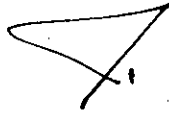


02nd May, 2023

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

Naeem Amin

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.



(Rashid Bano)
Member (J)



(Kalim Arshad Khan)
Chairman

Adnan Shah

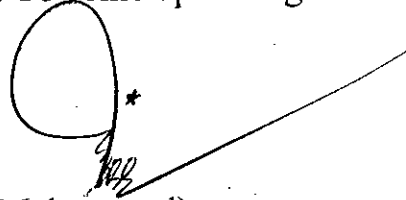
SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

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
KEPT
Peshawar

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)



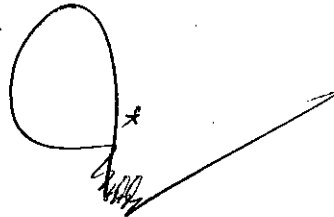
(Kalim Arshad Khan)
Chairman

SCANNED
KEPT
Peshawar

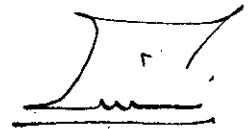
11.10.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested that connected service appeal bearing No. 5188/2021 titled "Ishtiaq Ahmad Versus Government of Khyber Pakhtunkhwa etc", is fixed for arguments on 20.10.2022, therefore, the appeal in hand may also be fixed on the said date. Adjourned. To come up for arguments on 20.10.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

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

11/4/2022


Counsel for the appellant present. Mr. Kabirullah Khattak, Addl AG for the respondents present and made a request for adjournment. Request accepted. Last opportunity granted for submission of written reply. To come up for written reply on 26/5/2022 before S.B.


CHAIRMAN

26.05.2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Waseem Ullah, S.O (Litigation) for the respondents present.

Written reply/comments on behalf of respondent not submitted. Representative of the respondents seeks time for submission of written reply/comments. Granted with costs of Rs. 5000/-. To come up for written reply/comments on 04.07.2022 before S.B.


(Mian Muhammad)
Member (E)

04th July, 2022

Counsel for appellant present. Mr. Muhammad Adeel Butt, Additional AG alongwith Moeen Akhtar Assistant for respondents present.

Respondents have submitted written reply/comments which are placed on file. To come up for arguments on 11/05/2022 before D.B.


(Kalim Arshad Khan)
Chairman


10.12.2021

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant is aggrieved of correspondence dated 20.08.2021 made on his departmental appeal dated 19.07.2021 for release of salary alongwith payment of arrears. It was further contended that the services of appellant alongwith ten others were regularized under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 as Assistant Engineer in the respondent-department. In the impugned correspondence it is ~~is~~ informed that MRS Cell has been shifted/handed over to Finance Department on 09.06.2021 therefore the respondent-department has nothing to do with the matter.

It seems that the matter involved is purely an administrative issue and the staff should not suffer on account of that, for their monthly pay. Stoppage of pay is a penalty imposed on certain disciplinary ground (s). The department is therefore obligated to release monthly pay of the appellant.


The appeal is admitted for regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 09.02.2022 before the S.B.


Appellant Deposited
Security & Process Fee


(Mian Muhammad)
Member (E)

10.02.2022

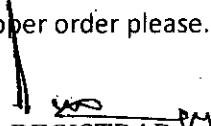
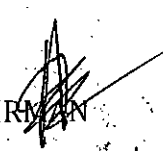
Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 11.04.2022 for the same as before.


Reader

FORM OF ORDER SHEET

Court of _____

Case No.- _____ /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/10/2021	<p>The appeal of Mr. Ishtiaq Ahmad presented today by Mr. Mohammad Aslam Tanoli 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 at Peshawar for preliminary hearing to be put up there on <u>10/12/21</u>.</p> <p style="text-align: right;">  CHAIRMAN </p>
2-	<p style="text-align: center;"> SCANNED REPORT Peshawar </p>	

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 7552 /2021

ISHTIAQ AHMAD

VS

GOVT: OF KP & OTHERS

INDEX

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3.	Regularization notification dt:30.04.2018 \	A	5
4.	Pay slips	B	6
5.	Departmental appeal	C	7
6.	Impugned appellate order dt:23,09,2021	D	8-9
7.	Vakalatnama	10

Dated. 6-10-2021

APPEALANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

Ishtiaq Ahmad, Assistant Engineer,
Communication & Works Department, Peshawar.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa, through Secretary Communication & Works Department, Peshawar.
- 2- The Chief Engineer Communication & Works Department, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS WHEREBY THE MONTHLY SALARIES OF THE APPELLANT HAS BEEN WITHHELD/ STOPPED W.E.F. 1.4.2021 TILL DATE AND AGAINST THE APPELLATE ORDER DATED 20.08.2021 COMMUNICATED TO APPELLANT ON 23.09.2021 WHEREBY DEPARTMENTAL APPEAL OF APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of this appeal the impugned appellate order dated 28/08/2021 communicated to the appellant on 23.9.2021 may kindly be set aside and the respondents may please be directed to release the monthly salaries of the appellant w.e.f 1.4.2021 till date with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise on the present appeal are as under:

- 1- That initially the appellant was appointed in respondent department as Assistant Engineer (Electrical) on contract basis and later on Service of the appellant was regularized through notification dated 30.04.2018. Copy of the regularization notification is attached as annexure **A.**
- 2- That appellant is serving respondents department quite efficiently and up to the entire satisfaction of his superiors

- and had received his monthly salary till March 2021. Copy of the pay slip is attached as annexure B.
- 3- That astonishingly during service respondents stopped/ withheld the monthly salaries of the appellant w.e.f 1.4.2021 till date without any reason and clear justification.
- 4- That feeling aggrieved from the action of the respondents, appellant filed departmental appeal, but the same has been rejected vide impugned appellate order dated 20.08.2021 communicated to the appellant on 23.9.2021. Copies of departmental appeal and impugned appellate order attached are annexure..... C & D.
- 5- That feeling aggrieved and having no remedy the appellant preferred the instant appeal on following grounds inter alia.

GROUND:

- A- That the inaction of the respondents by stopping the monthly salary of the appellant and issuing the impugned appellate order dated 20/08/2021 is against law, facts, and norms of natural justice, hence not tenable and liable to be set aside.
- B- That the appellant has not been treated in accordance with law and rules by the respondent Department 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 respondents acted in arbitrary and malafide manner by stopping the monthly salaries of the appellant and by issuing the impugned appellate order dated 20/08/2021 whereby the departmental appeal of the appellant was rejected.
- D- That the respondents without just cause withheld the monthly salaries of the appellant w.e.f from April 2021 till date. That the said act of the respondents is violative of Article 11 of the Constitution of Islamic Republic of Pakistan 1973.
- E- That according to Article 38 (e) of the Constitution of Islamic Republic of Pakistan, 1973 the state is bound to reduce disparity in the income and earning of individuals including persons in the services of the federation, therefore in light of the said Article the appellant is fully entitled to receive his monthly salaries.

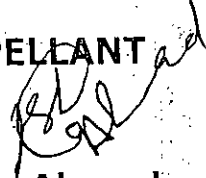
F- That the appellant has been discriminated on the subject noted above and as such the respondents violated the principle of natural justice.

G- 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 be accepted as prayed for.

Dated: 4.10.2021

APPELLANT

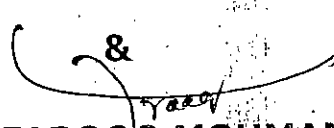

Ishtiaq Ahmad

THROUGH:


NOOR MOHAMMAD KHATTAK


KAMRAN KHAN

&


UMAR FAROOQ MOHMAND
ADVOCATES

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

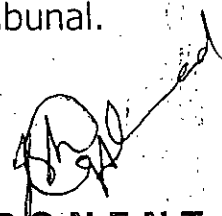
SERVICE APPEAL NO. _____/2021

ISHTIAQ AHMAD **VS** **GOVT: OF K.P & OTHERS**

AFFIDAVIT

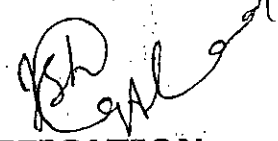
Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.

ATTESTED
Advocate
District & Sessions Court
Peshawar


DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.


CERTIFICATION

ANNEXURE "A"

5



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 30, 2018

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)

ATTESTED

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (March-2021)



6

Personal Information of Mr ISHTIAQ AHMAD d/w/s of MUHAMMAD SALEEM

Personnel Number: 00890981 CNIC: 1730154082881 NTN:
Date of Birth: 31.12.1985 Entry into Govt. Service: 07.03.2018 Length of Service: 03 Years 00 Months 026 Days

Employment Category: Active Temporary

Designation: ASSISTANT ENGINEER (ELECT 80004072-GOVERNMENT OF KHYBER PAKH

DDO Code: PR5437-Chief Engineer (Centre)

Payroll Section: 007

GPF Section: 004

Cash Center:

GPF A/C No: 890981

Interest Applied: Yes

GPF Balance:

72,789.00

Vendor Number: -

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 17

Pay Stage: 3

Pay and Allowances:

Wage type		Amount	Wage type		Amount
0001	Basic Pay	37,270.00	1001	House Rent Allowance 45%	6,650.00
1210	Convey Allowance 2005	5,000.00	1974	Medical Allowance 2011	1,500.00
2211	Adhoc Relief All 2016 10%	2,544.00	2224	Adhoc Relief All 2017 10%	3,727.00
2247	Adhoc Relief All 2018 10%	3,727.00	2256	Technical Allowance Engin	45,550.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund	-1,500.00
3534	R. Ben & Death Comp Fresh	-900.00	3609	Income Tax	-3,097.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	92,000.00	-2,556.00	81,776.00

Deductions - Income Tax

Payable: 35,781.50 Recovered till MAR-2021: 26,493.00 Exempted: 0.61- Recoverable: 9,289.11

Gross Pay (Rs.): 105,968.00 Deductions: (Rs.): -12,323.00 Net Pay: (Rs.): 93,645.00

Payee Name: ISHTIAQ AHMAD

Account Number: 4144237801

Bank Details: NATIONAL BANK OF PAKISTAN, 230986 CIVIL SECRETARIAT CIVIL SECRETARIAT, PESHAWAR

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

Permanent Address:

City: MALAKAND

Temp. Address:

City:

Domicile: -

Email: ishtiaqusafzai@gmail.com

Housing Status: No Official

ATTS

System generated document in accordance with APPM 4.6.12.9(SERVICES/31.03.2021/08:20:13/v2.0)

* All amounts are in Pak Rupees
* Errors & omissions excepted

ANNEXURE

C

7

The Secretary to Government of
Khyber Pakhtunkhwa
Communication & works
Department Peshawar

Subject: RELEASE OF SALARY ALONG WITH PAYMENT OF ARREARS.

With reference to the subject noted above it is stated that monthly salary of the undersigned is stopped since April 2021 up to till date, without any reason, due to which the undersigned facing financial complications and which is also against the relevant law.

It is therefore requested that monthly salary of the undersigned may kindly be released along with payment of arrears in the interest of justice please.

Ishtiaq Ahmad

ISHTIAQ AHMAD
ASSISTANT ENGINEER (ELECTRICAL)
COMMUNICATION AND WORKS
DEPARTMENT

faul

19.7.21.

447
19.07.21.

Dated, 19-07-2021

Personnel Number: 00890981

Present Postal Address: House No. 192 street No. 56 sector D-1 Phase 1 Hayatabad Peshawar

ATTESTED

P.S. 447.



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

No. SOE/C&WD/8-15/2020
Dated Peshawar, the August 20, 2021

To

Mr. Ishtiaq Ahmad
Assistant Engineer (Electrical)
House No.192, Street No.56, Sector D-I,
Phase-I, Hayatabad Peshawar

Subject: **RELEASE OF SALARY ALONG-WITH PAYMENT OF ARREARS**

I am directed to refer to your application dated 19.07.2021 on the subject noted above and to inform that MRS Cell has been shifted/handed over to Finance Department on **09.06.2021**, therefore this Department has nothing to do with the matter, please.

Zaheer

20.8.2021

(ZAHOOR SHAH)
SECTION OFFICER (Estb)

Endst even No. & date

Copy forwarded to PS to Secretary C&W Department, Peshawar

SECTION OFFICER (Estb)

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No.7552/2021

Ishfaq Ahmad
Assistant Engineer MRS Cell
Finance Department

--- Appellant

Versus

Govt of Khyber Pakhtunkhwa
through Secretary C&W and another

--- Respondents

INDEX

S.NO.	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
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2	Affidavit		3
3	Govt of Khyber Pakhtunkhwa C&W Department Notification No.SOG/C&W/CSR/MRS/Phase-III/2017-18	I	4
4	Govt of Khyber Pakhtunkhwa Finance Department Order No.SO (A)/FD/1-14/2020 dated 03-05-2021	II	5
5	Govt of Khyber Pakhtunkhwa Finance Department letter No.BO-I/FD/1-28/2019-20/SNI(F)/C&W dated 04-12-2019	III	6-7
6	Govt of Khyber Pakhtunkhwa Finance Department Notification No.SO (DEV-II)FD/2-46/2020-21 dated 04-03-2021	IV	8

Deponent.



Muddasir Khan

Section Officer (Litigation)
C&W Department, Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR
APPEAL NO.7552/2021

Ishtiaq Ahmad
Assistant Engineer MRS Cell
Finance Department

--- Appellant

Versus

1. Secretary to Khyber Pakhtunkhwa
C&W Department, Peshawar

--- Respondents

2. Chief Engineer (Centre)
C&W Peshawar

Parawise Comments on behalf of Respondents No. 1 & 2

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. 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**).
2. Pertains to record.
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. Since, Finance Department shifted the MRS Cell, including the appellant to Finance Department Khyber Pakhtunkhwa, then how can the applicant claim his salary from C&W Department.

4. 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.
5. No comments.

GROUNDS

- A. Incorrect, as explained in para-3 of the facts. Since the appellant is an employee of Finance Department, therefore, how can the applicant claim his salary from 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. 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)

Chief Engineer (Centre)
C&W Peshawar
(Respondents No. 2)

(3)

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Service Appeal No.7552/2021

Ishtiaq Ahmad
Assistant Engineer MRS Cell
Finance Department

--- Appellant

Versus

Govt of Khyber Pakhtunkhwa
through Secretary C&W and another


--- Respondents

AFFIDAVIT

I, Muddasir Khan, Section Officer (Litigation), C&W Department, Peshawar hereby affirm and declare that all the contents of the Parawise comments are correct to the best of my knowledge and belief and nothing has been concealed.



Deponent


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



Annex-I

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated: Peshawar, the April 30, 2018

Annexure

NOTIFICATION

No. 506/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 the 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 Ibd Act.

S. No.	Name	BPS	Post
1	Mr. Ishfaq Ahmad	17	Assistant Engineer (Electrical), C&W Department
2	Mr. Atif Rizwan	16	Accounts Assistant, C&W Department
3	Mr. Syed haqoon Jamal	14	Office Assistant, C&W Department
4	Mr. Anif 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. Zakid 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

ENDS 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. PO to Secretary, Establishment & Admin. 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 (Admin), 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
FINANCE DEPARTMENT

(5)

Amir HT (5)

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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. FS 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 (ADMIN)

AS/ISA
I think we are not now
space -
may be approached
having the cell
physically in the building

Put up
from 20/5
AS/ISA
SO/
Put up draft
17/5



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Office of the Secretary to Govt. of Khyber Pakhtunkhwa, Peshawar
http://www.finance.gkp.pk | facebook.com/GokPFD | twitter.com/GokPFD
NO-T/FD/1-28/2019-20/SNE(F)/C&W Dated Peshawar the 04/12/2019

Amir-11
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12/2019
12/2019
AS/BSA

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

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

I am directed to refer to your letter No.SOG/C&W/11-124/FD/2018-19 dated 11/9/2019 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 Operator	17	2		
7	GIS Operator	17	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 041-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,

SOG
13.12.19

(Signature)
(SAEED AHMAD KHAN)
BUDGET OFFICER-I

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 FMI(I), Finance Department.
5. AS-II (HR Wing) FMI(U), Finance Department.
6. PS to Finance Secretary
- Master File

(Signature)
BUDGET OFFICER-I

(7) Annex-III 16/35

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.SOG/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: F-145/1-28/2019-20/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					
1	Chief Executive Director (IT)	17	02	PR-4109	PR-5437
2	Chief Executive Director (GIS)	17	01		
3	Senior Architect	17	01	PR-4109	PR-5445
4	GIS Analyst	16	01		
5	Assistant Programmer	16	01	PR-4109	PR-5437
6	GIS Data Collector	12	02		
7	Najib Qasid	03	02		
Total			10		
CSR/MRS Cell					
1	Director Technical	18	01		
2	Assistant Engineer (Civil)	17	01		
3	Assistant Engineer (Electrical)	17	01		
4	Economist	17	01		
5	Accounts Assistant	16	01		
6	Office Assistant	16	01	PR-4109	PR-5437
7	Computer Operator	16	02		
8	Driver	06	02		
9	Najib Qasid	03	02		
10	Chowkidar	03	01		
11	Sweeper	03	01		
Total			14		
Grand Total			24		

SECRETARY
To Govt of Khyber Pakhtunkhwa
C&W DEPARTMENT

ENDS OF EVEN NO. & DATE:-

Copies forwarded for necessary action:-

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

Copies 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.

(Signature)
SECTION OFFICER (GENERAL)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Amir TV
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http://www.financekpp.gov.pk 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".

17/03/2021
AS/DS (T)

5/03/2021

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.

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

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10/03/21

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO: _____ OF 2021

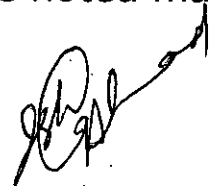
Ishtiyar Ahmed (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt of K.P & others (RESPONDENT)
(DEFENDANT)

I/We Ishtiyar Ahmed
Do hereby appoint and constitute **NOOR MUHAMMAD 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



CLIENTS

ACCEPTED

NOOR MUHAMMAD KHATTAK

KAMRAN KHAN

UMER FAROOQ MOHMAND

SAID KHAN

&

HAIDER ALI

ADVOCATES