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

**Appeal No. 888/2023**

Faridoon Khan S/O Shamsheer Khan,  
Road Inspector (Not Work Munshi),  
O/O the XEN Highway Division No-1, Peshawar.

**APPELLANT**

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through the Chief Secretary, Civil Secretariat, Peshawar
2. The Secretary Communication & Works Department Peshawar  
(NOT WORKS & SERVICES DEPARTMENT)
3. The Chief Engineer (Centre) C&W Department, Peshawar

**RESPONDENTS**

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**Zahid Habib  
Administrative Officer**

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

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2. The Secretary Communication & Works Department Peshawar  
(NOT WORKS & SERVICES DEPARTMENT)
3. The Chief Engineer (Centre) C&W Department, Peshawar

**RESPONDENTS**

**COMMENTS OF RESPONDENT NO.2 AND 3**

Respectfully Sheweth:

Secretary, Peshawar  
C&W Department  
Entry No. 8309  
Dated: 16-10-23

**PRELIMINARY OBJECTIONS: -**

1. That the instant Service Appeal is not entertainable due to facts, neither final nor Appellant Order have been passed in the matter, hence liable to dismissal on this score only.
2. That the Appellant is estopped by his own conduct to prefer the appeal in the present form.
3. That the Appellant has deliberately/intentionally kept concealed the important materials, facts and the relevant rules about the case from this honorable Court/Tribunal.
4. That the Appellant has no locus standi and cause of action.
5. That the Appellant has not come to the Tribunal with clean hands.
6. That the appeal is bad for mis-joinder and non-joinder of necessary parties.

**ON FACTS: -**

1. Correct, the appellant was appointed as Work Munshi in BPS-05 by the XEN Highway Peshawar the Appointing Authority, the ibid post later upgraded by two steps up by the Provincial Government in the Finance Department to BPS-07 wef 01/07/2015 (**Annexure-I**).
2. Incorrectly drafted this para of Appeal. Actually, those categories viz Daftary (BPS-04)/Record Lifter (BPS-03)/Naib Qasid (BPS-03) and Chowkidar (BPS-03) having the requisite qualifications as per the Appointment/Recruitment Rules, 2010 (C&W Department) amended on 26/01/2022 (**Annexure-II**) have been promoted to the Post of Junior Clerks under the Ministerial Establishment. No other Cadre or Post is reserved to be promoted as Junior Clerk. The relevant rules in this state are described hereunder:-

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S.No	Post	Qualification	Method of Recruitment
24	Junior Clerk	<p>i. At least second division Intermediate Certificate or equivalent qualification from a recognized board, AND</p> <p>ii. A speed of 30 W.P.M in English typing</p>	<p>a) Thirty three percent (33%) by Promotion on the basis of seniority-cum-fitness from amongst the holders of the Post of Daftary, Record Lifter, Naib Qasid, and Chowkidar including holders of other equivalent posts with two years service as such who have passed the Intermediate Examination or its equivalent qualification from a recognized Board! AND</p> <p>b) Sixty-Seven percent (67%) by Initial Recruitment</p> <p><b>Note:</b> For the purpose of promotion, there shall be maintained a common seniority list of Dafraries, Record Lifters, Naib Qasids, Chowkidars, and Plumbers including holders of other equivalent office posts with reference to the dates of their acquiring the Intermediate Certificate or its equivalent qualification from a recognized Board:</p> <p>Provided that-</p> <p>(i) -----</p> <p>(ii) -----</p> <p>Provided further that the condition of Intermediate Certificate or its equivalent as laid down in clause (a) shall not be applied till the expiration of</p>

			<p style="text-align: right;">4</p> <p>period as specified in Column No. 5 against Serial No.4 of the Establishment Department's Notification No. SOE.IV(E&amp;AD)/1-35/2014, dated 18<sup>th</sup> July 2019 to the existing Matriculate Incumbents of the posts of Daftaries, Record Lifters, Naib Qasids, and Chowkidars including holders of other equivalent posts for promotion to the post of Junior Clerk (BPS-11).</p>
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hence the Post of Work Munshi, which the appellant was/is carrying could not be brought to joint seniority or considered for the purpose of promotion as Junior Clerk (BPS-11).

3. Incorrect. The Appellant in his Application dated 14/01/2019 (**Annexure-III**) sought **Upgradation in BPS-11 in his Cadre of Work Munshi** on the "ANALOGY OF JUNIOR CLERKS ON THE PRINCIPLE OF PARITY BASIS with prayer to approach the UPGRADATION COMMITTEE as personal to him. The appellant case could not be processed due to the Cabinet decision held on 22/10/2019, since circulated by the Finance Department vide letter No. SO(FR)FD/7-32/Admin/2017/6279, dated: 27/11/2019 (**Annexure-IV**). The Appellant then went in writ before the Peshawar High Court (W.P No.2456-P/2019), the department on hectic efforts tried to defend the case however the High Court passed orders on 02/12/2020, as:-

"Since the appeal of the Petitioner is still pending with Respondent-3 (here to say Respondent-3 was Chief Engineer (Centre)). Therefore in order to meet the ends of Justice, we dispose of this petition with directions to the Respondent-3 to dispose of appeal/representation of the Petitioner but strictly in accordance with law keeping in view the Upgradation and Promotion policies of the Government the needful be done within a period of 30-days positively.

S

The Government Policy with regard to the Upgradation on the Principal of Parity describes that similar Posts in other departments in the Province created same nomenclature then the committee shall take into account the parameters. AS there was no proof on ground to process the appellant case with the nomenclature of Work Munshi because in the other Public Works Department, post of Work Munshies including the C&W was already Upgraded Two step-ups from BPS-05 to BPS-07, so he was not meeting the parameters had not been processed. On the others, the further Upgradation of Posts was seized as per the decision of the Government since narrated in the above paras of reply.

4. Mis-conceiving/frivolous, incorrectly stated, that the department changed the designation of the Petitioner from Work Munshi to Road Inspector (BPS-07). The plain reading of the Orders dated: 01/12/2021 (**Annexure-V**) by itself express preposition i.e. Promotion which have been processed by the XEN Highway Division-I C&W Peshawar pursuant to the Appointment/Recruitment Rules, 2010 refer to S. NO-8 under Engineering Services described hereunder:-

S.No	Post	Qualification	Method of Recruitment
08	Road Inspector	Diploma of Associate Engineering (Civil/Technology) from a recognized Board of Technical Education.	a) Fifty percent (50%) by Initial Recruitment. AND b) Fifty percent (50%) by Promotion on the basis of seniority-cum-fitness from amongst the Work Munshies with at least 10 years of service as such.

hence tried to conceive the exact and real state of the orders terming it as change of Cadre.

5. Now when he attained the status of Road Inspector, he is enlisted in the Joint Seniority list of Work Superintendents/Work Supervisors/Surveyors and Road Inspectors who have to be promoted to the Post of Sub Engineers BPS-11 by virtue of the departmental Rules, expressed hereunder: -

S.No	Post	Qualification	Method of Recruitment
05	Sub Engineer	Diploma of Associate Engineering (Civil/Electrical/Mechanical) from a recognized Board of Technical Education.	<p>a) Fifteen percent (15%) by Promotion on the basis of seniority-cum-fitness from amongst the holders of the posts of Work Superintendents, Work Supervisors, Surveyors and Road Inspectors with at least 05-years service as such having 03-years DAE (Civil/Electrical or Mechanical) from a recognized Board of Technical Education.</p> <p><b>Note:</b> For the purpose of promotion, a joint seniority list of the Work Superintendents, Work Supervisors, Surveyors, and Road Inspectors with reference to their regular appointment to the post shall be maintained. The seniority shall be maintained from the date of appointment or acquiring the Diploma in Civil, Electrical, or Mechanical Technology from a recognized Board of Technical Education, whichever is later.</p> <p>Provided in case two dates are similar the official in BPS-12 shall rank senior.</p>

Here to clarify, the posts of Work Superintendents, Work Supervisors, and Surveyors correspond BPS-12 so their promotion in BPS-12 as Sub Engineers will be carried and notified. Similarly, the present appellant on his turn/will be treated in accordance to the above-cited method of recruitment.

- Incorrectly stated aggrieved person, as per the prevalent rules as expressed in para-5, above on his turn the appellant if eligible will be considered for the post of Sub Engineer on the basis of prescribed criterion. The appellant has since availed the benefit of Two steps-up Upgradation in the Cadre post of Work Munshi from BPS-05 to BPS-07 wef 01/12/2015, tendering option, for the very purpose. He

has further been promoted as Road Inspector (BPS-07) wef 01/12/2021 as narrated in para-4, above.

**ON GROUNDS: -**

- a. Incorrect, the appellant case as before the court is not the similar one, the persons e.g Daftaries/Record Lifters, Naib Qasids and Chowkidar belong to different Class/Cadre, meaning thereby Class-IVs, while the Appellant Post is of Technical nature, fell under the Engineering Services, so its justification or to treat him alike is not worth consideration to place/award BPS-11.
- b. No doubt the Constitution of the country provides certain benefits to its people/citizens. How ever it is the prerogative of the Government to fix Pay Scales to different kind of Posts and every department can not deviate the Pay Scales of the relevant Posts nor the departmental authorities have to excess over there. The appellant at the entry point as Work Munshi was appointed in BPS-05 which later Two steps Upgraded by the Government not by individual department. No doubt on his turn, the appellant will be considered if eligible for promotion to the Post of Sub Engineer (BPS-12).

So far references made to Articles-25 and 27 OF THE Constitution, these are not attracting the Appellant case. The simple reading of Article-25, describes:-

- 1) All citizens are equal before the law and are entitled to equal protection of law.
- 2) -----
- 3) Nothing in this Article shall prevent the State from making any special provision for the protection of Women and Children.

**Article-27:**

- 1) No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the grounds only a race, religion, caste, sex, residence or place of Birth.  
 Provided-----  
 Provided-----  
 Provided-----

- 2) Nothing in clause-1 shall prevent any Provincial Government or any local or other authority in a Province, from prescribing, in relation to any Post or Class of Service under that Government or authority, conditions as to residence in the Province for a period not exceeding three years prior to appointment under that Government or authority.

The appellant has best tried to link the case with peculiar purpose and narrative in his favor irrelevantly. This is left to the Court to assess its relivance in the case in hand.


- c. It is un-necessarily expressed, every Civil Servant should have to perform the duties with full interest, zeal and zest it is the duty of every official to carry honest and fair services even the private person who is engaged as labor should always be loyal to his Master.
- d. Incorrect and baseless preposition, both the times, one the Two-step ups upgradation as Work Munshi and the 2<sup>nd</sup> Promotion to the Post of Road Inspector the appellant have availed the benefits. Further chances are also protracted under the department rules i.e. Sub Engineers (BPS-12) and subsequent elevation to BPS-17 as SDOs/Assistant Engineers if passed the Professional Examination.
- e. Mischieving, as stated in para above those who were coming under Class-IVs Cadre were promoted to the Post of Junior Clerks, whereas no provision exists in the rules to similarly treat the Work Munshi to the Post of Ministerial Establishment Clerical Cadres). So far the stance, that even Cooly (BPS-01)/Mate (BPS-02) and Road Inspectors (BPS-07) and Supervisor (BPS-09) are allowed promotion in BPS-11 as Work Supervisors is baseless accumulation. None from the Cooly (BPS-01) and Mate (BPS-02) in the department have been promoted to the Post of Work Supervisors (BPS-11). The recruitment rules of the department for the Posts of Work Superintendents/Work Supervisors/Surveyor are fixed for by Initial Recruitment who have 03-years DAE (Civil Technology). No provision for Promotion exist, hence tried to conceive the Tribunal, otherwise to have placed on record such an orders.
- f. Incorrect statement. The appellant as stated in the preceding paras of reply already been promoted as Road Inspector in pursuance to the rules so his name is enlisted in the Joint Seniority for the purpose of Promotion to Sub Engineer (BPS-12) at the appropriate time on his turn.




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- g. Incorrect accumulation. The Appointment/Recruitment Rules, 2010 does not provide any promotion to the Post of Sub Engineer from the Post of Work Munshi. Of course the Work Munshies having 10-years services as such are preserving promotion to the Post of Road Inspector as described in para-4, above.
- i. The date of Gazette Notification dated: 15/04/2020 is incorrectly mentioned actually it was published officially on 15/04/2019. However there numerous substitution, amendments have been notified by the department vide No.SOE/C&WD/8-12/2022, dated:26/01/2022 (already annexed at II) where the separate 5%, 5%, 5% in the past reserved to technical classes including Road Inspector has now been brought into one ratio i.e. 15% in the interest of government and to minimize the quantum of seniority lists.
- k. Incorrectly stated the Department/Respondents have ignored the appellant. The rules in this regard are very rare/clear, the competent authorities are bound to observe the rules in its real spirit, there seems no weightage to be assigned to one's personal benefit, wish and whims.
- l. The respondents deem it appropriate that there found no further additional grounds to put in by the appellant because the rules of the department have fully been expressed, where no any departure of the rules exist against the Respondents. In the prayer the appellant desires, directions to the Respondent Department to consider him for promotion to the Post of Sub Engineer (BPS-12) on the basis of his qualifications and 26-years services in BPS-07 are baseless. The appellant service in BPS-07 started wef 01/12/2015, when he opted for Upgradation and if the whole period is counted till yet including Road Inspector which had been taken wef 01/12/2021 comes to 07-Years and 09-Months as on 31<sup>st</sup> August 2023 i.e.
- i) 06-Years as Work Munshi (BPS-07)
- ii) 01-Year and 09-Months as Road Inspectors (BPS-07) and he is yet to complete 05-years service as such in the Cadre of Road Inspector, which are requisite as per the rules described in Para-5, above. Even the Appellant is informed of the facts vide letter No.52-E/862/CEC/C&WD, dated: 31/01/2023 (Annexure-VI)

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In the above-stated facts, circumstances it is humbly prayed that the instant Appeal being devoid of merits, is liable to dismissal in limine, with further request to place heavy cost against the Appellant concealing the material facts of the case from this honorable Court/Tribunal and irrelevant litigations.

  
Secretary  
Govt of Khyber Pakhtunkhwa  
C&W Department Peshawar  
(Respondent No. 1 & 2)

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

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

10

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**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
2. The Secretary Communication & Works Department Peshawar  
(NOT WORKS & SERVICES DEPARTMENT)
3. The Chief Engineer (Centre) C&W Department, Peshawar

**RESPONDENTS**

**AFFIDAVIT**

I, Mr. Zahid Habib, Administrative Officer, Centre (BPS-17), Communication & Works Department Peshawar, do hereby solemnly affirm and state on Oath that the whole contents of these comments are true and correct to the best of my knowledge and belief that nothing has been concealed from this Khyber Pakhtunkhwa Service Tribunal Peshawar.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off.

Deponent



**Zahid Habib**

Administrative Officer (Centre),  
C&W Department Peshawar  
17301-4839902-3.  
0345-9396757



15 / 10  
2023



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

Dated Peshawar, the 30-06-2015

NOTIFICATION

NO.FD/SO(FR)7-20/2015 The competent authority has been pleased to accord approval to the upgradation of pay scales of the following provincial government employees with effect from 01-07-2015:

- a) Two pay scale upgradation will be allowed to all provincial government employees from BS-01 to BS-05.
  - b) One pay scale upgradation will be allowed to all provincial government employees from BS-06 to BS-15
  - c) Special Compensatory Allowance equal to difference of notional upgradation of BS-16 to BS-17 will be allowed to all provincial government employees in BS-16 in lieu of upgradation.
  - d) Upgradation will be applicable to both pay and allowances with freezing limits and other conditions currently in vogue unless revised by the government.
  - e) Pay fixation on upgradation will be applicable w.e.f. 01-07-2015 or 01-12-2015 on the option to be given by the concerned employee.
  - f) All provincial government employees who have been upgraded en-block or individually in last five years starting from 01-07-2010 or have been granted special allowance / pay equal to 40 % or more of their normal pay shall not be entitled for the instant upgradation.
2. Pay of existing incumbents of the posts shall be fixed in higher pay scales at a stage next above the pay in the lower pay scale.
  3. All the concerned Departments will amend their respective service rules to the same effect in the prescribed manner.
  4. The above upgradation scheme shall not be applicable to employees of Autonomous Bodies, Semi Autonomous Bodies and Public Sector Companies.
  5. Explanatory note and subsidiary instructions on the subject will be issued separately.

TRUE COPY

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.



Dated Peshawar, Jan 26, 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/8-12/2009, dated March 25, 2010, the following further amendments shall be made, namely:

**AMENDMENTS**

In the APPENDIX.

(a) under the heading "ENGINEERING SERVICE".-

(i) in Column No. 03, in the heading, the oblique and word "Promotion" shall be deleted;

(ii) against Serial No. 4, in Column No. 5,-

(a) in Clause (c) and (d), for the figure, brackets and words "05 (five) years", the figure, brackets and words "03 (three) years" shall be substituted; and

(b) for the existing Note, the following shall be substituted, namely:

**Note:** The seniority in all cases shall be determined from the date of Initial appointment:

Provided that for the purpose of promotion to the post of Sub Divisional Officer/Assistant Engineer/Junior Engineer/Assistant Research Officer, the seniority of Sub-Engineers, mentioned in clause (d), shall be determined from the date of acquiring the Degree in B.E/B.Sc Engineering (Civil, Mechanical or Electrical) from a recognized University.":

(iii) against Serial No.5, in Column No. 5, for the existing entries, the following shall be substituted, namely:

(a) Fifteen percent (15%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Work Superintendent, Work Supervisor, Surveyor and Road Inspector with at least five years service, as such, having three years Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education.

**Note:** For the purpose of promotion, a joint seniority list of the Work Superintendents, Work Supervisors, Surveyors and Road Inspectors with reference to their regular appointment to the post shall be maintained. The seniority shall be determined from the date of appointment or acquiring the Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education, whichever is later.

Provided that in case the two dates are similar, the official in BPS-12 shall rank senior:

(b) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Work Superintendent, Work Supervisor and Road Inspector, who have passed "B" Grade Departmental Examination with seven years service as such.

**Note:** For the purpose of promotion, a joint seniority list of the Work Superintendents, Work Supervisors and Road Inspectors, with reference to their regular appointment to the post shall be maintained. In case the two dates are similar, the official in BPS-12 shall rank senior:

Sanjiv Kumar (S.O.)  
Officer of Khyber Pakhtunkhwa  
Communication & Works Department

Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.

(c) two point five percent (2.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Draftsman with at least seven years service as such, having three years Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education:

**Note:** For the purpose of promotion to the post of Sub-Engineers, the seniority of Draftsman shall be determined from the date of appointment or acquiring the Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education, whichever is later:

(d) two point five percent (2.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Tracer, with seven years service as such, having three years Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education.

**Note:** For the purpose of promotion to the post of Sub-Engineers, the seniority of Tracers shall be determined from the date of appointment or acquiring the Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education, whichever is later; and

(e) seventy-five percent by initial recruitment.”:


(b) under the heading “ARCHITECTURAL SERVICE”:-

(i) against Serial No.15, in Column No. 3 and 5, for the existing entries, the following shall respectively be substituted, namely:

3	5
(a) Three years Diploma in Architectural Technology from a recognized Board/Institute of Technical Education with knowledge of AutoCAD 2-D and 3-D, 3D Studio MAX, Adobe Photoshop and Power Point; or	(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Junior Architectural Draftsman and Junior Computer Aided Design (CAD) Operator with at least three years service as such; and
(b) Two years Certificate Course in Civil Draftsmanship from a recognized Board/Institute of Technical Education with knowledge of AutoCAD 2-D and 3-D, 3D Studio MAX, Adobe Photoshop and Power Point.	(b) Fifty percent (50%) by initial recruitment.”;

(ii) against Serial No.16, in Column No. 3 and 5, for the existing entries, the following shall respectively be substituted, namely:

3	5
(a) Three years Diploma in Architectural Technology from a recognized Board/ Institute of Technical Education with knowledge of AutoCAD 2-D and 3-D, 3D Studio MAX, Adobe Photoshop and Power Point; or	(a) Sixty seven percent (67%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of AutoCAD Assistant and 3D's Assistant with at least five years service as such.
(b) Two years Certificate Course in Civil Draftsmanship from a recognized Board/Institute of Technical Education with knowledge of AutoCAD 2-D and 3-D, 3D Studio MAX, Adobe Photoshop and Power Point.	<b>Note:</b> For the purpose of promotion, a joint seniority list of the AutoCAD Assistants and 3D's Assistant shall be maintained; and
	(b) thirty three percent (33%) by initial recruitment.”; and

  
**Administrative Officer (Centre)**  
**Communication & Works Deptt:**  
**Khyber Pakhtunkhwa Peshawar.**

41.	GIS Analyst.	(a) At least Second Class Bachelor's of Science Degree (BS Hons 4 years) in Geomatics from a recognized University; or  (b) at least Second Class Bachelor's Degree with one year Post Graduate Diploma in GIS from a recognized University.	22-30 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of GIS Data Collector, with three years service as such.  Provided that if no suitable persons are available for promotion, then by initial recruitment.
42.	GIS Data Collector.	(a) At least Second Class Bachelor's of Science Degree (BS Hons 4 Years) in Geomatics from a recognized University; or  (b) at least Second Class B.Sc Degree with one year Post Graduate Diploma in GIS from a recognized University.	22-30 years	By Initial Recruitment

Section Officer (Estb)  
Govt of Khyber Pakhtunkhwa

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 Waristan 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. Deputy Legislation Officer-IV, Law Department, Peshawar
14. Managing Printing Press for publication in the issue of next Govt gazette
15. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar
16. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
17. PS to Secretary, C&W Department, Peshawar
18. PA to Addl: Secretary, C&W Department, Peshawar
19. PA to Deputy Secretary (Admn), C&W Deptt. Peshawar
20. Office File

*Zahoor Shah*  
36-01-2020  
(ZAHOOR SHAH)  
SECTION OFFICER (Estb)

*[Signature]*  
Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.

To,

The Superintending Engineer,  
C&W Circle, Peshawar.

**ANNEXURE**

THROUGH PROPER CHANNEL.

Subject: APPLICATION FOR UPGRADATION IN BS-11 ON THE ANALOGY OF JUNIOR CLERK ON PARITY BASIS.

Respected Sir,

Most respectfully I beg to submit the following few lines for perusal and sympathetic consideration:

- I. That after passing matric examination in Science Subject in Grade-A. I passed F.A exam by obtaining 591 marks in 1990. Subsequently I acquired Diploma of Associate Engineer (DAE) in 1995 from erstwhile NWFP Board of Technical Education Peshawar.
- II. That on 15.06.1995, the undersigned appointed as Work Munshi (BS -05) in Highway Division Peshawar.
- III. That prior to 2007, Junior Clerks on the basis of matric education were used to be appointed in BS-5 in all Government Departments.
- IV. That in 2014 the Provincial Government, Finance Department upgraded Junior Clerks in BS-11. Whereas the Work Munshies were ignored / deprived which is against the natural justice and also tantamount to violation of Article-25 of the constitution of Islamic Republic of Pakistan, 1973.
- V. That I have serving in the C&W Department as a Work Munshi since 1995 and have more than 23 years services at my credit. Having no service structure of the post of work munshi DAE (CIVIL) there is no promotion chance of mine which is also a heart burning case.
- VI. That kind of attention of the higher-ups is invited to the Provincial Government. Upgradation Policy wherein it has been mentioned that "proposal for up gradation for certain posts due to the reasons that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for up gradation".

Keeping in view the provision of up gradation policy, narrated in Pre-sub Para, The upgradation committee may be approached to consider my case for up gradation in BS-11 in person, being the only one Work Munshi of C&W Department on the analogy of Junior Clerks and obliged.

**TRUE COPY**

Dated : 14.01.2019

*[Signature]*  
**Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.**

Yours faithfully,  
*[Signature]*  
**Faridoon Khan  
Work Munshi**





GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

NO.SO(FR)FD/7-32/Admn/2017/6279  
Dated Peshawar the 27-11-2019

To:

1. The Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa.
2. The Additional Chief Secretary Merged Areas, Khyber Pakhtunkhwa.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All the Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
6. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
7. The Military Secretary to Governor, Khyber Pakhtunkhwa.
8. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
9. Registrar, Peshawar High Court, Peshawar.
10. All Heads of Attached Departments in Khyber Pakhtunkhwa.
11. The Director, Treasury & Accounts, Khyber Pakhtunkhwa.

Diary No: 12/25  
Date: 5-12-20  
Secretary C&W D

Subject: FREEZING OF UPGRADATION OF POSTS.

Dear Sir,

I am directed to refer to the subject noted above and to state that in pursuance of Provincial Cabinet decision in a meeting held on 22-10-2019, the Government of Khyber Pakhtunkhwa has been pleased to freeze all kind of upgradation of the posts till further orders.

2. Therefore, it is requested to adhere to the above decision in letter & spirit.

Yours faithfully,

(TARIQ MEHMOOD KHATTAK)  
SECTION OFFICER (FR)

Endst: No & Date Even

Copy forwarded for information:-

1. Accountant General, Khyber Pakhtunkhwa.
2. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Government of Khyber Pakhtunkhwa.
4. PS to Minister Finance, Khyber Pakhtunkhwa.
5. PS to Secretary / Special Secretary Finance Department.
6. PAs to All Additional Secretaries / Provincial Finance Controller and Deputy Secretaries in Finance Department.
7. All the Section Officers / Budget Officers in Finance Department.

*SOE*

*Pl circulate.*

(TARIQ MEHMOOD KHATTAK)  
SECTION OFFICER (FR)

*Pl circulate*

*30/12/19*

*AKH*

*cc. SOE.*

*4-12-19*

Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.

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Annex-V

**OFFICE OF THE EXECUTIVE ENGINEER**  
**C&W HIGHWAY DIVISION-I PESHAWAR**  
No. 208415-E Dated Peshawar the: 01/12/2021  
Ph No.091-9211371 EMAIL: - xencnwhighway2010@gmail.com

**OFFICE ORDER**

On the recommendation of DPC in its meeting held on 1-12-2021, the following  
Munshi (BPS-07) have been cleared for promotion to the posts of Road Inspector (BPS-07) on  
he will be on probation for a period of one year in C&W department Highway  
Peshawar with immediate effect.

Name & Fahter Name	From	Promoted To
Faridon Khan S/O Shamshad Khan	Work Munshi BPS-07	Road Inspector (BPS-07)
Saad Gul S/O Anar Gul	Work Munshi BPS-07	Road Inspector (BPS-07)

EXECUTIVE ENGINEER

Forwarded to:-

- The Accountant General KPK Peshawar for information.
- The Superintending Engineer C&W Circle Peshawar for information.
- The Sub Divisional Officer, Highway Sub Division No. I & II Peshawar for information.
- Mr. Faridon Khan S/O Shamshad Khan (Road Inspector) r/o Village Badber Tehsil & District Peshawar for information
- Mr. Saad Gul S/O Anar Gul (Road Inspector) r/o Village Terai Payan Tehsil & District Peshawar for information.

EXECUTIVE ENGINEER

Administrative Officer (Comm.)  
Communication & Works Deptt.  
Khyber Pakhtunkhwa Peshawar.

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Annex-VI

OFFICE OF THE CHIEF ENGINEER (CENTRE)  
COMMUNICATION & WORKS DEPARTMENT  
KHYBER PUKHTUNKHWA, PESHAWAR

No. 52-E/ 862 /CEC/C&WD

Dated Peshawar the 31 /01/2023

To

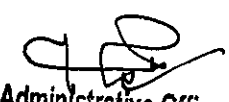
Mr. Faridoon Khan  
Road Inspector (BPS-07)  
O/O Executive Engineer  
Highway Division-I Peshawar

Subject:

**PROMOTION TO THE RANK OF SUB-ENGINEER**

I am directed to refer to your application dated 16/01/2023 on the subject cited above and you are directed to provide the following documents (duly attested)-through your office i.e XEN Highway Division-I Peshawar, so that your name could be inserted/ included in the relevant seniority list of Road Inspector first: -

1. Photocopy of Promotion Order as Road Inspector.
2. Photocopies of Working Paper/ Minutes of the meeting.
3. Photocopy of DAE (Civil)
4. Photocopy of Service Book (complete)
5. Photocopy of CNIC.
6. Other educational testimonials.

  
Administrative Officer (Centre)  
Communication & Works Deptt:  
Khyber Pakhtunkhwa Peshawar.

I am further directed to state that for promotion to the cadre post of Sub-Engineer as per Service Rules of C&WD "at least five years' service as such, having three years Diploma in Civil, Electrical or Mechanical Technology from a recognized Board of Technical Education" is essential, and you have only one year service as Road Inspector according to your promotion date i.e 01/12/2021, hence your request for promotion as Sub-Engineer cannot be acceded to, at this stage.

31.01.2023  
Zahid Habib  
Administrative Officer

Copy to the Executive Engineer Highway Division-I Peshawar for information & necessary action.

Administrative Officer



OFFICE OF THE CHIEF ENGINEER (CENTRE)  
COMMUNICATION & WORKS DEPARTMENT  
KHYBER PAKHTUNKHWA, PESHAWAR

No. CEC/C&WD/S.A.No.888/2023

Dated Peshawar the 13 / 10 / 2023

**AUTHORITY LETTER**

Mr. Zahid Habib, Administrative Officer (BPS-17), O/O Chief Engineer (Centre), C&W Department Peshawar is hereby authorized to file the para-wise comments and attend the Honorable Service Tribunal Peshawar on behalf of Respondent No.3 in connection with Service Appeal No. 888 of 2023 titled "Faridoon Khan " on each date as and when fixed by the Honorable Court.

  
CHIEF ENGINEER (CENTRE)

**COPY FORWARDED TO THE:**

1. Section Officer (Litigation), C&W Department Peshawar w/r to his office letter No. SO(Lit)C&W/3-489/2023, dated: 22/09/2023 for information, please.
2. PS to Secretary, C&W Department Peshawar for information, please.

  
CHIEF ENGINEER (CENTRE)