


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 1920/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/09/2023	<p>The appeal of Mr. Azhar Ali presented today by Mr. Zartaj Anwar Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 22.09.2023. Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

Appeal No. 1920/2023

*Azhar Ali*, SDO/Asst, Engineer C&W Department Peshawar.  
(Appellant)

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary  
Khyber Pakhtunkhwa, Civil Secretariat Peshawar and others.  
(Respondents)

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Appellant

Through

  
**ZARTAJ ANWAR**

Advocate High Court  
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Peshawar Cantt.

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**BEFORE THE KHYBER PAKHTUNKWA**  
**SERVICE TRIBUNAL PESHAWAR**

Appeal No. 1920/2023

*Azhar Ali*, SDO/Asst, Engineer C&W Department Peshawar.  
(Appellant)

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Khyber Pakhtunkhwa Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary C&W Department Civil Secretariat Khyber Pakhtunkhwa Peshawar.
3. Government of Khyber Pakhtunkhwa through Secretary Finance Department Civil Secretariat Khyber Pakhtunkhwa Peshawar.

(Respondents)

**Service Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the acts and omission of the respondents by not allowing technical allowance to B.Tech Degree holder against which the appellant filed departmental appeal vide dated 23.05.2023 which is not yet responded despite the lapse of 90 days of statutory period.**

Prayer in appeal

**On acceptance of this appeal the appellant may kindly be allow the benefit of Technical allowance in reference to the notification dated 19.10.2018, has been allowed to the counterpart colleagues of the appellant of the same department while performing the same duties with the same job description and nomenclature i.e. SDO's/Assistant engineers, In light of the Higher Education Commission's decisions approval/orders of the Ministry of Education, water & power Declaration of PEC and decisions of different courts of law, the discriminatory**

**treatment meted out to the appellant in reference to the technical allowance, and denying the same is illegal unlawful and unlawful authority and violative upon the rights of the appellant, furthermore the respondents may kindly be directed to allow the Technical allowance to the appellant or any other relief which may not specifically asked for may also be awarded in favor of the appellant**

Respectfully submitted,

1. That the appellant is B.Tech (Hon's) Degree holder serving the C&W Department as SDO/Asst Engineer with great zeal and devotion.
2. That the Cabinet approved technical allowance @1.5 time of the initial basic pay to all Engineers working in provincial Government Department with effect from 1<sup>st</sup> july,2018, irrespective of condition of registration with Pakistan Engineering Council (PEC). *(Copy of the cabinet decision is attached as annexure A)*
3. That the same was notified vide FD (SO SR-II)8-7/2018-2019 dated 19-10-2018 issued by the finance department Khyber Pakhtunkhwa whereby, Technical allowance has been allowed to Engineers holding Engineering qualification from the accredited engineering program of Higher Education Institution (HEI)/Universities duly recognized by Higher Education (HEC) and registered with Pakistan Engineering Council (PEC) serving against the sanction posts in C&W ,irrigation ,PHE, & local Government Departments of Khyber Pakhtunkhwa with effect from 1<sup>st</sup> Number,2018. *(Copy of the notification is attached as annexure B).*
4. That the technical allowance was not extended to the B.Tech degree holders, which is illegal unlawful and without lawful authority and is based on clear discrimination.
5. That the appellant being aggrieved from the acts and omission of the respondents by now allowing the technical allowance to the B.Tech degree holders, filed his departmental appeal vide dated 23.05.2023 which is not yet responded even after the

laps of statutory period of 90 days. *(Copy of the departmental appeal is attached as annexure C)*

6. That the appellant prays for the acceptance of her appeal inter alia on the following grounds:


**GROUND OF SERVICE APPEAL**

- A. That the Appellant has not been treated in accordance with law and rules hence his rights secured and guaranteed under the law are badly violated.
- B. That the Higher education Commission vide decision taken in 39<sup>th</sup> meeting of equivalency Committee of erstwhile University Grant Commission (UGC) held on 12-02-1998 , declared B-Tech (Hon's) degree as compatible and at Par to BE/BSC engineering for the propose of employment Grades, Pay, Promotion and other benefits. *(Copy of the equivalency is attached as annexure D)*
- C. That the Ministry of Education, Government of Pakistan vide its letter dated 26-10-1973 issued under the signatures of Mr. Abdul Hafeez Pirzada , the then Honorable Minister for education and Provincial coordination has also ordered to treat B-Tech (Hon's) Degree at Par with BE/BSc engineering Degree and again the Ministry of Education , Government of Pakistan ,pursuant to the judgment of the Honorable Supreme Court of Pakistan announced on 05-06-1995 ,declared B-Tech (Hon's) degree at Par with BE/BSc Engineering Degree vide office memorandum dated 17-04-1996 *(Copy of the letter dated 26.10.1973 & office memorandum dated 17.04.1996 are attached as annexure E & F).*
- D. That the Pakistan Engineering Council (PEC) vide its letter dated 30-04-1981 addressed to Secretary General Sui Gas , Sub Engineers Association has approved B-Tech (Hon's) as equivalent to BSc Engineering, which a diploma holder can pass after 4 years of passing the final examination of diploma, The Council has also equated AMIE examination considered to BSc engineering, these facilities have been provided to those who wants to improve their qualification to become equivalent for registration as professional engineers with the council. *(Copy of the letter dated 30.04.1981 is attached as annexure G).*

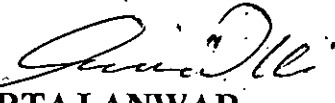
- E. That the Sind High Court ,Hyderabad has allowed B-Tech (Hon's) BS-17 employees of GENCO and PCPCO , for grant of Rs, 10000/- special engineering allowance and consider eligible for promotion in accordance with Law as under as other engineers B.E & BSc engineers are entitle. *(Copy of the judgment is attached as annexure H).*
- F. That the Federal Public Service Tribunal Islamabad, in its judgment dated 08-05-2018 has allowed Jr. engineers BS-17 , having B-Tech (Hon's) degree, a special allowance of Rs 10000/- in light of the Lahore High Court in WP No 19044/2009, where in it was held that WAPDA being statutory organization is vested with authority to prescribe rule, terms and condition as it may deem fit, However , the authority can't treat the similar paced persons with different yard stick, so far as Pay and allowances are concerned and while working in a similar environment under similar supervisor control can't be discriminated with sanctioning special allowance . they would be regulated under the principal of equal pay ,equal work as enunciated and embodied in the judgment of Honorable Lahore High Court.*(Copy of the FST judgment is attached as annexure I).*
- G. That in light of judgment of Honorable Supreme Court of Pakistan in Suo Moto Review Petition No 52 of 1993. The Establishment Division Islamabad has withdrawn the condition of registration of engineers with Pakistan engineering Council vide Letter No 9/3/89-R-5 dated April,1<sup>st</sup>,1996.
- H. That not extending the benefits of Cabinet Decision regarding Technical Allowance to the petitioners and inaction of the respondents in this regard is against the norms of justice, equity equality, discriminatory and principles of fair play. Therefore such discriminatory treatment of the respondents towards the petitioners is not sustainable in the eyes of law.
- I. That the petitioners are also engineers and working in the Govt; department of C&W and as such are fully entitled to the Technical Allowance in light of cabinet Decision in which there was no classification of the kind of engineers at all.
- J. That the inaction and discriminatory treatment of the respondents is against the spirit of Articles – 2A, 4, 9, 25 & 38 of the Constitution. Therefore, refusal and not extending the benefit of Cabinet Decision to the appellant, is liable to be struck down.

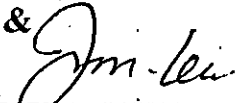
- K. That the acts and omissions of the respondents amounts to making groups on the basis of irrational classifications and is violation of principles of intelligible differentia.
- L. That under Article 25 of the Constitution of the Islamic Republic of Pakistan 1973, all citizen are equal before law, and that no discrimination is permitted in the similarly placed citizens, thus the discrimination meted out to the appellant by not allowing technical allowance, illegal, highly discriminatory and not sustainable
- M. That the state is bound to ensure the elimination of all forms of exploitation and the gradual fulfillment of the fundamental principles. It is also the duties of the state to remove disparity in the income and earning of individuals under Article 37 & 38 of the Constitution.
- N. That the Appellant seeks permission of this Honourable Tribunal to rely on additional grounds at the time of hearing of the appeal.

It is, therefore, humbly prayed that *On acceptance of this appeal the appellant may kindly be allow the benefit of Technical allowance in reference to the notification dated 19.10.2018, has been allowed to the counterpart colleagues of the appellant of the same department while performing the same duties with the same job description and nomenclature i.e. SDO's/Assistant engineers, In light of the Higher Education Commission's decisions approval/orders of the Ministry of Education, water & power Declaration of PEC and decisions of different courts of law, the discriminatory treatment meted out to the appellant in reference to the technical allowance, and denying the same is illegal unlawful and unlawful authority and violative upon the rights of the appellant, furthermore the respondents may kindly be directed to allow the Technical allowance to the appellant or any other relief which may not specifically asked for may also be awarded in favor of the appellant*

  
Appellant

Through

  
ZARTAJ ANWAR  
Advocate Supreme Court  
Of Pakistan

&  
  
IMRAN KHAN  
Advocate High Court  
Peshawar

AFFIDAVIT

I, *Azhar Ali*, SDO/Asst, Engineer C&W Department Peshawar, do hereby solemnly affirm and declare on oath that the contents of the above noted appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.

  
Deponent



37 Approved A



GOVERNMENT OF KHYBER PAKHTUNKHWA  
IRRIGATION DEPARTMENT

No: SO (G)/Irr/2-16/2017  
Dated Peshawar the 11<sup>th</sup> June, 2018.

To,

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Finance Department.

Subject: DECISION OF MEETING OF THE PROVINCIAL CABINET DATED 24.05.2018.

Dear Sir,

I am directed to refer to Establishment and Admin Department Cabinet Wing letter No. SOG(E&AD)27-312/2018 dated 5<sup>th</sup> June 2018 on the subject noted above and to state that "Demands of the Khyber PakhtunKhwa Association of Government Engineers" have been approved by the Cabinet in its meeting held on 24.05.2018 wherein the following decision was taken:-

"The Cabinet approved Technical Allowance @1.5 times of the initial basic pay scale to all Engineers working in Provincial Government Department with effect from 1<sup>st</sup> July 2018".

2. In order to implement decision of the Provincial Cabinet, I am therefore directed to request to kindly issue notification regarding Technical Allowance to the Government Engineers.

Encls:-AA

SECTION OFFICER (GENERAL)

Copy forwarded to the-

1. PS to Secretary Irrigation Department, Khyber Pakhtunkhwa, Peshawar.
2. PS to Secretary C&W Department, Khyber Pakhtunkhwa, Peshawar.
3. The Section Officer (Cabinet), Administration Department, Khyber Pakhtunkhwa.
4. The President, Khyber Pakhtunkhwa Association of Engineers.

SECTION OFFICER (GENERAL)

**LEGIBLE COPY**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
IRRIGATION DEPARTMENT**

No SO (G)Irr/2-16/2017  
Dated Peshawar the 11 June, 2018

To,

The Secretary to Govt of Khyber Pakhtunkhwa,  
Finance Department

**Subject: DECISION OF MEETING OF THE PROVINCIAL CABINET  
DATED 24.05.2018.**

Dear Sir,

I am directed to refer to Establishment and Admin Department Cabinet Wing letter No SOC(ERAD)27-312/2018 dated 5 June 2018 on the subject noted above and to state that "Demands of the Khyber Pakhtunkhwa Association of Government Engineers" have been approved by the Cabinet in its meeting held on 24.05.2015 wherein the following decision was taken-

"The Cabinet approved Technical Allowance @1.5 times of the initial basic pay scale to all Engineers working in Provincial Government Department with effect from 1 July 2018".

2. In order to implement decision of the Provincial Cabinet, I am therefore tires led to request to kindly issue notification regarding Technical Allowance to the Government Engineers.

Encls:- A.A

**SECTION OFFICER (GENERAL)**

Copy forwarded to the

1. Secretary Irrigation Department Khyber Pakhtunkhwa, Peshawar.
2. PS to Secretary C&W Department, Khyber Pakhtunkhwa, Peshawar.
3. The Section Cfices (Cabinet), Administration Department Khyber Pakhtunkhwa
4. The President Khyber Pakhtunkhwa Association of Engineers.

**SECTION OFFICER (GENERAL)**



8

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ADMINISTRATION DEPARTMENT  
( CABINET WING )

6. The Cabinet was informed that during its meeting held on 4<sup>th</sup> of May 2018, while it had approved de-notification of Members of Board of Governors, Qazi Hussain Ahmad Complex, Nowshera, it had overlooked nomination of authority to exercise powers of Board of Governors, in the intervening period till new members are selected. The Cabinet authorized the Secretary Health for the purpose to exercise powers of the Board of Governors till new Members are appointed to it

Implementing Department: Health Deptt:

7. The Secretary Irrigation briefed the Cabinet regarding the agenda item titled "Demand of the Khyber Pakhtunkhwa association of Government Engineers" discussed in the previous cabinet meeting held on 17-05-2018. The Cabinet agreed to reconsider its decision in the following manner:

- i. The Cabinet approved technical allowance @ 1.5 times of the initial basic pay scale to all engineers working in provincial government departments with effect from 1<sup>st</sup> July, 2018
- ii. The Cabinet approved to allow the Engineers for private practice. The ToRs and Conditions for the permission of private practice will be finalized and approved by the Committee constituted under the Chairmanship of Secretary Establishment.
- iii. The Cabinet approved, in principle, the demand "Upgradation/restructuring of the Engineers" for which necessary modalities should be submitted for approval of the Cabinet.

Implementing Department: Irrigation/Establishment Deptts:



Government of Khyber Pakhtunkhwa  
Finance Department  
(Regulation Wing)

Dated Peshawar the 19<sup>th</sup> October 2018

NOTIFICATION

NO. FD/ISO/SR/II/8-7/2018/197 The Government of Khyber Pakhtunkhwa has been pleased to sanction Technical Allowance as per the following terms to Engineers holding Engineering qualification from the accredited engineering programme of Higher Education Institutions (HEI), Universities duly recognized by Higher Education Commission (HEC) and registered with Pakistan Engineering Council (PEC), serving against the sanctioned posts in the C&W, Irrigation, Public Health Engineering and Local Government Departments, Govt. of Khyber Pakhtunkhwa with effect from 1<sup>st</sup> November 2018:

S/No	Pay Scales	Initial Basic Pay of Pay Scales 2017	Rate of Technical Allowance Per Month (@ 1.5 Initial Basic Pays as per Pay Scales 2017)
i.	Engineers in BS - 20	Rs 69,600/-	Rs 1,03,635/-
ii.	Engineers in BS - 19	Rs 59,210/-	Rs 88,815/-
iii.	Engineers in BS - 18	Rs 48,350/-	Rs 72,525/-
iv.	Engineers in BS - 17	Rs 30,370/-	Rs 45,555/-

2. The above allowance will be admissible subject to the following conditions:
  - i. It will not be counted towards pension or gratuity.
  - ii. It will not be admissible in any kind of leaves as well as posting against OSD and leave reserve posts.
  - iii. The Engineers in receipt of such allowances other than regular allowances as classified under major object A012.1, A012.2 shall be entitled to one of the allowances whichever is more beneficial.
  - iv. It will not be admissible to deputationists.

Secretary to Government  
of Khyber Pakhtunkhwa  
Finance Department

Encls: No & Date Even

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar
2. The Additional Chief Secretary, P&D Department
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
4. All the Administrative Secretaries to Govt. of Khyber Pakhtunkhwa
5. All the Divisional Commissioners in Khyber Pakhtunkhwa
6. All the Deputy Commissioners in Khyber Pakhtunkhwa
7. All the District Accounts Officers in Khyber Pakhtunkhwa
8. Director, FMIS, Finance Department
9. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
10. All Branch Officer, Finance Department
11. PS to Secretary, Finance Department
12. PS to Special Secretary, Finance Department
13. Assistant Director (I.R.D.) (in Base) Finance Department
14. PS to Additional Secretary (Regulation) Finance Department
15. PS to Deputy Secretary (Regulation) Finance Department

(Nasim Abbasum)  
Section Officer (SR-II)

19-10-18

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**FINANCE DEPARTMENT**  
**(Regulation Wing)**

Dated Peshawar the 19<sup>th</sup> October 2018

**NOTIFICATION**

**No. FD(SO/SR-II)8-7/8-19:** The Government of Khyber Pakhtunkhwa has been pleased to sanction Technical Allowance as per following rates to Engineers holding Engineering qualification from the accredited engineering programme of Higher Education Institution (HEI) / Universities duly recognized by Higher Education Commission (HEC) and registered with Pakistan Engineering Council (PEC), serving against the sanctioned posts in the C&W, Irrigation, Public Health Engineering and Local Government Departments, Govt of Khyber Pakhtunkhwa with effect from 1<sup>st</sup> November 2018:-

S#	Pay Scales	Initial Basic Pay of Pay Scales 2017	Rate of Technical Allowance per month (@ 1.5 Initial Basic Pay as per Pay Scales 2017)
i.	Engineers in BS-20	Rs. 69,090/-	Rs. 103635/-
ii.	Engineers in BS-19	Rs. 59,210/-	Rs. 88815/-
iii.	Engineers in BS-18	Rs. 38,350/-	Rs. 57525/-
iv.	Engineers in BS-17	Rs. 30,370/-	Rs. 45550/-

2. The above allowance will be admissible subject to the following conditions:-

- i. It will not be counted towards pension or gratuity.
- ii. It will not be admissible in any kind of leave as well as posting against OSD and leave reserve posts.
- iii. The Engineers in receipt of such allowances other than regular allowances as classified under major AO12-1 AO12-2 shall be entitled to one of the allowances, whichever is more beneficial.
- iv. It will not be admissible to deputations.

**Secretary to Government**  
**Of Khyber Pakhtunkhwa**  
**Finance Department**

**Endst: No & Date Even.**

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Additional Chief Secretary P&D Department.
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
4. All the Administrative Secretaries to Govt of Khyber Pakhtunkhwa
5. All the Divisional Commissioners in Khyber Pakhtunkhwa
6. All the Deputy Commissioners in Khyber Pakhtunkhwa
7. All the District Accounts Officers in Khyber Pakhtunkhwa
8. Director, FMIL, Finance Department.
9. PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
10. All Budget Officer, Finance Department
11. PS to Secretary Finance Department.
12. PS to Special Secretary Finance Department.
13. PS to Special Secretary Finance Department.
14. PA to Additional Secretary (Regulation) Finance Department.
15. PA to Deputy Secretary (Regulation-II) Finance Department.

**(Naeem Tabassum)**  
**Section Officer (SR-II)**

10

Approved: C

To,

1) The Secretary,  
Finance Department,  
Govt. of Khyber Pakhtunkhwa, Peshawar.

23/5/18  
M.P.  
23/5/23

2) The Secretary,  
C&W Department,  
Govt. of Khyber Pakhtunkhwa, Peshawar.

~~DTA~~

Dairy 3863  
23/5/2023

SUBJECT: APPEAL FOR GRANT OF TECHNICAL ALLOWANCE TO SDO,s / A.E,s  
WORKING IN C&W DEPARTMENT IN BS-17, POSSESSING, B.TECH (HONS)  
DEGREE.

Honorable Sir,

I, would like to draw your esteemed attention towards the minutes issued by the KP Administration Department, where in, at agenda item No 7 of these minutes, it states that, "The Secretary Irrigation department briefed the Cabinet regarding the agenda item "Demand of KP Government Engineers Association" that the item was discussed in previous cabinet meeting held on 17.05.2018 and that the Cabinet agreed to reconsider its decision in the following matter;

- i. The Cabinet approved Technical Allowance @1.5 times of the initial basic pay scale to all Engineers working in the provincial government departments, w.e.f, 1<sup>st</sup> July 2018. (Annex -A).

Sir, at the time of approval of the Technical Allowance, there were no conditions attached for registration with any Council / Body / Association. However, when a notification to the effect was issued by the finance department, Khyber Pakhtunkhwa, vide FD (SO SR-II)8-7/2018-2019, dated 19-10-2018, the Technical Allowance had been shown as allowed only to Engineers holding Engineering Qualification from accredited engineering programs of Higher Education Institutions, Universities duly recognized by HEC, and who are registered with PEC and serving against the sanctioned posts in C&W, Irrigation, PHE, & Local Government Departments of Khyber Pakhtunkhwa with effect from 1st November, 2018. (Annex -B).

Sir, the said notification is based on malafide intentions, injustice and is in violation of Article 3 and 25 of the Constitution of the Islamic Republic of Pakistan on the following grounds;

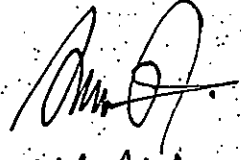
- i. That the Higher Education Commission, vide decision taken in its 39th meeting of Equivalency Committee of erstwhile University Grant Commission (UGC), held on 12-02-1998, declared B-Tech (Hon's) degree as compatible and at Par to B.E/B.Sc Engineering for the propose of Employment, Grades, Pay, Promotion and other benefits. (Annex- C).

- //
- ii. The Ministry of Education, Government of Pakistan, vide its letter, dated 26-10-1973, signed by Mr. Abdul Hafeez Pirzada, the then Minister for Education and Provincial Coordination had also ordered to treat at par / equivalent both the degrees of B.Tech (Hon's) Degree and BE/BSc-Engineering. *(Annex-D)*
  - iii. Again the Ministry of Education, Government of Pakistan, pursuant to the judgment of the Honorable Supreme Court of Pakistan, announced on 05-06-1995, declared B.Tech (Hon's) degree at Par with BE/BSc-Engineering Degree, vide office memorandum, dated 17-04-1996. *(Annex-E)*
  - iv. The Pakistan Engineering Council (PEC), vide its letter, dated 30-04-1981, addressed to Secretary General, Sui Gas Sub Engineers Association, has held B-Tech (Hon's) as equivalent to B.Sc Engineering, which a diploma holder can pass after 4 years of passing the final examination of diploma. The PEC has also equated AMIE examination considered to BSc engineering, these facilities have been provided to those who wants to improve their qualification to become equivalent for registration as Professional Engineers with the Council. *(Annex-F)*
  - v. *(CP No 1803-1804 of 2013)*  
That the Sind High Court, Hyderabad has allowed B-Tech (Hon's) BS-17 employees of GENCO and PEPCO, for grant of Rs. 10000/- special engineering allowance and considered them eligible for promotion in accordance with Law as under as other engineers B.E & BSc engineers are entitled: *(Annex-G)*
  - vi. That the Federal Public Service Tribunal Islamabad, in its judgment dated 08-05-2018 has allowed Jr. Engineers BS-17, having B-Tech. (Hon's) degree, a special allowance of Rs. 10000/- in light of the decision of Lahore High Court in WP. No 19044/2009, where in it was held that WAPDA being statutory organization is vested with authority to prescribe rule, terms and condition as it may deem fit. However, the authority can't treat the similar paced persons with different yard stick, so far as Pay and Allowances are concerned and while working in a similar environment under similar supervisor control can't be discriminated with sanctioning special allowance. They would be regulated under the principal of equal pay, equal work as enunciated and embodied in the judgment of Honorable Lahore High Court. *(Annex-H)*
  - vii. In light of judgment of Honorable Supreme Court of Pakistan in Suo Moto Review Petition No 52 of 1993, the Establishment Division Islamabad has withdrawn the condition of registration of Engineers with Pakistan Engineering Council; vide Letter No 9/3/89-R-5 dated April, 1st, 1996. *(Annex-I)*

Viii. Pay slip of the undersigned showing not drawing of the technical allowance (Annex-J). 12

Sir in light of the aforementioned it is requested to allow Technical Allowance to the B-Tech (Hon's) degree holders as well who are performing as SDO's/Assistant Engineers on the analogy of B.Sc/BE graduates Engineers from the date of its admissibility. Further that now C&W department has agreed on equality/compatibility of both degrees of B.Sc B.E and B.Tech for service progression. (Annex-K).

Your's sincerely,



AZHAR ALI

SDO/Assistant Engineer

03318800131

Copy to:-

1. PS. to the Chief Secretary Khyber Pakhtunkhwa for necessary action please.



13 April 2007



ہائر ایجوکیشن کمیشن

## HIGHER EDUCATION COMMISSION

Sector H-9, Islamabad, (Pakistan), Phone: +92-51-9257508; 9040708  
Fax: +92-51-9040713; URL: <http://www.hec.gov.pk>

MUHAMMAD JAVED KHAN  
Director General (Attestation & Accreditation)  
mjkh@hec.gov.pk

No.8-36/HEC/A&A/2007  
May 21, 2007

Mr. Majid Rafi,  
Block # 12-D, Flat # 02,  
Cat-IV, I-9/4 Islamabad

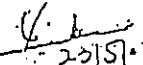
Subject: Equivalence of Bachelor of Technology (Hons) in Electrical  
Technology degree awarded by the Preston University Kohat.

Dear Sir,

With reference to your application dated May 21, 2007 on the subject, the decision regarding equivalence of B.Tech (Hons) degree was taken in its 39<sup>th</sup> meeting of Equivalence Committee of erstwhile UGC held on 12.2.1998 had declared B.Tech (Hons) degree as compatible and at par to BE/B.Sc Engineering for purpose of employment. The decision of the Committee is reproduced below for your information:

"The degree of B.Tech (Hons) is not similar to B.E/B.Sc Engineering degree. Both the degrees of B.E/B.Sc Engineering and B.Tech (Hons) be considered as two distinct disciplines of knowledge in the field of Engineering and Technology and should run parallel to each other. However, B.Tech (Hons) may be treated at par and compatible with B.E/B.Sc Engineering degree holders as far as grades, pay and promotions and other benefits are concerned.

Yours faithfully,

  
Muhammad Javed Khan

sub

14  
Approved E

No. F.15-29/73-Tech.  
GOVERNMENT OF PAKISTAN  
MINISTRY OF EDUCATION

From Mr. Abdul Hafeez Pirzada,  
Minister for Education and Provincial Coordination. D.O. No. 15-29/73-Tech.

Islamabad, October 26, 1973

My dear Governor,

As you may be aware the polytechnic Diploma Holders had been agitating for a long time for provision of facilities for higher education. In order to resolve this issue in consultation with the Provincial Governments and various Associations of the Polytechnic Diploma Holder, I convened a meeting on the 20th October, 1973 of the Chairman/Directors of Technical Education in the Provinces, Principals of Polytechnics, representatives of Engineering Universities/Colleges and representatives of various Associations of the Polytechnic Diploma Holders. It was decided that steps should be taken to introduce the degree programmes for the polytechnic diploma holders without further delay.

2. As envisaged in the new Education Policy, the following programme was adopted. There will be two degree courses for diploma holder: (i) B. Tech. (Pass) and (ii) B. Tech. (Honours).

3. Admission to the B. Tech. (Pass) course shall be subject to the candidates fulfilling the following minimum requirements:—

- (i) Three years diploma from a Polytechnic Institute in first division.
- (ii) Two years industrial training/experience. Candidates without industrial experience shall be required to undergo one year supervised/guided practical training in industry to be arranged by the Institution concerned.
- (iii) Performance in the admission test.

4. B. Tech. (Pass) course will consist of a years programme of studies at the Institution. The degree of B. Tech. (Pass) shall be treated at par with a Bachelors degree in Science.

5. Candidates having successfully completed B. Tech. (Pass) degree courses will be eligible for admission to a two years B. Tech. (Honours) courses. The first year of this course will comprise supervised/guided industrial training during which the students shall be assigned specific projects relevant to their fields of study. The second year will consist of intensive study at the Institution. B. Tech. (Honours) degree shall be treated at par with B.Sc. (Engineering)/B.E. Degree.

It was also decided that so long as necessary facilities do not exist in Baluchistan and N.W.F.P. and other backward areas, Federal Government will arrange placement of students from these areas in other provinces.

You are requested to kindly direct the relevant authorities of your provinces to implement those decisions urgently.

With regards

Yours sincerely,

Sd/  
(ABDUL HAFEEZ PIRZADA)

Mr. Ghulam Mustafa Khar,  
Governor of Punjab, Lahore.

Mr. Mohammad Aslam Khan Khattak,  
Governor of N.W.F.P. Peshawar.

Mr. Mohammad Akber Khan Bugti,  
Governor of Baluchistan, Quetta.

Begum Raana Liaquat Ali Khan,  
Governor of Sind, Karachi.

15

Annex F

No.F.8-1/94-Polytechnic  
Government of Pakistan  
Ministry of Education

Islamabad - April 17, 1996

OFFICE MEMORANDUM

The undersigned is directed to state that in pursuance of the judgement of the Supreme Court dated 5th June, 1995 in Suo Motu Review Petition No.52 of 1993 and in line with the Policy decision contained in this Ministry's letter No.F.15-29/73-Tech., dated 26-10-1973 for introduction of B.Tech-Programme, it is reiterated that B.Tech (Hons) degree shall be treated at par with B.Sc. Engineering/B.E. degree.

Sd/-

(NASIR AHMAD)  
Assistant Educational Adviser

All Ministries/Divisions  
concerned.

Endst:- No. F.8-1/94-Polytechnic

Dated: 13-05-1996

Copy forwarded for information and necessary action to:-

1. The Chief Secretaries, Punjab, Sindh, NWFP, Baluchistan, AJ&K.
2. The Secretaries Education Department, Punjab, Sindh, NWFP, Baluchistan, AJ&K.
- ✓ 3. Chairman, Pakistan B.Tech: Engineers' Council, Lahore.

*Nasir Ahmad*  
(NASIR AHMAD) 13/5/96  
Assistant Educational Adviser

16 Arzid G

# Pakistan Engineering Council Annex-

(Constituted by Govt. of Pakistan under Pakistan Engineering Council Act 1975)

Registrar,  
Bashir Ahmed Shaikh



52 Hazrat Nizamuddin Road, F-4/1  
P.O. Box 1191, ISLAMABAD.  
Tel: 33315

Date: 30 April 1981

No. PEC/B/Diploma

To

Mr. Sajid Ali,  
General Secretary,  
Sul Northern Gas Sub-Engg Association,  
617-X, Ratta Amral, Rawalpindi.

O/c

Subject: Request for Redress of Grievances

Dear Sir,

Your application dated 17th March 1981 has been received from CMLA Sectt under their letter No. D. 7039-GC-IV(ML-2)/81 dated 15th April 1981, copy endorsed to you.

The Council has explained several times that the level of education of Diploma holders is equivalent to F. Sc. and even in Armed Forces they are considered as F. Sc. for the purpose of selection in PMA Long Courses. In this connection a copy of AGs Br. letter No. AGs Br(PA Qto)/GHQ Rawalpindi No. 4316/1907/PA-3(a) dated 7.1.81 is enclosed herewith.

The Manual of Studies of Polytechnic Institutes defines that product of these Polytechnic Institutes are Technicians who are capable to understand the intention of Engineers and explain the same to workers.

The same Manual authorises Diploma Holders to take admission in the First Year of B. Sc. Engg for which a quota is reserved in all the Engg Universities/Colleges.

The Council has approved B. Tech (Hons) as equivalent to B. Sc. Engg which a Diploma Holder can pass after 4 years of passing the final examination in diploma. The Council has also equated AMIE Examination equivalent to B. Sc. Engg. These facilities have been provided to those who want to improve their qualifications to become equivalent to B. Sc. Engg. You are advised to improve your qualifications if you wish to be registered as a Professional Engineer with the Council.

B/R

17 Arshad H

Judgment Sheet

IN THE HIGH COURT OF SINDH CIRCUIT COURT HYDRABAD

C.P. No.D-1803 of 2013

(Arshad H and 10 others v. WAPDA and 03 others)

C.P. No.D-1804 of 2013

(Arshad H v. WAPDA and 03 others)

PRESENT:

Mr. Justice Muhammad Shah Siddiqui &  
Mr. Justice Arshad Hussain Khan.

Date of hearing: 10.10.2017.  
Date of decision: 10.10.2017.  
Petitioners: Through Syed Muhammad Goulat Rizvi advocate  
Respondents: Through Mr. Muhammad Arshad S. Pethan  
advocate.  
Mr. Zulfikar Ali Rajput Assistant Attorney General  
for Pakistan.

JUDGMENT

MUHAMMAD SHAFI SIDDIQUI, J. - The petitioners through the instant petitions have sought following reliefs:-

- a) consider the petitioner having (B.Tech) (Hons) at par with the Graduate Engineers having B.E/B.Sc. degrees.
- b) direct the respondents to grant Rs.10,000/- Special Engineering Allowance from the date it was allowed to graduate Engineers and restrain them from depriving the petitioners by taking the plea of Graduate Engineers / Registration with Pakistan Engineering Council.
- c) direct the respondents to consider the petitioners for promotion as Senior Engineer BPS-18 and restrain them from depriving the petitioner by taking the plea of Graduate Engineers / Registration with Pakistan Engineering Council and grant them promotion by maintaining inter se seniority.
- d) declare there shall be no discrimination between Graduate Engineers and promoted Junior Engineers with regard to any perks and privileges guaranteed under terms and conditions of service.
- e) award any other relief as deemed just and proper in the circumstances of the case.

2. These two petitions involve a common question as to keeping the petitioners at par with Graduate Engineers i.e. B.E / B.Sc. who have been

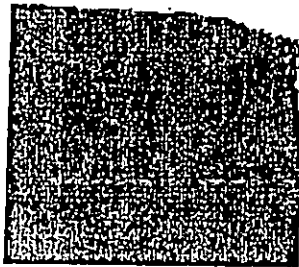
employed by UENCO and PEPCO a generating and distributing Company of electricity. These questions apparently were discussed at length by Division Bench of this Court in C.P No.D-1579 of 2010 and C.P No.D-204 of 2008, whereby the B-Tech (Hons) were treated at par with Graduate Engineers and were also held entitled to Special Allowance of Rs.10,000/-. In addition to this allowance, they were also treated at par with Graduate Engineers insofar as their promotion is concerned. The Hon'ble Supreme Court while dealing with the identical issue observed that the provisions of Pakistan Engineering Council are applicable only to the Professional Engineers and Consulting Engineers, who are in practice and not to the persons working in Government Department, Autonomous Bodies, Local Authorities and Private Firms or Companies, therefore, the demand of such degree in civil, mechanical or Agricultural Engineering registered with Pakistan Engineering Council by the respondents and not considering B-Tech (Hons) degree holders whose degree are declared compatible at par with B.E / B.Sc Engineering degree holders i.e. for the allowances and promotion, was not justified; hence, for all intent purposes, this degree of B-Tech (Hons) was kept at par with B.E and B. Sc. Engineering degrees.

3. The question involved in these petitions is also identical, however, Mr. Muhammad Anshad S. Pathan, learned counsel for respondents submits that these petition have virtually become inuticuous as the petitioners have been allowed up-gradation and from now onward they are to be considered at par with Graduate Engineers for their promotion and all such rules shall be made applicable as that to Graduate Engineers.

4. In view of above, these petitions are allowed on the terms as incorporated in C.P No.D-1579 of 2010, C.P No.D-204 of 2008 and C.P No.D-1858 of 2012. In case, the petitioners were already working in Grade-17 in 2009, they are entitled for this allowance since 2009 and are also considered eligible for promotion in accordance with law as other Engineers B.E and B. Sc. are entitled.

The petitions are allowed in the above terms.

Sd/ Muhammad Shafi Siddiqui  
 JUDGE  
 Sd/ Anshad Hussain Khan  
 JUDGE



NOTED TO BE TRUE COPY

REGISTRAR

19 April 2018

IN THE FEDERAL SERVICE TRIBUNAL, 47-ATTATURK AVENUE,  
SECTOR. G-5/2, ISLAMABAD.

\*\*\*\*\*


D. No. 5343

Dated 21 MAY 2018

Subject:- ORDER PASSED IN APPEAL NO. 81 to 83, 315 & 316(P)CS-2017 FILED BY RAJA JAVAID AKHTAR & OTHERS VS WAPDA ETC.

A certified copy of the judgment passed by this Honourable Tribunal in the appeals noted in the subject is sent herewith for your information/compliance.

By Order

  
REGISTRAR

To,

1. Raja Javaid Akhtar,
2. Mr. Muhammad Akbar,
3. Mr. Sayar Ahmed,  
(All appellants at Serial No.1 to 3 are Junior Engineer Warsak, Warsak, Hydel Power Station Warsak Under Chief Engineer Hydel North Wapda, Warsak).
4. Mr. Muhammad Idrees, Junior Engineer (Mechanical) Power Station Mangla, Mangla Dam.
5. Mr. Saleem Ahmed, Engineer (Mechanical) Power Station Mangla, Mangla Dam.
6. Chairman, Wapda, Wapda House, Lahore.
7. Member (Power) Wapda, Wapda House, Lahore.
8. Member (Finance) Wapda, Wapda House, Lahore.
9. Chief Engineer (Hydel) North, Wapda, Warsak Road, Peshawar.
10. The Secretary, Establishment Division, Government of Pakistan, Islamabad.
11. The Solicitor, Law & Justice Division, Islamabad.

Judgment Sheet  
**IN THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD**

Appeal No.	Date of institution
81, 82 & 83(P)CS/2017	24.02.2017
315 & 316(P)CS/2017	06.03.2017
Date of Hearing	08.05.2018
Date of Judgment	08.05.2018

BEFORE

Mr. Justice (R) Sayed Zahid Hussain, Chairman,  
Raja Hasan Abbas, Member.

APPELLANTS

1. Raja Javaid Akhtar, Junior Engineer Warsak, Warsak Hydel Power Station Warsak under Chief Engineer Hydel North WAPDA Warsak.
2. Muhammad Akbar, Junior Engineer Warsak, Warsak Hydel Power Station Warsak under Chief Engineer Hydel North WAPDA Warsak.
3. Sayar Ahmed Junior Engineer Warsak, Warsak Hydel Power station Warsak under Chief Engineer Hydel North WAPDA Warsak.
4. Muhammad Idrees Junior Engineer (Mechanical), Power Station Mangla, Mangla Dam.
5. Saleem Ahmed Engineer Mechanical, Power Station Mangla Dam.

RESPONDENTS

Vs.

1. Chairman WAPDA, WAPDA House Lahore.
2. Member Power WAPDA, WAPDA House Lahore.
3. Chief Engineer (Hydel) North, WAPDA, Warsak Peshawar.
4. Member Finance WAPDA, WAPDA House Lahore.

PRESENT

Mr. Imran Fazal, Advocate alongwith the appellants in appeals No. 81, 82 & 316(P)CS/2017.  
Barrister Afan Khan, Advocate for the respondents alongwith Mr. Naveed Ahmad, A.D, Finance as DR.

**JUDGMENT**

**RAJA HASAN ABBAS, MEMBER:-** The issue at hand is whether the appellants are entitled to Special Engineering / WAPDA Allowance @ Rs.10,000/- per month, allowed vide O.M dated 30.08.2008 to the graduate Engineers in BS-17 and above serving in all Engineering Cadres of WAPDA. The appellants who are Junior Engineers, holding degree of B.Tech. (Hons) and working at Warsak Power Station have been denied this Allowance. Their appeal before the Member Power, WAPDA was turned down vide order dated 11.01.2017, hence these appeals.



2. Crux of the averments of the appellants is that the Special Allowance has not only been allowed to the graduate engineers, it has also been granted to the graduate / post graduate officers working in administration, finance, accounts, Geologists and Scientists working in WAPDA. Disallowing the same to the appellants, holding the B. Tech.(Hons) Degree, is patent discrimination and violation of Article 25 of the Constitution. The appellants have referred to the precedents wherein such allowance has been allowed to their colleagues in Power Supply Companies such as MEPCO, LESCO, PEPCO, IESCO / NTDC. Reliance has also been placed on various judgments of the Hon'ble Supreme Court of Pakistan, Sindh High Court and Lahore High Court.

3. The respondents have opposed the contentions through submission of para-wise comments. Prime reasons for declining the request of the appellants in their view are:-

- i. *They are not graduate engineers and have not been registered with the Pakistan Engineering Council.*
- ii. *The precedents of Electric Supply Companies are not binding because WAPDA is a statutory body and has powers under its own Act to hire employees on such terms and conditions as deemed appropriate.*
- iii. *Special WAPDA allowance is cadre and qualification specific and has been sanctioned to attract and retain the best of talent in the organization.*
- iv. *FST, vide judgment dated 13.04.2010, in appeal No.109-122(R)CS-2009 dismissed the appeal of non-graduate engineers (Diploma holders) who were not granted the special allowance).*

4. Having carefully examined the arguments of the parties, we are of the view that the stance of the respondents lacks substance and is devoid of merit. It is discriminatory in nature.

5. Main objection of the respondents in denying the Special Allowance to the appellants is that they are neither graduate Engineer nor registered with Pakistan Engineering Council.

6. The B. Tech. (Honours) degree and ancillary matters have a long history. It will be useful to briefly recapitulate the entire issue. It was first highlighted when Mr. Abdul Hafeez Pirzada, the then Minister of Education, sent a D.O letter dated 26.10.1973 addressed to Governors of all the Provinces, reproduced below for facility of reference:-

" As you may be aware the Polytechnic Diploma Holders had been agitating for a long time for provision of facilities for higher education.

2. As envisaged in the new Education Policy, the following programme was adopted. There will be two degree courses for diploma holder: (i) B. Tech. (Pass) and (ii) B. Tech. (Honours).

3. Admission to the B. Tech. (Pass) course shall be subject to the candidates fulfilling the following minimum requirements:-

(i). Three years diploma from a Polytechnic Institute in first division.

(ii.) Two years industrial training / experience. Candidates without industrial experience shall be required to undergo one year supervised / guided practical training in industry to be arranged by the institution concerned.

(iii). Performance in the admission test.

4. B. Tech. (Pass) course will consist of a year's programme of studies at the institution. The degree of B. Tech. (Pass) shall be treated at par with the Bachelors degree in Science.

5. Candidates having successfully completed B. Tech. (Pass) degree course will be eligible for admission to a two years B. Tech. (Honours) courses. The first year of this course will comprise supervised / guided industrial training during which the students shall be assigned specific projects relevant to their fields of study. The second year will consist of intensive study at the institution. B. Tech. (Honours) degree shall be treated at par with B.Sc. (Engineering) / B.E. Degree.

You are requested to kindly direct the relevant authorities of

7. The Higher Education Commission addressed a letter No 8-61/HEC/A&A/2013 dated 09.01.2013 to the Section Officer, (Univ), Higher Education Department Government of the Punjab, Lahore, on the following subject:-

"Confirmation of Status of Degree Programme i.e. B. Tech. (Honours) degree at par with B.Sc. (Engg)/BE degrees."

Dear Sir,

"With reference to your letter No.S.O(Univ) 10-2/12 dated December 22, 2012 on the subject, it is to inform that decision regarding equivalence of B. Tech (Hons) degree was taken in its 39<sup>th</sup> meeting of Equivalence Committee of erstwhile UGC held on 12.02.1998 had declared B. Tech (Hons) degree as compatible and at par to BE/B.Sc Engineering for purpose of employment. The decision of the Committee is reproduced below for your information and is applicable in your case as well:

"The degree of B. Tech. (Hons) is not similar to B.E/B.Sc Engineering Degree. Both the degrees of B.E/B.Sc Engineering and B.Tech( Hons) be considered as two distinct disciplines of knowledge in the field of Engineering and Technology and should run parallel to each other. However, B. Tech (Hons) may be treated at par and compatible with B.E/B.Sc Engineering degree holders as far as grades, pay and promotions and other benefits are concerned. The Committee further noted that it was up to the employer to determine the type of qualification required for a particular job."

It is further stated that admission in a university for further education and determination of suitability in relation to job requirement rests with the concerned university / employing agency. Is and this Commission has no role in such issues.

Yours faithfully,

8. It would also be appropriate to refer to the O.M. of Ministry of Water and Power No.CDN-II-2/7/95-1 dated 14.03.1996. Para-2 of the O.M. reads as

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"2. The Supreme Court of Pakistan has given a judgment in *Suo Moto* review petition No.52 of 1993 that the provisions of the Pakistan Engineering Council, Act are applicable only to professional Engineers and consulting engineers who are in practice and not to the persons working in the Government departments, autonomous bodies, local authorities and private firms and companies. Likewise, the court held that the Pakistan Engineering Council is vested with the functions to regulate the persons qualified to practice as professional engineers and consultant engineers and not persons who are employed in Government or Semi Government organizations. If the Government employees as professional engineer as defined in the Act for performing professional engineering work as envisaged by the Act in clause (k) of section 2, the provisions of the act would be attracted and otherwise."

9. It is also relevant to mention Office Order of Federal Public Service Commission No.F.4-80/2002-R dated 10.12.2002 which reads as under:-

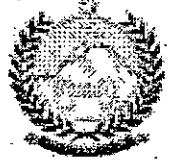
"In the light of the Ministry of Water & Power O.M No.CDN-11-2/7/95-1, dated 14.03.1996 and also in the light of the advice of the UGC (now Higher Education Commission) declaring the B. Tech(Hons) degree at par with B.E. / B.Sc. Engineering degree, it has been decided by the Commission that the candidates possessing the qualification of B. Tech (Hons) will be eligible for the post where prescribed qualification is B.E. / B.Sc. Engineering.

2. The condition of registration of engineers with Pakistan Engineering Council, which was imposed by the Establishment Division vide their letter No.16/02/80-R.5, dated 14.12.1986 has been withdrawn vide their letter No.9/3/89-R.5 dated 01.04.1996. Therefore, the condition of registration with Pakistan Engineering Council where the required qualification is B.E. / B.Sc. Engineering should not be mentioned in the advertisement.

10. It is thus obvious that the Government at the highest level and relevant administrative authorities have no hesitation in holding B.Tech. (Hons) degree at par and compatible with B.E /B.Sc. engineering degree holders as far as

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**Government of Khyber Pakhtunkhwa**  
**Accountant General Khyber Pakhtunkhwa, Peshawar**  
**Monthly Salary Statement (June-2023)**



**Personal Information of Mr AZHAR ALI d/w/s of FARZAND ALI**

Personnel Number: 00041761 CNIC: 1730113444537 NTN:  
 Date of Birth: 28.10.1966 Entry into Govt. Service: 15.12.1990 Length of Service: 32 Years 06 Months 017 Days

**Employment Category: Active Permanent**

Designation: SUB DIVISIONAL OFFICER 80004119-GOVERNMENT OF KHYBER PAKH  
 DDO Code: PR7024-Executive Engineer C & W Building Div.II Peshawar.  
 Payroll Section: 005 GPF Section: 011 Cash Center:  
 GPF A/C No: IRR 0002347 GPF Interest applied **GPF Balance:** 401,653.00 (provisional)  
 Vendor Number: 30519536 - AZHAR ALI 8538-6 BOK  
**Pay and Allowances:** Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 17 Pay Stage: 11

Wage type		Amount	Wage type		Amount
0001	Basic Pay	82,690.00	1004	House Rent Allow 45% KP21	12,557.00
1210	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	1,847.00
2148	15% Adhoc Relief All-2013	928.00	2199	Adhoc Relief Allow @10%	615.00
2315	Special Allowance 2021	6,074.00	2341	Dispr. Red All 15% 2022KP	8,005.00
2347	Adhoc Rel Al 15% 22(PS17)	8,005.00			0.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3017	GPF Subscription	-6,350.00	3501	Benevolent Fund	-1,500.00
3609	Income Tax	-4,464.00	4004	R. Benefits & Death Comp:	-900.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 51,443.88 Recovered till JUN-2023: 51,444.00 Exempted: 0.12- Recoverable: 0.00

**Gross Pay (Rs.): 125,721.00 Deductions: (Rs.): -13,214.00 Net Pay: (Rs.): 112,507.00**

Payee Name: AZHAR ALI  
 Account Number: 8538-6  
 Bank Details: THE BANK OF KHYBER, 080001 MAIN BRANCH, 24 THE MALL, PESHAWAR

Leaves: Opening Balance: Aailed: Earned: Balance:

**Permanent Address:**

City: Peshawar Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official  
 Temp. Address: City: Email: azharalipesh62@gmail.com

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, Nov 25, 2022

**NOTIFICATION:**

No.SOE/C&WD/8-12/2022: In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the Establishment Department and Finance Department, hereby notify that in this Department's Notification No.SOE/C&WD/8-12/2008, dated March 25, 2010, the following further amendments shall be made, namely:

**AMENDMENTS**

In the APPENDIX, under the heading "Engineering Service", for Serial No. 3, the following shall be substituted namely;

Sl. No.	Nomenclature of the Post	Method of Recruitment
1	2	5
3	Executive Engineer/ Design Engineer/ Senior Engineer/ Research Officer/ Deputy Director Technical/ Senior Engineer (Survey/ RMU) (BPS-18).	By promotion, on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officer, Assistant Engineer, Junior Engineer and Assistant Research Officers with at least 05 (five) years service as such and have passed the Professional Examination as prescribed in West Pakistan Buildings and Roads Code.

SECRETARY TO  
Government of Khyber Pakhtunkhwa  
Communication & Works Department

Endst of even number and date:

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Department.
5. Managing Director PKHA Peshawar
6. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
7. All Superintending Engineers C&W Circles
8. Superintending Engineer Maintenance, Peshawar
9. Superintending Engineer C&W Circle North Waziristan at Bannu
10. Superintending Engineer Mega Projects
11. All Executive Engineers C&W/Building/Highway Divisions
12. Section Officer (R-V) Establishment Department, Peshawar
13. Section Officer (Policy) Establishment Department, Peshawar
14. Deputy Legislation Officer-IV, Law Department, Peshawar
15. Managing Printing Press for publication in the issue of next Govt gazette
16. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar
17. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
18. PS to Secretary, C&W Department, Peshawar
19. PA to Addl: Secretary, C&W Department, Peshawar
20. PA to Deputy Secretary (Admn), C&W Deptl, Peshawar
21. Office File

*JAZ KHAN*  
SECTION OFFICER (Estb) 25/11/22

POWER OF ATTORNEY

In the Court of KPK Service Tribunal Peshawar  
Azhar Ali

} For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

VERSUS

Govt of KPK and others  
} Defendant  
} Respondent  
} Accused

Appeal/Revision/Suit/Application/Petition/Case No. \_\_\_\_\_ of \_\_\_\_\_  
Fixed for \_\_\_\_\_

I/We, the undersigned, do hereby nominate and appoint-

**ZARAJ ANWAR & IMRAN KHAN ADVOCATES**, my true and lawful attorney, for me in my same and on my behalf to appear at \_\_\_\_\_ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions, An appeal, statements, accounts, exhibits, Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out, and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at \_\_\_\_\_  
the \_\_\_\_\_ day to \_\_\_\_\_ the year \_\_\_\_\_

Executant/Executants \_\_\_\_\_  
Accepted subject to the terms regarding fee \_\_\_\_\_

Imran Khan  
**IMRAN KHAN**  
Advocate High Court  
Mob: 0345-9090648

Zaraj Anwar  
**ZARAJ ANWAR**  
Advocate High Courts  
ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT  
FR-5, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt.  
Mobile-0331-9399185  
BC-10-9851  
CNIC: 17301-1613454-5