on the basis of Principle of Parity.
3. Any such order is passed which this Hon'ble Tribunal deems fit and appropriate as the circumstances may require for determination of the subject at hand.

Dated:


APPELLANT

Muhammad Zubair

THROUGH:


Asad Ullah Advocate

Peshawar

Contact 03361559559

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

AMENDED APPEAL.163/2023

Muhammad Zubair.....APPELLANT

Versus

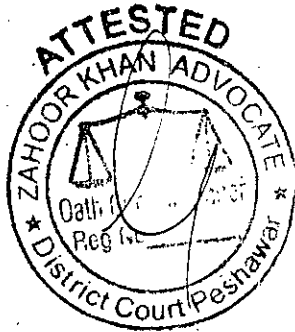
Govt. of KP through its chief Secretary etc.....RESPONDENT(S)

AFFIDAVIT

I, Mr. Muhammad Zubair, Electrician, Administration Department,
Civil Secretariat Peshawar, Khyber Pakhtunkhwa, appellant do
hereby solemnly affirm and declare on oath that contents of this plaint are
true and correct to the best of my knowledge and belief and nothing has
been concealed from this Hon'ble Tribunal.

M. Zubair

Deponent



BEFORE THE SERVICE TRIBUNAL KP, PESHAWAR

6

Service Appeal No. /2022

Muhammad Zubair.....Appellant

Versus

Govt of KP through its chief secretary & Others...Respondent(s)

MEMO OF ADDRESS OF PARTIES

APPELLANT


Mr. Muhammad Zubair, Electrician, Administration department, Civil Secretariat Peshawar, Khyber Pakhtunkhwa

RESPONDENT(S)

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary Administration Civil Secretariat, Peshawar Khyber Pakhtunkhwa.
3. Secretary Establishment. Civil Secretariat, Peshawar Khyber Pakhtunkhwa.


Appellant

Through


Asad Ullah
Advocate
Contact # 0336-1559559

ADMINISTRATION DEPARTMENT

Dated Peshawar the 03.04.2008

ORDER

NO.E&A(A.D)4(1)/2007. Under rule 10 and rule-2 of the N-WFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 read with amendment made vide notification No.SOR.VI(E&AD)1-13/2005 dated 10.08.2005. Mr. Muhammad Zubair S/O Rast Baz Khan, resident of District Bannu is hereby appointed as Electrician (BS-03) (2615-100-5615) against an existing vacancy in Establishment and Administration Department with immediate effect on the following terms and conditions:-

- i. He shall be paid the minimum of BS-02 including usual to annual increment in per centage.
- ii. He shall be governed by the N-WFP Civil Servants Act 1973 and all the laws applicable to the Civil Servants and Rules made there under.
- iii. He shall, for all intents and purposes, be Civil Servant except for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards Contributory Provident Fund (C.P.F) alongwith the contributions made by Government to his account in the said fund, in the prescribed manner.
- iv. In case, he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
- v. He shall produce a Medical Certificate of fitness from Medical Superintendent, Services Hospital, Peshawar, before joining to the Civil Secretariat, as required under the rules.
- vi. He has to join duties at his own expenses.

2. If he accepts the post on these conditions, he should report for duties to the undersigned within 14 days of the receipt of this order.

DEPUTY SECRETARY (ADMN),
ADMINISTRATION DEPARTMENT.

ENDST. NO. & DATE EVEN:

- Copy forwarded to:-
1. Accountant General, NWFP, Peshawar.
 2. P.A to Dy.Secy (Admn), Admn Deptt.
 3. Bill Assistant, Administration Department.
 4. Mr. Muhammad Zubair S/O Razbaz Khan, resident of District Bannu
 5. Personal file
 6. Office Order file.

TESTED

(SHAH JEHAN)
SECTION OFFICER (ADMN)

TESTED

ADMINISTRATION DEPARTMENT

Annexure B

DATED PESHAWAR THE 17.04.2004

8

NOTIFICATION.

NO.E&A(A.D)4(17)/2003. In pursuance of the provisions contained in sub-rule(2) of rule 3 of the N-WFP civil Servant (Appointment, Promotion and Transfers) Rules, 1989, the competent authority on the recommendations of Standing Services Rules Committee, hereby directs that in the service rules pertaining to the post of Daftari notified vide Administration Department Notification of even number dated 11.07.2003, the following amendments shall be made namely:-

AMENDMENTS

In the appendix for the entries under column No.5 against serial No.2, the following shall be substituted namely:-

S.NO.	METHOD OF RECRUITMENT
2	By promotion on the basis of seniority-cum-fitness from amongst the holders of posts of inarticulate Qasids, Naib Qasids, Farashs, Chowkidars, Malis, Sweepers, Bahishlis and equivalent posts.

NOTE: For the purpose of promotion, Administration Department shall maintain the joint seniority list of class-IV matriculate employees with regard to the date of regular appointment and the eligibility i.e acquiring SSC, shall be examined and taken into account at the time of promotion under consideration by the Departmental Promotion Committee.

SECRETARY TO GOVT. OF N-WFP
ADMINISTRATION DEPARTMENT.

ENDST. NO. & DATE EVEN.

- 1) All Administrative Secretaries to Govt. of N-WFP.
- 2) All Additional Secretaries in E&A Department.
- 3) All Deputy Secretaries in E&A Department.
- 4) The Section Officer(Admn), Chief Minister's Secretariat, N-WFP, Peshawar.
- 5) The Section Officer(Secrel), E&A Department.
- 6) The Librarian, E&A Department.

100
17/4/04

ATTESTED

Shah Jehan
(SHAH JEHAN)
SECTION OFFICER(AMDN)

Atc

ATTESTED

یشن ڈیپارٹمنٹ خیبر پختونخوا

خدمت جناب سیکرٹری اسٹیبلشمنٹ

PS: Secy Admin

ور جوئیئر کلرک سکیل 11 22/04/2012 Date: 22/04/2012

اپیل بر

عنوان:

PS DS (Administration Deptt.)

جناب عالی!

Dairy No: 197 Date: 22/04/2012

نہایت مودبانہ گزارش کی جاتی ہے کہ من سائل محکمہ اینڈ انسٹریشن میں بطور ایکٹریشن سکیل 04 میں اپنی ڈیوٹی سرانجام دے رہا ہوں۔ من سائل تاریخ 03-04-2008 سے تاحال ترقی سے محروم ہوں ایک ہی آسامی پر کام کرنے پر مجبور ہوں۔ سیکشن آفیسر ایڈمن اور ڈپٹی سیکرٹری ایڈمن کو بار بار درخواست کر چکا ہوں مگر تاحال میرا نام نیاریٹی لسٹ میں شامل نہ کرنا سمجھ سے بالاتر ہوں۔

جناب عالی!

محکمہ P & D خیبر پختونخوا کے جاری کردہ قانون برائے ترقی بطور جوئیئر کلرک ایکٹریشن کو 07 فیصد کو مختص کیا گیا ہے نقل لف ہڈ برائے ملاحظہ جبکہ محکمہ اسٹیبلشمنٹ اینڈ اینڈ انسٹریشن کے جاری کردہ قانون کے مطابق دفتری، قاصد، نائب قاصد، بشمول دیگر مساوی سکیل کے سرکاری ملازمین جنہیں کم از کم 02 سال نوکری ہوتی کے مستحق ہیں۔

قانون بتاریخ 06-12-2012 نوٹیفیکیشن نمبر SOE-IV (E&AD)/1-35/2012 نمبر (a) 4 (نقل لف ہڈ)

4 (a). "Thirty-Three percent by promotion on basis of Senior aty -cum-fitness. From amongst Daftaris, Gestetner Operator, Qasid and Naib Qasid including Ho lders of other equelemt post in Secretariat with 2 years Service as such, who have passed SSC Examination"

جناب عالی!

درجہ بالحقائق و معروضات کو مد نظر رکھتے ہوئے آپ جناب کی خدمت میں گزارش ہے کہ من سائل کو ترقی کیلئے نیاریٹی لسٹ میں شامل کیا جائے جیسا کہ من سائل بنیادی سکیل 04 میں ڈیوٹی سرانجام دے رہا ہوں جبکہ قاصد اور دفتری بھی سکیل 04 کے ملازمین ہوتے ہیں اس لحاظ سے من سائل بنیادی سکیل 04 ہونے کی وجہ سے مستحق ہوں۔ لہذا استدعا کی جاتی ہے کہ متعلقہ حکام کو من سائل کا نام متعلقہ نیاریٹی لسٹ میں نام شامل کرنے کے احکامات صادر فرما کر شکور فرمائیں تاکہ من سائل کی ترقی ممکن ہو اس احسان کیلئے تاحیات دعا گو رہوں گا۔

جائے
بنیادی
صادر فرم

مورخ:

عل برائے اٹا
ترزی سیکرٹری
ری سیکرٹری
رہسٹرار پشاور
ت خیبر پختونخوا

مورخ:

نقل برائے اطلاع

معزز چیف سیکرٹری صاحب
حکومت خیبر پختونخوا پشاور

PS

آپ کا وفادار محمد زبیر ایکٹریشن محکمہ اینڈ انسٹریشن (SOIA)
سول سیکرٹریٹ خیبر پختونخوا پشاور

suplctca

ATTESTED

case has
been
ready
for
filing

SECY:(ADMIN)
Ashraf Khan
Superintendent
Admin. Department.

26-8-2012

ATTESTED

بخدمت جناب سیکرٹری ایڈمنسٹریشن صاحب،
کلاس فور میٹرکولٹ ملازمین کی سناری لست میں بطور

پارٹنٹ، پشاور
کلیے شمولیت کی استدعا

Ps to Secy Admin
Dairy No: 1155 Date: 19/04/22

S.O (Admn) Administration Deptt:
Diary No. 1002
Date: 20-4-22

PA.DS (Adm) (P)
Diary No. 1166 Date: 20/04/22

جناب عالی!

گزارش کی جاتی ہے کہ من سائل تاریخ 03-04-2008 تک انتظامیہ بطور ایگزیکٹو بنیادی سکیل 2 میں بھرتی ہو چکے۔ تا حال اسی کام کر رہا ہوں۔ حکومت وقت نے 2 مرتبہ سکیل اپ گریڈ کیا۔ جس کی وجہ سے اب سکیل 4 میں اپنی ڈیوٹی بطریقہ احسن سرانجام دے رہا ہوں۔ سرکاری نوکری میں تمام ملازمین ترقی کے خواہشمند ہوتے ہیں۔ اسی طرح مجھے بھی ترقی کی خواہش ہے جس کی بار بار درخواستیں دے چکا ہوں مگر تا حال میرا نام میٹرکولٹ لست میں شامل نہیں کیا گیا جبکہ میری تعلیم BA ہے جو قانون کی صریحاً خلاف ورزی ہے۔ کلاس فور ملازمین کو ترقی کے لئے مشترکہ سناری لست مرتب کی جاتی ہے جس میں سکیل 1 تا 2 گریڈ ملازمین کو بطور دفتری سکیل 4 میں ترقی پاتے ہیں۔ جبکہ ملکہ پی اینڈ ڈی کے رولز میں باقاعدہ Electrician بھی نائب قاضی کی طرح درج ہے جس کے رولز کی کاپی لفب ہے، مگر وہ قانون برائے ترقی دفتری میں واضح طور پر تحریر ہے کہ

Annex-I

"By Promotion on the basis of seniority-cum-fitness from amongst the holders of posts of matriculate Qasid, Naib Qasids, Farashs, Chokidars, Malis, Sweepers, Bahishtis and equivalent posts"

جیسا کہ آپ کے علم میں ہے کہ دفتری سکیل 4 کا ملازم ہوتا ہے جس کے equivalent ایگزیکٹو بھی سکیل 4 کا ملازم ہے۔ اس قانون کی زد سے میرا حق بننا ہے کہ میرے نام کا اندراج بھی مذکورہ فہرست میں کرتے ہوئے دفتری سکیل 4 کی اسامی پر ترقی دی جائے۔ مزید یہ کہ جو نیئر کلرک سکیل 11 کے سرورس رولز میں بھی واضح طور پر تحریر ہے کہ

Annex-II

"Thirty-three percent by Promotion, on the basis of seniority-cum-fitness from amongst Daftris, Gestetner Operators, Qasids and Naib Qasid including holders of other equivalent posts in the Secretariat with two years service as such, who have passed SSC Examination."

جہاں تک سکیل 4 سے سکیل 4 مسادی سکیل کے ترقی کا معاملہ ہے اس ضمن میں عرض کی جاتی ہے کہ سپرنٹنڈنٹ سکیل 17 سے PMS سکیل 17 کی مسادی اسامی پر اور اسی طرح PA اور پرائیویٹ سیکرٹری بھی مسادی سکیل پر ترقی پاتے ہیں۔

جناب عالی!

تمام حقائق صاف اور درست انداز میں آپ جناب کی خدمت میں پیش کیے گئے ہیں۔ کہیں بھی کوئی غلط بیانی نہیں کی گئی اور نہ ہی کچھ پوشیدہ رکھا گیا۔ جس کی زد سے ترقی پانا میرا بھی حق بنتا ہے۔

لہذا درج بالا حقائق اور معروضات کو مد نظر رکھتے ہوئے آپ جناب کی خدمت میں اپیل کی جاتی ہے کہ من سائل محمد زبیر ایگزیکٹو سکیل 4 کو میٹرکولٹ کلاس 4 ملازمین کی فہرست میں شامل کرنے کے احکامات صادر فرمائیں تاکہ ترقی پا کر مزید محنت اور لگن سے اپنی ڈیوٹی جاری رکھ سکوں۔ اس احسان کے لئے تاحیات آپ کی اور آپ کے بچوں کی عمر درازی کے لئے دعا گو رہوں گا۔

M. Zaib
محمد زبیر ایگزیکٹو، محکمہ انتظامیہ

PS
S.O (Adm)

العارض

Supt (Admn)
19/04/22

SECY:(ADMIN)
Atk AS-I
R

DSL(A)

ATTESTED

PS/C.S Khyber Pakhtunkhwa

Diary No. 26051wkd

Date: 24-08-2022

بخدمت جناب چیف سیکریٹری خیبر پختونخوا

11

عنوان: درخواست برائے ترقی بطور جونیئر کلرک سکیل 11

S.O (Admin) Admin Deptt

Diary No. 1989

Date: 26-8-22

Ps to Secy Admin

Diary No. 3369 Date: 25-8-2022

PS DS (Administration Deptt)

Diary No. 1989 Date: 25/8/2022

جناب عالی!

نہایت مودبانہ گزارش کی جاتی ہے کہ من سائل محکمہ ایڈمنسٹریشن میں بطور ایگزیکٹو سکیل 04 میں اپنی ڈیوٹی سرانجام دے رہا ہوں۔ من سائل بتاریخ 03-04-2008 سے تاحال ترقی سے محروم ہوں ایک ہی آسامی پر کام کرنے پر مجبور ہوں۔ سیکشن آفیسر ایڈمن اور ڈپٹی سیکریٹری ایڈمن کو بار بار درخواست کر چکا ہوں مگر تاحال میرا نام سنیاریٹی لسٹ میں شامل نہ کرنا سمجھ سے بالاتر ہوں۔

جناب عالی!

محکمہ P & D خیبر پختونخوا کے جاری کردہ قانون برائے ترقی بطور جونیئر کلرک ایگزیکٹو کو 07 فیصد کوٹہ مختص کیا گیا ہے نقل لفب ہذا برائے ملاحظہ جبکہ محکمہ اسٹیلٹمنٹ ایڈمنسٹریشن کے جاری کردہ قانون کے مطابق دفتری، قاصد، نائب قاصد، بشمول دیگر مساوی سکیل کے سرکاری ملازمین جنہیں کم از کم 02 سال نوکری ہوتی ہے مستحق ہیں۔

تاریخ 06-12-2012 نوٹیفیکیشن نمبر SOE-IV (E&AD)/1-35/2012 نمبر 4 (a) (نقل لفب ہذا)

4 (a). "Thirty-Three percent by promotion on basis of Seniority -cum-fitness. From amongst Staffers, Gestetner Operator, Qasid and Naib-Qasid including Holders of other equivalent post in Secretariat with 2 years Service as such, who have passed SSC Examination"

جناب عالی!

درجہ بالا حقائق و معروضات کو مد نظر رکھتے ہوئے آپ جناب کی خدمت میں گزارش ہے کہ من سائل کو ترقی کیلئے سنیاریٹی لسٹ میں شامل کیا جائے جیسا کہ من سائل بنیادی سکیل 04 میں ڈیوٹی سرانجام دے رہا ہوں جبکہ قاصد اور دفتری بھی سکیل 04 کے ملازمین ہوتے ہیں اس لحاظ سے من سائل بنیادی سکیل 04 ہونے کی وجہ سے مستحق ہوں۔ لہذا استدعا کی جاتی ہے کہ متعلقہ حکام کو من سائل کا نام متعلقہ سنیاریٹی لسٹ میں نام شامل کرنے کے احکامات صادر فرما کر مشکور فرمائیں تاکہ من سائل کی ترقی ممکن ہو اس احسان کیلئے تاحیات دعا گو رہوں گا۔

Secy: Admn

24/8

95/8

SO(A)

M. 24/8/2022

عین نوازش ہوگی

TESTED

آپکا وفادار محمد زبیر ایگزیکٹو سکیل محکمہ ایڈمنسٹریشن
سول سیکریٹریٹ خیبر پختونخوا پشاور

SECY (ADMIN)

مورخہ:
نقل برائے اطلاع
معزز سیکریٹری ایڈمنسٹریشن صاحب
معزز سیکریٹری اسٹیلٹمنٹ صاحب
معزز رجسٹرار پشاور ہائی کورٹ صاحب
حکومت خیبر پختونخوا پشاور

SO(A) 0333-9136899
25/8
DS(A)

Supdt (A) Asst
24/8
SO(A)

ATC
R

ATTESTED



(12) Annexure D (13)

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(ESTABLISHMENT WING)**

NOTIFICATION

Peshawar, dated the 6th December 2012.

No SOE.IV(E&AD)/1-35/2012:- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

APPENDIX

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Superintendent.			By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant with atleast five years' service as such.

(b) (13)

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
2.	Assistant.	Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks with atleast five years service as Junior and Senior Clerk. (b) twenty-five per cent by initial recruitment.
3.	Senior Clerk.			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerk with atleast two years service as such.
4.	Junior Clerk.	(i) Matriculation with second division or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) <u>Thirty-three</u> per cent by promotion, on the basis of seniority-cum-fitness, from amongst <u>Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C Examination; and</u> (b) sixty-seven per cent by initial recruitment. <u>Note:</u> For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc., with reference to the dates of their acquiring the Secondary School Certificate.

~~ATTESTED~~

10 24

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
				Provided that: (a) if two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; (b) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA.

~~ATTESTED~~

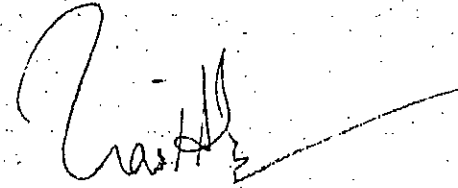
~~ATTESTED~~

(15)



Endst: No. SOE-IV(E&AD)/I-35/2012, dated 6th December, 2012

Copy forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Addl: Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
4. The Senior Member of Board of Revenue.
5. Secretary to Governor; Governor's Secretariat, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. The Chairman to Khyber Pakhtunkhwa Service Tribunal Peshawar.
9. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
10. The Private Secretary to Secretary Establishment Department.
11. The P.A to Special Secretary (Estt), Establishment Department.
12. The P.A to Addl: Secretary (Estt/ Reg), Establishment Department.
13. The P.A to Addl: Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette.



(NASIR AMAN)
SECTION OFFICER (E.IV)



(16)

Annexure E



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT
(CIVIL SECRETARIAT PESHAWAR)

Dated Peshawar the 15th December, 2016.

ORDER

No.AO(CBP)/P&D/2016-2017. The Competent Authority is pleased to appoint Mr. Waqas Ahmad s/o Jahan Zeb, Mohallah Gulshan Abad TMA Office Feroz sons Amangarh District Nowshera for the post of Electrician (BPS-05) in the Project Directorate, Capacity Building Project Planning and Development Department, Government of Khyber Pakhtunkhwa.

Terms & Conditions:

25. His appointment is purely on contract basis for a period of one year to be extended on satisfactory performance till the expiry of Project.
26. He will be entitled for fixed pay as per approved PC-1 of the Project.
27. His Services are liable to be terminated on fifteen (15) days' notice if not required or found unsatisfactory.
28. He has to produce Medical Fitness Certificate from the Medical Superintendent, Services Hospital Peshawar before joining duty.
29. In case he wish to resign at any time, one month notice will be necessary or in lieu thereof one month pay will be forfeited.
30. He will be governed by Rules & Regulation applicable to the Project employees of the Government of Khyber Pakhtunkhwa.
31. He will have to execute Contract Agreement with the Project authorities.
32. He will have to join duty within fifteen (15) days from the issuance of this order failing which the offer will be treated as withdrawn.

-----sd-----
Project Director CBP
P&D Department

No. AO (CBP)/P&D/1-2/2016-17

22. The Accountant General Khyber Pakhtunkhwa, Peshawar.
23. PS to Additional Chief Secretary
24. PS to Secretary P&D.
25. PS to Secretary Finance.
26. PS to Secretary Establishment.
27. Project Director CBP, P&D Department.
28. PF of the Officer Concerned.

Accounts Officer CBP



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

Dated Peshawar, March 22, 2022.

ORDER:

NO.SO(ESTT)P&D/1-4/DPC/Ministerial Pool/2021: In pursuance of the recommendations of the Departmental Promotion Committee meeting held on 23.02. 2022, the following Electrician/Telephone Operator/Generator Operator/Naib Qasids, employees of pool of ministerial staff of P&D Department as well as Planning Cells of Administrative Departments are hereby promoted to the posts of Junior Clerks (BPS-11), on regular basis, with immediate effect:

- i. Mr. Waqas Ahmad, Electrician.
- ii. Mr. Akhter Ali, Telephone Operator,
- iii. Mr. Shahzad Khan, Generator Operator.
- iv. Mr. Imtiaz Khan, Naib Qasid.
- v. Mr. Tariq Hussain, Naib Qasid.
- vi. Mr. Noor Ul Amin, Naib Qasid.
- vii. Mr. Himayat Ullah, Naib Qasid.

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

3. Consequent upon the above, following transfer/posting of the officials concerned are hereby ordered, with immediate effect, in the best public interest, till further orders:

S#	Name of officers	From	To
1.	Mr. Waqas Ahmad Junior Clerk (BPS-11)	General Section, P&D Department	Retained in General Section, P&D Department. The official is authorize to draw his salary against the vacant post of Junior Clerk in PP&I Cell, P&D Department.
2.	Mr. Akhter Ali, Junior Clerk (BPS-11)	Coordination Section, P&D Department	Planning Cell, Irrigation Department against the vacant post.
3.	Mr. Shahzad Khan, Junior Clerk (BPS-11)	General Section, P&D Department.	Retained in General Section. The official is authorize to draw his salary against the vacant post of Junior Clerk from Merged Areas, P&D Department.

ATTESTED

(15)

4.	Mr. Imtiaz Khan, Junior Clerk (BPS-11)	Office of Deputy Secretary-II, P&D Department.	Retained in the Office of Deputy Secretary-II, P&D Department. The official is authorize to draw his salary against the vacant post of Junior Clerk, Merged Areas, P&D Department.
5	Mr. Tariq Hussain, Junior Clerk (BPS-11)	Djary & Dispatch Section, P&D Department.	Planning Cell, Agriculture Department against the vacant post against the vacant post.
6	Mr. Noor Ul Amin Junior Clerk (BPS-11)	PP&IC, P&D Department.	Retained in PP&I Cell, P&D Department.
7.	Mr. Himayat Ullah, Junior Clerk (BPS-11)	PPP Cell, P&D Department	Planning Cell, Irrigation Department against the vacant post.


**SECRETARY
P&D DEPARTMENT**

Endst. No. & Date even.

Copy forwarded to the:

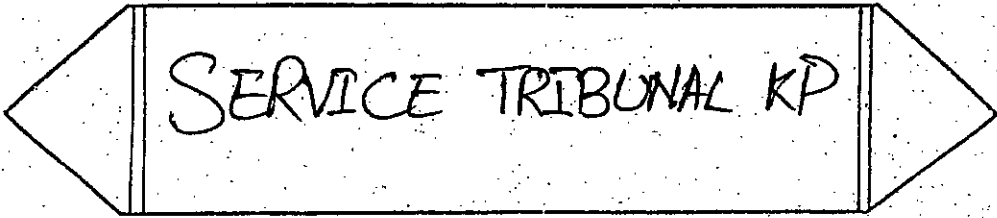
1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretaries to Govt. of Khyber Pakhtunkhwa, Establishment, Finance, Agriculture and Irrigation Department.
3. Chief Planning Officer Agriculture, Livestock & Cooperative Department.
4. Director Technical, Planning Cell, Irrigation Department.
5. Chief, PP&I Cell, P&D Department.
6. Assistant Chief (B&A), P&D Department.
7. Accounts Officer, PP&I Cell P&D Department.
8. PS to Additional Chief Secretary, P&D Department.
9. PS to Secretary, P&D Department.
10. PS to Special Secretary, P&D Department.
11. PAs to Additional Secretaries-I&II, P&D Department.
12. PA to Deputy Secretaries-I&II, P&D Department.
13. Officials concerned.

ATTESTED


(SONA KHAN) 22/3/2012
Section Officer (Estt.)

Adv Asad Ullah
BC-22-4780
advasadpk@gmail.com
0336-1559559

بعدالت



محمد زبیر
بنام چیف سیکرٹری KP

مورخہ 2-06-2023
مقدمہ
دعویٰ
جرم

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام شہاد کیلئے امید اللہ ادراہ صغان ابرو وکٹ
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار دیا گیا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقررہ الت ہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک درو پیہا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کیلئے طرفہ یا اپیل کی برادگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقررہ کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو ہمیں وہی جملہ مذکورہ یا اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائد التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 12 ماہ 06 2023

العبد _____ واہ العبد _____

بمقام شہاد کے لئے منظور ہے۔

Accepted by

ATTEST