

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

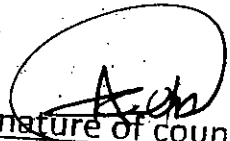
PROFORMA FOR EARLY HEARING

FORM 'A'

8431
19-10-23

To be filled by the Counsel/Applicant

Case Number	7037/2021		
Case Title	Muhammad Ferooz vs Grant of K-P		
Date of Institution	2021		
Bench	SB	DB <input checked="" type="checkbox"/>	
Case Status	Fresh	Pending <input checked="" type="checkbox"/>	D.B
Stage	Notice <input checked="" type="checkbox"/>	Reply	Pending Argument
Urgency to clearly stated.	It is therefore most respectfully prayed that		
Nature of the relief sought.	The case may kindly be fixed as early as possible for its disposal in light of amended rules		
Next date of hearing	8-1-2024		
Alleged Target			
Date			
Counsel for	Petitioner <input checked="" type="checkbox"/>	Respondent	In person


Signature of counsel/party

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

PROFORMA FOR EARLY HEARING

FORM 'B'

Inst#

Early Hearing _____ -p/2023

In case No. 7037 -p/2021

Muhammad Fadoo Vs Govt of K.P.K

Presented by: Asad Zeb Khan on behalf of Petitioner. Entered in the relevant register:

Put up alongwith main case 8-1-2023

REGISTRAR

Last date fixed	
Reason(S) for last adjournment, if any by the Branch Incharge.	
Date(s) fixed in the similar matter by the Branch Incharge	
Available dates Readers/Assistant Registrar branch	

Assistant Registrar

REGISTRAR

Before Khyber Pakhtun Khwa Service Tribunal, Peshawar

C.M No. _____/2023
In Service Appeal No. 7037/2021

Muhammad Farooq _____ **Appellant**

Versus


Govt. of Khyber Pakhtun Khwa & others _____ **Respondents**

INDEX

S.No	Description of documents	Annex	Pages
1	CM for early fixation of date of hearing		1
2	Copy of amended rules dated: 14-09-2023	PA	2-4

Applicant/Appellant

Through


ASAD ZEB KHAN
Advocate, High Court, Peshawar.

Before Khyber Pakhtun Khwa Service Tribunal, Peshawar

C.M No. _____/2023
In Service Appeal No. 7037/2021

Muhammad Farooq _____ **Appellant**

Versus

Govt. of Khyber Pakhtun Khwa & others _____ **Respondents**

Application for early fixation of above captioned service appeal

Respectfully Sheweth:

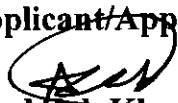
The applicant/appellant most humbly submits as under:

1. That the above captioned service appeal is pending adjudication before this Hon'ble Tribunal which is fixed for 08-01-2024.
2. That the applicant/appellant challenged vires of amended rules of 2018 only to the extent of insertion of 2nd Division Matric/SSC in the promotion quota. Now the respondents amended the service rules vide notification dated: 14-09-2023 and clog of 2nd Division has been removed from serial No. 16 in column No. 6.

{Copy of amended rules are attached, as Annex-PA}

3. That as the grievance of applicant/appellant has been redressed and now wants to dispose of main appeal in light of amended rules dated: 14-09-2023.
4. That as the main appeal is fixed for 08-01-2024, so proprietary demands that the main appeal may kindly be accelerated and fixed as early as possible for disposal of main appeal.

It is, therefore, most respectfully prayed that the case may kindly be fixed as early as possible for its disposal in light of amended rules.

Applicant/Appellant
Through 
Asad Zeb Khan,
Advocate High Court.

Affidavit:

I, Iftikhar Ahmad S/O Humayun Khan, R/O Ghari Khadar Khan Khel, Menai P/O Khas, Tehsil & District Swabi (Special attorney for appellant) do hereby solemnly affirm and declare upon oath that the contents of accompanied application are true and correct to the best of my knowledge and belief and nothing has been intentionally concealed from this Honorable Court.

Deponent





②
GOVERNMENT OF KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS & RURAL
DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated Peshawar the 14th September 2023 / 5992.

No.SO(E-II)/LG/2-188/SSRC/2019 In exercise of the powers conferred by sub-rule (2) of rule (3) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26-01-1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- (a) against serial No. 1A, in Columns No.2 and 6, for the existing entries, the following shall respectively be substituted, namely:

2.	6.
"Director/ Director (M&E) (BPS-19).	By promotion, on the basis of seniority -cum-fitness, from amongst the holders of the post of Deputy Director (BPS-18), Deputy Director (M&E) (BPS-18) and Assistant Director (Senior) (BPS-18), with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above. Note: for the purpose of promotion, there shall be maintained a joint seniority list of Deputy Directors (BPS-18), Deputy Directors (M&E) (BPS-18) and Assistant Directors (Senior) (BPS-18).";

- (b) against Serial No. 1B, in Column No.6, for the existing entry, the following shall be substituted, namely:

6.
" By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Deputy Director (Technical) (BPS-18) and Assistant Engineer Senior (BPS-18), who possess Bachelor's Degree in Civil Engineering from a recognized University, with at least seven (07) years' service as such or twelve (12) years' service and above as Assistant Engineer (BPS-17) and Assistant Director (Technical) (BPS-17), who possess Bachelor's Degree in Civil Engineering. Note: For the purpose of promotion, there shall be maintained a joint seniority list of Assistant Directors(Technical) (BPS-18) and Assistant Engineers Senior (BPS-18).";

- (c) against Serial No. 1E, in Columns No.2 and 6, for the existing entries, the following shall be respectively be substituted, namely:

2.	6.
"Deputy Director(Technical)/ Assistant Engineer Senior (BPS-18).	(i) Ninety percent (90%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Assistant Director (Technical) (BPS-17) and Assistant Engineer (BPS-17), who possess Bachelor's Degree in Civil Engineering from a recognized University, with at least five years' service as such; (ii) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Assistant Director (Technical) (BPS-17) and Assistant Engineer (BPS-17), who possess Degree in B.Tech (Hons), with at least five years' service as such; and (iii) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant Director (Technical) (BPS-17) and Assistant Engineer (BPS-17), who possess Diploma of Associate Engineering in Civil, with at least

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five (05) years' service as such.

Note: For the purpose of promotion, there shall be maintained a separate joint seniority list of Assistant Directors (Technical) (BPS-17) and Assistant Engineers (BPS-17), respectively as mentioned in clauses (i), (ii) and (iii) above.;"

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(d) after Serial No. 1E, the following new entries shall be inserted, in respective Columns, namely:

1.	2.	3.	4.	5.	6.
"1F.	Deputy Director (M&E) (BPS-18).	--	--	--	(i) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Assistant Director (BPS -17), with at least five (05) years' service as such; and (ii) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness from amongst the holders of the posts of Assistant Director (Technical) (BPS-17) and Assistant Engineer (BPS -17), with at least five (05) years' service as such. Note: For the purpose of promotion, there shall be maintained a joint seniority list of Assistant Directors (Technical) (BPS -17) and Assistant Engineer (BPS -17), mentioned in clause (ii) above.;"

(e) after Serial No. 8, the following new entries shall be inserted, in the respective Columns, namely:

1.	2.	3.	4.	5.	6.
"8A.	Circle Head Draftsman (BPS-16).	--	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Head Draftsman (BPS-14), with at least three (03) years' service as Head Draftsman (BPS-14).
8B.	Head Draftsman (BPS-14).	--	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Draftsman (BPS-12), who possess Diploma in Civil Draftsmanship, from a recognized Institute, with at least three (03) years' service as such.;"

(f) for Serial No. 9, the following shall be substituted, in the respective Columns, namely:

1.	2.	3.	4.	5.	6.
"9.	Sub-Engineer (BPS-12).	(a) At least Second Division Secondary School Certificate or its equivalent qualification from recognized Board; and (b) Three (03) years course Diploma in Civil Engineering, from a recognized Institute.	--	21 to 28 years.	(i) Eight percent (08%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Work Munshi (BPS-07), who possess Diploma of Associate Engineering in Civil, with at least three (3) years' service as such and have passed the Departmental Grade-B examination; (ii) two percent (02%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of non-diploma holder Work Munshi (BPS-07), with at least ten (10) years' service as such and have passed the Departmental Grade-B examination; and (iii) ninety percent (90%) by initial recruitment.;"

(g) against Serial No. 10, for the existing entries, the following shall be substituted in the respective Columns, namely:

1.	2.	3.	4.	5.	6.
"10.	Supervisor (BPS-14).	At least Second Class Bachelor's Degree from a recognized University.	--	21 to 28 years.	(i) Seventy five (75%) percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Senior Secretary VC/NC (BPS-11) at District Level, with at least five years' service as such; and (ii) twenty five (25%) percent by initial recruitment.

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Note: For the purpose of promotion, a joint seniority list of Senior Secretaries VC/NC (BPS-11) of all Tehsils, within the District, shall be maintained at the District level, by the Assistant Director Senior at District Head Quarter Tehsil." (4)

(h) against Serial No. 12, in Columns No.3 and 5, for the existing entries, the following shall respectively be substituted, namely:

3.	5.
"(a) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board; (b) speed of fifty (50) words per minute in shorthand in English and thirty five (35) words per minute in typing; and (c) Knowledge of computer in using MS Office.	18 to 30 years."

(i) against Serial No. 16, in Column No. 6, for the existing entry, the following shall be substituted, namely:

6.
(i) Twenty (20%) percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Naib Qasid (BPS-03) and Chowkidar, (BPS-03), in the Village Council/Neighborhood Council, with seniority at Tehsil level, having Secondary School Certificate from a recognized Board or Institute and having six month Certificate in Computer from a recognized Board or Institute, with three years' service as such; and (ii) eighty (80%) percent by initial recruitment."

(k) against Serial No. 19, in Column No. 2, for the existing entry, the following shall be substituted, namely:

2.
"FA/F.Sc, or equivalent qualification from a recognized Board,"

SECRETARY,
GOVERNMENT OF KHYBER PAKHTUNKHWA,
LOCAL GOVERNMENT, ELECTIONS & RURAL
DEVELOPMENT DEPARTMENT.

No.SO(E-IV)LG/2-188/SSRC/2019/
Copy forwarded to the :

Dated 14.09.2023

1. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa,
2. All Divisional Commissioners in Khyber Pakhtunkhwa.
3. The Secretary to Governor, Khyber Pakhtunkhwa.
4. The PSO to Chief Minister, Khyber Pakhtunkhwa.
5. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. The Director General, LG&RDD, Khyber Pakhtunkhwa Peshawar.
7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. All Head of Attached Departments.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. All District and Session Court Judges in Khyber Pakhtunkhwa.
12. All Assistant Directors, LG&RDD Khyber Pakhtunkhwa.
13. The Manager Government printing press, Peshawar for publication in the next Government Gazette Notification. 40 copies of the Notification may be sent to this Department.
14. The PS to Secretary LG,E&RDD Peshawar.
15. The Office Order File.


SECTION OFFICER
ESTABLISHMENT-II

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