-08th May, 2023 -

Kaleem Ullah

11.07.2023

1. Learned counsel for the appellant present. Mr. Fazal Shah Mohamand, Additional Advocate General alongwith Aitizaz Ul Hasan, Assistant Director for the respondents present.

2. Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 11.07.2023 before D.B. P.P given to the parties.

(Fareeha Paul) Member (E)

(Kalim Arshad Khan) Chairman

Learned counsel for the appellant present. Mr. Izaz-ul-Hassan, Assistant Director (Litigation) alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. Last opportunity granted. To come up for arguments on 13.10.2023 before the D.B. Parcha Peshi given to the parties.



Naeem Amin

(Rashida Bano) Member (J)

(Salah-ud-Din) Member (J)

The second

🔬 30th Jan, 2023

Junior of learned counsel for the appellant present. Mr. Naseek ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Last opportunity is granted to argue the case on the next date failing which the case will be decided on the available record without arguments. Adjourned. To come up for arguments on 28.02.2023.before D.B.

(Muhammad Akbar Khan) Member (E) (Kalim Arshad Khan) Chairman

28.02.2023

Learned counsel for appellant present. Mr. Umair Azam, learned Additional Advocate General for respondents present.

Learned counsel for the appellant assures that he would argue these appeals on 08.05.2023, the date given by himself, therefore, these are adjourned to 08.05.2023 for arguments. In case of failure to advance arguments, these appeals will be decided on the basis of available record without the arguments. To come up for arguments on 08.05.2023 before D.B. P.P given to the parties.

(Rozina Rehman) Member (J)

(Kalim Arshad Khan) Chairman 14:09.2022

Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Aizazul Hassan Assistant for respondents present.

Former submitted an application for adjournment which is placed on file; allowed. To come up for arguments on 25.11.2022 before D.B.

(Fareeha Raul) Member(E)

(Rozina Rehman) Member(J)

25.11.2022

5

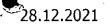


Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 30.01 2023 before the D.B.

(Fareeha_Paul) Member (E)

(Rozina Rehman) Member (J)



Due to Winter Vacations the case is adjourned to 25.04.2022

for the same as before.



Clerk of counsel for the appellant present. Mr. Aizazul Hassan Superintendent alongwith Mr. Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

Comments have already been submitted through office which have been placed on file, copy of the same handed over to clerk of learned counsel for the appellant. Adjourned. To come up for, if any, as well as arguments on 18.07.2022 before the D.B.

(Rozina Rehman) Member (J)

READER

(Salah-Ud-Din) Member (J)

18.07.2022

Appellant present through counsel.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Aizazul Hassan Superintendent for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on t/counsel for 14.09.2022 for arguments before D.B.

(Fareeha Paul) Member(E)

(Rozina Rehman) Member (J)

19:01:2020

Aren Seposited Security & Process Feg Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 19.05.2021 before S.B.



Reader

19.05.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 01.09.2021 for the same as before.

01.09.2021

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Zain, AD for respondents present.

Learned AAG sought time for submission of written reply/comments. Adjourned. The respondents are directed to submit written reply/comments within 10 days. To come up for written reply/comments as well as arguments before the D.B on 28.12.2021.

(MIAN MUHAMMAD) MEMBER (E)

Form- A

FORM OF ORDER SHEET

Court of

Case No.-<u>4150 /2020</u> S.No. Date of order Order or other proceedings with signature of judge proceedings 1 2 3 The appeal presented today by Mr. Noor Muhammad Khattak 10/08/2020 1-Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please. 2. This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/11/20</u>20 MEMBER() 02.11.2020 Nemo for appellant. Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for preliminary hearing before S.B. (Muhammad Jamal-Khan)-Member (Judicial)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO._____

HIDAYAT SHAH

V/S

GOVT. OF KP & OTHERS

/2020

	INDEX	l	
S. NO	DOCUMENTS	ANNEXURE	PAGE
1	MEMO APPEAL		1 – 3.
2	Stay application		4.
3	Appointment order	A.	5.
4	Old service rules	В	6-8.
5	Impugned Rules dated 5.4.2018	С	9
6	Impugned rules dt: 1.8.2018	D	10-13.
7	Impugned rules dt: 16.10.2019	E	14- 15.
8	Notification	F	16.
9	Departmental appeal	G	17- 18.
10	Vakalat nama		19.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK, ADVOCATE

ROOM NO. 3, UPPER FLOOR, NEW ISLAMIA CLUB BUILDING, KHYBER BAZAR, PESHAWAR CITY 0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO.____/2020

Mr. Hidayat Shah, Village Secretary, Village Council Balkor, U/C Pashta, District Upper Dir.

APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- **3-** The Secretary Local Government, Election & Rural Development Department, Civil Secretariat, Peshawar.
- 4- The Secretary (Finance) Department, Khyber Pakhtunkhwa, Civil. Secretariat, Peshawar.
- 5- The Director General Local Govt:, Election & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED ON 5.4.2018, 1.8.2018 & 16.10.2019 WHEREBY THE PROSPECTS OF PROMOTION OF THE APPELLANT TO THE NEXT HIGHER SCALES HAS BEEN DONE AWAY AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STAUTTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal the impugned service rules Notified on 5.04.2018, 1.8.2018 & 16.10.2019 may kindly be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and the respondents be directed to consider the appellant for promotion to the next higher scale/scales under the old rules notified on 26.01.1978. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH: ON FACTS:

1-

That the appellant is the employee of the respondent Department and is presently serving as Village Secretary since from the date of appointment till date quite efficiently and up to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure A.

That according to the service rules Notified on 26.1.1978 the initial scale of the appellant was in BPS-6 which was later on upgraded to BPS-7. That under the said Rules the prospects of promotion was on up to the post of Deputy Director (BPS-18) but later on vide impugned Notifications dated 5.4.2018, 1.8.2018 and 16.10.2019 the channel of promotion has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion of Civil Servant Act, 1973 & APT Rules, 1989. Copies rules and impugned rules are attached as annexure **B**, **C**, **D & E**.

That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.

The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e., Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota. Copy of the impugned rules is already attached.

That appellant feeling aggrieved filed Departmental appeal but no reply has been received so for. Hence the present

6-

5-

2-

3-

appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure G.

GROUNDS:

A- That the impugned service rules dated 5.4.2018, 1.8.2018 and 16.10.2019 framed by the respondents whereby ignoring the appellant from promotion to the next higher scales is against the Law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.

B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.

C- That, the treatment meted out to the appellant is clear violation of the Fundamental Rights of the appellant as enshrined in the Constitution of Pakistan, 1973.

D- That according to Article 37 of the Constitution the state is bound to promote social justice and eradication of social evils and accordingly the action and inaction of the respondents squarely falls in violation of the said Article.

E- That, inspite of all the requisites available with the appellant the respondents acted in a malafide and arbitrary manner by issuing the impugned service rules dated 5.4.2018 & 16.10.2019.

F- That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.

G- That, the ignoring the appellant from promotion to the next higher scales is violative of Article-38 (e) of the Constitution of Pakistan, 1973.

H- That the appellant seek permission to advance other grounds and proofs at the time of hearing.

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

Dated: 10.8.2020

ayat Shah

THROUGH:

NOOR MOHAMMAD KHATTAK

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M. NO.____/ 2020

APPEAL NO. /2020

VS

HIDAYAT SHAH

GOVT: OF KPK & OTHERS

APPLICATION FOR RESTRAINING THE RESPONDENTS NOT TO ACT UPON THE IMPUGNED SERVICE RULES DATED 5.4.2018, 1.8.2018 & 16.10.2019 TILL THE DISPOSAL OF THE ISNTANT SERVICE APPEAL

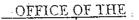
R.SHEWETH:

- 1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
- 2. That, appellant filed the above mentioned service appeal against the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018</u> & <u>16.10.2019</u> whereby the 75% promotion quota have been done/washed away.
- 3. That, all the three ingredients required for grant of stay are in favor of the appellant.
- 4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to act upon on the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018 & 16.10.2019</u> till the disposal of the instant service appeal.

PEÜLÄNT AYAT SHAH

THROUGH: NOOR MOHAMMAD KHATTAK ADVOCATE, High Court Peshawar



ASSISTANT DIRECTOR LG & RDD DIR UPPER.



No. <u>1163-7</u> AD/RDD/Estt: Dated: <u>14</u>/03/2016. Dated:

OFFICE ORDER/ APPOINTMENT LETTER.

Consequent upon the decision and recommendation of the Departmental Selection Committee held on 10-02-2016 under the Chairmanship of Deputy Commissioner, Dir Upper, the following candidates are hereby selected as village/Neighborhood Council Secretary (BPS-7) against the vacant post of Secretary in each Village/Neighborhood Council in the District noted against each with immediate effect.

Sr #	Name / Father Name	Date Of Birth	Age	U/C	Village Council
1	SAYYED BADSHAH S/O ABD UL HAI	12/5/1981	Years-Month-Days 34-8-29	Barikot	Barikot
2	SAID AMIR ALI SHAH S/O FAZAL GANI	15/4/1982	Years-Month-Days 3 3 -9-26	Jabbar	Kattan bala
3	MUHAMMAD ZAHID S/O.SHEREEN	2/3/1984	Years-Month-Days 31-11-9	Qulandai	Dobando
4	RIAZ KHAN S/O TAJ MUHAMMAD	9/4/1985	Years-Month-Days 30-10-2	Wari	Malook Banda
5.	SHER BAHADAR S/O Umar Khan	1/1/1986	Years-Month-Days 30-01-10	Gawaldai	Bar Kalay
6	IÑAMUR RAHMAN S/O SAIF UR RAHMAN	22/2/1986	Years-Month-Days 29-11-19	Darikand	Gul Bahar
7	SHAKIR ULLAH S/O GUL KHAN	.22/3/1986	Years-Month-Days 29-10-19	Sheringal	Ganshal
S	MUSHTAQ MUHAMMAD S/O ANWAR MUHAMMAD	7/5/1986	Years-Month-Days 29-09-17	Darora	Landai Shah
ġ	HAZRAT RIAZ S/O SHAHNAS KHAN	5/1/1987	Years-Month-Days 29-01-06	Wari	Daskor
10	JEHANGIR KHAN S/O MEMBER KHAN	20/03/1987	Years-Month-Days 28-11-03	Akhagram	Akhagram
11	INAM ULLAH S/O BACHA	10/4/1987	Years-Month-Days 28-10-01	. Barikot	Shalban
12	MUHAMAMD AYAZ	13/4/1987	Years-Month-Days 28-09-28.	Shahikot	Nasrat
13	INAYAT ULLAH S/O MOHAMMAD SAID	20/4/1987	Years-Month-Days 28-09-21	Jan Battai	Noor Khail
14	ΜΙΗΑΜΜΑΡ ΙΣΗΛΟ \$/C	25/7/1987	Years-Month-Days 28-06-16	Chukyattan	Nawoo
r	THDAYAT SHAH S/O SHE	R 1/11/1987	Years-Month-Days 28-03-22	Pashta	Baikor
	5 TAJ MUHAMMAD S/O GU REHMAN	JL 2/2/1988	Years-Month-Days 28-00-11	Palam	Samkoot
1	I7 HAMID JAN S/O UMAR	9/2/1988	Years-Month-Day 28-0-02	s Bibyawar	Shamorgar
	is FARI DULLAH S/O FARAZ KHAN	3/3/1988	Years-Month-Day 27-11-08	s Shahikot	Shaltaloo

1	<u> </u>			· b	SIA
72	ZAHID HUSSAIN S/O AMIR SHAHZADA	14/03/1993	Years-Month-Days 22-11-09	Akhagram	Battan Karakabanj
73	MUJEÉB ULLAH S/O Ghulam Nadar	10/3/1993	Years-Month-Days 22-11-01	Bibyawar	Serai
74	SHAHZADA SHAHAB S/O Mohammad zamin Khan	1,2/3/1993 .	Years-Month-Days 22-10-29	Sundrawat	Din Khan
75	AMIR ZAƊA S/O Fatih Muhammad Khan	15/4/1993	Years-Month-Days 22-09-26	Patrak Sharqi	Saisan
75	AMIR AFZAL KHAN S/O Amir Ghazan	5/5/1993	Years-Month-Days 22-09-06	Nehag	Karpat
77	AYUB KHAN S/O UMAR GUL	6/6/1993	Years-Month-Days 22-08-05	Gawaldai	Narkoon
78	MUBARAK ZEB S/O Shahnullah ƙhan	4/7/1993	Years-Month-Days . 22-07-07	Sundal	Rambyal
79	WAQAS ILYAS S/O MUHAMMADTLYAS	. 12/7/1993	Years-Month-Days 22-06-29	Palam	Palam
50	AMJAD IQBAL S/O Amirshahad	12/11/1993	Years-Month-Days 22-02-29	Gawaldai	Kandawo
81	NAIZAM ULLAH S/O INYAT ULLAH	2/2/1994	Years-Month-Days 22-00-09	i Sawnai	Achar Bala
82	ZAKIR ULLAH S/O DILAWAR KHAN	3/4/1994	Years-Month-Days 21-10-08	Dislawar	Kadi Khail
83	TAHSINULLAH S/O MATUULLAH	20/4/1994	Years-Month-Days 21-09-21	Kotkay	Serai Sultan Kheil
84	ISLAM ZEB S/O JEHAN ZEB	20/4/1994	Years-Month-Days 21-09-21	Bandai	Bandai
85	JAVEDULLAH S/O SAIDAGUL	20/7/1994	Years-Month-Days 21-06-21	Ganori	Pacha Kalay
36	HABIB ULLAH SYO HABIB SAEED 7/9/199				Sundrai
.87	SHAH HUSSAIN S/O AHMAD RAHIM	8/9/1994	Years-Month-Days 21-05-03	Bandai	Serai Nehag
88	ABDUL WAHAB S/O ALEEF ZAMAN	20/9/1994	Years-Month-Days 21-04-21	Gawaldai	Bela
89	NIZAR ALI S/O SHAM Sher Ali	15/2/1995	Years-Month-Days 20-11-26	Nehag	Nehag -
90	MOHIBULLAH S/O MUHAMMAD ZAHIR SHAH	01/01/1996	Years-Month-Days 20-01-28	Gawaldai	Shahoor
91	ASMAT ULLAH S/O BACHA REHMAN	8/4/1996	Years-Month-Days 19-10-03	Kotkay .	Molvi
	KALIM ULLAH S/O SAEED	29/9/1996	Years-Month-Days 19-04-12	Dislawar	Dislawar

Terms and Conditions:

1. The selectees will be governed by such rules and regulations issued by the Government or may be issued herein after for category of post to which they belong.

2. Before assumption of charge the selectees will provide Medical Fitness Certificate from the medical Superintendent DHQ Hospital Dir, Police Clearance Certificate from local police station

and affidavit on judicial stamp for good conduct, punctuality and will compulsorily perfor least for 02 years or penalties under the rules will be enforced.

3. The selectees will remain on probation period for one year.

4. The selectee will submit one month prior notice in case they wish to resign from service or in lieu thereof one month pay shall be forfeited.

5. Legal action will be initiated in case the documents/particulars if found fake or bogus.

Deputy Commissioner

Dir Upper

Endst: No: 163 7 /AD/RDD

Copy forwarded to:

1) The Secretary LGRDD, Government of Khyber Pakhtunkhwa, Peshawar

2) The Secretary LCB, Government of Khyber Pakhtunkhwa, Peshawar

3) The Commissioner Malakand Division, swat

4) The Director General LGRDD, Government of Khyber Pakhtunkhwa, Peshawar.

5) The Medical Superintendent, DHQ Hospital, Dir Upper.

6) District Account Office Dir Upper.

7) The Nazims, VCs/NCs concerned, District Dir Upper.

9) The official concerned.

Assistant Director LG & RDD Dir Upper



EXTRAORDINARY

GOVERNMENT

REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated: 26th January, 1978.

No. Section Officer(LG-1) 2-188/93-Vol-11: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 and in consultation with the information services and General Administration Department and the Finance Department, the Local Government Cooperation, Social affairs, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to part beyond the Rural Development Department succified in column 2 of the said appendix.

S.No.	Nomenclature of post	Qualification for initial recruitment	Qualification for promotion	Age limit for initial recruitments	Method of appointment
1	2	3	d	5	
1	Deputy Director	 a) 2nd Class Master Degree from a recognized University in Economics, statistics, social works sociology, Animal Husbaudry, Agril: Geography or Social Psychology and 		Not less than 30 years and not more than 35 years	 i) 25% by initial recruitment, and 75% by on merit with due regards to seniority from amongst the holders of the posts of Assistant Director Rural Development (including the defunct basis Democracies Deptt:) Project Managers & Progress Officers with at least years experience as such.
		 b) Five year experience in Agriculture, Animal Husbandry Education, Social Welfare, Planning& Dev: or Forest in Grade-16 or above. 			

1429

2	Assistant Director/	430 KHYBER PAKHTUNKY a) 2 nd Class Master Degree from a		Not less than 21 years	XTRAORDINARY, 12 th JUNE, 2019 i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from among
	Project Manager /Progress Officer	recognized University in Economics, statistics, social works sociology, Animal Husbandry, Agril, Political		and not more than 30 years	 50% by selection on merit with due regards seniority from among holders of the post Development Officers and Sub-Divisional (Assistant Director Engineer)
Ψ.		Science, Public Administration, Geography or Social Psychology, Physics, Chemistry, Mathematics			
3	Accounts Officer	2 nd class Master's Degree in Commence / Business Administration, or G.A.S qualified persons of Pakistan Audit Deptt: or Provincial Local Audit Department.		Not less than 21 years and not more than 30 years	 i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post Superintendent the Deptt: with a least three years service such.
4	Development Officer	2 nd Class Master Degree from a recognized University in Economics, statistics, social works/ sociology, Animal Husbandi y, Agriculture, Public Admn: Political Science		Not less than 21 years and not more than 30 years	 i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post supervisor, RD in the deptt: with it least. Note: Service in defunct vill: Deptt and the purpose of service under this
5	Sub Divisional Officer /Assistant	Geography or Social Psychology Degree in Engineering or equivalent qualification from a recognized	· · · · · · · · · · · · · · · · · · ·	Not less than 21 years and not more than 30 years	 i) 75% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post the overseers
6	Director Engineer Superintendent	University	-		By the selection on merit with due regards to seniority from amongst holders of the Assitts://Accountants/ Senior Stenographer /Senior Audito with least five years experience as such.
7.	Assistant / Accountant	Degree from recognized University		Not less than 21 years and not more than 30 years	 i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post Village Secy: in the Deptt: with at least years experience as such.
8	Stenographer (Senior Scale)	 a) Matriculation or equivalent qualification from recognized board and b) Speed 100 words per minutes in shorthand in English and 40 	· · ·	Not less than 18 years and not more than 25 years	 i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post Stenographer (Junior Clerk).
9	Overseer —	words per minute in typing Diploma from recognized Institute	- · ·	Not less than 21 years and not more than 25	By Initial Recruitment
īo -	Supervisor	Degree from recognized University	<u>.</u>	Not less than 18 years and not more than 25 years	 i) 25% by initial recruitment and ii) 75% by selection on merit with due (egards seniority from amongst holders of the post Village Secy: in Deptt with least years experience

•••

· .•

		•	KHYBER PAKHTUNKWHA GOV	ERNMENT GAZI	<u>ETTE, EXTRAORD</u>	INARY, 12" JUNE, 2019 1431
		Senlor Auditor	Degree from recognized University Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts		Not less than 18 years and not more than 25 years	 i) 59% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment
	12	Stenographer (Jūniör Scale)	 a) Matriculation or equivalent qualification from recognized board and b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing 	·	Not less than 18 years and not more than 2.5 years	By Initial Recruitment
-	13	Steno Typist -	 a) Matriculation or equivalent qualification from recognized board and b) Speed 80 words per minutes in shorthand in English and 35 words 		Not less than 18 years and not more than 25 years	 i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amongst holders of the post Junior Clerk /Senior Clerk in the Deptt: with a feast three years service such.
	14	Junior Auditor Senior Clerk	per minute in typing Matriculation or equivalent qualification from recognized board	•	Not less than 18 years and not more than 25 years	By Initial Recruitment by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment
	16	Villinge Secretary	Intermediate from recognized Board		Not less than 18 years and not more than 25 years	By Initial Recruitment
	17	Junior Clerk	Matriculation or equivalent qualification from recognized board		Not fess than 18 years and not more than 25 years	 iv) Not more than 20% by selection on merit from amongst holders of the post Daftaries and Poen in the Deptt: with a least three years service such. Qualification prescribed for initial recruitment

12th ILINE 2019 1431 DIMADY

> Sd/-xxx ATTAUR REHMAN KHAN Secretary to Govt: of N.W.F.P. Local Govt:, Cooperation, Social Welfare, Tourism & Rural Development Department.

Printed and published by the Manager, Staty, Pig. Depit., Rhyber Pakhlunkhwa, Peshawar.

Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Page NG4

Dated Peshawar, the 05th April, 2018

981 in exercise of the power conferred by sub-rule (2) No. SO(LG-D2-188/SSRC/2018. Conter Parktonkish, Coll Servents (Applintment, Promotion and Transfer) Rules, 189, the Local Covernment, Electors and Rural Development Department Khyber and it as a start to the start with the Europeistment & Administration Department and the • • • Persone Department & Perchi duects that in this Department's Notification. No. TO RWP TO TS, dated 26 01 1978, the following further amendments shall be made inamely:

AMENDMENTS

ing Annendral-

senal No. 10 the following shall be substituted in the respective columns_namely: - ...

Byune on a Degree many of a the hized i

Second Class 2 40 30 41 Seventy-five 1751 per cent by pomotion, on he basis of from * seniomry-cum-fitness. amongst the Sector Secretary Village / Neighborhood Counci . with atleast five (05) year service ; as such: and . Twent - five (25' per cent by initial ecruitment.":

is following new unimes shall be inserted, in the respectively columns an sarig

Secretary `.. -<u>ə</u>

By promotion on the basis of seniority. cum-fitness, from airrongst the lunior ' Secretary Village Neighborhood Counce with atleast ten (10) year service to such in and

MILEN EL

Survey of owned on the substituted, in the respective of times inamely: el in No.

At east Second Class 18 to it Twenty (20' per cent by promotion, on the basis of ່າງ<u>ອາ</u>ຫະ**ດ**ະປະ semority-cum-filness. from ! Secretizev requisition junification years. 115. e amonyst the Naib Qasids and immer a reconnized Board Chowkidars in the Village 4 وم والار ال 1.1 ind at east Neighborhood Council with i incri monthe Certificate in seniority at tehsil level, having From Secondary School Centificate in -mpiller crognized institute with second division. from a experience in MSrecognized Bcard or Institute Diffice, Impage and with three (03) year service as Internet - 2 such: and

(ii) Eighty (80 per cent by initial) recruitment:

> Provided that the candidate shall be preferably a bonafide resident of the same Village ? Neighborhood Council. If succandidate is not available in the same Village / Neighborhcod-Council .hen the candidates: from adjacent Village - 1 Neighborhood Couriest:

Provided further, that in case of on-availability of candidate from djagen Village - 1 Neighboraood Council then from Village 🕐 🧃 ather anv Neighborhood Council in that Tensil Council.

SECRETARY TO GOVERNMENT OF KP OCAL GEVE FLECT ONS & RURAL DEVELOPMENT DE PARTMENT

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018.-

Copy forwarded to:-

Ad Administrative. Secretaries to Government of Khyber Pak' tunkowe

A. Divisional Commissioners in Kityber Pakiturkhiva.

The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,

The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

The PSO to Chief Secretary, Khyber Pakmonkowa Peshawar

The Director General, LC, E&RDD, Khyper Pakhtunkhwa Peshawar

The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,

All Head of Astached Departments in Khyber Pakhtunkhwa

3 All Depaty Commissioners in Khyber Pakniskhwa.

The Registrar, Peshawar High Court, Peshawar

11 A. District and Session Judges in Khyber Pakhtunkhwa.

121411 Assistant Directors, LG&RDD in Klipber Pakhtuakhwa.

13. The Manager Government printing press. Peshawar for publication in the next

Government Gazettee Notification, 40 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LG.E&RD Khyber Pakhtunkhwa.

15. The PS to Secretary LG.E&RDD Peshawar

.16. The Office Order file.

(HAU MUHANIMAD SECTION OFFICER (ESTAB) Phone # 091-9213224

5XTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT. ELECTIONS AND RURAL DEVELOPMENT DEPARTMENT.

NOTIFICATION

Peshawar, dated the 1st August 2018.

No. SO (LG-I)2-188/SSRC/2018.-In exercise of the powers conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government. Elections and Rural Development Department, in consultation with the Establishment and Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG (RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made. namely:

AMENDMENTS

In the Appendix,-

for Serial No. 1 the following shall be substituted, in the respective columns, namely: (a)

1.	·	3.	4.	5.	6.
<u>"</u> !.	Director General.	•	-	-	By transfer from amongst PAS, PCS and PMS officer in BPS-2C.".
·	·		<u>.</u>		•

(b)

for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

1. 2.	3.	³ 4.	5.	6.
"I.A. Director.	-	1 -		By promotion, on the basis of
		•		seniority-cum-fitness, from
		i		amongst Deputy Directors and
	1	i i		Assistant Directors (Senior) with
	1			at least seven (C7) years service as
1	1			such or twelve (12) years service
				as Assistant Director and above.
· .				· · ·
			1	Note: For the purpose of
•	1	Ì		promotion to the post of
FA.		1	i	Director, there shall be
A	,			maintained a joint
				seniority list of Deputy
	`.]			Directors and Assistant
1	· .	1		Directors (Senior).";
, 1	·			
		1	425	

KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12" JUNE 2019

after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

1 (41 T)		·		· .	
"IB.	•	· –	-	+ .	By promotion, on the basis of
	(Technical).	· ·			seniority-cum-fitness, from
		•			· · · · · · · · · · · · · · · · · · ·
	•				
					(Technical) with at least seven
					(07) years service as such or
		•		·	twelve (12) years service, as
		• •			Assistant Engineer and Assistant
			•		Director (Technical) and above.
			-		
1C.	Deputy	- 7,		-	By promotion, on the basis of
•	Director/Assistant				senior ty-cum-fitness, from
	Director (Senior).	-			amongst Assistant Directors with
					at least five (05) years service as
	, 		.		such.
ļ	4				Such.
1D.	Deputy Director		<u>1. </u>		
	(Finance and	-	-	-	By promotion, on the basis of
	Accounts).	.			seniority-cum-fitness, from
	: Accounts).				amongst Accounts Officers with
					at least five years service as such.
1E.	Deputy Director	-	-	-	By promotion, on the basis of
i	(Technical).		i		seniority-cum-fitness, from
			-		amongst Assistant Engineers and
					Assistant Directors (Technical)
.		.	1		with five (05) years service as
					such and having a Bachelor's
		ļ.			
		1 · .			Degree in Civil Engineering.";
-			1		Note: For the purpose of
		•			promotion to the post of
ļ.		1		ļ	Deputy Director
ł			1		(Technical), there shall be
				1	maintained a joint
		ļ			seniority list of Assistant
					Engineers and Assistant
					Directors (Technical).";
1		1			
		<u> </u>	<u> </u>	<u> </u>	

against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be (d). deleted;

against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

6. "At least Second Class Master's (i) Fifty (50) per cent by promotion, on the Degree in Commerce / Business basis on the basis of seniority-cum-Administration/BS (Honours) fitness, from amongst the Accountants Finance and Accounting or its with at least five (05) years service as equivalent qualification from a such: recognized University. Provided that if no suitable officer is available for promotion then by transfer.; and (ii) fifty (50) per cent by initial recruitmen." No.

(e)

(c)

¥426

HYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019 1427

against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.

12

(g)

(f)

against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

•	Assistant.	(i)	6. Seventy-five per cert by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and
		(ii)	twenty-five percent initial recruitment.";

(h)

(i)

against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:

"Provided that if no suitable officer is available for promotion then by transfer.";

after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

<u>1.</u>	2.	. 3.	4.	- 1	6.
"9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;		18 to 30 years.	By initial recruitment.";
		(b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and		1 • • • • • •	
	· · ·	(c) at least two years experience in relevant field.			

(i)

for Serial No. 11 the following shall be substituted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
111.	Accountant.	At least Second Class		21 to 30	By initial
	· ·	Bachelor's Degree in Business Administration		years.	recruitment:
		or its equivalent		-	Provided
		qualification, from a recognized University.			that till the appointment
- 	· .		· · ·		of a suitable
:				•	person on initial
	, ,	•	-		recruitment
.4					the post
	•			•	shall be
U.	,				filled by
1		•			transfer.";
	<u> </u>	· · · · · · · · · · · · · · · · · · ·	 		

(k)

for Serial No. 14, the following shall be substitutec, in the respective columns, namely:

, ¹		2.		<u>GOVT: GAZETTE, EX</u> 3.	4.	5.	6
	" <u>1</u> 4.	Computer	(a)	At least Second		21 to 32	By initial
		Operator.		Class Bachelor's		years.	recruitment.";
				Degree in			
	1			Computer			
				Science (BCS)/			
-				Information			
				Technology			-
				(BIT) (04-years)			
•				or its equivalent			
	•			qualification			
				from a			
				recognized			
	1			University; or		· ·	_
•••	· ·		(b)	At least Second			
	•		1	Class Bachelor's			
				Degree from			
				recognized	r.		
	ł			University with	.		,
				one year			
				Diploma in			
		•	· · ·	Information			
			1.	Technology from			
	l L			a recognized			
	1.			Board of		т ,	
				Technical		-	
		ļ		Education.			

(i) after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

Ī	1.	2.	3.	4.	5.	6.
	"19 <u>A</u> .	Driver	Preferably literate and	-	i	By initial
	• •	1 • •	holding a valid Driving		years.	recruitment.":
1			License.		• 	and
1						

(I)-

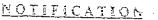
for Serial No. 20, in column No. 2, after the word and slash "Chowkidar", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LOCAL GOVERNMENT ELECTIONS AND RURAL DEVELOPMENT DEPARTMENT.

Printed and published by the Manager, Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar 

Government Of Knyber Pakhtunkhwa Local Government, Elections & Rural Development Department.

F- (14



Dated Feshewar, the 16th October, 2019 No: SO(E)LG/2-188/SSRC/2019 -In exercise of the powers conferred by sub-rule (2) of rule 3 of the Klivber Pakhankhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Govennment, Elections and Rural Development Department Khyber-Pakhumkhwa, in consultation with the Establishment & Acministration Department and the Finance Department hereby directs that in this Department's Not. fication No. DG(RWP)7(2)/73, dated 26.01.1978, the following further emendments shall be made, namely:

AMENDMENTS

In the Appendix.-

εì

- Against Seriel No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - "Fifty per cent by initial secruitment through knyber Pakhtunkhwa Public i) Services Commission on the pattern of syllabus preschibed for the Officers in Provincial Management Service.7;
 - Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst ii} the Progress Officers with at least three years sorvice as such: and
 - Ten percent by promotion, on the basis of seriority-cum-fitness, from amongst iii) , the Senior Scale Stonographers and Assistants with at least three years service as such."
 - Dote: For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained τ joint seniority list of Senior Scale Stenographers and Assistants.":
- against Serial No. 3. in column No.6, for the existing entries, the following shall be substituted, namely:
 - "Fitty (50) per cent by promotion, on the basis of seniority-cum-fitness, from Ð. amongst the Superintendents with of least three years service as such; and
- Fifty (50) per cent by initial reoruitment.": i:)
- against Serial No.5, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination:
- Ten per cent by promotion, on the basis of senicrogrammatimess, from amongst, ii) Sub-Engineers with at least five yours service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University, and

Seventy per cent by initial reenlitment.":

(ii)

against Serial No. 6. in column No.6. for the words, colon and slash "Assistants/Accountants/Serior Scale Stenographer", the word "Accountants" shall be substituted:

against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and

against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:



i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidurs in the Village Council / Neighborhood Counc I with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
 ii) Fighty (80) converting the level.

Eighty: (80) per cent by Initial recruitment:

(b)

4

Provided that the candidate shall be profetably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Ceuncil / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsil."

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG.E&RD DEPARTMENT

No. SO(E)LG/2-138/SSRC/2019.- Dated Peshawar, the 16th October, 2019 - Copy forwarded to:-

All Administrative Secretarios to Government of Khyber Pakhtunkhwa.

and Divisional Commissioners in Khyber Pakhtunkhwa.

The Socretary to Governor, Khyber Pakhtuokhwa, Peshawar,

The PSO to Chief Minister, Khyber Pakhunkhwa Peshawar,

The ISO to Chief Secretary, Khyber Pakhtunkhwa Peshawar,

The Director General, LG.E&RDD, Khyber Pakhtunkhwa Peshawar.

The Secretary, KEyber Pakhtunkhwa Public Service Commission, Peshawar.
 All Head of Atlacted Departments in Khyber Pakhtunkhwa.

All Deputy Commissioners in Khyber Pakhtunkhwa.

10. The Registrar, Pechawar High Court, Peshawar,

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All-Assistant Directors: ECI&RDD in Knyber Pakhtunkhwa.

 The Manager Government printing press, Peshawar for publication in the aext-Government Gazettee Notification, 100 copies of the Notification may be sent to this Department.
 The PS to Senior Minister for LG E&RD Khyber Pakhtunkhwa:

15. The PS to Secretary LG.E&RDD Peshnwar.

16. The Office Order file.

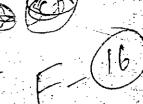
(EAJI MUHAMMAD) SECTION OFFICER (ESTAB)

Phone # 001-9213224



With the second second

GOVERNMENT OF THE PUNJAB LOCAL GOVT. & COMMUNITY DEVELOPMENT DEPARTMENT



Dated Lahore the 27th July, 2018

NOTIFICATION

<u>NO.SO.Admn-I:LG)1-4/15:</u> The Competent Authority is pleased to approve up-gradation of the following posts of Secretary Union Councils appointed under the Punjab LG&R:) Service Rules, 1981 and Punjab Government District Service (Town/Tehsil: Municipal cadre) Rules 2005 w.e.f 01.07.2018:-

: 	Sr#	Post	Present Scale	Up gradation	
	<u>1</u> .	Union Secretary (Committee)	BS- 07	BS-11	1
	2.	Union Secretary (CD)	85-11	BS-14	1

2. The additional financial implication shall be met out of the budget of the respective Unión Councils.

SECRETARY LOCAL GOVT. & COMMUNITY DEVELOPMENT DEPARTMENT

<u>NO & DATE EVEN</u>

A copy is forwarded for information & necessary action to: -

- 1. The Secretary, Government of the Punjab, Finance Department
- 2. The Director General, LG&CD Punjab Lahore with the request to amend the service rules accordingly.
- 3.1 All the Directors, LG&CD in the Punjab.
- 4. All the District Accounts Officers in the Punjab.
- 5. All the Deputy Directors, LG&CD in the Punjab
- 6. All Chairmen of Union Councils, in the Punjab.
- 7. The Assistant Director (UC), at the PHQ, Lahore.

MESTED

8. Master file.

(MAGMOOD AHMAD)

DEPUTY SECRETARY (ADMN.)

Rana Mahboob Hussain, All Puniab Secretaries UCs Association Punjab.

TESTED

THE SECRETARY,

Local Government, Elections & Rural Development Department; Khyber Pakhtunkhwa, Peshawar

Subject:

Sir,

DEPARTMENTAL APPEAL AGAINST THE NOTIFICTIONS DATED 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/RESTORATION THE OLD SERVICE STRUCTURE NOTIFIED ON 26.01.1978

C-U

Most-respectfully, it is stated that I am working as Village Secretary under your kind control. I am qualified and performing my duties with my full devotion: According to the service structure Notified on 26.01.1978, the prospects of promotion for Village Secretaries were in line. That according to the said rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (SPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (SPS-16) and where after from the post of Development Officer to the Vilage Secretary was in a combined share of 50% with amongst the sub-divisionalofficer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director. to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota.

Astonishingly the old service structure was further amended through impugned notification dated 16-10-2019 whereby the channel of promotions has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Law & ART Rules, 1989.

It is therefore, requested that the impugried Notifications dated 15.04.2018 & 16.10.2019 may be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and as such I may be considered for promotion under the old rules dated 26.01.1978.

Obedient HEDAYAT SHA VC Balker Secretary (VC/NH Council) .u/c_Pashta... Cell No. 0312-9356949

		2 °	
Shirters Accruelt 4. Consegure	1830882	Sales Igr Invoice. Origin	
Arra	Name		Carenti San A (Alignitia) Carenti (cm) Height (cm) Height (cm) Height (cm) Covernight Special Handling
Tal	YES. NO	a service entreperto service	Second Day
Shipmen: Contents:	Collection by:		Oter Charges Oter Charges Insurance Taxes A an General Toter Amount

/92-21) 111 202 202 1

.

VAKALATNAMA

Before the IRP Service Tribunal Perhawar

OF 2020

Fidayat Shah

(APPELLANT) (PLAINTIFF) (PETITIONER)

VERSUS

Gout: of KP & Others (DEFENDANT)

I/We_<u>fidufat</u> Shah Do hereby appoint and constitute NOOR MOHAMMAD KHATTAK, Advocate, Peshawar 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.___/2020

ACCEPTED NOOR MOHAMMAD KHATTAK

TIDAYAT SHALL

SHAHZULLAH YOUSAFZAI 8

> MIR ZAMANSAFI **ADVOCATES**

OFFICE:

Flat No.3, Upper Floor, Islamia Club Building, Knyber Bazar, Peshawar City. Phone: 091-2211391 Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL.NO. 9150 to 9162 & 10191 to 10294 of 2020.

Mr.Hidayat Shah and 204 others.....

.....Appellants

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa

<u>INDEX</u>

S .#	Description of Documents	Annexure	Page #
1	Joint Parawise reply	-	1-3
2	Affidavit		4
3	Notification No. SO(LG-I)2-188/SSRC/2018 dated 05.4.2018	Annex-I	5-6
4	Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018	Annex-II	7-10
5	Notification No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 alongwith 1978 Service Rules	Annex-III	11-17
6	No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1 st February 2018	Annex-IV	18
7	Authority letter	-	19

Respondents

Through

Partussen

(Azaz-ul-Hassan) Office Assistant in Directorate General LG&RD,

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL.NO. 9150 to 9162 & 10191 to 10294 of 2020.

Mr. Hidayat Shah and 204 others.....Appellants

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.

.....Respondents

JOINT PARA WISE REPLY ON BEHALF OF RESPONDENTS No. 1 to 5

Respectfully Sheweth!

Preliminary Objections;

- i. The Appellants have no locus standi and cause of action.
- ii. The Appellants have not come to the Service Tribunal with clean hands.
- iii. The Appellants have submitted incorrect & irrelevant documents and concealing the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.
- v. The present appeal is time barred.
- vi. That the instant appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- vii. That this Honorable Tribunal lacks jurisdiction to adjudicate upon the matter.

ON FACTS

1. Pertains to record.

- Incorrect, The Provincial Government vide Notification bearing No. SO (LG-I)2-188/ SSRC/2018 dated 05.4.2018, No. SO (LG-I)2-188/SSRC/2018 dated 01.8.2018 and No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 has allowed the channel of promotion to the appellant upto the post of Director (BPS-19) instead of Deputy Director (BPS-18) previously allowed under Service Rules Vide Notification No. DG (RWP)7(2)/73 dated 26-01-1978. (Annexure as I, II & III).
- 3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service Rules thus wrongly pointed out by the petitioners. However, channel of promotion of the Village Secretary upto the post of Director (BPS-19) still exists.

The Provincial Government vide letter No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:-

- a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
- **b.** 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and redesignated as Junior Village Secretary having less than 10 years' service.

In addition to above,

c. 89 posts of Supervisor upgraded from BPS-09 to BPS-14.

The channel of promotion of Village Secretary upto the post of Director (BPS-19) is intact.

Therefore necessary amendments in the Service Rules Notified on 26.01.1978 have been made, keeping in the view the requisite length of service for promotion of Junior Village Secretary (BPS-9) to the post of Senior Village Secretary (BPS-11) and it is worth mentioning that the onward channel of promotion is still intact up to the post of Director (BPS-19).

It is further submitted that the length of service for promotion of Junior Village/Neighbourhood Secretary (BPS-09) to the post of Senior Village/Neighbourhood Secretary (BPS-11) has been reduced and amended from 10 years to 5 years vide Notification No. SO (LG-I) 2-188/SSRC/2018 dated 16.10.2019, thereby allowing straightaway promotion to the petitioners after completion of 5 years' service instead of waiting for 10 years.

5. Irrelevant, hence denied.

6. As already explained, the channel of promotion has been maintained and amendments in Service Rules have been made after upgradation of the Village/Neighbourhood Secretary from BPS-07 to BPS-9 for Junior Village Secretary and BPS-07 and BPS-11 for Senior Village Secretary respectively.

Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.

REPLY TO GROUNDS:

- A. Incorrect, There is no bar in Service Rules for promotion from the post of Village Secretary (BPS-09) upto the post of Director (BPS-19) LG&RD. (Annex as I,II & III).
- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.

- C. Incorrect, Already explained above.
- D. ncorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director (BPS-19) LG&RDD on his turn as per Law/Rules/Policy.
- F. Incorrect, already explained in Para 3, 4 and 6 of the facts.
- G. Incorrect. Promotions take place as per Law/Rules/Policy in vogue.
- H. The Respondents seek permission to produce further record and relevant arguments during the tribunal proceedings.

It is, therefore, humbly prayed that the instant Service Appeals being devoid of merits may be dismissed with cost please.

Director General LG&RD.

Khyber Pakhtunkhwa Respondent No.5

Secretary LG, E&RDD,

Khyber Pakhtunkhwa Respondent No.3

Secretary Finance Department, Khyber Pakhtunkhwa Respondent No.4

Sec

cretary Estaphyninent Department, Khyber Pakhtunkhwa Respondent No.1 & 2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL **PESHAWAR**

APPEAL.NO. 9150 to 9162 & 10191 to 10294 of 2020.

Mr. Hidayat Shah and 204 others......Appellants

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.

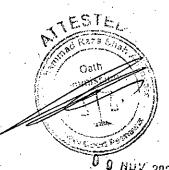
......Respondents

AFFIDAVIT

I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government & Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal.No. 9150 to 9162 & 10191 to 10294 of 2020. Mr.Hidayat Shah and 204 others are true and correct to the best of my knowledge & belief and nothing has been intentionally 188au concealed from this Honorable Court.

Identified By.

Advocate General Khyber Pakhtunkhwa



/Deponent CNIC #. 17301-2416976-9 Cell #.0336-9170959

0 NUV 2021

Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

<u>NOTIFICATION</u>

DATED

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-1887SSRC/2018.-In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Einance Department. hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

for serial No. 10 the following shall be substituted, in the respective columns, namely:

	-10.	Supervisor	Atleast Second Class Bachelor's Degree from a recognized University.		Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from
					amongst the Senior Secretary Village / Neighborhood Council,
ý J	:.				with atleast five (05) year service
				i	i) Twenty-five (25) per cent by initial recruitment.":

(b) after serial No. 15, the following new entries shall be inserted, in the respectively columns, namely.

"15A.	Senior	and the second s	-	By promotion, on the basis of seniority-
	Secretary	· · ·	•	cum-fitness, from amongst the Junior
	Village /			Secretary Village / Neighborhood
	Neighborhood		•	Council, with atleast ten (10) year
	Council.			service as such.": and

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

"16.	Junior	Atleast Second Class	18 tö	i) Twenty (20) per cent by
	Secretary	Intermediate or	30	1) I wenty (20) per cent by promotion, on the basis of
	Village /	equivalent qualification	years.	seniority-cum-fitness, from
	Council	from a recognized Board		amongst the Naib Qasids and
1.1	Council,	and atleast six (06)		Chowkidars in the Village /
		months Certificate in		Neighborhood Council with
1		Computer from a	1	seniority at tehsil level, having
-		recognized Institute with		Secondary School Certificate in
1		experience in MS- Office. Impage and		second division. from a
		Internet:		recognized Board or Institute
				with three (03) year service as
1	· · ·	· · ·		such: and

Provided that the candidateshall be preferably a bonafide resident of the same Village / Neighborhood Council, 1f such candidate is not available in the same Village / Neighborhood Council then the candidates. from adjacent Village / Neighborhood Council:

Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-I)2-188/SSRC/2018.-

Dated Peshawar, the 05th April, 2018

Copy forwarded to:-

- 1. All Administrative. Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa,
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 61 The Director General, LG.E&RDD. Khyber Pakhtunkhwa Peshawar,
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa,
- 10, The Registrar, Peshawar High Court, Peshawar,
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press. Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG, E&RD Khyber Pakhtunkhwa.
- 15. The PS to Secretary LG, E&RDD Peshawar.
- 16. The Office Order file.

THAN MUNAMM SECTION OFFICER (ÉSTAB Phone # 091-9213224



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 01st August, 2018

mera

No. SO(I.G-I)2-188/SSRC/2018.- In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978,

the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. 1 the following shall be substituted, in the respective columns, namely:

ſ	1.	2.	3.	4.	5.	6.
	"1.	Director General.	-1		-	By transfer from amongst PAS, PCS and PMS officers in BPS-20.".
	· ·			<u></u>	<u> </u>	

(b)

for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

ſ	. 1.	2	3.	4.	5.	6		
	-"1A.	Director.			-	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above.		
						<u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";		

з. . after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B. 	Director (Technical).	-	-		By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years' service as such or twelve (12) years' service, as Assistant Engineer and Assistant Director (Technical) and above.
1C	Deputy Director/Assistant Director (Senior).		-	-	By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Directors with at least five (05) years' service as such.

· . . .

· · ·	й, т. т Т		•			· · · · · · · · · · · · · · · · · · ·
	1D:	Deputy Director	-		-	By promotion, on the basis of seniority-
		(Finance and		•	•	cum-fitness, from amongst Accounts
4	:	Accounts).		•		Officers with at least five years' service as
' . ,			•		•	such.
	1E	Deputy Director	-	•	•	By promotion, on the basis of seniority-
]	(Technical).	·			cum-fitness, from amongst Assistant
:						Engineers and Assistant Directors
:			1	ļ,	·	(Technical) with five (05) years' service as
			·		ŀ	such and having a Bachelor's Degree in
,	• • • • • • •		ŀ	· ·		Civil Engineering,";
				-		
, F					1	Note: For the purpose of promotion to the
••				•		post of Deputy Director
. ·				1		(Technical), there shall be
						maintained a joint seniority list of
	3 .		1		·]	Assistant Engineers and Assistant
-	-		1	· .		Directors (Technical).";
				1		

against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.

against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted;

	3.	6.
	"At least Second Class Master's	(i) Fifty (50) per cent by promotion, on the basis of
	Degree in Commerce / Business Administration/BS (Honours)	seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service
	Finance and Accounting or its equivalent qualification from a recognized University!	as such: Provided that if no suitable officer is available for promotion then by transfer.; and
- - -		(ii) fifty (50) per cent by initial recruitment.".

against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.

(f)....

(h)

(g) against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	· · ·
2.		б.	
"Assistant.	(i) Seventy-five per c seniority-cum-fitn	ent by promotion, on t less, from amongst 1	
	Clerks with at lea	ast three years' servic	ce as such;
	and .		
	(ii) twenty-five percer	nt by initial recruitme	nt.";

- against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:
 - "Provided that if no suitable officer is available for promotion then by transfer.";
 - affier. Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

ł	1.	2.	3.	4.	5	6.
•••	''9 B.	Auto CAD	(a) At least Second	-	18 to 30	By initial
		Operator.	Class Bachelor's	•	years.	recruitment.";
			Degree from a			
÷.		-	recognized	· ·	· ·	
k · · ·			University;	ŀ.		· · · ·
	f :			i .	l .	

	· · ·	· ·		
المراقب والمراجع			•	
	(b) six months Diploma in Civil AutoCAD		•	
	from a recognized	··		
	Technical Institute;			
	(c) at least two years'			
	experience in relevant			
	field.			
		l in the same	otive colum	ins namely:
(j) for Serial No. 11 t	he following shall be substituted	·		·
1. 2.	3.	4. 5	o 30 By	6initial_
"11. Account	ant. At least Second Class Bachelor's Degree in	1 1		uitment:
	Business Administration		Pro	vided that till the
	or its equivalent		app	oointment of a
	qualification, from a recognized University.			table person on tial recruitment
				post shall be
				led by transfer.";
(k) for Serial No. 14	, the following shall be substitu	ted, in the re	spective col	umns, namely:
	3.	4.	5.	6
•••1. 2. ••14. Compu			to 32 B	y initial
Operat			years.	cruitment.";
	Computer Science (BCS)/ Informatic	- 1. I		
	Technology (BI		•	
	(04-years) or i	its		
	equivalent	· .		
	qualification from recognized		· .].	· · · ·
	University; or	· · · .		
	(b) At least Second Cl			
	Bachelor's Deg from recogniz			*
	University with		.	
	year Diploma	in		:
	Information		· .	
	Technology from recognized Board			•
	Technical Education			
	Io. 19, the following new entri	es shall be in	serted in t	he respective column
(1) after Serial N namely:			iourou, iii u	
	· · · · · · · ·			
- 1. ·	2.3.river.Preferably literate	<u>. 4.</u>	5. 18 to 40	6. By initi
"19A. D	river. Preferably literate holding a valid Dr		years.	recruitment."; and
	License.			
	<u>. </u>		· · · · ·	· · · · · · · · · · · · · · · · · · ·
		•		
			•	
			•	

								_
. :	1.	. 2		3.	4.	5.	6.	
	:"19A.	Driver.		Preferably literate and	;	18 to 40	Ву	initi
		1	•	holding a valid Driving		years.	recruitment.'	; and
				License.			· .	
, •				· .				

.

4

-: ; 1

(m)

for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-I)2-188/SSRC/2018 .-

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Secretary LG, E&RDD Peshawar.

15. The Office Order file.

(HAJI MUHAMMAD)

SECTION OFFICER (ESTAB) Phone # 091-9213224

Aritan - III



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 16th October, 2019 <u>No. SO(E)LG/2-188/SSRC/2019.-</u> In exercise of the powers conferred by sub-rule (2) of ru e 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- a) Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.";
 - ii) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst
 the Senior Scale Stenographers and Assistants with at least three years service as such.";

<u>Note:</u> For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.";

- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - ii) Fifty (50) per cent by initial recruitment.";
- c) against Serial No.5, in column No. 6, for the existing entries, the following shall be publicituted, namely:
 - "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;

 Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and

iii) Seventy per cent by initial recruitment,";

against Serial No. 6, in column No.6, for the words, colon and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall be substituted;

against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and

against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:

Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and

ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsil.".

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG,E&RD DEPARTMENT

No. SO(E)LG/2-188/SSRC/2019.-

f)

i)

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtunkhwa.

10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13 The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 100 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LG, E&RD Khyber Pakhtunkhwa.

15. The PS to Secretary LG, E&RDD Peshawar.

16. The Office Order file.

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 26th January, 1978

20

No DG(RWP) 7(2)/73: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 and in consultation with the Information, Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix. -∸sd-

> (Atta Ur Rehman Khan) Secretary to Govt: of N.W.F.P. Local Govt:, Cooperation, Social Welfare, Tourism and Rural Development Department

No.DG (RWP) 7/(2)73.

Copy of the above forwarded to the -

- All Administrative Secretaries to Government of NWFP. 1:
- All Divisional Commissioners in NWFP. 2.
- Secretary to Governor, NWFP, Peshawar. 3.
- Secretary, Public Service Commission, NWFP, Peshawar. 4.
- All Heads of Attached Department in NWFP. 5.
- All Deputy Commissioner/Political Agent in NWFP. 6.
- All District and Session Judge in NWFP. 7.
- Registrar, Peshawar High Court Peshawar. 8.
- Deputy Secretary-II, I S&GAD 9.
- 10. All Section Officer in S&GAD.
- 11. Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978.
- 12. Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III (IS&GAD) 4-6/75 dated 8th
- 13. Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department.
- 14. Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III(S&GAD)4-6/75 dated 21st January, 1978.

	S:No.	Nomenclature	Qualification for	for promotion	initial	
•		of post	initial recruitment	for promotion	recruitments	
•		- ·		4	5	6
	1	2	3		Not less than	i) 25% by initial recruitment and 75% by
\sim		Deputy	a) 2 nd Class Master's	• -	30 years and	merit with due regard to seniority from
-		Directors	Degree from a		not more than	amongst the holders of the posts of
•	- 2 4	D110011-	recognized		35 years	Assistant Director Rural Development
-		÷* .	University in		JJ years	(including the defunct basis Democracies
-	• .		Economics,		· ·	Department) Project Managers & Progress
-			Statistics, Social		· · ·	Officers with at least years experience
			Works/ Sociology,			as such.
			Animal Husbandry,			
			Agril: Political			
			Science, Public			
	· .		Admn: Geography or			
			Social Psychology;			
			and			
	· .		b) Five year	· .		
			experience in	*		
	1.1.1.2		Agriculture, Animal			
-		· · ·	Husbandry Education,			
			Social Welfare,	· .		
	• •		Planning & Dev: or			
	•		Forest in Grade-16			
	. :	· · · · · ·	or above.	<u> </u>	Not less than	i) 50% by initial recruitment and
	2	Assistant	a) 2 nd Class Master's	. ·	21 years and	(ii) 50% by selection on merit with due
••		Director/	Degree from a	· · ·	not more than	regard seniority from amongst holders of
	·	Project	recognized		30 years	the post Development Orricers and Sub-
		Manager	University in			Divisional (Assistant Engineers)
		/Progress	Economics,	· · ·		
		Officer	Statistics, Social			
			Works/ Sociology,	· · ·.		
		· · ·	Animal Husbandry,	· .	•	
			Agril: Political			
	ļ		Science, Public	· ·		
			Administration,	. •.		
. · .			Geography or Social		,	
	1		Psychology, Physics,			
		· · .	Chemistry,			
	·		Mathematics.			
		· ·				
-					المتعلمية والمراجع والمراجع والمتعلمين	
	-	manage a second proceeding of the second sec		_		

s'

, .

.

3Accounts2nd class Master'sNot less than 21 years and not more than 30 yearsi) 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the post Superintendent the Department with a least three years service such.3Accounts2nd class Master's Business Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department.Not less than 30 yearsi) 50% by initial recruitment and ii) 50% by initial recruitment and with a least three years service such.4Development Officer2nd class Master Degree from a recognized University in Economics,Not less than 21 years and not more than 30 yearsi) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.	
3AccountsDegree in Commence / Business Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department.Inot more than all yearsregard to seniority from amongst holders of the post Superintendent the Department with a least three years service such.4Development Officer2nd Class Master Degree from a recognized University inNot less than all years and all yearsi) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department	
OfficerBusiness Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department.30 yearsof the post Superintendent the Department with a least three years service such.4Development Officer2 nd Class Master Degree from a recognized University in University inNot less than 21 years and not more than 30 yearsi) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department	
Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department. 4 Development Officer 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department. 4 Development Officer 4 Development Officer 4 Development Officer 4 Development Officer 50% by initial recruitment and 21 years and not more than 30 years 50% by selection on merit with due recognized University in 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.	
Persons of Pakistan Audit Department or Provincial Local Audit Department.Not less than (i) 50% by initial recruitment and (ii) 50% by selection on merit with due (ii) 50% by selection on merit with due (ii) 50% by selection on merit with due (ii) 50% by selection on merit with due (iii) 50% by selection on merit with	
Audit Department or Provincial Local Audit Department.Not less than 1) 50% by initial recruitment and i) 50% by selection on merit with due ii) 50% by selection on merit with due ii) 50% by selection on merit with due ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.	
Provincial Local Audit Department.Not less thani) 50% by initial recruitment and4Development Officer2nd Class Master Degree from a recognized University inNot less than 21 years and not more than 30 yearsi) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.	
Audit Department.Not less thani) 50% by initial recruitment and4Development2 nd Class Master21 years andii) 50% by selection on merit with due0fficerDegree from a recognized21 years andii) 50% by selection on merit with due1Degree from a recognized21 years andii) 50% by selection on merit with due1Degree from a recognized21 years andii) 50% by selection on merit with due1Degree from a recognized30 yearsregard seniority from amongst holders of the post Supervisor, RD in the Department1University in30 yearswith at least 10 years service.	
4Development Officer2nd Class Master Degree from a recognized University in21 years and not more thanii) 50% by selection on more than regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.	
4 Development 0fficer Degree from a recognized 0fiversity in 00 years	2
recognized University in University 20 20 20 20 20 20 20 20 20 20 20 20 20 2	
Whith at least 10 years service.	t
le la constante de la constante de la constante de la constante de funct Vill:Ald Department	
statistics, social Note:Service in default works/ sociology, and the purpose of service under this	
Animal Husbandry,	
Agriculture, Public deptt.	· [
Admn: Political Science Geography	·
or Social Psychology Not less than i) 75% by initial recruitment and	•
$1 - 5 - 1 - 300 D \pm 4 - 4 - 5 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1$	
Ullicer the Overseers	
Assistant equivalent 30 years of the post the Overseers.	
Assistant equilibration from a 30 years	·
Engineer recognized University By the selection on merit with due regard	
6 Superintendent - Assistant/Accountants/ Senior Stenographer	
Assistant/Accountants/ Senior Starty 1 /Senior Auditors with least five years	ľ
/Senior Auditors with lease 1100 Jan	
experience as such.	
experience as such: experience as such: Not less than i) 25% by initial recruitment and Not less than i) 25% by collection on merit with due	
7 Assistant / Degree from 21 years and 11) 75% by selection amongst holders of	
not more than regard seniority from among Junior	
Accountantrecognizednot more thanregard seniorityUniversity-25 yearsthe post of Senior Clerks, JuniorAuditors with atleast five years service	
Auditors with atleast live years berte	
	· .

• .

• .

. .

·		a) Matriculation or	(NOL LESS chun	ii) 75% by selection on merit with due
8	Stenographer	equivalent	1	18 years and	regard to seniority from amongst holders
x 1	(Senior Scale)	qualification	1 - 7	not more than	of the post Stenographer (Junior Scale).
,		from recognized	1	25 years	of the post stenographics ,
		irom recognized	1	4	
F7	1	board and	1		
\rightarrow	1	b) Speed 100 words	1 '	ſ	
	·	per minutes in	1	1	
	· · · · ·	shorthand in	1 . '	1	
	· · ·	English and 40	1 . '	1	
	1	words per minute	1		
		in typing.		1	By Initial Recruitment
	· · · · · · · · · · · · · · · · · · ·	Diploma in Engineering ·		Not less unan	By Initial wood
9	Overseer	from a recognized	1	21 years and	
		from a recognized	1.	not more than	
		institute	1	25 years	and and
· ·			<u> </u>	Not less than	i) 25% by initial recruitment and
10	Supervisor,	Degree from recognized		21 years and	111) 75% by selection on merre wren due
1.0	Rural Dev:	University	1	not more than	regard to seniority from amongst
	Rulai 50			25 years	holders of the post Village Secy: in
.				25 years	Department with least years
			l		experience as such.
·.	· · · · · · · · · · · · · · · · · · ·				experience
.					i) 50% by initial recruitment and
		from recognized	*	Not less than	I have a subjection on morit with quel
11	Senior Auditor	Degree from recognized		18 years and	
		[Iniversity	}	not more than	regard to seniority from amongoe
· · ·		Note: Preference will		25 years	holders of the post duitor
		be given to persons			Auditor/Snr.Clerks in the Department
ľ		holding Degree with	· · · ·		with a least three years service such.
		Commerce as one of the			
		subjects or equivalent			
		qualification in		· · ·	
		Accounts			n i) 50% by initial recruitment and
<u></u>	:	a) Matriculation or	· · · · · · · · · · · · · · · · · · ·	Not less than	i see a second second on morit with duel
. 12	Stenographer			18 years and	i i i anniority trom amongsul
·	(Junior Scale)	equivalent		not more than	\sim recard, to seniority from another the
				25 years	holders of the post of stend typises
.		recognized board			in the Deptt.
		and		· ·	
·	· · · · ·	b) Speed 80 words per			
		minutes in			
- I 🖉		shorthand in			
-		English and 35			
		Eligitsi and			۱ ۱
-	 ,		· .	·	
4					

r				words per minute in				-
			ļ	typing				i) Not less than 50% by initial
~ *	13	Steno Typist	a)	Matriculation or equivalent qualification from			not more	recruitment and
<u>**-</u>)	-		recognized board			25 years	Junior Clerk in the Department with a least three years service such. Who
r L		· · · ·	b)	Speed 60 words per minutes in shorthand in	•			have the minimum qualification prescribed for initial recruitment.
Ð	-			English and 35 words per minute in		-		
			ļ	typing Matriculation or	· · · ·		Not less than	By Initial Recruitment
	14 	Junior Auditor	· .	equivalent qualification from			18 years and not more than 25 years	
				recognized board			-	By selection on merit with due regard to seniority from amongst holders of the post
	15	Senior Clerk				· · ·	-	Junior Clerk in the Department with a least three years service such.
		· · · · · · · · · · · · · · · · · · ·		Intermediate from			Not less than	
	16	Village Secretary		recognized Board	ŭ.		18 years and not more than	
	•						25 years Not less than	i) Not less than 80% by initial
	17	Junior Clerk		Matriculation or equivalent	· ·		18 years and not more than	recruitment and
•	* •			qualification from recognized board		· · ·	25 years	merit from amongst holders of the post
					· · ·	• .		with a least three years service such. Qualification prescribed for initial
	· .				· ·.			recruitment
	•		1		<u> </u>			



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

The state

NO.SO(FR)FD//8-25/2014/Local Govt./3379

Dated Peshawar, the 01-02-2018

To

The Secretary to Govt: of Khyber Pakhtunkhwa, Local Government Department.

Subject: -

- <u>SERVICE STRUCTURE FOR THE POST OF SUPERVISOR AND</u> VILLAGE / NEIBOURHOOD COUNCIL SECRETAIRES.

Déar Sir,

1 am directed to refer to your Department letter No. SO(LG-I)2-176/2016 dated 16-01-2018 on the subject noted above and to say that the Competent Authority has been pleased to upgrade 3501 posts of <u>VILLAGE / NEIBOURHOOD COUNCIL</u> <u>SECRETAIRES</u> and 89 posts of Supervisor in Local Government Department in the following manner:-

	•	
		Number of Posts upgraded from BPS-07 to
Village / Neibourhood	Council Secretaries upgraded from	BPS-11 and re-designated as Senior
Council Secretaries (BPS-07)	BPS-07 to BPS-09 having less than 10 years of service.	Secretaries Village/Neibourhood/Council having at least 10 years or more service.
		•
3501	2651	850

 Foral Sanctioned Strength of Supervisor (BPS-09)
 Number of posts upgraded to BPS-14 with same nomenclature of the posts

 89
 N
 89

2. The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.

Audit copy may be prepared and sent to this department for authentication.

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

Budget Officer (PFC-III), Finance Department for information and necessary action.

SECTION OFFICER (FR)



DIRECTOR GENERAL LOCAL GOVERNMENT& RURAL DEVELOPMENT KHYBER PAKHTUNKHWA

Dated Peshawar the 4th November, 2021

AUTHORITY LETTER

Mr.Azaz-ul-Hassan Office Assistant in Directorate General Local Government & Rural Development, Khyber Pakhtunkhwa is hereby authorized to submit the joint parawise Reply in case titled Appeal No.9150 TO 9162 to 10191 to 10294 of 2020 Hudayat shah and 204 others VS Government of Khyber Pakhtunkhwa in Khyber Pakhtunkhwa Service Tribunal Peshawar on behalf of Respondents in the instant case.

Assistant Director (Litigation), LG,E&RDD, Khyber Pakhtunkhwa

> Assistant Director (Litigation) Directorate General LG & RD Khyber Pakhtunkhwa

ABLE KHYBER PAKHTUNKHWA SERVICE THE HONOR FORE TRIBUNAL, PESHAWAR

Service Appeal No 1356/2019 Janiq Masik

Govt: of KP etc.....

.... (Appellant)

VERSUS

(Respondents)

INDEX

÷.,		DESCRIPTION OF DOCUMENTS ANNEXURE	PAGE	
<u> </u>	S. NO		1-2	ļ
	1.	Para-wise comments	3	
	2.	Affidavit	1	

Respondent through

(TARIQ UMAR) Inspector/ Legal CPO, Peshawar.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE <u>TRIBUNAL, PESHAWAR</u>

Service Appeal No 1356/ 2019.

Tariq Masih...... (Appellant) VERSUS

Govt: of KP etc......(Respondents) <u>REPLY BY RESPONDENTS NO. 2</u>

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is bad for miss-joinder and non-joinder of necessary parties.
- b) That the appeal is not based on facts.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is badly barred by law & limitation.
- e) That the appellant is estopped to file the appeal by his own conduct.
- f) That the appellant has not come to this Honorable Tribunal with clean hands.
- g) That the appellant has got no cause of action to file instant service appeals.
- **h**) The answering respondent is not appointing authority of the appellant under the rules.
- FACTS:-
- 1. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- 2. Incorrect. The appellant is Ex- Levy employee and he has not served under the control of answering respondent. Who is neither appointing not dismissal authority under the rules.
- 3. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- 4. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- 5. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- 6. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- 7. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.

Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments. Furthermore, the instant service appeal is not maintainable against the answering respondent on the following Grounds.

GROUNDS:-

8.

- A. Incorrect. The act of respondent i.e Ex-Political agent was in accordance with law/ rules and no malafide is existing on the part of answering respondent.
- **B.** Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- **C.** Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- **D.** Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- E. Pertains to record of Ex- Political Agent, Kurram Agency who can better explain the position hence, no comments.
- **F.** Incorrect. No discrimination has been committed by the answering respondent.
- **G.** The respondents may also be allowed to raise additional Grounds at the time of hearing of the instant Service Appeal.

PRAYER:-

Keeping in view the above stated facts and rules it is humbly prayed that the appeal is not maintainable and devoid of legal force against the answering respondent may kindly be dismissed with costs, please.

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 2)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 1356/2019

Tary Masch

12

VERSUS

..... (Appellant)

Govt: of KP etc.....

LICOOD

.....(Respondents)

<u>AFFIDAVIT</u>

I, Tariq Umar Inspector/ Legal CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondent No. 2 is correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

Respondent through

(TARIQ UMAR) Inspector/ Legal CPO, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>Appeal No. 915° /2020.</u>

Mr. Hidayet sha

.....Appellant

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar. · .
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa

S .#	Description of Documents	Annexure	Page #
1	Joint Parawise reply	-	1-4
2	Affidavit		5
3	Notification No. SO(LG-I)2-188/SSRC/2018 dated 05.4.2018	Annex-I	6-7
4	Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018	Annex-II	8-11
5	Notification No. SO(LG-I)2-188/SSRC/2018 dated 16,10.2019 alongwith 1978 Service Rules	Annex-III	12-18
6.	No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1 st February 2018	Annex-IV	19

INDEX

Respondents

Through

22/11/some Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>Appeal No. 915° 12020.</u> Mr. <u>Hidayat</u> ShaAppellant

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.

.....Respondents

JOINT PARA WISE REPLY ON BEHALF OF RESPONDENTS No. 1 to 5

Respectfully Sheweth!

Preliminary Objections:

- i. The Appellants have no locus standi and cause of action.
- ii. The Appellants have not come to the Service Tribunal with clean hands.
- iii. The Appellants have submitted incorrect & irrelevant documents and concealing the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.
- v. The present appeal is time barred.
- vi. That the instant appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- vii. That this Honorable Tribunal lacks jurisdiction to adjudicate upon the matter.

ON FACTS

- 1. Pertains to record.
- 2. Incorrect, The Provincial Government vide Notification bearing No. SO (LG-I)2-188/ SSRC/2018 dated 05.4.2018, No. SO (LG-I)2-188/SSRC/2018 dated 01.8.2018 and No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 has allowed the channel of promotion to the appellant upto the post of Director (BPS-19) instead of Deputy Director (BPS-18) previously allowed under Service Rules Vide Notification No. DG (RWP)7(2)/73 dated 26-01-1978. (Annexure as I, II & III).
 - 3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service

Rules thus wrongly pointed out by the petitioners. However, channel of promotion of the Village Secretary upto the post of Director (BPS-19) still exists.

 The Provincial Government vide letter No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:-

a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.

b. 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and redesignated as Junior Village Secretary having less than 10 years' service.

In addition to above,

c. 89 posts of Supervisor upgraded from BPS-09 to BPS-14.

The channel of prometion of Village Secretary upto the post of Director (BPS-19) is intact.

Therefore necessary amendments in the Service Rules Notified on 26.01,1978 have been made, keeping in the view the requisite length of service for promotion of Junior Village Secretary (BPS-9) to the post of Senior Village Secretary (BPS-11) and it is worth mentioning that the onward channel of promotion is still intact upto the post of Director (BPS-19).

It is further submitted that the length of service for promotion of Junior Village/Neighbourhood Secretary (BPS-09) to the post of Senior Village/Neighbourhood Secretary (BPS-11) has been reduced and amended from 10 years to 5 years vide Notification No. SO (LG-I) 2-188/SSRC/2018 dated 16.10.2019, thereby allowing straightaway promotion to the petitioners after completion of 5 years' service instead of waiting for 10 years.

5. Irrelevant, hence denied.

6. As already explained, the channel of promotion has been maintained and amendments in Service Rules have been made after upgradation of the Village/Neighbourhood Secretary from BPS-07 to BPS-9 for Junior Village Secretary and BPS-07 and BPS-11 for Senior Village Secretary respectively.

Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.

REPLY TO GROUNDS:

A. Incorrect, There is no bar in Service Rules for promotion from the post of Village Secretary (BPS-09) upto the post of Director (BPS-19) LG&RD. (Annex as I,II & III).

- Y
- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.
- C. Incorrect, Already explained above.
- D. Incorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director (BPS-19) LG&RDD on his turn as per Law/Rules/Policy.
- F. Incorrect, already explained in Para 3, 4 and 6 of the facts.
- G. Incorrect. Promotions take place as per Law/Rules/Policy in vogue.
- H. The Respondents seek permission to produce further record and relevant arguments during the tribunal proceedings.

It is, therefore, humbly prayed that the instant Service Appeals being devoid of merits may be dismissed with cost please.

- Still Director General & G&RD

Khyber Pakhtunkhwa Respondent No.5

Secretary LG,E&RDD, Khyber Pakhtunkhwa Respondent No.3

Secret

Secret**ar, F**inance Department,. Khyber Pakhtunkhwa **Respondent No.4**

Secretary Establishment Department, Khyber Pakhtunkhwa Respondent No.1 & 2



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. C SO Mr.Appellant VERSUS 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.

- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.

5. The Director General, Local Government & Rural Development Department, Khyber , Pakhtunkhwa.

......

......Respondents

Deponent

CNIC #. 17301-2416976-9

Cell #.0336-9170959

<u>AFFIDAVIT</u>

I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government & Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 2150 Highly 3140 are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Court.



Identified By

Advocate General Khyber Pakhtunkhwa

				Adres Her			t, Elections & Rural at Department
	12	XD -			$\frac{1}{ u ^{20}} \frac{NOTIFIC}{ u ^{20}}$		N DATED 6/4/1/ LDG LOCAL GOVERNMENT I Peshawar, the 05 th April, 2018
ĩ		: <u>N</u>	<u>o, SO(I</u>	LG-1)2-188/S		xercise of V	he power conferred by sub-rule (2)
:		ol	the ru	le 3 of the Kt	nyber Pakhtunkwha Civil S	ervants (Ap	pointment. Promotion and Transfer)
:		. R	ules, 1	489, the Lo	cal Government, Elections	and Rural	Development Department Khyber
		i P	akhtun	khwa, in cor	sultation with the Establi	shment &	Administration Department and the
	\mathbf{r}	•		,	· ·		s Department's Notification No.
	• • •			•			mendments shall be made. namely:
	- 14		1.		•	DMENTS	DDA)
		í	In the A	Appendix:-		<u>~</u>	72-
		1 .			following shall be substitu	led, in the re	spective columns, namely:
,		ſ		Supervisor	Atleast Second Class		// 7
			10.	oupervisen	Bachelor's Degree from a	•	promotion, on the basis of
		1			recognized University.		amongst the Senior Secretary
				N			Village / Neighborhood Council, Y A With atleast five (05) year service
		1		. 、			as such: and
					•		ii) Twenty-five (25) per cent by initial recruitment.":
•					15, the following new ent	ries shall be	inserted, in the respectively columns.
	·		name			· · · · · · · · · · · · · · · · · · ·	By promotion, on the basis of seniority-
				Secretary			cum-fitness, from amongst the Junior Secretary Village / Neighborhood
	-	•		Village Neighborl	 bood	*.	Council, with atleast ten (10) year
				Council.			service as such.": and
		•	(c)-f(["]6.		Atleast Second C		the respective columns, namely:
		r i	10.	Secretary	Intermediate	or 30	promotion, on the basis of
				Village Neighborh	/ equivalent qualifica ood from a recognized Bo	1	seniority-cum-fitness, from amongst the Naib Qasids and
		1		Council.	and atleast six	(06)	Chowkidars in the Village /
				•	months Certificate	in n	Neighborhood Council with seniority at tehsil level, having
					, recognized institute experience in	with MS-	Secondary School Certificate in
• · 4		ţ			experience in OMce. Impage	and	second division. from a recognized Board or Institute
1		بېنې بېټې			Internet,		with three (03) year service as such; and
•		- 6			• •		
•				1	1	l	1
	•			· · ·	• .		• • • •
	-		•			•	
					•	,	
			•			. ·	

Eighty (80) per cent by Initial recruitment;

li)

,ţ

anto

i I i

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates. from adjacent Village / Neighborhood Council:

Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-1)2-188/SSRC/2018.- Dated Peshawar, the 05th April, 2018

Copy forwarded to:-

1. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa,

3. The Secretary to Governor, Khyber Fakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Knyber Pakhtunkhwa Peshawar.

6/ The Director General, LG.E&RDD. Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar, Peshawar High Court, Poshawar,

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press. Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LO, E&RD Khyber Pakhtunkhwa.

15. The PS to Secretary LO, E&RDD Peshuwar.

16. The Office Order file.

15 al

SECTION OFFICER TEST Phone # 091-9213224

ιų.



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 01st August, 2018

Am 4

No. SO(LG-I)2-188/SSRC/2018.- In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. 1 the following shall be substituted, in the respective columns, namely:

1,	2.	3.	4.	5.	6.	1.
["1,]	Director	•	•	-;	By transfer from amongst PAS, PCS and	ŀ
	General.				PMS officers in BPS-20.".	Ι.
Į.	•			ļ ·		l

(b)

for Serial No. 1A, the following shall be substituted, in the respective columns, namely;

. 1,	2	3.	4.	5.	6.
"1Ă	Director.	-	-		By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above.
					<u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B.	Director (Technical).		-	•	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years' service as such or twelve (12) years' service, as Assistant Engineer and
1C.	Deputy Director/Assistant Director (Senior).	-	-	-	Assistant Director (Technical) and above. By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Directors with at least five (05) years' service as such.

ii) Eighty (80) per cent by Initial recruitment;

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates, from adjacent Village / Neighborhood Council:

Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT, ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018-

Copy forwarded to:-

1. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

6/ The Director General, LG.E&RDD. Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar. Peshawar High Court. Poshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press. Peshawar for publication in the next Oovernment Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LO, E&RD Khyber Pakhtunkhwa.

15. The PS to Secretary LG.E&RDD Peshawar.

16. The Office Order file.

ili el

(HAJL MU) SECTION OFFICER (ESTAB) Phone # 091-9213224

્રેલ



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

<u>NOTIFICATION</u>

Dated Peshawar, the 01" August, 2018

Amer

No. SO(LG-D2-188/SSRC/2018.- In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

for Serial No. 1 the following shall be substituted, in the respective columns, namely:

.	1.	2,	3!	4.	5.	6.
i	"1.	Director	•		-	By transfer from amongst PAS, PCS and
•		General,			l ·	PMS officers in BPS-20.".
·	ļ				1	

(b)

(c)

(a)-

for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

Γ	. 1.	2.	3.	4,	<u>5</u> ,	5.
	"IA.	Director.			-	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above.
		•				<u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B.	Director (Technical).	•		•	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years' service as such or twelve (12) years' service, as Assistant Engineer and Assistant Director (Technical) and above.
1C.	Deputy Director/Assistant Director (Senior).	-	-	-	By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Directors with at least five (05) years' service as such.

				\mathcal{Y} is the second s
1D.	Deputy Director (Finance and Accounts).		•	By promotion, on the basis of seniority- cum-fitness, from amongst Accounts Officers with at least five years' service as such.
1E.	Deputy Director (Technical).		•	By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Engineers, and Assistant Directors (Technical) with five (05) years' service as such and having a Bachelor's Degree in Civil Engineering.";
				<u>Note:</u> For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

(d)

against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.

(e)

(Ì).

(g)

against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

3.	6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	 (i) Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service as such: Provided that if no suitable officer is available for promotion then by transfer.; and
	(ii) fifty (50) per cent by initial recruitment.".

against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.

against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

•	2.		6,
"Assistant,		· · ·	(i) Seventy-five per cent by promotion, on the basis of
		-	seniority-cum-fitness, from amongst the Senior
	:		Clerks with at least three years' service as such;
	· ·		and
	۰.	1 . N	(ii) twenty-five percent by initial recruitment.";

against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:

"Provided that if no suitable officer is available for promotion then by transfer.";

after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

2.	3.	4,	5.	6.
to CAD (a cerator.) Af least Second Class Bachelor's		18 to 30 years.	By initial recruitment.";
	Degrée from a recognized University;			



(h)

(i)

·	, , , , , , , , , , , , , , , , , , , ,	(10)		
		 (b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and (c) at least two years' experience in relevant field. 		

(j).

(k)

for Serial No. 11 the following shall be substituted, in the respective columns, namely:

· · · · ·					
	1.	2,	3.	4, 5.	6.
*	' 11.	Accountant.	At least Second Class	- 21 to 30	By initial
· ·			Bachelor's Degree in	years.	recruitment:
			Business Administration		Provided that till the
	÷.		or its equivalent qualification, from a		appointment of a
1			recognized University.		suitable person on
- 1	:		recognized University.	-	initial recruitment
·					the post shall be
				• •	filled by transfer.";

for Serial No. 14, the following shall be substituted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
"14.	Computer	(a) At least Second Class	. ===	21 to 32.	By initial
	Operator.	Bachelor's Degree in		years.	recruitment.";
		Computer Science			
•		(BCS)/ Information			
		Technology (BIT)			
<u>.</u>		(04-years) or its			
• •	·	equivalent			
		qualification from a			
		recognized			
		University; or			
		(b) A: least Second Class	s		
		Bachelor's Degree	e		
ļ		from recognize	d		
l ·		University with on	e .		
۱.	•	year Diploma i			and the second sec
1.		Information	.		
1	•	Technology from	8		
1.		recognized Board			
		Technical Education			

after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

1.	2,	3.	4.	5.	6.
"19A.	Driver.	Preferably literate and	.	.18 to 40	By initia
·		holding a valid Driving		years.	recruitment."; and
		License.			
	· · ·			· ·	

for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LC-I)2-188/SSRC/2018.-

(m)

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press, Peshawar for publication in the next Government

Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Secretary LG,E&RDD Peshawar.

15. The Office Order file.

(HAJI MUHAMMAD)

SECTION OFFICER (ESTAB) Phone # 091-9213224



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural **Development Department**

NOTIFICATION

Dated Peshawar, the 16th October, 2019

Atmax-

- 111_

In exercise of the powers conferred by sub-rule (2) No. SO(E)LG/2-188/SSRC/2019.of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73 , dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

🚕 In the Appendix,-

HD

b)

Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:

"Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public i) – . Services Commission on the pattern of syllabus prescribed for the Officers in ... Provincial Management Service.";

Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and

Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst : the Senior Scale Stenographers and Assistants with at least three years service as such.";

Note: For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.";

against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:

i) "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and

Fifty (50) per cent by initial recruitment."; ii)

against Serial No.5, in column No. 6, for the existing entries, the following shall be

(A. H. A. H. B. "Twenty" "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;

Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and

Seventy per cent by initial recruitment.";

against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and

against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:

Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and

ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent^{*} Village Council / Neighborhood Council then from any other Village Council /. Neighborhood Council in that Tehsil.^{*}.

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG,E&RD DEPARTMENT

No. SO(E)LG/2-188/SSRC/2019.-

e)

: `

į.

11 12

5

i)

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.

7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtunkhwa.

1 10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 100 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LG, E&RD Khyber Pakhtunkhwa.

15. The PS to Secretary LG, E&RDD Peshawar.

16. The Office Order file.

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 091-9213224

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

14)

NOTIFICATION

Peshawar, dated the 26th January, 1978

No DG(RWP) 7(2)/73: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 and in consultation with the Information, Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix. --sd-

> (Atta Ur Rehman Khan) Secretary to Govt: of N.W.F.P. Local Govt:, Cooperation, Social Welfare, Tourism and Rural Development Department

No.DG (RWP) 7/(2)73.

Copy of the above forwarded to the:-

- 1. All Administrative Secretaries to Government of NWFP.
- 2. All Divisional Commissioners in NWFP.
- Secretary to Governor, NWFP, Peshawar. 3.
- Secretary, Public Service Commission, NWFP, Peshawar. 4.
- All Heads of Attached Department in NWFP. 5.
- All Deputy Commissioner/Political Agent in NWFP. 6.
- 7. All District and Session Judge in-NWFP.
- 8. Registrar, Peshawar High Court Peshawar.
- Deputy Secretary-II, I S&GAD 9.
- 10. All Section Officer in S&GAD.
- 11. Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978.
- 12. Section Officer (Inform;), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th
- 13. Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department.
- 14. Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III (S&GAD) 4-6/75 dated 21st January, 1978.

	Nomenclature	Qualification for	Qualification	Age limit for	Method of appointment
S.No.	of post	initial recruitment	for promotion	initial	
	or post		-	recruitments	
		3	4	5	6
1	2.			Not less than	i) 25% by initial recruitment and 75% by
1	Deputy	a) 2 nd Class Master's Degree from a		30 years and	merit with due regard to seniority from
	Directors	recognized		not more than	amongst the holders of the posts of
				35 years	Assistant Director Rural Development
		University in			(including the defunct basis Democracies
		Economics,			Department) Project Managers & Progress
		Statistics, Social		-	Officers with at least years experience
		Works/ Sociology,			as such.
		Animal Husbandry,			
		Agril: Political			$\left[\frac{1}{2} \left[\frac{1}{2$
		Science, Public			
		Admn: Geography or			
		Social Psychology;			
:		and			
		b) Five year			
		experience in	•		
	· · · · · · ·	Agriculture, Animal			
		Husbandry Education, .			
		Social Welfare,			
	· · ·	Planning & Dev: or			
		Forest in Grade-16			
		or above.			i) 50% by initial recruitment and
.2	Assistant	a) 2 nd Class Master's		Not less than	
	Director/	Degree from a		21 years and	is in the second boldone of
-	Project	recognized -		not more than	the post Development Officers and Sub-
	Manager	University in		30 years	Divisional (Assistant Engineers)
].	/Progress	Economics,	· · ·		DIAI2TOHUT (M2212 cance pudrucers)
·	Officer	Statistics, Social			
. ·		Works/ Sociology,			
		Animal Husbandry,			
		Agril: Political			
		Science, Public		· · · · ·	
	· · · · ·	Administration,			
	•	Geography or Social			
		Psychology, Physics,			
	المنظم المراجع	Chemistry,		and a straight the	and the second
, f	· · · · · ·	Mathematics.	·		
-			<u> </u>		

, •	· . · .	· · · · ·			6>	
-	· · ·					i) 50% by initial recruitment and
	3	Accounts	2 nd class Master's		Not less than	ii) 50% by selection on merit with due
		Officer	Degree in Commence /		21 years and	
	· ·		Business		not more than	of the post Superintendent the Department
			Administration, or		30 years	with a least three years service such.
			G.A.S qualified		•	with a least three years service buont
-			persons of Pakistan			
			Audit Department or			
•	e ye ser et		Provincial Local			
· · ·			Audit Department.			the second state is reconsistent and
•	4	Development	2 nd Class Master			i) 50% by initial recruitment and
:	-1	Officer	Degree from a		21 years and	ii) 50% by selection on merit with due
.		0111001	recognized		not more than	regard seniority from amongst holders of
•			University in		30 years	the post Supervisor, RD in the Department
	î		Economics,			with at least 10 years service.
			statistics, social			
•			works/ sociology,			Note:Service in defunct Vill:Aid Department
			Animal Husbandry,			and the purpose of service under this
	-		Agriculture, Public			clause be treated as service in the
			Admn: Political			deptt.
•		L	Science Geography			
	-		or Social Psychology			the second
	.5	Sub Divisional	Degree in		Not less than	i) 75% by initial recruitment and
		Officer	Engineering or			-ii) 25%-by-selection on merit with due
:		/Assistant	equivalent		not more than	regard to seniority from amongst holders
. •		Director	qualification from a	· · · ·	30 years	of the post the Overseers.
		Engineer	recognized			
		Engineer	University			
	6	Superintendent				By the selection on merit with due regard
	0	Superincendenc			· · · ·	to seniority from amongst holders of the
						Assistant/Accountants/ Senior Stenographer
						/Senior Auditors with least five years
		· · · · ·				experience as such.
·		Decistant /	Degree from		Not less than	i) 25% by initial recruitment and
.	7	Assistant /	recognized		21 years and	ii) 75% by selection on merit with due.
		Accountant	University		not more than	regard seniority from amongst holders of
			OUTACTOTCA		25 years	the post of Senior Clerks, Junior
				1	-	Auditors with atleast five years service.
- 1	- i - I					

يحج وحرابية والوار الحاليات والمتعاد والعفان

and share the second

an generat

۰.

and the second second

		·		/		Not leas	than	i) 25% by initial recruitment and
Γ	8	Stenographer	a) Matriculation or			18 years		(ii) 75% by selection on merit with due
		(Senior Scale)	equivalent			not more		regard to seniority from amongst holders
			qualification				Clian	of the post Stenographer (Junior Scale).
			from recognized	· ·		25 years	; ,	OI che pose scenegraphie
1	•		board and					
			b) Speed 100 words				•	
·	А. — — — — — — — — — — — — — — — — — — —		per minutes in					
			shorthand in					
			English and 40					
	· · · · ·		words per minute					
	· · ·		in typing.			· · · ·	<u> </u>	
\vdash			Diploma in Engineering			Not less	than	By Initial Recruitment
	9	Overseer	from a recognized		·	21 years	and	
			institute			not more	than	
			INSCICUCE			25 years		
·			Degree from recognized			Not less		i) 25% by initial recruitment and
	10	Supervisor,				21 years	and	ii) 75% by selection on merit with due
		Rural Dev:	University	,		not more		regard to seniority from amongst
						25 years	· · · ·	holders of the post Village Secy: in
							· .	Department with least years
			· _· :	n in the second second				- experience as such.
		Se				•		
				· · · · · · · · · · · · · · · · · · ·	. :	Not less	than	i) 50% by initial recruitment and
	11	Senior Auditor	Degree from recognized		· .	1-8 years		(i) 50% by selection on merit with due
-	•		University		_ `. `	not more		regard to seniority from amongst
1	÷		Note: Preference will		۰.	25 years		holders of the post Junior
	· * .;		be given to persons			2J years	۰.	Auditor/Snr.Clerks in the Department
			holding Degree with			, ·	۰.	with a least three years service such.
			Commerce as one of the					
ĺ			subjects or equivalent		-	•		
		·	qualification in	í • • •				
			Accounts					i) 50% by initial recruitment and
┢	12	Stenographer	a) Matriculation or		1	Not less		1 1 1 1 1 1 1 1 1 1
	14	(Junior Scale)	equivalent			18 years		from pmonget
	•	(ountor board)	qualification from		• •	not more		regard to seniority from amongst holders of the post of Steno-typists
			recognized board			25 years		nolders of the post of stend cyproce
	•*		and					in the Deptt.
· ·	• • •		b) Speed 80 words per		· · ·		in e y tra S	
	· · ·		minutes in	-				
			shorthand in			·		and the second
			English and 35		÷			
	•						<u> </u>	
. •				· ·		•	•	a the second
							•	

۔ در ا

	5 .e	•		·			
. [<u></u>			words per minute in	(10)		
				typing		har to the second se	i) Not less than 50% by initial
	.13	Steno Typist	.a)	Matriculation or		Not less than	recruitment and
	12	Stene Trpice		equivalent		18 years and	roo lastion on
·				qualification from		not more than	ii) Not more than 50% by selection on merit from amongst holders of the post
1				recognized board		25 years	Junior Clerk in the Department with a
				and			least three years service such. Who
			b)	Speed 60 words per			have the minimum qualification
			2,	minutes in			prescribed for initial recruitment.
			•	shorthand in			prescribed for initial icerdiance
				English and 35			
	· · · ·	•		words per minute in			
				typing		· · · · ·	
	<u></u>		- <u>`</u>	Matriculation or		Not less than	By Instial Recruitment
	14	Junior Auditor		equivalent		18 years and	
			•	qualification from		not more than	
			· •.	recognized board		25 years	
		<u> </u>		recognized board			By selection on merit with due regard to
• •	15	Senior Clerk					seniority from amongst holders of the post
	, ,						Junior Clerk in the Department with a least
							three years service such.
		·	<u> </u>			Not less than	By Initial Recruitment
	16	Village	1 1	Intermediate from	-	18 years and	
•		Secretary		recognized Board		not more than	
••]			<u> </u>			25 years	
						Not less than	i) Not less than 80% by initial
	17	Junior Clerk		Matriculation or		18 years and	recruitment and
				equivalent		not more than	ii) Not more than 20% by selection on
			· ·	qualification from		25 years	merit from amongst holders of the post
		`.		recognized board		2J YEars	Deftaries and Peon in the Department
	·	· ·	ľ.	:	· ·		with a least three years service such.
	,]	•			Qualification prescribed for initial
		· · ·					recruitment
-	· ·		1			1	



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

NO.SO(FR)FD//8-25/2014/Local Govt./3379

4nne

Dated Peshawar, the 01-02-2018

The Secretary to Govt: of Khyber Pakhtunkhwa, Local Government Department.

SERVICE STRUCTURE FOR THE POST OF SUPERVISOR AND VILLAGE / NEIBOURHOOD COUNCIL SECRETAIRES.

Dear Sir,

Subject: -

To

I am directed to refer to your Department letter No. SO(LG-I)2-176/2016 dated 16-01-2018 on the subject noted above and to say that the Competent Authority has been pleased to upgrade 3501 posts of <u>VILLAGE / NEIBOURHOOD COUNCIL</u> <u>SECRETAIRES</u> and 89 posts of Supervisor in Local Government Department in the following manner:-

	Total Sanctioned Strength of Village / Neibourhood Council Secretaries (BPS-07)	Council Secretaries upgraded from	Number of Posts upgraded from BPS-07 to BPS-11 and re-designated as Senior Secretaries Village/Neibourhood/Council having at least 10 years or more service.
-			
•	3501	2651	850

I	Total Sanctioned Strength of Supervisor (BPS-09)	Number of posts upgraded to BPS-14 with sam	1¢.
•		nomenclature of the posts	
•	89	89	

2. The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.

3. Audit copy may be prepared and sent to this department for authentication.

Gol E)

Yours faithfully

Copy is forwarded to: -

SECTION OFFICER (FR)

Budget Officer (PFC-III), Finance Department for information and necessary action,

SECTION OFFICER (FR)