



3rd July, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General present.

2. On the previous date last opportunity was granted to the appellant but today again an adjournment was sought. Granted but on payment of cost of Rs. 2000/-. To come up for arguments on 31.10.2023 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman

Adnan Shah

13th March, 2023

Appellant alongwith his counsel present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present.

Learned counsel for the appellant seeks time on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 02.05.2023 before the D.B. Parcha Peshi given to the parties.



(Salah-ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

02nd May, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
2. Learned counsel for the appellant seeks adjournment for preparation of arguments. Last opportunity is granted. To come up for arguments on 03.07.2023 before the D.B. Parcha Peshi is given to the parties.



(Salah-ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

20th Oct, 2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Last opportunity is granted to him to argue the case on the next date failing which the case will be decided on the available record without arguments. To come up for arguments on 20.12.2022 before D.B.



(Fareeha Paul)
Member(Executive)

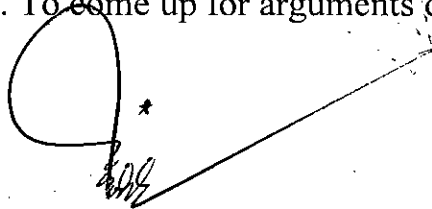


(Kalim Arshad Khan)
Chairman

20.12.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 13.03.2023 before D.B.



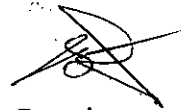
(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

SCANNED
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PESHAWAR

23.11.2021 Proper D.B is not available, therefore, case is adjourned to 1 / 3 / 2022 for the same as before.



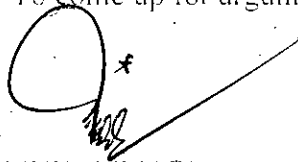
Reader

1-3-22 Due to Retirement of the Hon.ble Chairman the case is adjourned on 14-6-22



14.06.2022 Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Muhammad Abbas, Assistant for respondents present and submitted reply/comments which is placed on file.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 15.08.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

15.8.22 Due to Summer vacation, the case is adjourned to 20-10-22 for the same.



Reader

Stipulated period passed reply not submitted.

29.07.2021

Learned Addl, A.G be reminded about the omission
and for submission of reply/comments within extended
time of 10 days.

Chairman

02.07.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 23.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee

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8/11/21

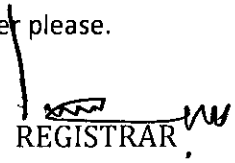

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Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 5188 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/05/2021 27/05/21 SCANNED K. P. S. T. Peshawar	<p>The appeal of Mr. Ishtiaq Ahmad presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on 02/07/21</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		



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

SERVICE APPEAL NO. 5188 /2021

Mr. ISHTIAQ AHMAD V/S C & W DEPARTMENT

INDEX

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7	Departmental appeal	F	21
8	Wakalat Nama	22

Dated: 06 /05/2021

APPELLANT

Through:


**NOOR MOHAMMAD KHATTAK
ADVOCATE**

FLATE NO. 04, 2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,
WARSAK ROAD, PESHAWAR

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

'APPEAL NO. _____/2021

Engineer Ishtiaq Ahmad, Assistant Engineer (E) (BPS-17),
MRS Cell, Communication & Works Department.

..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary C&W Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Chief Engineer (Centre), C&W Department Khyber Pakhtunkhwa, Peshawar.

..... RESPONDENTS

SERVICE APPEAL UNDER SECTION -4 OF THE KHYBER PAKHTUNKHWA SERVICE ACT, 1974 AGAINST THE FINAL SENIORITY LIST OF ASSISTANT ENGINEERS/SDO'S/JUNIOR ENGINEERS/ASSISTANT RESEARCH OFFICERS (BPS-17) DATED 6.8.2020 COMMUNICATED TO THE APPELLANT ON 21.1.2021 WHEREBY NAME OF THE APPELLANT HAS BEEN IGNORED AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this service appeal the impugned seniority list of Assistant Engineers/SDO's/Junior Engineers/Assistant Research Officers (BPS-17) dated 6.8.2020 communicated to the appellant on 21.1.2021 may kindly be rectified/modified and the respondents may be directed to place the name of the appellant at the proper position in the ibid seniority list dated 6.8.2020. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R. SHEWETH:

- 1- That appellant was initially appointed as Assistant Engineer (BPS-17) on contract basis in the project named CSR cell vide order dated 27.3.2015. That in response the appellant submitted his arrival report and started performing duty as Assistant Engineer in the Department quite efficiently and up to the entire satisfaction of his superiors. Copy of the order is attached as annexure **A.**

- 2- That during service the project under whom the appellant was working as contract employee was brought into regular budget through enactment of the Provincial Assembly herein after called Regularization Act, 2018. That in light of the said Act the services of the appellant has been regularized w.e.f. 2.3.2018 vide Notification dated 30.4.2018. Copies of the Act, 2018 and Notification are attached as annexure **B and C.**
- 3- That vide letter dated 1.10.2020 the post of the appellant has been adjusted in the C&W Department, wherein the ibid letter it was further directed to place the name of the appellant in the seniority list of the concern cadre. Copy of the letters are attached as annexure **D.**
- 4- That vide impugned Notification dated 6.8.2020 communicated to the appellant on 21.1.2021 the respondents issued seniority list wherein the name of the appellant has totally been ignored. Copy of the impugned seniority list is attached as annexure **E.**
- 5- That feeling aggrieved from the impugned Seniority list dated 6.8.2020 communicated to the appellant on 21.1.2021 the appellant filed Departmental appeal but no reply has been received so far. Copy of the \Departmental appeal is attached as annexure **F.**
- 6- That appellant having no other remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned seniority list dated 6.8.2020 issued by the respondents is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be rectified/modified.
- B- That appellant has not been treated by the respondent Department 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 under section-8 of the Civil servant Act, 1973 seniority is the vested right of the appellant but inspite of that the respondents are not willing to allow the appellant his due right of seniority.
- D- That the inaction of the respondents is violative of Article 4, 27 and 38(e) of the Constitution of Pakistan 1973.
- E- That the respondents acted in arbitrary and malafide manner by not allowing seniority to the appellant in his cadre i.e. Assistant Engineer (Electrical) (BPS-17).

- F- That according to the letter dated 1.10.2020 and in light of section-8 of the civil servant Act, 1973 the appellant is fully entitle for the grant of seniority being vested right.
- G- That the respondents discriminated the appellant on the subject noted above and as such the respondents violated the principle of natural justice.
- H- That the impugned seniority list is also violative of rule-17 of the appointment, promotion and transfer rules, 1989.
- I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 5.5.2021

APPELLANT


ISHTIAQ AHMAD

THROUGH:


NOOR MOHAMMAD KHATTAK

&

**KAMRAN KHAN
ADVOCATES**



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
CSR CELL

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Annexure "A"

Dated Peshawar the 27th March, 2015

ORDER OF APPOINTMENT

No.CSR Cell/FD/1-5/Recruitment/2013-14. The Competent Authority has been pleased to appoint Mr. Ishtiaq Ahmad S/o Muhammad Saleem against the post of "Assistant Engineer, Electrical (BS-17)" w.e.f 20-03-2015 in the Project CSR Cell, Finance Department, Government of Khyber Pakhtunkhwa Peshawar.

TERMS & CONDITIONS

1. The appointment is purely on contract basis for period of one year to be extended further on satisfactory performance.
2. You will be entitled for fixed pay as per approved PC-I of the project.
3. Your services are liable to be terminated on fifteen (15) days notice if not required or found unsatisfactory.
4. You have to join duty at your expense.
5. You have to produce Health Certificate from the Medical Superintendent, Services Hospital Peshawar before joining duty.
6. In case you wish to resign at any time, one month notice will be necessary or in lieu thereof one month pay will be forfeited.
7. You will be governed by Rules & Regulations applicable to the project employees of the Government of Khyber Pakhtunkhwa.
8. You will have to execute Contract Agreement with the project authorities.
9. You will have to join duty within fifteen (15) days from the issuance of this order failing which the offer will be treated as withdrawn.

-----Sd-----

Secretary Finance
Khyber Pakhtunkhwa

No.PC-CSR/FD/1-5/Recruitment/2013-14

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. PS to Secretary Finance, Khyber Pakhtunkhwa.
3. PA to Project Coordinator CSR Cell, Finance Department.
4. PF of the Officer Concerned.

(Raza Ali Habib)
Project Coordinator CSR Cell

Mr. Ishtiaq Ahmad S/o Muhammad Saleem
Address: House # 192, Sector D-I, St# 56, Phase-I, Hayatabad, Peshawar.

to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

Asst. Commr. Khyber
Government of Khyber
Pakhtunkhwa
2017

1. Short title, application and commencement--(1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2017.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions--(1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means the appointment of a duly qualified person for a specific period, made against project posts in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified,-

(i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis against civil posts w.e.f. 4th July, 2017 and holding such civil posts till the commencement of this Act; and

(ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;

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- (f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (g) "law or rule" means the law or rule, for the time being in force, governing the selection and appointment of civil servants;
- (h) "project" means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery, duly identified by the Departments and reflected in the Schedule;
- (i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;
- (j) "project post" means a post in the project; and
- (k) "Schedule" means a Schedule appended to this Act.

Asst. Secretary
Govt. of Khyber Pakhtunkhwa
Law Department

(2) The expression "ad hoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of ad hoc employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on ad hoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No. XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.---For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

Assisted by D. ...
 Government of ...
 ...

6. Seniority.—(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servants belonging to the same service or grade as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre.

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. Removal of difficulties.—If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty.

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. Overriding effect.—Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

SCHEDULE
See section 2(1)(h)(k)

1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.
5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue-1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in EMS (Rescue 1122) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DG Health Services, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.
15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College Mardan.
17. Integrated HIV, Hepatitis and Thalassemia Control Program.
18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.

Assisted by
Contracting Agency
Law Department

5

- 23. Development of Common Application for Government Departments.
- 24. ICT Infrastructure for Government of Khyber Pakhtunkhwa.
- 24A. IT Support for Improvement of Health Service Delivery, Khyber Pakhtunkhwa.
- 24B. IT Professional Training Centre.
- 25. Strengthening of Planning Cell at Elementary & Secondary Education Department.
- 26. Provision of free text book to all students of Khyber Pakhtunkhwa upto Intermediate level (Phase-XIV).
- 27. Strengthening of Planning Cell at Industries Department.
- 28. Establishment of Special Media Cell in the Directorate of Information.
- 29. Strengthening of Information Department.
- 30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
- 31. Establishment of Planning Cell at Local Government and Rural Development Department.
- 32. Retirement Benefit and Death Compensation Cell.
- 33. Automation of Pension Payment System (APPS).
- 34. Energy Monitoring Unit.
- 35. Establishment of Planning Cell in Food Department.
- 36. Automation of Food Department.
- 37. Operationalization of Redesigned Energy and Power Department.
- 38. Establishment of Planning Cell in Energy and Power Department.
- 39. Computerization of Land Record.
- 40. Creation of MRS Cell in C&W Department. ✓
- 41. Enhancement of existing facilities in MIS/GIS for C&W Department. ✓
- 42. Strengthening of Planning Cell and Monitoring of Developmental Projects of Agriculture Department.
- 43. Project Coordination Unit (PCU) for implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
- 44. Afghan Management and Repatriation Cell at Home Department.
- 45. Traffic Control Management System and FM Radio 693-120173.
- 46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.

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- 47. Establishment of 100 Family Welfare Centers.
- 48. Establishment of Population and Research Training Institute and Social Mobilization.
- 49. Value Addition/Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
- 50. Establishment of Model Coal Mine at Shikohot District Nowshera.
- 51. Establishment of Zoo for Peshawar Division.
- 52. Development and Management of National Park in Khyber Pakhtunkhwa.
- 53. Conservation and Management of Wildlife in Central and Northern Division.
- 54. Establishment of Monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
- 55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
- 56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
- 57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
- 58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and Muslims Department.

Asst. Comm. Dir. P. & R.
 Govt. of Khyber Pakhtunkhwa
 Peshawar

BY ORDER OF MR. SPEAKER
 PROVINCIAL ASSEMBLY OF KHYBER
 PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
 Secretary
 Provincial Assembly of Khyber Pakhtunkhwa

7



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 30, 2018

Annxure

C

NOTIFICATION

No. SOG/C&W/CSR/MRS/Phase-III/2017-18. In compliance of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act 2018, the Provincial Government is pleased to notify Regularization of Services of the following: (11) Nos. project employees in the C&W Department with effect from 02-03-2018, as provided under section 4 of the ibid Act:-

S.#	Name	BPS	Post
1	Mr. Ishtiaq Ahmad	17	Assistant Engineer (Electrical), C&W Department
2	Mr. Atif Rizwan	16	Accounts Assistant, C&W Department
3	Mr. Syed Haroon Jamal	14	Office Assistant, C&W Department
4	Mr. Aqif Rizwan	12	KPO, C&W Department
5	Mr. Murad Khan	12	KPO, C&W Department
6	Mr. Shabir Ahmad	01	Naib Qasid, C&W Department
7	Mr. Muhammad Yaqoob	01	Naib Qasid, C&W Department
8	Mr. Zahid Jan	01	Driver, C&W Department
9	Mr. Israr Khan	01	Driver, C&W Department
10	Mr. Irshad Ahmad	01	Chowkidar, C&W Department
11	Mr. Waqas Patras	01	Sweeper, C&W Department

Secretary
To Government of Khyber Pakhtunkhwa
Communication & Works Department

ENDST OF EVEN NUMBER & DATE:

Copy is forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. All Chief Engineers, C&W, Peshawar.
4. Chief Engineer, FATA, W&S, Peshawar.
5. Chief Engineer (East), C&W, Abbottabad.
6. All Superintending Engineers, C&W, Circle concerned.
7. All Executive Engineers, C&W, Divisions concerned.
8. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
9. PS to Secretary, Establishment & Admn. Department, Peshawar.
10. PS to Secretary, C&W Department, Peshawar.
11. PS to Secretary, Law Department, Peshawar.
12. PS to Secretary, Finance Department, Peshawar.
13. PA to Additional Secretary, C&W Department, Peshawar.
14. PA to Deputy Secretary, (Admn) C&W Department, Peshawar.
15. Manager, Govt. Printing Press, Peshawar.
16. Officers/Officials concerned.
17. Project Coordinator, CSR/MRS Cell, C&W Department, Peshawar.
18. Office Order file/Personal files.

(ABDUR RASHID KHAN)
SECTION OFFICER (GENERAL)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT
MRS CELL

12

New Building C&W Department Bacha Khan Chowk, Peshawar
E-mail: csrccallcw@gmail.com

Annexure D

No.CSR Cell/C&W/6-1/D&S/2017-18 Dated Peshawar the 1st October, 2020

To: The Chief Engineer (Centre) C&W Department. *[Signature]*
1/10/20

SUBJECT: ADJUSTMENT OF POSTS CREATED BY FINANCE DEPARTMENT AS PER PROVINCIAL CABINET DECISION DATED 09/05/2019 AND INCORPORATION OF THEIR NAMES IN THE RELEVANT SENIORITY LISTS.

In pursuance of the provincial cabinet decision dated 09/05/2019, stating that "all the positions created by Finance Department for all the regularized projects under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 shall be created/ placed at the strength of attached formations of respective administrative departments except the positions of planning cadre". Annex-I

Earlier the MRS Cell was working under the strength of honorable Secretary C&W Department. In accordance to cabinet decision Finance department implemented the cabinet decision vide letter No.BO-1/FD/1-28/2019-20/SNE(F)/C&W Dated 04/12/2019. Finance Department changed the DDO code PR-4109 (Secretary Office) to PR-5437 (Chief Engineer Centre) of MRS Cell C&W Department. Annex-II.

Secretary C&W notified the change of Cost Centre/ DDO code PR-4109 (Secretary Office) to PR-5437 (Chief Engineer Centre), for further adjustment of the employees who are working against each post in the respective field offices, vide notification No.SOG/C&W/MIS-GIS/PHASE-III/2020 dated 13.02.2020. Annex-III

Case for change of nomenclature for the post of Account Assistant (BPS-16) to Assistant (BPS-16) was moved by Section Officer (General) C&W Department vide Letter No.COMP/C&W/MIS-GIS/PHASE-II/2016-Vol-II to Finance Department for consideration. Finance Department agreed to change the nomenclature of the post of Account Assistant (BPS-16) to Assistant (BPS-16) in MRS Cell C&W Department with immediate effect vide letter No.SO(FR)FD/7-24/2017/17416. Annex-IV

The case of change of nomenclature of Office Assistant (BPS-16) to Assistant (BPS-16) is sent to The Administrative officer O/o the Chief Engineer (Centre) vide letter No.CSR Cell/C&W/6-1/D&S/2017-18, dated 27/08/2020.

According to the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 wherein serial No.6 (1) is:

"Seniority:- Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining services at the commencement of this Act, shall rank junior to all civil servants belonging to the same services or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same services or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one". Annex-V

In view of the above the following posts/ staff of MRS Cell C&W department may be enrolled/ placed in their respective seniority lists of C&W Department please.

S.No	Name	Designation	BPS	No. of posts
1	Ishtiaq Ahmad	Assistant Engineer (Electrical)	17	1
2	Atif Rizwan	Account Assistant changed to Assistant	16	1
3	Syed Haroon Jamal	Office Assistant to be changed to Assistant	16	1
4	Murad Khan	Computer Operator	16	1
5	Akif	Computer Operator	16	1
6	Israr Khan	Driver	06	1
7	Zahid Jan	Driver	06	1
8	Shabir Ahmad	Naib Qasid	03	1
9	Muhammad Yaqoob	Naib Qasid	03	1
10	Irshad Ahmad	Chowkidar	03	1
11	Wuqas Patras	Sweeper	03	1
Total:				11

It is further added that subject case at S.No-1 may kindly be forwarded to o/o the Secretary-C&W department for enrollment in the seniority list of Assistant Engineer please.

It is requested to take appropriate action, please.

[Signature]
Coordinator
MRS Cell C&W Department

Enst: NO. & Date Even:

Copy forwarded to the:-

1. PS to Secretary to Govt. of Khyber Pakhtunkhwa, C&W Department Peshawar.
2. The Administrative officer O/o the Chief Engineer (Centre) C&W Department Peshawar for necessary action please.

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4/10/20

[Signature]
Coordinator
MRS Cell C&W Department

BMZ 1-10-2020

14

Annexure "E"

GOVT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar the August 06, 2020

NOTIFICATION

SOE/C&W/8-15/2020 (seniority): In pursuance of Sub-Section (1) of the Section-8, of the Khyber Pakhtunkhwa Civil Servant Act 1973, the Final seniority list of Assistant Engineers/SDOs/Junior Engineers/Assistant Research Officers (BPS-17) of Communication & Works Department as approved by the competent authority, as it stood on 01/06/2020 is notified as under:

Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
01	Nadia Bashir	B.Sc (Civil)/ MS (Transportation)	29/01/1986	Abbottabad	24/12/2010	24/12/2010	
02	Waqas Arshad Tanoli	B.Sc (Civil)/PhD	23/01/1988	Abbottabad	24/12/2010	24/12/2010	
03	Babar Majeed	B.Sc (Civil)	18/02/1984	Peshawar	24/12/2010	24/12/2010	
04	Safeer Gul	B.Sc (Civil)	10/04/1984	Mansehra	24/12/2010	24/12/2010	
05	Rafi Ullah	B.Sc (Civil)	05/04/1985	Lakki Marwat	24/12/2010	24/12/2010	
06	Muhammad Imran	B.Sc/M.Sc (Civil)	20/08/1985	Swat	24/12/2010	24/12/2010	
07	Fareeha Malahat	B.Sc/M.Sc (Civil)	24/11/1985	Peshawar	24/12/2010	24/12/2010	
08	Muhammad Naeem-II	B.Sc (Civil)	05/02/1986	Haripur	24/12/2010	24/12/2010	
09	Inayat-ur-Rahman	B.Sc/M/Sc (Civil)	20/04/1986	Mardan	24/12/2010	24/12/2010	
10	Fazli Wahab	B.Sc (Civil)	09/05/1987	Malakand	24/12/2010	24/12/2010	
11	Muhammad Bilal Afzal	B.Sc (Civil)	20/01/1988	Abbottabad	24/12/2010	24/12/2010	
12	Syed Hakim Shah	B.Sc (Civil)	13/06/1977	UDA Hazara	24/12/2010	24/12/2010	
13-	Muhammad Riaz	B.Sc (Civil)	07/04/1980	Hangu	24/12/2010	24/12/2010	

CE CDO C&W, Deput: Peshawar	
Dairy No	939/E-108,
Date	11/8/2020

Nomenclature	Initial
CE CDO C&W Deptt: Pesh:	
Principal Engr: (Hiway)	
S.E. (HQ)	
Principal Engr Buildings	
Admn. Officer/ B&A Officer	
Dated	

SC

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/ Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
14	Aamir Javaid	B.Sc (Civil)	03/06/1987	Peshawar	24/12/2010	24/12/2010	
15	Mehdi Raza	B.Sc (Civil)	10/02/1985	Kurram Agy	24/12/2010	24/12/2010	
16	Waqas Khan	B.Sc (Civil)	15/12/1985	Nowshera	24/12/2010	24/12/2010	
17	Muhammad Afaq Khalid	B.Sc (Civil)	18/03/1987	Hangu	24/12/2010	24/12/2010	
18	Muhammad Zahid	B.Sc (Civil)	10/03/1987	UDA Mansehra	24/12/2010	24/12/2010	
19	Abid Ali	B.Sc/MS (Civil)	30/06/1978	Mohmand Agy	24/12/2010	24/12/2010	
20	Khalid Mehmood	B.Sc (Civil)	01/03/1983	S.W.Agency	24/12/2010	24/12/2010	
21	Muhammad Umair Anwar	B.Sc (Civil)	30/06/1987	Battagram	24/12/2010	24/12/2010	
22	Mohsin Zafar	B.Sc (Civil)	16/09/1982	Peshawar	24/12/2010	24/12/2010	
23	Sifat Ullah Khan	B.Sc (Civil)	02/02/1983	FR Bannu	24/12/2010	24/12/2010	
24	Sayad Nasir Jehan	B.Sc/MS (Civil)	24/06/1984	Buner	24/12/2010	24/12/2010	
25	Farman Ullah	B.Sc (Civil)	06/03/1985	Karak	24/12/2010	24/12/2010	
26	Azmat Ullah	B.Sc/MS (Civil)	04/04/1986	S.W.Agency	24/12/2010	24/12/2010	
27	Zia-U-Islam	B.Sc (Civil)	02/02/1987	N.W.Agency	24/12/2010	24/12/2010	
28	M.Usman Yousaf Shinwari	B.Sc(Civil)/ MS (Engr. Mang)	25/06/1987	Kohat	24/12/2010	24/12/2010	
29	Shahab-ud-Din	B.Sc (Civil)	02/05/1977	Nowshera	24/12/2010	24/12/2010	
30	Ahmad Zeb Khan Afridi	B.Sc (Civil)	12/08/1984	Peshawar	24/12/2010	24/12/2010	
31	Abdul Tahir Jamil	B.Sc/MS (Civil)	27/01/1985	Swabi	24/12/2010	24/12/2010	
32	Muhammad Nissar Khan	B.Sc (Civil)	05/04/1985	S.W.Agency	24/12/2010	24/12/2010	
33	Imad Ahmad	B.Sc (Civil)	01/04/1988	Peshawar	24/12/2010	24/12/2010	
34	Maqbool-e-Azam	B.Sc (Civil)	08/02/1976	Chitral	24/12/2010	24/12/2010	
35	Javed Iqbal Khan	B.Sc (Civil)	13/06/1977	N.W.Agency	24/12/2010	24/12/2010	

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/ Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
36	Shah Nawaz Khan	B.Sc/MS (Civil)	07/04/1980	Malakand	24/12/2010	24/12/2010	
37	Farman Ullah	B.Sc (Civil)	25/03/1987	Hangu	24/12/2010	24/12/2010	
38	Abid Khan.	B.Sc (Civil)	04/04/1980	Malakand	24/12/2010	24/12/2010	
39	Nouman Bashir	B.Sc (Civil)	14/08/1978	DIKhan	24/12/2010	24/12/2010	
40	Haseeb-ur-Rehman	B.Sc (Civil)	04/11/1985	Abbottabad	24/12/2010	24/12/2010	
41	Zafar Ali	B.Sc (Civil)	01/01/1961	Dir Lower	14/03/1988	16/06/2011	
42	Inham-ul-Haq	B.Sc (Civil)	30/03/1987	Abbottabad	29/10/2011	29/10/2011	
43	Yasir Mehmood	B.Sc (Civil)	01/09/1984	Haripur	29/10/2011	29/10/2011	
44	Javairia Naseem Golra	B.Sc (Civil)	23/12/1987	Mansehra	29/10/2011	29/10/2011	
45	Javeria Taimur	B.Sc (Civil)	06/09/1986	Peshawar	29/10/2011	29/10/2011	
46	Rabia Hanan	B.Sc (Civil)	23/03/1988	Peshawar	29/10/2011	29/10/2011	
47	Shahana Mujeeb	B.Sc/M.Sc (Civil)	30/09/1987	Peshawar	29/10/2011	29/10/2011	
48	Afzal Khan	B.Sc (Civil)	27/09/1963	Charsadda	12/12/1990	24/01/2012	
49	Mian Iqbal Shah	B.Sc (Civil)	10/04/1963	Nowshera	16/12/1990	24/01/2012	
50	Muhammad Asad	B.Sc (Civil)	24/12/1963	Kohat	07/12/1990	24/01/2012	
51	Allah Nawaz	B.Sc (Civil)	05/06/1965	DIKhan	11/12/1990	24/01/2012	
52	Obaidullah	B.Sc (Civil)	01/04/1963	Karak	12/12/1990	24/01/2012	
53	Wajid Ali	B.Sc (Mech)	13/01/1966	Charsadda	24/12/1990	24/01/2012	
54	Waheed Ahmad	B.Sc (Civil)	01/04/1961	Peshawar	16/04/1981	24/01/2012	
55	Shah Faisal	B.Sc (Civil)	21/02/1964	Kohat	14/03/1988	24/01/2012	
56	Hamraz Khan	B.Sc (Civil)	10/04/1964	Karak	15/03/1988	24/01/2012	
57	S.Mujtaba Hussain	B.Sc (Civil)	02/01/1989	Kurram Agcy	30/04/2013	30/04/2013	

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
58	Wahidullah	B.Sc (Civil)	10/12/1981	F.R.Tank	07/05/2013	07/05/2013	
59	Saud Khan	B.Sc (Civil)	14/08/1985	Swabi	22/04/2013	22/04/2013	
60	Najm-ud-Din	B.Sc (Elect)	12/01/1987	Dir Lower	06/03/2013	06/03/2013	
61	Shahroon Khalil	B.Sc (Mech)	01/03/1989	Peshawar	06/03/2013	06/03/2013	
62	Zahid Hussain	B.Sc (Elect)	25/03/1986	Kurram Agy	06/03/2013	06/03/2013	
63	Tahira Gul	B.Sc (Civil)	03/05/1989	Haripur	22/04/2013	22/04/2013	
64	Shahzad Naseer	B.Sc (Civil)	09/07/1986	Mardan	22/04/2013	22/04/2013	
65	Muhammad Irshad	B.Sc (Civil)	03/07/1978	Nowshera	22/04/2013	22/04/2013	
66	Shariq Pervez	B.Sc (Civil)	06/07/1989	Peshawar	22/04/2013	22/04/2013	
67	M.Ikramullah Khan	B.Sc (Mech)	14/02/1989	S.W.Agency	06/03/2013	06/03/2013	
68	Salih Dar	B.Sc (Civil)	15/02/1980	Dir	22/04/2013	22/04/2013	
69	Fawad Bilal	B.Sc (Civil)	18/04/1988	Dir Upper	22/04/2013	22/04/2013	
70	Muhammad Ayaz	B.Sc (Civil)/MS (Constn/Management)	10/04/1989	Malakand	22/04/2013	22/04/2013	
71	Ahmad Ali	B.Sc (Civil)	09/05/1989	Mansehra	22/04/2013	22/04/2013	
72	Umer Hayat	B.Sc (Civil)	02/03/1975	Karak	22/04/2013	22/04/2013	
73	Khalid Usman	B.Sc (Civil)	02/02/1978	F.R.Kohat	30/04/2013	30/04/2013	
74	Hayatullah Noor	B.Sc (Civil)	19/04/1979	N.W.Agency	30/04/2013	30/04/2013	
75	Hayatullah Jan	B.Sc (Civil)	03/03/1965	Lakki Marwat	12/12/1990	03/07/2013	
76	Zahoor Ellahi Baig	B.Sc (Civil)	07/01/1964	Haripur	16/03/1988	03/07/2013	
77	Shahid Nawaz	B.Sc (Civil)	01/08/1964	Peshawar	19/02/1990	19/05/2014	
78	Muhammad Asghar Khan	B.Sc (Civil)	30/12/1964	Swabi	17/03/1988	19/05/2014	
79	Sher Bahadar	B.Sc (Civil)	03/05/1965	Dir Lower	19/12/1990	13/10/2015	

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
80	Sher Wali Jhang	B-Tech (Hons)	01/07/1961	Mardan	14/02/1981	04/11/2016	
81	Muhammad Ghazanfarullah	B-Tech (Hons)	04/05/1964	Bannu	21/10/1986	04/11/2016	
82	Shaukat Ullah Shah	B-Tech (Hons)	28/08/1962	Lakki Marwat	14/03/1988	04/11/2016	
83	Faizan Akbar	B.Sc/M.Sc (Civil)	20/04/1990	Swabi	10/05/2017	10/05/2017	
84	Muhammad Junaid	B.Sc (Civil)/M.S (Trans)	17/02/1991	DIKhan	10/05/2017	10/05/2017	
85	Ifikhar Qayum	B.Sc (Civil)	01/05/1992	Karak	10/05/2017	10/05/2017	
86	Nasir Iqbal	B.Sc (Civil)/M.S (Trans)	18/07/1989	Malakand	10/05/2017	10/05/2017	
87	Wasim Akbar	B.Sc (Civil)	06/05/1988	Abbottabad	10/05/2017	10/05/2017	
88	Muhammad Ishaq	B.Sc (Civil)	10/01/1991	FR Peshawar	14/07/2017	14/07/2017	
89	Khushdil Khan	B.Sc (Civil)	01/06/1992	Lakki Marwat	10/05/2017	10/05/2017	
90	Abdullah	B.Sc (Civil)	15/03/1985	Swabi	10/05/2017	10/05/2017	
91	Umair Ahmed Jan	B.Sc (Civil)	26/10/1994	Mansehra	10/05/2017	10/05/2017	
92	Akbar Mehtobob Khattak	B.Sc (Civil)	01/01/1990	Nowshera	10/05/2017	10/05/2017	
93	Imran Khan	B.Sc (Civil)	01/04/1987	Orakzai Agy	14/07/2017	14/07/2017	
94	Ikramullah-I	DAE (Civil)	24/09/1960	Peshawar	14/07/1980	03/10/2017	
95	Tariq Usman	DAE (Civil)	05/04/1961	Karak	16/02/1981	03/10/2017	
96	Zainul Abidin	DAE (Civil)	06/04/1961	Swabi	15/11/1981	03/10/2017	
97	Irshad Ahmad Khan	DAE (Civil)	23/09/1961	Peshawar	18/11/1981	03/10/2017	
98	Muhammad Hamid Zia	DAE (Civil)	01/07/1961	Peshawar	22/11/1981	03/10/2017	
99	Noor Rehman	B.Sc (Civil)	06/01/1962	Bajaur Agency	07/12/1990	04/01/2018	
100	Sher Afzal Khan	B.Sc (Civil)	04/11/1963	Swabi	12/12/1990	04/01/2018	
101	Ali Rehman	B-Tech (Hons)	12/11/1964	Malakand	13/03/1988	04/01/2018	
102	Khalid Naeem	DAE (Civil)	01/10/1961	Abbottabad	19/12/1981	04/01/2018	
103	Karimullah	DAE (Civil)	29/03/1961	Bannu	16/12/1981	04/01/2018	

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of Ist Entry in Goyt. Service	Date of Appointment/ Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
104	Muhammad Idrees Alizai	DAE (Civil)	01/06/1962	DIKhan	16/12/1981	04/01/2018	
105	Waseem Shah	B.Sc (Civil)	01/01/1994	Malakand	26/08/2019	26/08/2019	
106	Tariq Murtaza	B.Sc (Civil)	08/10/1991	Peshawar	26/08/2019	26/08/2019	
107	Bilawal Hussain	B.Sc (Civil)/MS (Geo)	03/08/1993	Swabi	26/08/2019	26/08/2019	
108	Sahibzada Fahad Noor	B.Sc (Civil)	07/12/1990	Peshawar	26/08/2019	26/08/2019	
109	Jawad Ali	B.Sc (Civil)	04/03/1991	Mohmand agy	26/08/2019	26/08/2019	
110	Zia Ullah	B.Sc (Civil)	15/01/1994	Shangla	26/08/2019	26/08/2019	
111	Abdur Rehman	B.Sc (Civil)	08/05/1994	Mardan	26/08/2019	26/08/2019	
112	Saleem Khan	B.Sc (Civil)	18/01/1990	Swat	26/08/2019	26/08/2019	
113	Jehan Zeb	B.Sc (Civil)	11/09/1990	Khyber Agy	26/08/2019	26/08/2019	
114	Zia-ur-Rehman	B.Sc (Civil)	15/04/1986	Karak	26/08/2019	26/08/2019	
115	Danish Ali	B.Sc (Civil)	01/09/1995	Haripur	26/08/2019	26/08/2019	
116	Mahrukh Naseem	B.Sc (Civil)	18/08/1993	Peshawar	26/08/2019	26/08/2019	
117	Niaz Muhammad	DAE (Civil)	27/06/1961	Mansehra	17/01/1982	07/10/2019	
118	Mian Jehanzeb	DAE (Civil)	15/03/1961	Nowshera	31/01/1982	07/10/2019	
119	Manzoor Ellahi	DAE (Civil)	20/09/1962	Peshawar	18/02/1982	07/10/2019	
120	Saeedullah	B-Tech (Hons)	13/07/1964	Kohat	14/03/1988	07/10/2019	
121	Muhammad Jamshid	B-Tech (Hons)	15/04/1967	Swabi	14/03/1988	07/10/2019	
122	Sher Ali Khan	B-Tech (Hons)	31/12/1962	Malakand	19/03/1988	07/10/2019	
123	Niamat Gul	B-Tech (Hons)	12/01/1963	Malakand	19/03/1988	07/10/2019	
124	Ajmal Anwar	B-Tech (Hons)	06/09/1966	Mardan	19/03/1988	07/10/2019	
125	Faisal Saeed	B-Tech (Hons)	02/11/1962	Mardan	28/03/1988	07/10/2019	
126	Aurangzeb-VI	B-Tech (Hons)	21/05/1964	Peshawar	13/05/1987	07/10/2019	
127	Jehanzeb-IV	B-Tech (Hons)	15/04/1962	Bannu	16/12/1990	07/10/2019	
128	Farhat Ali	B-Tech (Hons)	02/04/1965	Peshawar	12/12/1990	07/10/2019	

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Sl. No.	Name of Officer	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
129	Muhammad Humayun	B-Tech (Hons)	31/08/1965	Lakki Marwat	06/12/1990	07/10/2019	
130	Muhammad Shakeel Athar	DAE (Civil)	01/11/1960	DIKhan	18/03/1982	21/04/2020	
131	Muhammad Khalil Noor	DAE (Civil)	15/07/1961	DIKhan	18/05/1982	21/04/2020	
132	Muhammad Najeeb	DAE (Civil)	15/04/1962	Abbottabad	18/05/1982	21/04/2020	
133	Iftikhar Khan Babar	DAE (Civil)	22/02/1962	Peshawar	14/03/1985	21/04/2020	
134	Nasim Ahmad Shah	DAE (Civil)	10/12/1963	Peshawar	19/05/1985	21/04/2020	
135	Ibadullah	DAE (Civil)	16/01/1962	Charsadda	22/10/1986	21/04/2020	
136	Irshad Ahmad Khan-I	DAE (Civil)	16/04/1961	Abbottabad	24/10/1986	21/04/2020	
137	Muhammad Akram	DAE (Civil)	18/08/1961	Mansehra	15/11/1986	21/04/2020	
138	Nasrullah Khan	B-Tech (Hons)	05/01/1966	Dir Lower	22/12/1990	21/04/2020	
139	Azhar Ali	B-Tech (Hons)	28/10/1966	Peshawar	15/12/1990	21/04/2020	

Endst:No.SOE/C&W/8-15/2020 (seniority)

1. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar
3. Chief Engineers (North/Centre/CDO) C&W Peshawar
4. Chief Engineers (East) C&W Abbottabad
5. Chief Engineers (Merged Areas) C&W Peshawar
6. Managing Director Pakhtunkhwa Highway Authority, Peshawar.
7. All Superintending Engineers Communication & Works Department, Peshawar
8. All Executive Engineers Communication & Works Department, Peshawar
9. P.S. to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
10. P.S. to Secretary Establishment & Admin Department, Peshawar.
11. P.S. to Secretary Law Department, Peshawar
12. P.S. to Secretary Communication & Works Department, Peshawar
13. Officers concerned.
14. Office order file /Personal files
15. Incharge Computer Cell C&W Department.
16. Manager Govt. Printing & Press Department for publication in the next issue of the Govt. Gazette.

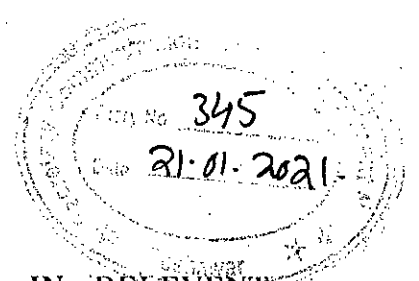
SECRETARY TO
GOVT OF KHYBER PAKHTUNKHA
COMMUNICATION & WORKS DEPARTMENT
Dated Peshawar the August 06, 2020


SECTION OFFICER (Estb)

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To,

Annexure "F" (21)



The Secretary to the Government of Khyber Pakhtunkhwa
Communication & Works Department.

Subject: DEPARTMENTAL APPEAL FOR ENROLLMENT IN RELEVANT
SENIORITY LIST OF ASSISTANT ENGINEERS (BPS-17).

Respected Sir,

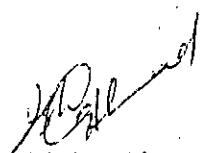
Your goodself attention is invited to the following facts for consideration please.

1. That the undersigned was appointed as a assistant Engineer (Electrical) BPS-17 in CSR Cell, Finance Department, Khyber Pakhtunkhwa vide Secretary Finance order of Appointment No.CSR Cell/FD/1-5/Recruitment/ 2013-14 dated 27-03-2015 copy enclosed as (Annexure- A)
2. That the services of the undersigned was regularized with effect from 02-03-2018 in Communication & Works Department vide your office Notification No.SOG/C&W/CSR/MRS/Phase-III/2017-18 dated 30-04-2018 copy enclosed as (Annexure-B)
3. That the services of the undersigned was regularized under section-4 of The Khyber Pakhtunkhwa Employees (regularization of services) Act, 2018 copy enclosed as (Annexure-C).
4. That according to the section-6 of the aforesaid Act, 2018 the undersigned have right to be placed/ enrolled in relevant seniority list of Assistant Engineers BPS-17 with effect from 02-03-2018.
5. That the name of the undersigned was not enrolled/ placed in the relevant seniority list of Assistant Engineers issued in the year 2019 and 2020, hence deprived from his genuine right.
6. That in the subject matter, the coordinator MRS Cell, Communication & Works Department preferred a well explained Letter No.CSR Cell/C&W/6-1/D&S/2017-18 dated 1-10-2020 through Chief Engineer (Centre) to your goodself.

In view of the above mentioned facts it is requested that kindly enroll/ place the name of the undersigned in relevant seniority of Assistant Engineers BPS-17 with effect from 02-03-2018 and after acceptance of this instant appeal of the undersigned kindly Notify in the interest of justice please.

Thanks

Dated 21-1-2021


Engr. Ishtiaq Ahmad
Assistant Engineer (Electrical) BPS-17
MRS Cell C&W Department

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

_____ OF 2021

Mr. ISHTIAQ AHMAD (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

C & W Department (RESPONDENT)
(DEFENDANT)

I/We Ishtiaq Ahmad

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. ____/____/2021



CLIENT(S)

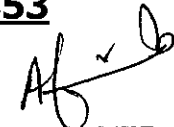
ACCEPTED
NOOR MOHAMMAD KHATTAK
15401-0705985-5
BC-08-0853

&

AFRASIAB KHAN WAZIR

KAMRAN KHAN

HAIDER ALI
ADVOCATES



OFFICE:
Flat No.4, 2nd Floor,
Juma khan plaza near (FATA) Secretariat
Warsak Road, Peshawar.
Mobile No. 0345-3-9383141

Page 3

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No.5188/2021

Ishfaq Ahmad
Assistant Engineer Mrs Cell

Appellant

VERSUS

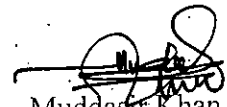
Chief Secretary Khyber Pakhtunkhwa
Peshawar and others

Respondents

INDEX

S.NO.	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
1	Parawise Comments on behalf of respondents 1 to 3	-	1-2
2	Affidavit	--	3
3	C&W Department Notification No.SOG/C&W/DCR/MRS/phase-III/2017-18 dated 30-04-2018	I	4
4	Finance Department Order No.SO (A)/FD/1-14/2020 dated 03-05-2021	II	5
5	C&W Department Notification No. SOG/C&W/MIS- GIS/PHASE-III/2020 dated 13-02-2020	III	6-7
6	Govt of Khyber Pakhtunkhwa Finance Department Notification No.SO (Dev-II)/FD/2-46/2020-21	IV	8

Deponent



Muddasir Khan
Section Officer (Litigation)
C&W Department Peshawar

(1)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR
APPEAL NO.5188/2021

Ishtiaq Ahmad --- Appellant
Assistant Engineer MRS Cell

Versus

1. Chief Secretary Khyber Pakhtunkhwa --- Respondents
Peshawar
2. Secretary to Govt of Khyber Pakhtunkhwa
C&W Department, Peshawar, Peshawar
3. Chief Engineer (Centre)
C&W Peshawar

Parawise Comments on behalf of Respondents No. 1 to 3

Respectfully Sheweth

Preliminary Objections

1. That the appellant has no cause of action
2. That the appeal is incompetent and not maintainable in its present form
3. That the appellant is estopped by his own conduct to bring the present appeal
4. That the appellant has no locus standi.
5. That the appeal is time barred.

FACTS

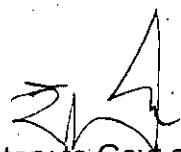
1. Pertains to record
2. The Appellant along-with others were regularized under Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 (**Annex-I**). However, the services of the officials included the appellant of Market Rates System (MRS) cell have been placed under the administrative control of Finance Department and they will be housed physically in C&W Department vide Notifications dated 03.05.2021 (**Annex-II**).
3. Incorrect, in this regard it is clarified that although the Finance Department shifted various cadres of posts newly regularized, including the post of the applicant from the cost centre/DDO code PR 4109 to PR 5437 (**Annex-III**) through a letter dated 04.12.2019. However, Finance Department re-shifted the MRS Cell from C&W Department after approval of Competent Authority (Chief Minister Khyber Pakhtunkhwa) through a letter dated 04.03.2021. (**Annex-IV**). Therefore, it is quite clear that the claim of the applicant is not justified.
4. Incorrect, once Finance Department shifted the MRS Cell, including the appellant to Finance Department Khyber Pakhtunkhwa, then how can the name of applicant include in the seniority list of C&W Department.

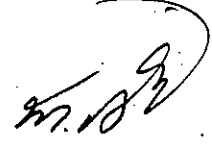
- 5. Incorrect, the departmental appeal/representation of the appellant received, which was properly processed in the Department. However, the same regretted by the Competent Authority (Secretary C&WD) due to the reason as mentioned in para-3 of the fact.
- 6. No comments.

GROUND

- A. Incorrect, as explained in para-3 of the facts. Since the appellant is an employee of Finance Department, therefore, his name could not insert in the seniority list of C&W Department.
- B. Incorrect, no discrimination or unlawful action has been taken against the appellant.
- C. Incorrect, as explained in para-3 of the facts.
- D. Incorrect and misconceiving on the basis of his speculations
- E. Incorrect, the appellant has been treated as per law/rules and regulation laid down in the government.
- F. Incorrect, as explained in para-3 of the facts.
- G. Incorrect, as explained in para-3 of the facts
- H. Incorrect, as explained in para-3 of the facts.
- I. The respondents would like to seek permission of this Hon'able Tribunal to advance more grounds during the time of arguments.

In view of the above, it is submitted that the Appeal is mis-conceived at this stage, hence may please be dismissed with cost.


 Secretary to Govt of
 Khyber Pakhtunkhwa
 C&W Department
 (Respondents No. 1 & 2)


 Chief Engineer (Centre)
 C&W Peshawar
 (Respondents No. 3)



Amend-I

(4)

Amend-I

(3)

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 30, 2018

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No.5188/2021

Ishtiaq ahmad
Assistant Engineer Mrs Cell

Appellant

VERSUS

Chief Secretary Khyber Pakhtunkhwa
Peshawar and others -

Respondents

AFFIDAVIT

I, Muddasir Khan, Section Officer (Litigation), C&W Department Peshawar hereby affirm and declare that all the contents of Parwsic Comment in Service Appeal No 5188/2021 are correct to the best of my knowledge and belief and nothing has been concealed.

Deponant

Muddasir Khan
Section Officer (Litigation)
C&W Department Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

5

Amna VI

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKFPD](https://www.facebook.com/GoKFPD) twitter.com/GoKFPD

Dated Peshawar the 03rd May, 2021

ORDER

No. SO (A)/FD/1-14/2020. In pursuance with Finance Department notification No. SO(Dev-II)FD/2-46/2020-21 dated 04.03.2021, the competent authority has been pleased to place the services of the officials of Market Rate System (MRS) Cell under the administrative control of Finance Department, however, they will be housed physically in Communication & Works Department with immediate effect in the best public interest:

SPECIAL SECRETARY FINANCE

Endst: No. & Date Even.

Copy is forwarded to the:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa.
4. All Chief Engineers (Centre, North, East and CDO), Civil & Works Department.
5. Director Local Fund Audit, Khyber Pakhtunkhwa.
6. Section Officer (Dev-II), Finance Department.
7. PS to Secretary Finance Department.
8. PS to Secretary, Civil & Works Department.
9. PS to Special Secretary, Finance Department.
10. PA to All Additional Secretaries, Finance Department.
11. Officials concerned.
12. Master file.

Abdul
(ABDUR RASHID KHAN)
SECTION OFFICER (ADMN)

AS/ISA

I think we are short of space - we may be approached for housing the cell physically within the building

Put up for 20/5

SO/

Put up draft

17.5



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk>

facebook.com/GokPFD twitter.com/GokPFD

Dated Peshawar the 04/12/2019

SO-11/FD/1-28/2019-20/SNE(F)/C&W

Amir-IR
6
AS/BSA

The Secretary to Govt. of Khyber Pakhtunkhwa,
Communication & Works Department, Peshawar.

**REQUEST FOR IMPLEMENTATION OF PROVINCIAL CABINET
DECISION DATED 09.05.2019**

Dear Sir,

I am directed to refer to your letter No.SOG/C&W/11-124/FD/2018-19 dated 11/11/2019 on the subject noted above and to state that Finance Department agrees to the shifting of the following twenty four (24) posts from the Cost Center/DDO Code PR4109-Secretary C&W Department to the following Cost Centers/DDOs with immediate effect:-

S.No	Nomenclature of Post	BPS	No. of Posts	Existing DDO	Shifted DDO
MIS/GIS Cell					
1	Assistant Director (IT)	17	2	PR4109	PR5437
2	Assistant Director (GIS)	17	1	PR4109	PR5445
3	Junior Architect	17	1		
4	GIS Analyst	16	1		
5	Assistant Programmer	16	1	PR4109	PR5437
6	GIS Data Collector	12	2		
7	Naib Qasid	3	2		
Total			10		
CSR/MRS Cell					
1	Director Technical	18	1		
2	Assistant Engineer (Civil)	17	1		
3	Assistant Engineer (Electrical)	17	1		
4	Economist	17	1		
5	Accounts Assistant	16	1	PR4109	PR5437
6	Office Assistant	16	1		
7	Computer Operator	16	2		
8	Driver	6	2		
9	Naib Qasid	3	2		
10	Chowkidar	3	1		
11	Sweeper	3	1		
Total			14		
Grand Total			24		

The expenditure involved is debitable to the function-cum-object Classification 04-Economic Affairs, 045-Construction and Transport, 0451-Administration, 045101-Administration, PR5437-Chief Engineer (Center) C&W Department and PR5445-Principal Consulting Architect C&W Department, under Grant No.14 during the current financial year 2019-20.

Yours faithfully,

(SAEED AHMAD KHAN)
BUDGET OFFICER-I

SOG
13.12.19

Endst. No. & Date Even.

Copy is forwarded for information & necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. Chief Engineer (Center) C&W Department Peshawar.
3. Principal Consulting Architect C&W Department Peshawar.
4. Director FMIU, Finance Department.
5. AD-II (HR Wing) FMIU, Finance Department.
6. PS to Finance Secretary.
7. Master File.

BUDGET OFFICER-I

1 (7) Annex-III

TO BE SUBSTITUTED FOR THE NOTIFICATION BEARING SAME NO. & DATE
GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT
Dated Peshawar the: 13.02.2020

NOTIFICATION

NO.SQG/C&W/MIS-GIS/PHASE-III/2020:- As per decision of the Provincial Cabinet dated: 09.05.2019 and in pursuance of Finance Department Government of Khyber Pakhtunkhwa letter No.BO-1/119/1-28/2019 20/SNE(F)/C&W dated 04/12/2019, the Competent Authority has been pleased to allow shifting of the following Twenty Four (24) posts from the Cost Centre/ DDO Code PR-4109-Secretary C&W Department Government Khyber Pakhtunkhwa to the Cost Centre/ DDO Code as mentioned against each post, for further adjustment of the employees who are working against each post in the respective filed offices with effect from 01.12.2019 as notified by the Finance Department:-

No.	Nomenclature	BPS	No. of Posts	Existing DDO	Shifted DDO
MIS/GIS Cell					
	Assistant Director (IT)	17	02	PR-4109	PR-5437
	Assistant Director (GIS)	17	01		
	Junior Architect	17	01	PR-4109	PR-5445
	GIS Analyst	16	01		
	Assistant Programmer	16	01	PR-4109	PR-5437
	GIS Data Collector	12	02		
	Naib Qasid	03	02		
	Total		10		
CSR/MRS Cell					
	Director Technical	18	01		
	Assistant Engineer (Civil)	17	01		
	Assistant Engineer (Electrical)	17	01		
	Economist	17	01		
	Accounts Assistant	16	01		
	Office Assistant	16	01	PR-4109	PR-5437
	Computer Operator	16	02		
	Driver	06	02		
	Naib Qasid	03	02		
	Chowkidar	03	01		
	Sweeper	03	01		
	Total		14		
	Grant Total		24		

SECRETARY
To Govt of Khyber Pakhtunkhwa
C&W DEPARTMENT


ENDS OF EVEN NO. & DATE:-

Copy is forwarded for necessary action:-

1. Chief Engineers (Centre, CDO) C&W Department Khyber Pakhtunkhwa.
2. Principal Consulting Architect, O/O the Chief Engineer CDO C&W Department, Khyber Pakhtunkhwa.

Copy is forwarded for information:-

1. Chief Engineers (North, East, Merged Areas) C&W Department Khyber Pakhtunkhwa.
2. Section Officer (Cabinet) Govt. of Khyber Pakhtunkhwa Administration Department.
3. Budget Officer-I, Govt. of Khyber Pakhtunkhwa Finance department w/r to the letter quoted above.
4. Section Officer (Establishment) Govt. of Khyber Pakhtunkhwa C&W Department.
5. PS to Secretary C&W Department.
6. PA to Additional Secretary C&W Department.
7. PA to Deputy Secretary (Admn/Tech), C&W Department.


SECTION OFFICER (GENERAL)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

②

Amir TV

25

Finance Department Civil Secretariat Peshawar <http://www.financekpp.gov.pk> [facebook.com/GoKPFD](https://www.facebook.com/GoKPFD) twitter.com/GoKPFD

Dated 04/03/2021

NOTIFICATION

NO.SO(DEV-II)FD/2-46/2020-21: The Chief Minister Khyber Pakhtunkhwa has been pleased to shift/transfer the MRS Cell from Communication & Works Department to Finance Department with immediate effect.

Hence, MRS Cell may be housed physically in C&W Department however placed administratively under the control of Finance Department".

37-85
1/4/2021
AS/MS (T)

5/03/21

**SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

ENDST: NO & DATE EVEN:

Copy forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. All Administrative Secretaries, Khyber Pakhtunkhwa.
3. Accountant General Khyber Pakhtunkhwa.
4. PS to Additional Chief Secretary, Government of Khyber Pakhtunkhwa Peshawar.
5. All Chief Engineers, Chief Engineer (Centre), (North), (East) and (CDO) Works Department.
6. PS to Secretary Finance Department, Government of Khyber Pakhtunkhwa Peshawar.
7. PA to All Additional Secretaries, Finance Department.
8. All Section Officers Finance Department.

(Signature) 04/03/2021
Section Officer (Dev-II)

SOle
05/4.21

502 ✓

for info

for info
please