

16.01.2023

Junior to counsel for the appellant present. Naseerud Din Shah learned Assistant Advocate General for the respondents present.

SCANNED
KPST
Peshawar

Miss Fareeha Paul, learned Member (Executive) is on leave today, therefore, case is adjourned to 25.04.2023 for arguments before the D.B.



(Rozina Rehma)
Member (J)

25th April, 2023

25th April has been declared as public holiday on account of Eid-UI-Fitr, therefore, the case is adjourned. To come up for the same on 06.07.2023.



Reader

6th July, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Tohid Iqbal, A.D for the respondents present.

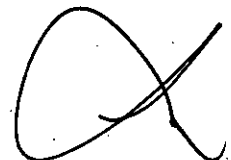
2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 31.10.2023 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar



(Rashida Bano)
Member (J)

Mutazem Shah

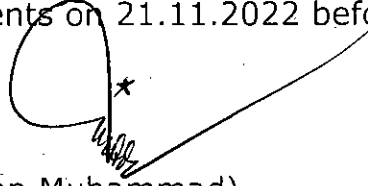


(Kalim Arshad Khan)
Chairman

21.09.2022

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

Learned counsel for the appellant sought adjournment being not prepared for arguments. Adjourned. To come up arguments on 21.11.2022 before the D.B.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

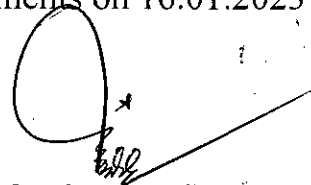
21.11.2022

Clerk of learned counsel for the appellant present. Mr. Touheed Iqbal, Assistant Director, alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up

for arguments on 16.01.2023 before the D.B.

SCANNED
K...IT
Peshawar



(Mian Muhammad)
Member (E)



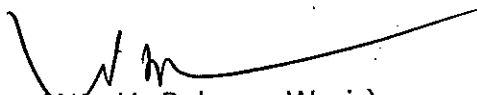
(Salah-Ud-Din)
Member (J)

SA 2414/21

17.01.2022

Appellant in person and Mr. Muhammad Rasheed, DDA falongwith Tauheed Iqbal, A.D for the respondents present.

Former seeks adjournment due to non-availability of his learned counsel. Request accorded. To come up for arguments on 11.05.2022 before the D.B.

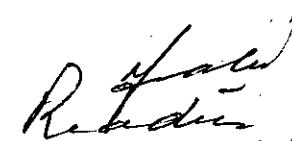

(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

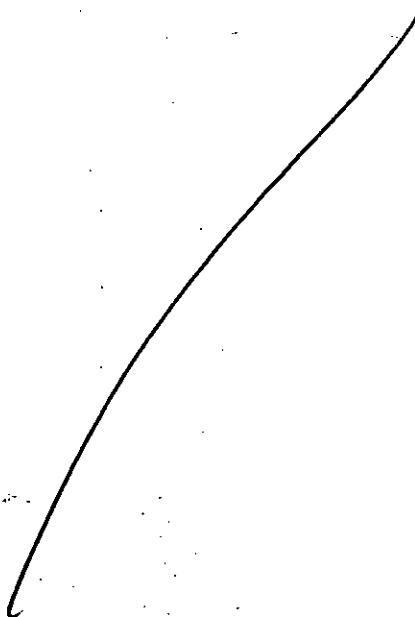
11-5-22

Proper DB not available the case is
adjourned on 26-7-22

26.7.22


Proper DB not available to
come up for the same as before
on 21/8/22


Rasheed



14.06.2021

Appellant in person and Mr. Muhammad Adeel Butt, Addl. AG alongwith Tauheed Iqbal Asstt. Director for the respondents present.

The respondents have not submitted written reply. They are directed to submit written reply/comments in office within 10 days, 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 26.10.2021 before the D.B.

Stipulated period has passed and reply has not been submitted.


Chairman

P.S

29.06.2021

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



Chairman

26.10.2021

Appellant alongwith clerk of his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Rejoinder on behalf of the appellant submitted, copy of which handed over to learned Additional Advocate General. Appellant requested for adjournment on the ground that his counsel is busy in other court. Adjourned. To come up for arguments on 17.01.2022 before the D.B.



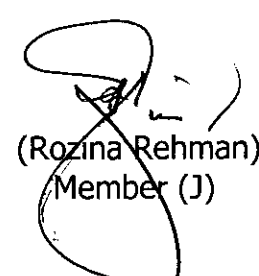

(MIAN MUHAMMAD)
MEMBER (E)


(SALAH-UD-DIN)
MEMBER (J)

FORM OF ORDER SHEET

Court of _____

Case No. - 2414 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/02/2021	<p>The appeal of Mr. Mir Nawab Khan presented today by Mr. Inayatullah Khan 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>
2-	12.03.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on <u>14/06/2021</u> before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

Appellant Deposited
Security & Process Fee

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA

Service Appeal No. 2414 of 2021

Mir Nawab Khan,Appellant

VERSUS

Govt: of Khyber Pakhtunkhwa etcRespondents

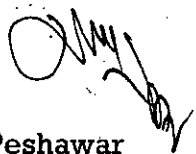
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Dated: 08-02-2021


Appellant / Mir Nawab Khan

Through


Inayat Ullah Khan
LLM (UK)
Advocate High Court Peshawar

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA

Service Appeal No..... of 2021

Mir Nawab Khan Son of Maiz Ullah Khan Resident of Village Ghundi Killa Tehsil Takht e Nasrati District, Karak presently Field Assistant Director Agriculture Research Ahmad Wala, Karak.....(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Secretary Agriculture Livestock & Cooperative Department Civil Secretariat, Peshawar.
2. Director General Agriculture Research Khyber Pakhtunkhwa Peshawar.
3. Director Agriculture Research Station Ahmad Wawla, Karak.....(Official Respondents)

Addresses of the parties mentioned above are sufficient for proper service.

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against seniority list dated 03.09.2020 maintained by the official respondent wherein the appellant seniority is fixed at serial No.37 is against the law and facts available on record.

PRAYER IN APPEAL.

On acceptance of the instant service appeal this Hon'ble Service Tribunal may very graciously be pleased to declare the seniority list dated 03.09.2020 and the impugned order dated 23.12.2020 received by the appellant on 12.01.2021 may kindly be set aside with further direction to the official respondents to restore the earlier seniority list dated 30.06.2019, wherein the appellant was correctly placed at serial No.9 with back benefits.

Any relief to whom the appellant found entitle may also be granted.

Respectfully Sheweth :-

This service appeal arises out of the following facts.

FACTS:-

1. That the appellant was initially appointed as Filed Assistant BPS-6 in Extension Barani Area Developments Project, Kohat on contract basis vide appointment order dated 26/05/1994. -- (*Photocopy of appointment order dated 26/05/1994 is annexed as Annexure "A"*).
2. That then the appellant was appointed as Field Assistant on Temporary basis in BPS-06 in Director Agriculture Research System vide appointment order dated 26/10/1994. (*Photocopy of appointment order dated 26/10/1994 is annexed as Annexure "B"*).
3. That appellant being Filed Assistant Physically working at Agriculture Research Station Ahmad Wala, Karak and drawing pay from the office of the Director , BADP, Kohat was transferred to the office of Gram Botanist, Agriculture Research Station Ahmad Wala, Karak against the permanent vacant post of Filed Assistant BPS-06 vide office order dated 05/06/1998. (*Photocopy of office order dated 05/06/1998 is annexed as Annexure "C"*).
4. That on the application of appellant, the seniority of appellant was maintained by the competent authority from the date of transfer to Agriculture Research Station Ahmad Wala, Karak against the vacant post w.e.f 26/10/1994 vide letter No. 1130 /Estt/DGAR dated Peshawar the 08/02/1999 (*Photocopy of letter dated 08/02/1999 is annexed as Annexure "D"*).
5. That since 1999 every year the seniority of the appellant was maintained on the basis of above said office order till 22/04/2020.

6. That the name of appellant was maintained at S. No. 9 in Tentative Seniority list of Field Assistant of Agricultural Research System, KP, as it stood on 30/06/2019 issued by the Directorate General Agriculture Research KP, Peshawar vide letter No. 3399-3418/Estt/DGAR dated Peshawar 19/09/2019. ----
(Photocopy of letter dated 19/09/2019 with seniority list is annexed as Annexure "E").

7. That Directorate General Agriculture Research KP, Peshawar also vide letter No. 5386 /Estt/DGAR dated the Peshawar 22/04/2020 submitted of ACR's Synopsis to All Director of Institutes /Station of Agriculture Research KP and Senior director ARI Tarnab Peshawar where the name of appellant has been mentioned at S. No. 9. ----- *(Photocopy of letter dated 22/04/2020 is annexed as Annexure "F").*

8. That to the bad luck of the appellant, Directorate General Agriculture Research KP, Peshawar vide letter No. 9766-88 /Estt/DGAR dated the Peshawar 03/09/2020 submitted to All Director of Institutes /Station of Agriculture Research KP and Senior director ARI Tarnab Peshawar regarding Revised Draft Tentative Seniority of Filed Assistants in BPS-09 of Agriculture Research, KP as it stood on 31/12/2019 where the name of appellant has been shown at S. No. 37 with the remarks columns " As per advice of the Establishment, the project service which cannot be counted for the purpose of seniority being different cadre, as such seniority shall be reckoned from the date department? The seniority position determined from the date of regular appointment, vide No. SOR-III(E & AD) 1-2/2013 (Vol-III), dated 23/12/2015. *(Photocopy of letter dated 03/09/2020 with letter No. SOR-III(E & AD) 1-2/2013 (Vol-III), dated 23/12/2015 is annexed as Annexure "G" / impugned in this appeal).*

9. That against disturbance of seniority under the above captioned seniority list, the appellant submitted a departmental appeal for correction of his seniority vide application dated 13/10/2020 which was forwarded to Director General Agricultural Research System KP, Peshawar by the Agricultural Research Station Ahmad Wala, Karak vide letter No. 365-66/DAR/ARS, Ahmad Wala, Karak dated 14/10/2020. *(Photocopy of letter dated 14/10/2020 with application dated 13/10/2020 is annexed as Annexure "H")*.
10. That the application of appellant was sent to Section Officer (Estt) Govt: of KP Agriculture, Livestock and Cooperative Deptt: Peshawar for correction of seniority list of Filed Assistant vide letter No. 13387/Estt/DGAR dated Peshawar 26/11/2020 whereby the Govt: of KP Agriculture, Livestock and Cooperative Deptt: Peshawar responded to the Director General, Agriculture Research KP, Peshawar vide letter No. SOE(AD)3 (291/2020/Res/Seniority list/883 dated Peshawar the, December 23rd, 2020 and stated that "Seniority is meant for regular employees / civil servant and not for the project's employee. ----- *(Photocopy of letter dated 26/11/2020 and letter 23rd December 2020 are annexed as Annexure "I & J")*.
11. That the appellant is seriously aggrieved from downgraded of his seniority as Filed Assistant from Serial No. 9 dated 19/09/2019 and 22/04/2020 to Serial No. 37 dated 03/09/2020 and rejection of departmental appeal dated 23/12/2020 hence the instant service appeal before this Service Tribunal with the following grounds.

Grounds.

- a. That the impugned seniority list through which the appellant has been downgraded from seniority list No. 09 to seniority list No. 37 is illegal, unlawful and against the law hence liable to be set aside.
- b. That the impugned seniority list is against the judgment of superior courts of the land.

- c. That the appellate authority has wrongly and illegally rejected the departmental appeal of the appellant by assigning no valid reasons according to law.
- d. That the seniority of the appellant was fixed at Serial No.9 since 1998 till 2019/2020 for about 20 years and reflected in every year seniority list but when the promotion of the appellant was due said impugned seniority list was issued thus the right conferred for 20 years was struck down by a single stroke of pen.
- e. That the appellant is being discriminated as other employees of the same nature of service as that of appellant are even being promoted on the seniority list fixed with the appellant.
- f. That seniority consistently awarded to the appellant by the competent authority cannot be revoked prejudice to the right of the carrier profession of the appellant.
- g. That no specific law has been attributed to the impugned rejection order by the appellate authority.
- h. That there is no contract law in civil service rules and civil service appointment.
- i. That the appellant has been discriminated by the respondents as the same nature relief has already been granted by the respondents.
- j. That fundamental rights of the appellant has been violated by the respondents.
- k. That as per judgments of superior courts of land when initially an appointment is issued on contract basis in government department and then at any stage the service is regularized then the initial contract appointment period will be considered as regular civil service and the contract period will not affect the seniority of any civil servant.
- l. That reasons advanced to the downgraded of the appellant in Seniority is not cogent reasons rather the same is arbitrary and fanciful.

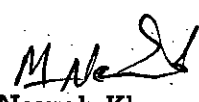
- m. That the seniority of appellant is not analogy with the referred decision mentioned Para No.3 vide letter dated 23.12.2015.
- n. That various cadres employees were appointed in Barani Project and their project service were counted in civil service in Agriculture Research Station Ahmad Wala, Karak and then given seniority and promotion were also given to them meaning thereby that project service was counted in seniority which is according to judgments of superior courts.
- o. That any other ground will be agitated at the time of arguments with permission of this Honorable tribunal.

Prayer.

So it is, therefore, most humbly and respectfully prayed that

On acceptance of the instant service appeal this Hon'ble Service Tribunal may very graciously be pleased to declare the seniority list dated 03.09.2020 and the impugned order dated 23.12.2020 received by the appellant on 12.01.2021 may kindly be set aside with further direction to the official respondents to restore the earlier seniority list dated 30.06.2019, wherein the appellant was correctly placed at serial No.9 with back benefits.

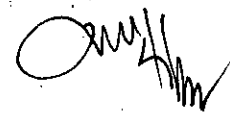
Any relief to whom the appellant found entitle may also be granted.



Appellant / Mir Nawab Khan

Through

Inayat Ullah Khan
LLM (UK)
Advocate High Court Peshawar



Certificate

Certified that no such like service appeal has been filed earlier on similar ground before this Honorbale Tribunal or any other court.


Appellant

7

**BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA,**

Service Appeal No. ----- of 2021

Mir Nawab Khan (Appellant)

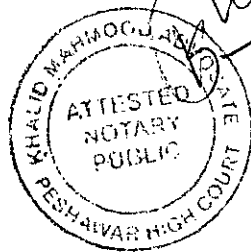
VERSUS

Govt: of Khyber Pakhtunkhwa etc (Respondents).

AFFIDAVIT

I, Mir Nawab son of Maisullah Khan Resident of village Ghundi Killa Tehsil Takht-e-Nasrati District, Karak presently Field Assistant Agriculture Research Ahmad Wala, Karak do hereby solemnly affirm and declare on oath that all the contents of the accompanying service ^{appeal} are true and correct to the best of my knowledge and belief, nothing is lie and nothing has been concealed or mis-stated.

Dated :- 08 / 02 / 2021



Deponent

Mir Nawab Khan

through

Inayat ullah Khan
Adv PHC

(LM (UK))

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA,

Service Appeal No. ----- of 2021

Mir Nawab Khan (Appellant)

VERSUS

Govt: of Khyber Pakhtunkhwa etc (Respondents).

=====

APPLICATION FOR RESTRAINING THE RESPONDENTS
TO ISSUE PROMOTION ORDER OF FILED ASSISTANT
ON THE BASIS OF IMPUGNED SENIORITY LIST IN
DIRECTOR GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, PESHAWAR TILL FINAL
DECISION OF THE INSTANT SERVICE APPEAL.

=====

Respectfully Sheweth.

1. That the appellant is filing the instant service appeal before this Hon'able Service Tribunal accompanying application.
2. That all the facts and grounds taken in the main service appeal may be treated the facts and grounds of the instant application.
3. That the appellant has good prima case and bright chances of successes and all the three main principles of temporary injunction are in favour of appellant.
4. That in case of non restraining the respondents from issuing promotion order on the basis of impugned seniority list then the appellant will be sustained irreparable loss.

Prayer:- So it is, therefore, most humbly and respectfully prayed that on acceptance of the instant application this Hon'able Service Tribunal may very graciously be pleased to restrain the respondents to issue promotion order of Filed Assistant on the basis of impugned seniority list till final decision of the main service appeal.

Appellant

Mir Nawab Khan

Through

Inayatullah Khan
Advocate High Court

LLM (UK)

03339059746

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA,

Service Appeal No. ----- of 2021

Mir Nawab Khan (Appellant)

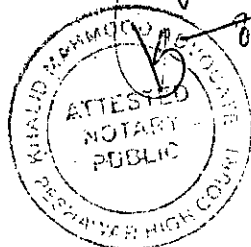
VERSUS

Govt: of Khyber Pakhtunkhwa etc (Respondents).

AFFIDAVIT

I, Mir Nawab Khan son of Maizullah Khan Resident of village Ghundi Killa Tehsil Takht-e-Nasrati District, Karak presently Field Assistant Agriculture Research Ahmad Wala, Karak do hereby solemnly affirm and declare on oath that all the contents of the accompanying application are true and correct to the best of my knowledge and belief, nothing is lie and nothing has been concealed or mis-stated.

Dated :- 28----/02/2021



Deponent

Mir Nawab Khan
Mir Nawab Khan

through

Inayat Ullah Khan
Inayat Ullah Khan
Adv PHC LLM (UK)

Annexure

(A)

(76)

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) NWFP, PESHAWAR

OFFICE ORDER

Mr. Mir Nawab S/O Maizullah Khan is hereby appointed as Field Assistant in NPS-6 (Rs. 1065-54-1875) on contract basis in the Barani Area Development Project, Kohat.

1. His appointment is purely temporary and on contract basis and his services can be terminated without notice and without assigning any reason, irrespective of the fact that he is holding a post other than the one to which he is originally recruited.
2. He should report for duty to the P.D.A. Kohat on his own expenses along with his original certificates.
3. His appointment will be affected from 1-6-1994.
4. He is domiciled in NWFP.
5. If he wish to resign he will give 14 days notice to employer or in lieu thereof 14 days pay will be fore-fitted.
6. He will be governed by such rules and order relating to leave, travelling allowance, pay etc as may be issued by the Government for the category of government servant to which he will belong.
7. The offer will be cancelled if no reply is received on or before 15-6-1994.
8. He will be liable for transfer any where in NWFP.
9. He shall produce original Matric Certificate, Field Asstt. Training Course Certificate, Domicile Certificate, National Identity Card before joining duty.
10. His pay etc shall be drawn under the Barani Area Dev. Project of NWFP, subject to the receipt of funds.

Sd/- (AKRAM KHAN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
N.W.F. PROVINCE, PESHAWAR

No. 11/83-B/Estt/ 9361-67 /DGA(B) Dated Peshawar: the 26/5

Copy forwarded to:-

1. The Dy. Director of Agriculture, Kohat Division Kohat. w/r to his letter No. 367/DGA dated 25-5-1994.
2. The Project Director, Barani Area Dev. Project, NWP (215) 56-Canal Road, University Town Peshawar.
3. The Extra Assistant Director of Agriculture, Kohat.
4. The District Accounts Officer, Kohat.
5. Mr. Mir Nawab S/O Maizullah Khan Villase and P.O. Ghundi Wila Tehsil and District, Karak w/r to his application dated nil.

For information and necessary action.

6. File No. 13/1 Estt for record.
7. P.S. to Malik Aslam Azam, Provincial Minister NWFP Peshawar.

[Signature]
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
N.W.F. PROVINCE, PESHAWAR

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) NWFP, PESHAWAR
OFFICER ORDER**

Mr. Mir Nawab S/o Maizullah Khan is hereby appointed as Field Assistant in BPS-6 (Rs. 1065-54-1875) on contract basis in the Barani Area Development Project, Kohat.

1. His appointment is purely temporary and on contract basis and his services can be terminated without notice and without assigning any reason, irrespective of the fact that he is holding a post other than the one to which he is originally recruited.
2. He should report for duty to the, EADA, Kohat on his expenses alongwith his original certificates.
3. His appointment will be affected from 01.06.1994.
4. He is domiciled in NWFP.
5. If he wish to resign he will give 14 days notice to employer or in lieu thereof 14 days pay will be forfeited.
6. He will be governed by such rules and order relating to leave, travelling allowance, pay etc as may be issued by the Government for the category of government servant to which he will belong.
7. The offer will be cancelled if no reply is received on or before 15.06.1994.
8. He will be liable for transfer any where in NWFP.
9. He shall produce original Matric Certificate, Filed Asstt: Trainign Course Certificate, Domicile certificate, National Identity Card before joining duty.
10. His pay etc shall be draw under the Barani Area Dev: Project of NWFP, subject to the receipt of funds.

Sd/- Akram Khan
Director General
Agriculture (Extension)
NWFP Province, Peshawar.

No.11/83-B/Estt/ 9361-67/DGA (E) Dated Peshawar the 26.5.____

Copy forwarded to:-

1. The Dy: Director of Agriculture, Kohat Division Kohat w/r to his letter No.867/DDA dated 25.05.1994.
2. The Project Director, Barani Area Dev: Project, NWFP (SDG) 56- Canal Road, University Town Peshawar.
3. The Extra Assistant Director of Agriculture, Kohat.
4. The District Accounts Officer, Kohat.
5. Mr. Mir Nawab S/o Maizullah Khan Village and P.O Ghundi Killa Tehsil and District, Karak w/r to his application dated nil.
For information and necessary action.
6. File No.18/1 Estt for record.
7. Ps to Malak Zafar Azam, Provincial Minister NWFP Peshawar.

Director General
Agriculture (Extension)
NWFP Province, Peshawar.

(B) (S) (12)
Annexure

NWFP AGRICULTURAL UNIVERSITY, PESHAWAR.
(Directorate of Agril. Research System)

ORDER

On the recommendations of the Selection Board, the following candidates are hereby appointed as Field Assistant on temporary basis in BFS-6 (Rs. 1440-73-2525) plus Usual allowances as admissible under the rules, against existing vacancies of Field Assistant under scheme Barani Area Development Project, Kohat.

1. Mr. Nizamullah Khan, s/o Ayesz Khan,
c/o Haji Shaista Khan, Ghalla Mandi,
Lakki Marwat.
2. Mr. Abdullah Khan, s/o Talib Khan,
House No. 9, Mohallah Sheri Vailla,
Jangle Khel, Kohat.
3. Mr. Muhammad Ismail, s/o Muhammad Bilal,
Village and P.O. Usterzai Payyan,
Tehsil and District Kohat.
4. Mr. Mir Nawab, s/o Maizullah Khan,
Village and P.O. Ghundi Kili,
Tehsil and District Karak.
5. Mr. Anwar Din, s/o Jamal-ud-Din,
P.O. Togh Bala, Tehsil and District Kohat.

Terms and Conditions :

- Their appointment is purely temporary and their services may be terminated at any time irrespective of the fact that they are holding a post other than the one to which they were originally recruited and on payment of 14 day's salary in the lieu of the notice.
- In case they wish to resign at any time 14 day's notice will be necessary or in lieu thereof, 14 day's pay shall be for-feited.
- They will have to produce a Medical Fitness Certificate before joining their duties.
- They will be governed by such rules and orders relating to leave, travelling allowance, pay etc, as may be issued by the Government for the category of Government Servants to which they will belong.
- They will liable to be transferred any-where in NWFP.

(2)

(13)

- They will not claim lien in the Research of Agriculture Department on termination of the scheme.

- No TA/DA will be granted for joining the duty.

If they accept the posts on the above terms and conditions they should report for duty to the Director, Agril. Research Station, Barani Area Development Project, Kohat for their further posting.

Sd/- (Dr. Saifullah Khattak)
Director Research

No. 11927-34/Estt/DR; Dated Pesh; the 26/10/1994.

Copy to :-

- 1- The Director, Agricultural Research Station, Barani Area Development Project, Kohat with reference to his No. 320/DAR; dated 26.7.1994.
- 2- The District Accounts Officer, Kohat.
- 3- The Administrative Officer (Estt; & Account) of this Directorate.
- 4- All Concerned.

for information and necessary action.

J. J. J.
Director Research
NAFIS Agricultural University
Peshawar
16/10/94

NWFP AGRICULTURAL UNIVERSITY, PESHAWAR.
(DIRECTORATE OF AGRIL. RESEARCH SYSTEM)

ORDER

On the recommendations of the Selection Board, the following candidates are hereby appointed as Field Assistant on temporary basis in BPS-6 (Rs. 1440-73-2525) plus usual allowances as admissible under the rules, against existing vacancies of Field Assistant under Scheme Barani area Development Project, Kohat.

1. Mr. Niamatullah Khan, S/o Ayaz Khan, C/o Haji Shaista Khan, Ghalla Mandi, Lakki Marwat.
2. Mr. Abdullah Khan, S/o Talib Khan, House No.9, Mohallah Shari Vailla, Jangle Khel, Kohat.
3. Mr. Muhammad Ismail S/o Muhammad Bilal, Village and P.O Usterzai Payyan, Tehsil and District Kohat.
4. Mr. Mir Nawab, S/o Maizullah Khan, Village and P.O Ghundi Kili, Tehsil and District Karak.
5. Mr. Anwar Din, S/o Jamal ud Din, P.O Toogh Bala, Tehsil and District Kohat.

Terms & Conditions:

- Their appointment is purely temporary and their services may be terminated at any time irrespective of the fact that they are holding a post other than the one to which they were originally recruited and on payment of 14 day's salary in the lieu of the notice.
- In case they wish to resign at any time 14 day's notice will be necessary or in lieu therefore, 14 day's pay shall be forfeited.
- They will have to produce a Medical Fitness Certificate before joining their duties.
- They will be governed by such rules and orders relating to leave, travelling allowance, pay etc, as may be issued by the Government for the category of Government Servants to which they will belong.
- They will liable to be transferred anywhere in NWFP

- They will not claim lieu in the Research of agriculture Department on termination of the scheme.
- No TA/DA will be granted for joining the duty.

If they accept the posts on the above terms and conditions they should report for duty to the director, Agricultural Research Station Barani Area Development Project, Kohat for their further posting.

Sd/- (Dr. Saifullah Khattak)
Director Research

No.11927-34/Estt/ Dr; dated Peshawar, the 26.10.1994.

Copy to:-

1. The Director, Agricultural Research Station, Barani Area Development Project, Kohat with reference to his No.320/DAR; dated 26.07.1994.
2. The District Accounts Officer, Kohat.
3. The Administrative Officer (Estt; Account) of this Directorate.
4. All concerned.

For information and necessary action.

Director Research
NWFP Agricultural University
Peshawar

(C) 16
Annexure

NWFP AGRICULTURAL UNIVERSITY PESHAWAR
(Directorate General Agri.Res.System)

Dated 5-6- /1998.

OFFICE ORDER

Mr. Mir Fouad Khan, Field Assistant physically working at ARS, Ahmad Wala Karak and drawing pay from the office of the Director, BADD, Kohat is hereby transfer to the office of the Gram Botanist, ARS, Ahmad Wala Karak and posted against the vacant post of Field Assistant.

This order shall take effect from 1.6.1998.

No TA/DA/Transfer grant is allowed.

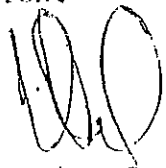
Sd/-
Director General Agri. Research,
NWFP, Agril. University Peshawar.

No. 5687-85 /Estt/DGAR:

Copy to:

- 1- The Director, BADD, ARS, Jarma Kohat;
- 2- The Gram Botanist, ARS, Ahmad Wala Karak;
- 3- The Resident Audit Officer, Karak;
- 4- The official concerned.;

for information and n.action.


Director General Agri. Research.

7.6

**NWFP AGRICULTURAL UNIVERSITY PESHAWAR
(DIRECTORATE GENERAL AGRI. RES. SYSTEM)**

Dated 5.06.1998.

OFFICE ORDER

Mr. Mir Nawab Khan, Field Assistant Physically working at ARS, Wala Karak and drawing pay from the office of the Director, BADP, Kohat is hereby transfer to the office of the Gram Botanist, ARS, Ahmad Wala Karak and posted against the vacant post of Field Assistant.

This order shall take effect from 01.06.1998.

No TA/DA transfer grant is allowed.

Sd/-
Director General Agri. Research,
NWFP, University Peshawar.

No. 5682-85/ Estt/ DGAR:

Copy to:-

1. The Director, BADP, ARS, Jarma Kohat.
2. The Gram Botanist, ARS, Ahmad Wala Karak.
3. The Resident Audit Officer, Karak;
4. The official Concerned;

For information and n. action.

Director General Agri, Research.

(D) - (18)

No. 1130
To

/Estt/DGAR Dated Peshawar the 8/2 /1999
Annexure

The Gram Botanist,
ARS Ahmad Wala Karak.

Subject: APPLICATION FOR SENIORITY.
Memo:

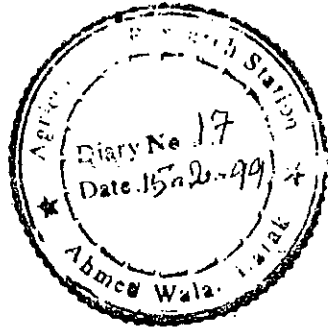
Reference your letter No.9/GB dated 12.1.1999.

The application was appointed in the Agri. Deptt. extension on 26.5.1993 and thereafter he was selected and transferred to Research Wing on 22.11.1994. Therefore under the rules his seniority will be maintained from the date he transferred to the Research System i.e 22.11.1994. The applicant may be informed accordingly.

M. U. Q.
(DR. MUHAMMAD HANIF QAZI)
Director General Agric. Res.
NWFP Agri. University Peshawar.

4/2/99

Signature
Seniority File
[Signature]



(E) 19

Annexure

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR

☎ 091-9221271

web: www.agrires.kp.gov.pk ☎ 091-9221270

E-mail: dgragriresearch@gmail.com



3399-3418 /Estt/DGAR

Dated the Peshawar 19/9/2019

The Senior Director,
Agric. Research Institute,
Tarnab (Peshawar).

The Senior Director Outreach,
Agric. Research System
Khyber Pakhtunkhwa.


All Directors of Institutes /Stations,
At Agric. Research System,
Khyber Pakhtunkhwa.

Subject:

DRAFT TENTATIVE SENIORITY LIST OF RESEARCH SUPERVISOR,
RESEARCH INSPECTOR AND FIELD ASSISTANT OF AGRICULTURAL
RESEARCH WING, KHYBER PAKHTUNKHWA, AS STOOD ON 30-06-2019.

Enclosed please find herewith a draft tentative seniority list of Research Supervisor, Research Inspector and Field Assistant of Agricultural Research Wing, Khyber Pakhtunkhwa as stood on 30-06-2019. If any omission/error thereon may please be communicated to this office within ten days, so that this office enable to finalize and notify the final seniority list.

Encl: As Above.


DIRECTOR GENERAL

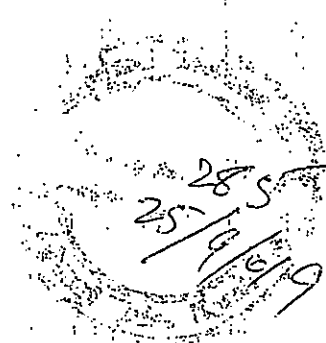
Seniority list file

*Sadique-ur-Rehman, M. J. S. A. on
M. I. Nawab Khan*

*You have any doubt in
seniority list then discuss*

*اگر آپ کو اس سنیورٹی لسٹ پر کوئی
توہین ہے تو اس سے بحث کریں*

25/9/19



**GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR**

091-9221271

web:www.agrires.kp.gov.kp 091-9221270

Email: dgragriresrarch@gmail.com

No. 3399-3418/ Estt/ DGAR

Dated the Peshawar 19.09.2019

The Senior Director,
Agric. Research Institute,
Tarnab (Peshawar).

The Senior Director Outreach,
Agric. Research System
Khyber Pakhtunhwa.

All Directors of Institutes/ Stations,
At Agric. Research System,
Khyber Pakhtunhwa.

Subject: **Draft tentative Seniority list of research supervisor,
Research inspector and field assistant of Agricultural
research wing, Khyber Pakhtunhwa, As stood on
30.06.2019.**

Enclosed please find herewith a draft tentative seniority list of Research Supervisor, Research Inspector and Field Assistant of Agricultural Research Wig, Khyber Pakhtunhwa as stood on 30.06.2019. If any omission/ error thereon may please be communicated to this office within ten days, so that this office enable to finalize and notify the final seniority list.

Encl: As above.

Director General

Seniority List file

Sadiq ur Rehman, M. Ihsan Mir Nawab Khan
you have any doubt in merit list then
discuss.

21

TENTATIVE SENIORITY LIST OF FIELD ASSISTANTS OF AGRICULTURAL RESEARCH SYSTEM, KHYBER PAKHTUNKHWA, AS IT STOOD ON 30.06.2019.

S.No	Name	Designation	Qualification	Home District	Date of Birth	Date of Ist appointment	Date of promotion to the present	Place of present posting.	Date of superannuation.
1	2	3	4	5	6	7	8	9	10
1	Mr. Habib Khan	Field Asstt	Dip: Agri Scie	Swat	01.05.1970	25.11.1992		Swat	30.04.2030
2	Muhammad Siddique-II	-do-	Dip: Agri Scie	Mansehra	01.02.1968	03.05.1993		A.Abad	31.01.2028
3	Mr.Mehboobud Din	-do-	Dip: Agri Scie	Chitral	25.02.1965	03.07.1993		Chitral	24.02.2025
4	Mr.Sadiq Hussain	-do-	Dip: Agri Scie	Chitral	26.04.1974	03.07.1993		Chitral	25.04.2034
5	Mr.Javaid Ali	-do-	Dip: Agri Scie	Swat	20.04.1973	27.10.1993		Swat	19.04.2033
6	Mr. Sabirin	-do-	Dip: Agri Scie	NWA	02.05.1971	08.01.1994		Merge Distt	01.05.2031
7	Mr.Tariq Shah	-do-	Dip: Agri Scie	Charsadda	13.04.1968	09.01.1994		DSPN Tarnab	12.04.2028
8	Muhammad Irshad	-do-	Dip: Agri Scie	Mansehra	03.04.1974	16.05.1994		A.Abad	02.04.2034
9	Mr.Mir Nawab	-do-	Dip: Agri Scie	Karak	08.04.1970	01.06.1994 Barani Ext: Project. 22.11.1994 Barani Research Project. On 31.05.1998 Posted & Transfer to ARS Karak.		Karak	07.04.2030
10	Mr.Ahmad Qadar	-do-	Dip: Agri Scie	Mardan	15.04.1973	17.10.1994		DSPN Tarnab	14.04.2033
11	Mr.Anwar Din	-do-	Dip: Agri Scie	Kohat	02.08.1971	31.10.1994		Kohat	01.08.2031
12	Muhammad Ismail	-do-	Dip: Agri Scie	Kohat	12.04.1973	31.10.1994		DSPN Tarnab	11.04.2033
13	Mr.Inayatpur Rehman	-do-	Dip: Agri Scie	Lakki Marwa	14.05.1971	14.01.1990 F/W 01.01.1995		Serai Naurang	13.05.2031
14	Mr.Munir Ahmad	-do-	Dip: Agri Scie	Mansehra	28.03.1972	01.01.1995		Mansehra	27.03.2032
15	Mr.Ghafar Ali	-do-	Dip: Agri Scie	Swat	01.02.1969	03.01.1995		Swat	31.01.2029

Annexure (F) (22)



DIRECTORATE GENERAL AGRICULTURE RESEARCH

KHYBER PAKHTUNKHWA, 25130, PESHAWAR

☎ 091-9221271 web: www.dgares.kp.gov.pk ☎ 091-9221270

E-mail: dgaresresearch@gmail.com

No 5386 /Estt/DGARDated the Peshawar 22/04/2020

To

The Senior Director ARI Tarnab Peshawar.
All Directors of Institutes/Stations of Agriculture Research Khyber Pakhtunkhwa.

Subject: - SUBMISSION OF ACR'S AND SYNOPSIS.

Memo: -

The ACR's for the years as noted against each and synopsis have not yet received to this office of the following officials of your Institutes/Stations.

S.No	Name of officials	Designation	Institutes/Station	ACR's & Synopsis
1	Mr. Habib Khan	Field Assistant	ARI, Mingora Swat	Complete files
2	Muhammad Siddique-II	Field Assistant	HARS Abbottabad	2017, 2018 & 2019
3	Mr. Mehboobud Din	Field Assistant	ARS Seen Lasht Chitral	2019
4	Mr. Sadiq Hussain	Field Assistant	ARS Seen Lasht Chitral	2019
5	Mr. Javid Ali	Field Assistant	ARI Mingora Swat	Complete files
6	Mr. Sabirin	Field Assistant	Merge Area ARI Tarnab	2019
7	Mr. Tariq Shah	Field Assistant	ARI Tarnab Peshawar	2019
8	Muhammad Irshad	Field Assistant	HARS Abbottabad	2017, 2018 & 2019
9	Mr. Mir Nawab	Field Assistant	ARS Ahmad Wala Karak	2019
10	Mr. Ahmad Qadar	Field Assistant	ARI Tarnab Peshawar	2019
11	Mr. Anwar Din	Field Assistant	BARS, Kohat	Complete files
12	Muhammad Ismail	Field Assistant	ARI Tarnab Peshawar	Complete files
13	Mr. Inayatullah Rehman	Field Assistant	ARS Serai Naurang Bannu	2019
14	Mr. Ghafar Ali	Field Assistant	ARI Mingora Swat	Complete files
15	Mr. Muhammad Ishfaq	Field Assistant	ARI Tarnab Peshawar	Complete files
16	Mr. Khadim Noor	Field Assistant	ARI Tarnab Peshawar	2019
17	Mr. Abdul Jabbar	Field Assistant	ARI D.I.Khan	2019
18	Mr. Ahmad Jan	Field Assistant	HARS Serai Naurang Bannu	2019
19	Mr. Shamsur Rehman	Field Assistant	ARI Tarnab Peshawar	2019
20	Mr. Riaz Gul	Field Assistant	ARS Serai Naurang Bannu	2019
21	Mr. Abdul Qayyum	Field Assistant	ARI D.I.Khan	2019
22	Mr. Bakht Akbar	Field Assistant	ARI Mingora Swat	Complete files
23	Mr. Manzoor Hussain	Field Assistant	ARI D.I.Khan	2019
24	Mr. Abdul Rashid-III	Field Assistant	ARI D.I.Khan	2019
25	Mr. Muhammad Ihsan	Field Assistant	ARS Ahmad Wala Karak	2019
26	Mr. Zahid Mehmood	Field Assistant	ARI D.I.Khan	2019
27	Mr. Mohd Usman-II	Field Assistant	ARI D.I.Khan	2019
28	Muhammad Ramzan	Field Assistant	ARI D.I.Khan	2019
29	Mr. Rehmatullah Shah	Field Assistant	ARI D.I.Khan	Complete files
30	Mr. Inayatullah	Field Assistant	ARI D.I.Khan	Complete files
31	Mr. Abdul Waqar	Field Assistant	ARI D.I.Khan	Complete files
32	Mr. Saifur Rehman	Field Assistant	ARI Tarnab Peshawar	Complete files
33	Mr. Mohd Khalid Shah	Field Assistant	ARI D.I.Khan	Complete files
34	Mr. Bakht Wahab	Field Assistant	ARI Mingora Swat	Complete files
35	Mr. Farmanullah	Field Assistant	SCRI, Mardan	Complete files

It is therefore, requested to kindly submit the ACR's along with synopsis complete in all respect to this office upto 04-05-2020 positively of the above mentioned officials working under your administration control.

ADMN OFFICER (ESTT)

APPENDIX-V
FIELD ASSISTANTS, SENIOR OBSERVER LABORATORY ASSISTANTS ETC
CONFIDENTIAL REPORT 2019

Note: This form should be filled according to the instructions condition contained in the services & General Administration Deptt:

- 1. Name & Qualifications: Mir Nawab Khan (B.A)
- 2. Post held (with headquarters) showing. Field Assistant Agri. Res. Stat Ahmad wala Kan
- 3. Grade and present pay whether. B.P.S = 9 Pay Rs = 27830/
 - I. Permanent ✓
 - II. Officiating
 - III. Temporary
 - IV. On probation.

- 4. Date of
 - I. First continuous appointment and 01.06.1994
 - II. Appointment to present post Field Assistant

- 5. Date of next increment 02.12.2019
- 6. Total Service 25 years
- 7. Age 49 years
- 8. Branch in which employed during the year under review Agri Res. Station Ahmad w.
- 9. Nature of work on which employed

10. Observation on Experiment data and weather da

- i. Intelligence v. good
- ii. Rotation v. good
- iii. Energy & influence amongst people Excellent
- iv. Technical punctuality Excellent
- v. Field Work Excellent
- vi. Capacity for dealing with zamindars/ Demonstration & propangda Excellent
- vii. behavior & assistance to other staff v. good
- viii. Amenability to discipline v. good
- ix. Probity. v. good

Handwritten signature: Mir Nawab Khan

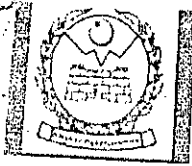
- 11. Particulars of outstanding work done, if any during the period under review v. good
- 12. Attitude for social welfares work and actual performance, in this field v. good
- 13. Particulars of reprimand or warning if any administered. NO
- 14. General remarks The official under reporting is very honest, hard worker and devoted to his office and field work. Chan

Dated: 7.5.2020

DIRECTOR
Agriculture Research Station
Ahmad Wala

Signature of the Reporting Officer with Designation
Agriculture Research Station
Ahmad Wala

24



AGRICULTURAL RESEARCH STATION AHMAD WALA KARAK
Ph: 0927-308718 & 0927-240350 Fax: 0927-240350
E-mail: arsahmadwalakarak@yahoo.com

No. 161 /DAR/ARS KK

Dated 8/5 /2020

To

The Director General
Agriculture Research System
Khyber Pakhtunkhwa
The University of Agriculture
Peshawar


Subject:

SUBMISSION OF ACRS AND SYNOPSIS

Memo:

Please refer to your office letter No. 5386/Estt/DGAR dated 22.04.2020 on the subject cited above.

The ACRS and Synopsis of Mr. Mir Nawab Field Assistant Agricultural Research Station Ahmad Wala Karak for the year 2019 duly signed by the reporting officer and Director is hereby sent for further necessary action please.


Director
Agricultural Research Station
Ahmad Wala, Karak

25

SYNOPSIS FROM ACR'S OF MR. MIR NAWAB KHAN FIELD ASSISTANT ARS AHMAD WALA KARAK

YEAR	GRADING	GENERAL REMARKS	Reporting Officer	Countersigning Officer	Adverse remarks	Remarks if any
2006	B	He is very good moral character				
2007	B	He is very good and dutiful				
2008	B	He is very good moral character				
2009	B	He is punctual				
2010	B	He is very intelligent.				
2011	B	He is very intelligent and dutiful				
2012	B	He is very honest and punctual and dutiful				
2013	B	He is very good moral character				
2014	B	He is very honest and punctual				
2015	B	He is punctual				
2016	B	He is obedient and trustworthy				
2017	B	He is reliable person and moral character				
2018	B	The official is punctual and hard worker				
2019	B	He is very honest , hard worker and devoted				

DIRECTOR
Agriculture Research Station
Ahmad Wala Karak



(9)
Annexure 26
DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR

☎ 091-9221271 web: www.agrires.kp.gov.pk ☎ 091-9221270
E-mail: dgragriresearch@gmail.com



No 9766-88 /Est/DGAR;
To

Dated Peshawar the 3/9 /2020


1. The Senior Director
Agricultural Research Institute,
Tarnab, Peshawar.
2. All Directors of Institute/Station,
at Agricultural Research, Khyber Pakhtunkhwa..

Subject: **REVISED DRAFT TENTATIVE SENIORITY LIST OF FIELD ASSISTANTS IN BPS-09 OF AGRICULTURE RESEARCH, KHYBER PAKHTUNKHWA, AS IT STOOD ON 31.12.2019.**

Memo:

Enclosed please find herewith revised draft tentative seniority list of Field Assistant in BS-09 of Agriculture Research, Khyber Pakhtunkhwa, as it stood on 31.12.2019. If any omission/error thereon may please be communicated to this office on the attached prescribed format (certificate by each official), so that the needful be done and in case there is no omission/error a certificate to the effect may also be furnished by each officer on prescribed format that the seniority list is correct and undisputed. The certificate on prescribed format duly signed by each official which should reached to this office through the concerned Senior Director/Director of the Directorate/Institute and Station within fifteen days positively, otherwise it will be assumed that there is no objection on part of officers concerned and it is considered as final.

Encl: As above.


Director General
Agricultural Research



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NO. SOP III(E&AD) 1-2/2013 (Vol-VIII)
Dated Peshawar the December 23, 2015.

27

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Livestock & Cooperation Department

24/12/15

Subject:

RECKONING OF SENIORITY/REGULARIZATION OF SERVICE

Dear Sir,

P-223/c

I am directed to refer to the Agriculture Department letter NO. SOE (AD) 10-42/2009 dated 09.10.2015 on the captioned subject above and to state that the officer concerned served against a project post which cannot be counted for the purpose of seniority being different cadre as such his seniority shall be reckoned from the date of his regular appointment in the cadre of Research Officer (BS-17) in order of merit assigned by the Public Service Commission vis-à-vis others if selected by the Commission in the same selection as envisaged in Rule-17(1)(a) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

2. As regards regularization of the service rendered by the officer as Water Manager Officer w.e. from 24-11-2004 to 15-09-2009 under the project 'National Programme for Improvement of Water Courses' on contract basis prior to his regular appointment, the Administrative Department itself may consider the case of Mr. Muhammad Zakir on the analogy of the case of Mr. Javed Habib Agriculture Officer (BS-17), in whose case the Establishment Department has already conveyed its advice.

3. Apart from the above, Judgment dated 5-5-2014 passed by the Honourable Peshawar High Court Peshawar in the writ petition No:185-P/2014 filed by the officer concerned is also referred which lays emphasis on the back benefits to be granted to the petitioner as extended to others, if found similarly placed.

Yours Faithfully,

(Shafi-Ul-Ahmad)
SECTION OFFICER (R-III)
Phone # 9211793

Secretary Agriculture

11/30/15

29-12-15

DS/SOLE
30/12/15

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Regulation Wing)

No. SOR III (E&AD)1-2/2013 (Vol-VIII)
Dated Peshawar the December, 23 2015.

To

The Secretary to Govt of Khyber Pakhtunkhwa.
Agriculture Livestock & Cooperation Department.

SUBJECT: RECKONING OF SENIORITY/ REGULARIZATION OF SERVICE.

Dear Sir,

I am directed to refer to the Agriculture Department letter No. SOE (AD) 10-42/2009 dated 09.10.2015 on the captioned subject above and to state that the officer concerned served against a project post which cannot be counted for the purpose of seniority being different cadre as such his seniority shall be reckoned from the date of his regular appointment in the cadre of Research Officer (BS-17) in order of merit assigned by the Public Service Commission vis a vis others if selected by the Commission in the same selection as envisaged in Rule 17 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & transfer) Rules, 1989.

2. As regards regularization of the service referred by the officer as Water Manager Officer W.e.f from 24.11.2004 to 15.09.2009 under the Project National Programme for improvement of Water Courses on contract basis prior to his regular appointment, the Administrative Department itself may consider the case of Mr. Muhammad Zakir on the analogy of the case of Mr. Javed Habib Agriculture Officer (BS17) in whose case the Establishment Department has already conveyed its advise.

3. Apart from the above, dated 15.05.2014 passed by the Honorable Peshawar High Court in the writ petition No.185-P/2014 filed by the officer concerned is also referred which lays emphasis on the back benefits to be granted to the petitioner as extended to others, if found similarly placed.

Yours faithfully,

Shafi ul Ahmad
Section Officer (R-III)
Phone # 9211793

**DRAFT TENTATIVE SENIORITY LIST OF FIELD ASSISTANTS OF AGRICULTURAL DEPARTMENT (RESEARCH WING),
PAKHTUNKHWA, AS IT STOOD ON 31.12.2019.**

S.No	Name	Designation	Qualification	Home District	Date of Birth	Date of 1st appointment	Date of promotion to the present post.	Place of present posting.	Date of superannuation.	Remarks
1	2	3	4	5	6	7	8	9	10	11
FIELD ASSISTANT (BS-09)										
1	Mr. Habib Khun	Field Assistant	Matric	Swat	01.05.1970	25.11.92		ARI, Mingora	30.04.2030	
2	Muhammad Siddique-II	-do-	-do-	Mansehra	1.2.68	3.5.93		HARS, A.Abad	31.1.2028	
3	Mr. Javaid Ali	-do-	F.A.	Swat	20.4.73	27.10.1993		ARI, Mingora	19.4.2033	
4	Mr. Sabirin	-do-	F.A.	NWA	02.05.1971	08.01.1994		FATA, ARI, Tarnab	01.05.2031	
5	Mr. Tariq Shah	-do-	Matric	Charsadda	13.4.68	09.01.1994		ARI, Tarnab	12.4.2028	
6	Muhammad Irshad	-do-	F.A.	Mansehra	3.4.74	16.05.1994		HARS, A.Abad	2.4.2034	
7	Mr. Ahmad Qadar	-do-	F.A.	Mardan	15.4.73	17.10.1994		ARI, Tarnab	14.4.2033	
8	Mr. Inayatullah Rehman	-do-	-do-	Lakki Marwat	14.05.1971	14.01.1990 F/W 01.01.1995 F.Asstt		ARS, S/Naurang	13.5.2031	
9	Mr. Munir Ahmad	-do-	F.A.	Manshra	28.3.72	01.01.1995		ARS, Baffa	27.3.2032	
10	Mr. Ghafar Ali	-do-	-do-	Swat	1.2.69	03.01.1995		ARI, Mingora	31.1.2029	
11	Mr. Muhammad Ishfaq	-do-	B.A.	Nowshera	10.1.71	31.01.1995		ARI, Tarnab	9.1.2031	
12	Mr. Khadim Noor	-do-	Matric	Peshawar	8.10.75	16.02.1995		ARI, Tarnab	7.10.2035	
13	Mr. Abdul Jabbar	-do-	-do-	D.I.Khan	15.2.73	09.04.1995		CCRJ, Pirsabak	14.2.2033	
14	Mr. Ahmad Jan	-do-	-do-	Lakki Marwat	15.1.69	31.08.1995		ARS, S/Naurang	14.1.2029	
15	Mr. Shamsur Rehman	-do-	-do-	Nowshera	1.5.73	07.10.1995		ARI, Tarnab	30.4.2033	
16	Mr. Riaz Gul	-do-	F.A.	Bannu	1.5.77	02.11.1995		ARS, S/Naurang	30.4.2037	

17	Mr. Abdul Qayyum	-do-	Matric	D.I.Khan	15.12.75	05.05.1996		ARS, S.Wairangi	04.12.2005
18	Mr. Bakht Akbar	-do-	-do-	Swat	1.1.72	09.05.1996		ARS, Mingora	01.12.2005
19	Mr. Muhammad Waqar	-do-	-do-	Manshera	7.5.70	16.06.1996		ARS, Batta	6.05.2006
20	Mr. Manzoor Hussain	-do-	-do-	D.I.Khan	10.9.70	16.06.1996		ARS, D.Khan	09.05.2006
21	Mr. Abdul Rashid-III	-do-	F.A	D.I.Khan	20.3.75	29.10.1996		ARS, D.Khan	19.05.2007
22	Mr. Muhammad Ihsan	-do-	F.A	Karak	04.04.75	30.11.1996		ARS, Karak	07.04.2007
23	Mr. Zahid Mehmood	-do-	-do-	D.I.Khan	12.12.75	11.97		ARS, D.Khan	01.12.2005
24	Mr. Mohd Usman-II	-do-	-do-	-do-	27.8.77	21.97		ARS, D.Khan	24.8.2007
25	Muhammad Ramzan	-do-	-do-	-do-	5.4.76	6.97		ARS, D.Khan	10.4.2006
26	Mr. Rehmatullah Shah	-do-	B.A	D.I.Khan	15.5.79	29.12.97		ARS, D.Khan	14.5.2006
27	Mr. Inayatullah	-do-	-do-	-do-	1.2.73	1.1.98		ARS, D.Khan	01.12.2005
28	Mr. Abdul Waqar	-do-	B.A	-do-	20.9.77	27.1.98		ARS, Batta	09.05.2007
29	Mr. Saifur Rehman	-do-	-do-	Nowshera	5.10.70	17.2.98		ARS, Tarnah	14.12.2005
30	Mr. Mohd Khalid Shah	-do-	F.A	D.I.Khan	23.3.74	19.2.98		ARS, D.Khan	09.05.2006
31	Mr. Bakht Wahab	-do-	B.A	Swat	1.7.71	01.2.96		ARS, Mingora	09.05.2006
32	Mr. Farmanullah	-do-	Matric	Chitradada	14.11.70	14.5.98		SCEI, Mardar	05.12.2005
33	Mr. Fayyaz Muhammad	-do-	F.A	Mardan	7.3.78	5.11.99		ARS, Tarnah	09.05.2006
34	Mr. Liaqat Ali	-do-	Matric	Mardan	22.1.61	1.11.94 (Extension) 1.12.99 Research		SCEI, Mardar	05.12.2005

35	Mr. Mehboob Din	-do-	-do-	Chitral	25.2.65	03.07.1993 Project 01.07.2000 Regular		ARS, Chitral	24.2.2025	As per advice of the Establishment, the project service which cannot be counted for the purpose of seniority being different cadre, as such seniority shall be reckoned from the date Department, the seniority position determined from the date of regular appointment, vide No. SORIII(E&AD)1-2/2013 (Vol-III); dated 23.12.2015. (Copy attached)
36	Mr. Sadiq Hussain	-do-	-do-	Chitral	26.4.74	03.07.1993 Project 01.07.2000 Regular		ARS, Chitral	25.4.2034	
37	Mr. Mir Nawab	-do-	B.A	Karak	08.04.70	01.06.1994 Project 01.07.2000 Regular		ARS, Karak	07.04.2030	
38	Mr. Anwar Din	-do-	Matric	Kohat	2.8.71	31.10.1994 Project 01.07.2000 Regular		ARI, Tarnab	1.8.2031	
39	Muhammad Ismail	-do-	-do-	Kohat	12.4.73	31.10.1994 Project 01.07.2000 Regular		SPN,ARI, Tarnab	11.4.2033	
40	Mr. Muhammad Musa	-do-	Matric	Battagram	06.4.74	29.05.2004		ARS, Baffa	05.04.2034	
41	Mr. Kutab Sher	-do-	Matric	D.I.Khan	1.11.68	5.7.2004		ARI, DIKhan	31.10.2028	
42	Mr. Muhammad Younas	-do-	Matric	-do-	19.10.73	5.7.2004		ARI, DIKhan	18.10.2033	
43	Mr. Habibullah	-do-	F.A	Tank	15.7.74	5.7.2004		ARI, DIKhan	14.7.2034	
44	Mr. Sultan Ali Shah	-do-	Matric	D.I.Khan	3.11.74	5.7.2004		ARI, DIKhan	2.11.2034	
45	Mr. Ajaz Ahmad	-do-	Matric	-do-	2.1.77	5.7.2004		ARI, DIKhan	1.1.2037	
46	Mr. Muhammad Asif	-do-	Matric	-do-	6.7.77	5.7.2004		ARI, DIKhan	5.7.2037	
47	Mr. Zardin Khan	-do-	Matric	Mardan	01.04.1965	5.6.93 Extension 1.8.2004 Research		SCRI, Mardan	31.03.2025	
48	Mr. Irshad Khan	-do-	Matric	Mardan	02.02.1975	1.8.2004		SCRI, Mardan	01.02.2035	
49	Mr. Subhan Ullah	-do-	F.A.	Charsadda	12.04.1977	1.8.2004		SCRI, Mardan	11.04.2037	
50	Mr. Ajmeer Khan	-do-	Matric	Mardan	20.03.1980	1.8.2004		SCRI, Mardan	19.03.2040	
51	Mr Bakht Zada	-do-	Matric	Bunir	30.04.1971	06.04.2005		ARS, Buner	29.04.2031	

52	Mr. Rehmanullah	-do-	F.A	Chamkhal	14.2.1975	26.1.2005		ARI, Tarnab	26.1.2005
53	Mr. Inamullah	-do-	F.A	D.I.Khan	5.8.79	5.12.2005		ARI, D.I.Khan	5.12.2005
54	Mr. Abid Khan	-do-	F.A	Swabi	4.3.79	19.7.2007		ARI, D.I.Khan	19.7.2007
55	Mr. Wahab Nawaz	-do-	Matric	Lakki	3.3.90	20.4.2009		ARI, Tarnab	20.4.2009
56	Mr. Rafiullah	-do-	B.Com	Lakki Marwat	29.03.86	21.04.2009		ARI, D.I.Khan	21.04.2009
57	Mr. Mohd Ishtiaq	-do-	Matric	A.Abad	07.04.86	21.04.2009		ARS, Baffa	21.04.2009
58	Mr. Arshad Mehmood	-do-	Matric	Karak	20.3.81	23.4.2009		ARI, Tarnab	23.4.2009
59	Mr. Imtiaz Khan	-do-	Matric	Peshawar	11.4.88	24.4.2009		ARI, Tarnab	24.4.2009
60	Mr. Zakirullah	-do-	Matric	Mardan	08.01.82	27.04.2009		SCRI, Mardan	07.01.2042
61	Mr. Tariq	-do-	F.A	Swat	05.02.1985	27.04.2009		ARI, Mingora	24.03.2045
62	Mr. Kiaz	-do-	Matric	D.I.Khan	19.3.88	27.4.2009		ARI, Tarnab	18.3.2048
63	Mr. Shafiq Hussain	-do-	F.A	Kohat	21.6.83	28.4.2009		ARI, Tarnab	20.6.2043
64	Mr. Huzanullah	-do-	B.A.	Peshawar	12.4.84	28.4.2009		ARI, Tarnab	11.4.2044
65	Mr. Mohd Ayaz	-do-	F.A	Kohat	15.06.86	28.4.2009		BAKS, Kohat	14.06.2046
66	Mr. Abid Ali	-do-	Matric	Harripur	20.03.78	01.12.2009		HARS, A.Abad	19.03.2038
67	Mr. Umer Zada	-do-	B.A.	Swat	10.04.1979	31.12.2010		ARI, Mingora	29.04.2009
68	Mr. Nisar Mohd Khan	-do-	B.A.	Swat	01.01.1985	31.12.2010		ARI, Mingora	01.12.2047
69	Mr. Fazal Haq	-do-	Matric	Bannu	11.09.1982	01.01.2011		ARI, Tarnab	19.09.2042
70	Mr. Mohd Waisal	-do-	F.A	Peshawar	08.04.1983	01.01.2011		ARI, Tarnab	07.04.2043
71	Mr. Zain-ul-Abideen	-do-	B.A.	Manshehra	03.02.1987	01.01.2011		ARS, Baffa	02.02.2047
72	Mr. Zeeban	-do-	Matric	Manshehra	07.03.1999	01.01.2011		ARS, Baffa	06.03.2036
73	Mr. Sadiaqat Khan	-do-	F.A	Peshawar	05.01.1983	05.01.2011		ARI, Tarnab	04.01.2043

74	Mr. Anwarullah	-do-	B.A.	Malakand	05.04.1975	05.01.2011				
75	Mr. Zahidullah	-do-	Matric	Mansehra	15.03.1978	05.01.2011		SCRI, Mardan	04.04.2035	
76	Mr. Afrasiyab Khan	-do-	F.A	NWA	15.03.1990	05.01.2011		ARS, Baffa	14.03.2038	
77	Mr. Farhadullah	-do-	Matric	Mansehra	11.03.1991	05.01.2011		ARI, Tamab	14.03.2050	
78	Mr. Mohd Qaisar	-do-	Matric	Mansehra	30.06.1982	06.01.2011		ARI, Tamab	10.03.2051	
79	Mr. Amjid Ali Khan	-do-	B.A.	Malakand	04.04.1983	06.01.2011		ARS, Baffa	29.06.2042	
80	Mr. Shafiqullah	-do-	F.Sc	D.I.Khan	27.06.1985	06.01.2011		ARI, Tamab	03.04.2043	
81	Mr. Manzoor Ahmad	-do-	Matric	A.Abad	20.07.1986	06.01.2011		ARI, Tamab	26.06.2045	
82	Mr. Mohd Tahir Shah	-do-	B.A.	Charsadda	18.03.1987	06.01.2011		HARS, A.Abad	19.07.2046	
83	Mr. Shakirullah	-do-	F.A	Peshawar	11.03.1989	06.01.2011		SCRI, Mardan	17.03.2047	
84	Mr. Shuaib Muhammad	-do-	F.A	Buner	05.03.1988	07.01.2011		ARI, Tamab	10.03.2049	
85	Mr. Rukan Ali	-do-	Matric	Orakzai	07.03.1978	08.01.2011		ARS, Buner	04.03.2048	
86	Mr. Navced Ali	-do-	F.A.	Orakzai	05.06.1978	08.01.2011		ARI, Tamab	06.03.2038	
87	Mr. Mohd Zia	-do-	Matric	Nowshera	02.09.1982	08.01.2011		FATA, ARI, Tamab	04.06.2038	
88	Mr. Shahab Khan	-do-	Matric	Charsadda	30.09.1982	08.01.2011		ARI, Tamab	01.09.2042	
89	Mr. Mohd Imran	-do-	F.A	D.I.Khan	15.01.1984	08.01.2011		CCRI, Pirsabak	29.09.2042	
90	Mr. Arifur Rehman	-do-	F.A	Buner	28.11.1985	10.01.2011		ARI, Tamab	14.01.2044	
91	Mr. Mohd Waseem	-do-	F.A	Mohnd Agency	24.02.1987	11.01.2011		CCRI, Pirsabak	27.11.2045	
92	Mr. Shamail Khan	-do-	B.A	Bannu	01.04.1977	19.04.2012		ARI, Tamab	23.02.2047	
93	Syed Asghar Ali Shah	-do-	F.A	Peshawar	06.04.1990	21.04.2012		ARS, S/Naurang	31.03.2037	
94	Me. Bilal Ahmad	-do-	F.A	Mansehra	04.03.1992	23.04.2012		ARI, Tamab	05.04.2050	
95	Mr. Israr Ahmad	-do-	B.A	D.I.Khan	12.12.1989	24.04.2012		HARS, A.Abad	02.04.2052	
								ARI, DIKhan	11.12.2049	

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96	Mr. Hussain Ahmad	-do-	B.A	Bannu	14.03.1992	03.05.2012		ARS, S/Naurang	13.03.2052	
97	Mr. Said Khan	-do-	M.A	Buner	01.04.1989	01.10.2014		ARS, Swabi	31.03.2049	
98	Mr. Naseer Ahmad	-do-	F.Sc	Nowshera	15.11.1990	01.10.2014		ARI, Tamab	14.11.2050	
99	Mr. Sajjad Ali	-do-	B.A	Khyber Agency	02.08.1991	01.10.2014		ARS, Swabi	01.08.2051	
100	Mr. Adnanuddin	-do-	F.Sc	Kohat	01.04.1992	01.10.2014		SPN,ARI, Tamab	31.03.2052	
101	Mr. Shahzad Ahmad	-do-	F.A	A.Abad	02.04.1984	03.10.2014		ARS, Swabi	01.04.2044	
102	Mr. Farhad Khan	-do-	F.A	Bannu	05.04.1986	01.10.2014		ARS, Bannu	04.04.2046	
103	Mr. Romanullah	-do-	M.A	Karak	01.09.1987	01.10.2014		ARI, Mingora	31.08.2047	
104	Mr. Attaullah	-do-	F.Sc	Khyber Agency	22.04.1994	08.10.2014		ARS, Swabi	21.04.2054	
105	Mr. Muhammad Imran	-do-	B.A	Bannu	17.01.1984			ARS, Bannu	16.01.1984	

Handwritten signature and initials

(H)
Annexure

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AGRICULTURAL RESEARCH STATION AHMAD WALA KARAK
Ph: 0927-308718 & 0927-240350 Fax: 0927-240350
E-mail: arsahmadwalakarak@yahoo.com

365-66
No. /DAR/ARS, Ahmadwala Karak

Dated: 14/10/2020

To

Director General
Agricultural Research System
Khyber Pakhtunkhwa, Peshawar

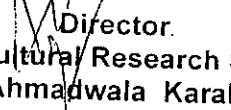
Subject: REVISED DRAFT TENTATIVE SENIORITY LIST OF FIELD ASSISTANT BPS-09 AGRICULTURAL RESEARCH, KHYBER PAKHTUNKHWA AS IT STOOD ON 31/12/2019

Memo:

Reference to your office letter No. 11277/Estt/DGAR, dated 08/10/2020 on the subject cited above.

The requisite information regarding Mir Nawab Khan Field Assistant are sent herewith, which is self explanatory of the official concerned for sympathetic consideration, please.

Encl: As above


Director,
Agricultural Research Station
Ahmadwala Karak.

Cc: Copy to Mr. Mir Nawab Khan F. Assistant for information.

(36)

Departmental Appeal.

To

Director General
Agricultural Research System
Khyber Pakhtunkhwa
Peshawar

Through: Proper Channel

Subject: REVISED DRAFT TENTATIVE SENIORITY LIST OF FIELD ASSISTANT BPS-09 AGRICULTURAL RESEARCH, KHYBER PAKHTUNKHWA AS IT STOOD ON 31/12/2019

Memo:

Reference your office letter No. 11277/Estt/DGAR, dated 08/10/2020 on the subject cited above.

Respected sir the following and the relevant information are as under:

1. I was appointed as Field Assistant (BPS-06) in Barani Area Development Project (BADP) vide No. 11/83-B/Estt/9361-67/DGA (Extension) dated 26/05/1994.
2. I was appointed as a field assistant (BPS-06) in Barani Area Development Project (BADP) vide No. 11927-33/Estt/Director General Research, dated 26/10/1994. Some other official have also been given the seniority and Project Service as well as other Department Service.
3. I was transferred as Field Assistant (BPS-06) in the office of the Gram Botanist ARS Ahmadwala Karak on permanent basis vide No. 5682-85/Estt/DGAR dated 05/06/1998 (copy attached).
4. The worthy Director General Research through his letter No 1130/Estt/DGAR dated 08/02/1999 order that the seniority of Mr. Mir Nawab Khan will be maintained from the date of his transferred to the research system i.e 22/11/1994 (copy attached). but I have been deprived from awarding the same and totally violation of obeying the order of Higher Ups.
5. In the seniority list of Field Assistant dated 19/09/2019 and 22/04/2020 the official was on serial No 09, while now in the recent seniority list dated 03/09/2020 was downgraded to S. No 37 which is a question mark for the official concern.

Keeping in view the above your honour is requested that I may given the seniority w.e.f 22/11/1994 mention in letter on S. No. 4.

MNcS

Mir Nawab Khan
Field Assistant
Agricultural Research Station
Ahmadwala Karak.

13/10/2020

(I)
Annexure (37)



DIRECTORATE GENERAL AGRICULTURE RESEARCH

KHYBER PAKHTUNKHWA, 25130, PESHAWAR

☎091-9221271

web: www.agrires.kp.gov.pk ☎091-9221270

E-mail: dgragreresearch@gmail.com



No. 13387 /Estt/DGAR,
To

Dated Peshawar the 26/11/2020

The Section Officer (Estt)
Government of Khyber Pakhtunkhwa
Agriculture, Livestock and Cooperative Deptt:
Peshawar.

Subject:- **APPLICATIONS FOR CORRECTION OF SENIORITY LIST OF FIELD ASSISTANTS**

Memo:-

Enclosed please find herewith the applications alongwith other relevant documents submitted by the following Field Assistants of various Institutes/Stations of Agricultural Research Khyber Pakhtunkhwa regarding correct seniority position of Field Assistants, which is self explanatory.

In this connection, it is submitted that the applicants mentioned their grievances regarding seniority position of the following five (05) Field Assistant appointed in the projects at Agricultural Research Department Khyber Pakhtunkhwa in the years as noted against each name:-

S.No.	Name of Officials	Designation	Date of appointment in the project	Remarks
1.	M/S Mahboobuddin, & Sadiq Hussain	Field Assistant (BPS-06) 1065-54-1875 plus usual allowances as admissible under the rules.	On 29.06.1993 in the Chitral Area Development Project, Chitral (Annex-I & II)	On completion of the project the services were terminated on 30.06.1998. (Annex-III & IV) and on the recommendation of the Departmental Selection Committee they were reinstated in service as Field Assistant in BPS-06 from 01.07.1999 and the period from 01.07.1998 to 30.06.1999 was treated as leave without pay. (Annex-V & VI).
2.	M/S Muhammad Ismail, Mir Nawab and Anwar Din	Field Assistant (BPS-06) 1440-73-2525 plus usual allowances as admissible under the rules.	On 26.10.1994 in the Barani Area Development Project Kohat (Annex-VII)	On completion of the project the services were terminated on 30.04.2000 and on the recommendation of the Departmental Selection Committee they were reinstated in service as Field Assistants in BPS-06 from 01.05.2000 and the period from 01.05.2000 to 30.06.2000 were treated as leave without pay. (Annex-VIII & IX). Furthermore, Mr. Mir Nawab, Field Assistant was transferred from the Project to regular side on 01.06.1998, before termination of the project. (Annex-I)

It is pertinent to mention here that the above mentioned officials were recruited on regular Basic Pay Scales as (BPS-06) and the terms and conditions reflected the 1st appointments orders in the projects of the above employees are mostly the same as reflected in the regular appointments orders usually. Furthermore, the contract policy and project policy were promulgated in the year 2002 and 2008 respectively.

In light of the above, it is therefore, requested to kindly approach the Establishment Department Government of Khyber Pakhtunkhwa for necessary advice in the subjected matter as the seniority be determined from the appointment in the project or otherwise, so that this office could finalize the seniority list of the Field Assistants of Agricultural Research Department, Khyber Pakhtunkhwa.

Encl: AS above.


DIRECTOR GENERAL

(J)

Annexure

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Impugned order.



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT

No. SOE(AD)3(2)291/2020/Res/Seniority list/883
Dated Peshawar, the December 23rd, 2020.

The Director General,
Agriculture Research,
Khyber Pakhtunkhwa.

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28/11

APPLICATIONS FOR CORRECTION OF SENIORITY LIST OF FIELD ASSISTANTS.

I am directed to refer to your letter No.13387-86/Estt/DGAR, dated 11/11/2020, on the subject noted above and to state that seniority is meant for regular employees/Civil Servants and not for the project's employees. Hence the services of field Assistants in the project cannot be counted for the seniority, please.

W/o. As Above.

SECTION OFFICER-ESTT:

Dist. Of even No. & Date.

Copy forwarded to:

1. P.S to Secretary Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
2. P.A to Deputy Secretary (Admn) Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
3. Master File

DGARD

SECTION OFFICER-ESTT:

29-43/Estt/DGAR

Dated 04 10/2020

Copies of the above along with its enclosure are forwarded to:-

1. The Senior Director Agriculture Research Institute Tarnab Peshawar.
2. The Senior Director Outreach, Agriculture Research Khyber Pakhtunkhwa Peshawar.
3. The Director Agriculture Research (Merged Area) ARI Tarnab Peshawar.
4. All Directors of Institutes/ Stations at Agriculture Research Khyber Pakhtunkhwa.

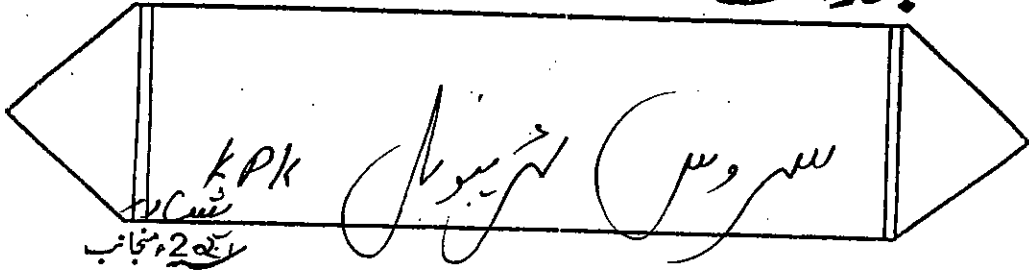
Provide photocopy to concerned officers in their file in seniority file

For information and necessary action.

13
12/1/2021

ADMN OFFICER (ESTT)
DIRECTORATE GENERAL
Agriculture Research
Khyber Pakhtunkhwa
Peshawar

بعدالت



بنام Govt of teple
 Mir Mir Nawab Khan
 C.A.

موزخہ
 مقدمہ SA-2021-
 دعویٰ
 جرم

باعث تحریر آئنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آج مقام پشاور کیلئے محکمہ عدالت میں پیشگی یا دب کے
 (UK) LLM
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالت ہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بسورت ڈگری کرنے اجراء اور صولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا اوکالت نامہ لکھد یا کہ سند ہے۔

المرقوم 08 ماہ 02 2021

صبر و ایقان
 M.A.

Accepted & accepted by Inayatullah Khan Adli PAK LLM (UK)

Peekawar بمقام

AAG-106P

BEFORE THE LEARNED SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 2414-P/2021

Mir Nawab Khan

..... **Appellant**

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Livestock and Cooperative Department, Peshawar.
2. Director General: Agriculture Research, Peshawar.
3. Director Agriculture Research Station, Ahmadwala: Karak.

..... **Respondents**

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/ a

**BEFORE THE LEARNED SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 2414-P/2021

Mir Nawab Khan

..... **Appellant**

Versus


4. Government of Khyber Pakhtunkhwa through Secretary Agriculture Livestock and Cooperative Department, Peshawar.
5. Director General: Agriculture Research, Peshawar.
6. Director Agriculture Research Station, Ahmadwala: Karak.

..... **Respondents**

SUBJECT: REPLY ON BEHALF OF RESPONDENTS

Respectfully Sheweth:-

Preliminary Objections

- ✓ That the appellant has no cause of action to file the instant appeal.
 - ✓ That the appellant has got no prima facie to file the instant appeal.
 - ✓ That the instant appeal is badly time barred.
 - ✓ That the appellant intends to waste the precious time of this Hon`ble Tribunal for filing the instant appeal.
 - ✓ That the appellant has not come to this Honorable Tribunal with clean hands.
 - ✓ That the instant appeal is not maintainable in its present form and liable to be dismissed with cost.
 - ✓ That the appellant has no locus standi to file the instant appeal.
 - ✓ That the appellant is deliberately concealing the material facts from this Honorable Tribunal.
- 

FACTS:-

- Para-1 Pertains to appellant's record.
- Para-2 Pertains to appellant's record.
- Para-3 Pertains to record.
- Para-4 Pertains to appellant's record. The appellant was working against project cadre post since 26.05.1994 to 30.05.1998. As the appellant served against the project post which cannot be counted for the purpose of seniority being project post as such his seniority will be reckoned from date of his transfer from project cadre post to regular post.
- Para-5 Correct. The seniority of the post of Field Assistant was properly maintained by the department on the basis of regular appointment of the staff to the said cadre on annually basis.
- Para-6 correct up to the extent it was just a draft tentative seniority list circulated to different Institutes/Station of Agriculture Research Department for any objection or error/omission etc, so that the final seniority list may be notified corrected and undisputed.
- Para-7 No comments up to the extent that it was just a letter communicated to Directors to submit the ACR's synopsis of the officials.
- Para-8 As mentioned in above para-6, a draft tentative seniority list of Filed Assistants was prepared and circulated to different Institutes/Station of Agriculture Research Department for any



objection or error/omission etc, so that the final seniority may be notified corrected and undisputed. The Director General received several complaints/objections from officials that some of the Field Assistants including the appellant are project employees and as per rules, the tenure of project and adhoc services are not included as only regular service is considered for seniority. Therefore, the draft tentative seniority was revised according to advice of the Establishment Department that the project services cannot be counted for the purpose of seniority being different cadre and seniority position may be determined from date of regular appointment. (Copy of letter No. SOR-III(E&AD)1-2/2013 (Vol-III), dated 23.12.2015 along with better copy is annexed as A-1 and A2). After circulation of revised seniority, the appellant too submitted a representation regarding correction of his which was duly forwarded to Admn. Department for advice, accordingly. The Admn. Department vide letter No. SOE(AD)3(291/2020/Res/Seniority list/883)/, dated 23.12.2020 (Annex-B) stated that "**Seniority is meant for regular employees/civil servants and not for project employee**".

Para-9 No comments up to the extent that his case was forwarded to the Competent Authority for necessary advice and opinion, if any.

 Para-10 No comment, details are given in above para-8.

Para-11 The appeal of the appellant was forwarded to the Competent Authority. The Competent Authority advised the Director General Agriculture Research that as per Rules in Vogue, "the Seniority is meant for regular employees/civil servants and not for project employee". As such, the appellant was informed accordingly.


GROUND: -

Para-a The seniority list was revised as per Rules and after receiving proper Advice from the Administrative Department in the matter. Hence, the step was in accordance with Law & Rules.

Para-b Not admitted. As mentioned in above paras, the seniority list was revised according to the rules as project services cannot be counted for the purpose of seniority being different cadre and seniority position may be determined from date of regular appointment.

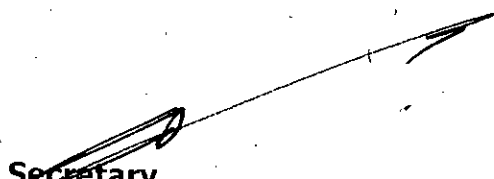
Para-c The Competent Authority thoroughly examined the appeal and rejected the appeal under the rules in vogue.

Para-d The Director General after receiving several objections revised the seniority according to advice of Establishment Department that the project services cannot be counted for the purpose of seniority being different cadre and seniority position may be determined from date of regular appointment. Moreover, the appeal of the appellant was forwarded to the Competent Authority, and rejected being not covered under the rules.



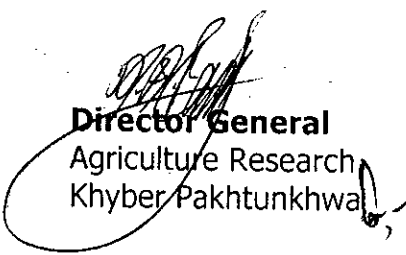
It is therefore, humbly prayed that on acceptance of the above para-wise reply, the instant appeal may kindly be dismissed with cost.

Respondent No. 1




Secretary
Agriculture Livestock & Cooperative
Department, Govt. of Khyber
Pakhtunkhwa, Peshawar

Respondent No. 2



Director General
Agriculture Research
Khyber Pakhtunkhwa

Respondent No. 3



Director
Agriculture Research Station
Ahmadwala Karak

BEFORE THE LEARNED SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 2414-P/2021

Mir Nawab Khan

..... **Appellant**

Versus

- 7. Government of Khyber Pakhtunkhwa through Secretary Agriculture Livestock and Cooperative Department, Peshawar.
- 8. Director General: Agriculture Research, Peshawar.
- 9. Director Agriculture Research Station, Ahmadwala: Karak.

..... **Respondents**

AFFIDAVIT

I, Touheed Iqbal, Assistant Director Planning, Directorate General Agric. Research, Peshawar, do hereby solemnly affirms that the contents of para-wise reply/comments are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Hon`ble Tribunal.



Deponent

CNIC# 17301 0727541 9

Mob# 0345 9180394

BEFORE THE LEARNED SERVICE TRIBUNAL PESHAWAR**SERVICE APPEAL NO. 2414-P/2021**

Mir Nawab Khan

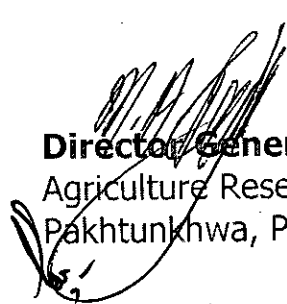
..... **Appellant****Versus**

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Livestock and Cooperative Department, Peshawar.
2. Director General: Agriculture Research, Peshawar.
3. Director Agriculture Research Station, Ahmadwala: Karak.

..... **Respondents****AUTHORITY**

Mr. Touheed Iqbal (Asstt: Director Planning, HQ) is hereby authorized to submit reply/comments and appear on behalf of respondents before the Hon`ble Tribunal in the above service appeal and also pursue the case on each and every date.

He is also authorized to submit all relevant documents in connection with the above service appeal.


Director General
Agriculture Research Khyber
Pakhtunkhwa, Peshawar

(2)

JA

47

8



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NO. SOR III(E&AD) 1-2/2013 (Vol-VIII)
Dated Peshawar the December 23, 2015.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Livestock & Cooperation Department

2448
31/12/15

Subject:

RECKONING OF SENIORITY/REGULARIZATION OF SERVICE

Dear Sir,

P-223/c

I am directed to refer to the Agriculture Department letter NO. SOE (AD) 10-42/2009 dated 09.10.2015 on the captioned subject above and to state that the officer concerned served against a project post which cannot be counted for the purpose of seniority being different cadre as such his seniority shall be reckoned from the date of his regular appointment in the cadre of Research Officer (BS-17) in order of merit assigned by the Public Service Commission vis-à-vis others if selected by the Commission in the same selection as envisaged in Rule-17(1)(a) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

2. As regards regularization of the service rendered by the officer as Water Manager Officer w.e. from 24-11-2004 to 15-09-2009 under the project 'National Programme for Improvement of Water Courses' on contract basis prior to his regular appointment, the Administrative Department itself may consider the case of Mr. Muhammad Zakir on the analogy of the case of Mr. Javed Habib Agriculture Officer (BS-17), in whose case the Establishment Department has already conveyed its advice.

3. Apart from the above, Judgment dated 5-5-2014 passed by the Honourable Peshawar High Court Peshawar in the writ petition No. 185-P/2014 filed by the officer concerned is also referred which lays emphasis on the back benefits to be granted to the petitioner as extended to others, if found similarly placed.

Yours Faithfully,

(Shafi-Ul-Ahmad)
SECTION OFFICER (R-III)
Phone # 9211793

Secretary Agriculture

11/30/15
29-12-15

DS/sole
30/11
29-11/15

9/

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

NO.SOR III (E&AD) 1-2/2013 (Vol- VIII)
Dated Peshawar the December 23, 2015.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Livestock & Cooperative Department.

Subject: RECKONING OF SENIORITY/REGULARIZATION OF SERVICE

Dear Sir,

1. I am directed to refer to the Agriculture Department Letter No. SOE (AD) 10-42/2009 dated 09.10.2015 on the captioned subject above and to state that the officer concerned served against a project post which cannot be counted for the purpose of seniority being different cadre as such his seniority shall be reckoned from the date of his regular appointment in the cadre of Research Officer (BS-17) in order of merit assigned by the public service commission vis-a-vis others if selected by the commission in the same selection as envisaged in Rule-17(1)(a) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
2. As regards regularization of the service rendered by the officer as Water Manager Officer w.e. from 24-11-2004 to 15-09-2009 under the project 'National Programme for Improvement of Water Courses' on contract basis prior to his regular appointment, the Administrative Department itself may consider the case of Mr. Muhammad Zakir on the analogy of the case of Mr. Javed Habib Agriculture Officer (BS-17), in whose case the Establishment Department has already conveyed its advice.
3. Apart from the above judgement dated 15-05-2014 passed by the Honorable Peshawar High Court in the writ petition No: 185-P/2014 filed by the officer concerned is also referred which lays emphasis on the back benefits to be granted to the petitioner as extended to others, if found similarly placed.

Yours Faithfully,

sd/-

(Shafi-Ul-Ahmad)
SECTION OFFICER(R-III)
Phone # 9211793

Annex - B1

10/



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT

No. SOE(AD)3(2)291/2020/Res/Seniority list /383
Dated Peshawar, the December 23rd, 2020. Genl.

The Director General,
Agriculture Research,
Khyber Pakhtunkhwa.

112
28/11

APPLICATIONS FOR CORRECTION OF SENIORITY LIST OF FIELD ASSISTANTS.

I am directed to refer to your letter No.13387-86/Estt/DGAR, dated 26/11/2020, on the subject noted above and to state that seniority is meant for regular Employees/civil Servants and not for the project's employees. Hence the services of Field Assistants in the project cannot be counted for the seniority, please.

Encls. As Above.

[Signature]
SECTION OFFICER-ESTT:

Dist. Of even No. & Date.

Copy forwarded to:

- 1. P.S to Secretary Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
- 2. P.A to Deputy Secretary (Admn) Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
- 3. Master File

[Signature]

[Signature]
SECTION OFFICER-ESTT:

24-83/Estt/DGAR

Dated 04 10/12/2020

Copy of the above along with its enclosure are forwarded to:-

- 1. The Senior Director Agriculture Research Institute Tarnab Peshawar.
- 2. The Senior Director Outreach; Agriculture Research Khyber Pakhtunkhwa Peshawar.
- 3. The Director Agriculture Research (Merged Area) ARI Tarnab Peshawar.
- 4. All Directors of Institutes/ Stations at Agriculture Research Khyber Pakhtunkhwa.

Provide photocopy to concerned officers then file the copy in seniority file

For information and necessary action.

[Signature]
13
12/1/2021
ADMN OFFICER (ESTT)
DIRECTORATE GENERAL
Agriculture Research
Khyber Pakhtunkhwa
Peshawar

Annex-B2 11/1

Better Copy

GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT

NO. SOE(AD)3(2)291/2020/Res/ Seniority list/ 883
Dated Peshawar, the December 23rd, 2020.

To.

The Director General,
Agriculture research,
Khyber Pakhtunkhwa.

Subject: **APPLICATIONS FOR CORRECTION OF SENIORITY LIST OF FIELD ASSISTANTS.**

I am directed to refer to your letter No.13387-86/Estt/DGAR, dated 26/11/2020, on the subject noted above and to state that seniority is meant for regular employees/civil servants and not for the project employees. Hence the service of Field Assistants in the project cannot be counted for the seniority, please.

Encl: **As Above.**

sd/-

SECTION OFFICER - ESTT:

Endst. Of even No. & Date.

Copy forwarded to:

1. PS to Secretary Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
2. P.A to Deputy Secretary (Admin) Agriculture, Livestock, Fisheries & Cooperative Department Khyber Pakhtunkhwa, Peshawar.
3. Master File.

SECTION OFFICER - ESTT:

NO: 29-43/Estt/DGAR

Dated: 04 / 01 / 2021

Copy of the above along with its enclosure are forwarded to: -

1. The senior Director Agriculture Research Institute Tarnab Peshawar.
2. The Senior Director Outreach, Agriculture Research Khyber Pakhtunkhwa Peshawar.
3. The Director Agriculture Research (Merged Area) ARI Tarnab Peshawar.
4. All Directors of Institutes/ Stations at Agriculture Research Khyber Pakhtunkhwa.

For information and necessary action.

sd/-

ADMIN OFFICER (ESTT)
DIRECTORATE GENERAL
Agriculture Research
Khyber Pakhtunkhwa
Peshawar

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK.
PESHAWAR.

S.A.No.2414-P/2021

Mir Nawab Khan..... Appellant

Versus

Govt. of K.P. through Secy. Agriculture and others & others
.....Respondents

REJOINDER ON BEHALF OF APPELLANT
WITH REGARD TO THE PARA-WISE
COMMENTS SUBMITTED BY
RESPONDENTS.

Respectfully Sheweth;

Reply Preliminary objections:

All preliminary objections are incorrect and wrongly set up. Nothing has been brought viz-a-viz preliminary objections that no cause of action accrued to the appellant.

REPLY ON FACTS:

- 1-3) Paras No.1 to 3 need no reply.
- 4) Para-4 of the comments is incorrect, hence denied. It is settled principle of law that once a right accrue in favour of a litigant the same cannot be withdrawn unceremoniously and without following the due process of law particularly when there is no concealment or fraud on the part of the litigant or more particularly in the case of present appellant.
- 5) Para-5 needs no reply.

- 6) Para-6 is responded to the extent the appellant cannot be suffered for act of the department as the appellant's name was duly placed at Sr.No.9 therefore, the same cannot be withdrawn. It is also settled principle of law that no one should be suffered for the act of the department or the lapses committed by the department.
- 7) Para-7 of the comments needs no reply, while para-7 of appeal has been admitted.
- 8) Para-8 of the comments is incorrect, hence denied. Seniority of a civil servant shall be fixed from initial appointment. It is also settled principle of law that upon regularization contract period would included in service. **2019 PLC (CS) 1065, 2012 CLC (PS) 696**. It is also held that contract period would be considered for promotion **2019 PLC (CS) 103, 2019 PLC (CS) 539**.
- 9) Para -9 needs no reply
- 10) Para -10 need no reply.
- 11) Para-11 of the comments is incurred, hence denied. Wrong advice has been given to the competent authority. Furthermore no rules viz-a-viz seniority to the extent of appellant's case has been quoted, therefore, the appellant has been victimized and discriminated which is violative of various principles and rules governing the subject of seniority.

REPLY ON GROUNDS:

All grounds of mentioned in the comments are incorrect, against the rules governing the subject of seniority and various principles of law settled by the superior courts, therefore, irrelevant to the extent of appellant's case.

All the grounds raised in the service appeal are legal and in line with the rules governing the subject of seniority and settled principles of law established by the rulings of superior courts.

It is also settled principle of law that once a seniority has been given to the appellant the same cannot be retrospectively withdrawn, hence the appellant has every right to seek relief to restore the earlier seniority list dated 30.06.2019 wherein appellant was correctly placed at S.No.9 with all consequential back benefits.

In view of the above submissions, it is, most humbly prayed that the legal points raised in the rejoinder are to be considered in its true perspective and the appeal of the appellant may please be accepted with heavy cost.

Mala

Appellant

Through

Inayat Ullah Khan
Advocate High Court
LL.M (U.K)

Dated: 26.10.2021

26/10/2021

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK.

PESHAWAR.

S.A.No.2414-P/2021

Mir Nawab Khan..... Appellant

Versus

Govt. of K.P. through Secy. Agriculture and others & others
.....Respondents

AFFIDAVIT

I, **Mir Nawab Khan** son of Maiz Ullah Kan R/o Village Ghundi Killa Tehsil Takht-e-Nusrati District Karak presently Field Assistant Director Agriculture Research Ahmad Wala, Karak do hereby affirm and declare on oath that the contents of the application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Khalid Mahmood
Oath Commissioner
Peshawar High Court

26-10-21

Deponent

