


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

2319/2023

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 10/11/2023 | <p>The appeal of Mr. Muhammad Imran resubmitted today by Mian Asif Aman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>13.11.2023</u> Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p> |

The appeal of Mr. Muhammad Imran Deputy Director IT/MIS Manager Directorate of Transport And Mass Transit KP received today i.e on 03.11.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is not signed by the appellant.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Affidavit is not attested by the Oath Commissioner.
- 4- Annexures of the appeal is unattested.
- 5- Check list is not attached with the appeal.
- 6- Annexures of the appeal are not in sequence.
- 7- Page nos. 70, 71 & 79 of the appeal are illegible which may be replaced by legible/better one.
- 8- Eight more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 313-17 /S.T.

Dt. 7/11 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mian Asif Aman Adv.
High Court Peshawar.

Respected Sir,

*All the objections
were read Pls
Put in court.*

10-11-2023

بعدالت

سروسٹر جنرل صحت و صحتی

بنام صیف سٹری

وہاں صاحب

موزعہ
مقدمہ
دعوی
ج.م

APR 2008

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیرونی وجوہات دہی و گل کاروائی متعلقہ
آن مقام کے اترار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی گل کاروائی کا کامل اختیار دیا۔ نیز
مقرر کر کے اترار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی گل کاروائی کا کامل اختیار دیا۔ نیز
دیکل صاحب کو راضی نامہ کرنے و تقرر ثبات ہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعوی اور
بصورت ڈگری کرنے اجراء اور صولی چیک درو پیدار عرضی دعوی اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیرونی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و بیرونی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے گل یا جزوی کاروائی کے واسطے اور دیکل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی دہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے رہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ بیرونی
مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

14301 1923874 3

المرقوم 20/4/2008

Accepted

بمقام لستار

B.C. 11-1046

17301-1642902-1

0313 - 9185077

0312 - 9978888

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 2319 /2023

Muhammad Imran.....**Appellant**

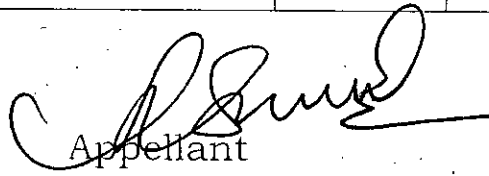
V E R S U S

Chief Secretary and others.....**Respondents**

I N D E X


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Appellant

Through

Date: 02/11/2023


Mian Asif Aman
Advocate, Supreme Court
of Pakistan.
Cell# 0313-9185077

(1)

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 2319 /2023

8857
DATE: 03-11-2023

Mr. Muhammad Imran, Deputy Director-IT/MIS
Manager, Directorate of Transport & Mass Transit
Khyber Pakhtunkhwa Peshawar.....**Appellant**

V E R S U S

1. The Govt. of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department Civil Secretariat Peshawar,
3. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department Civil Secretariat Peshawar.
4. The Secretary to Govt. of Khyber Pakhtunkhwa Transport & Mass Transit Department Civil Secretariat Peshawar.
5. The Director, Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa Ground Floor Benevolent Fund Building Peshawar Cantt.

.....**Respondents**

APPEAL UNDER SECTION 4 OF
KP SERVICES TRIBUNAL ACT
1974

(2)

Prayer in Appeal:

On acceptance of this service appeal, this Hon'ble Tribunal may graciously be pleased to declare that the impugned decision of abolition of the post of Deputy Director-IT MIS Manager (BPS-18) pursuant to the letters dated 13.06.2023 and 14.06.2023 of the Director and Secretary Transport & Mass Transit Department and letter dated 07.07.2023 of the Secretary Finance and letter dated 10.07.2023 (Wrongly written as 10.06.2023) by the Secretary Transport and Mass Transit Department to the Secretary Establishment Department, as without lawful authority and hence of no legal effect and to strike down the same. This august Tribunal may further be pleased to direct the Respondents to act in the matter in accordance with law and restore the previous position of the appellant as Deputy Director-IT/MIS Manager (BPS- 18) as Incharge of MIS Cell. Directorate of Transport, Khyber Pakhtunkhwa with effect from the date of the abolition of the post with all consequential back benefits.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Respectfully Sheweth:

1. That appellant holds the Degrees of Master of Computer Science and at the time of joining the service; he was having more than 9 year experience in Government Sector in the relevant field of IT.
2. That way back in 2010, the Provincial Govt. in Transport Department approved an Annual Development Programme i.e. "The Establishment of Automation of Transport Department (Computerization of Route Permit)" (the ATD-CRP Cell) with aims and objectives to introduce an effective sustainable system to maintain updated Database of commercial vehicles, equip policing and checking Agencies with on-the-spot ease and verification of Route Permits and its validity, an IT enabled System consisting of application software, hardware, networking and communication enabling Province-wide connectivity Ensuring transparency to eliminate forgery in Route Permits and ensure efficient revenue receipts. The Management Structure and Manpower requirements of the Cell provide for the MIS Manager and 18 other posts of

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Database Administrator, Network Administrator, Assistant Network Administrator. Account Assistant, Computer Operators. Driver. Naib Qasid and Sweeper with post of appellant as head of the Unit. Needless to mention that the posts were subsequently increased. **(Copy of Revised PC-1 is attached as Annexure-A).**

3. That accordingly the post of Deputy Director-IT/MIS Manager (BPS-18) and other posts were advertised on 11.06.2010 for which the appellant being eligible and qualified applied. **(Copy of advertisement is attached as Annexure-B)**

4. The appellant alongwith other aspirants were shortlisted by the project Shortlisting Committee on the basis of their qualification and experience as per the requirements of the PC-1 and subsequently, after undergoing the competitive selection process. the Project Selection Committee comprising members of other Departments and Chaired by Additional Chief Secretary Khyber Pakhtunkhwa selected and recommended the appellant for the subject post purely on merit and thus appellant was appointed as such after observing all codal formalities vide office order dated 13.01.2011.

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(Copy of order dated 13/01/2011 is attached as Annexure-C)

5. That after selection of the appellant the remaining vacancies of the Cell were also filled on the recommendation of the Project Selection Committee. **(Copy of List of MIS Staff with Particulars are attached as Annexure-D)**

6. That in 2017, because of the utility and importance of the ATD-CRP Cell, the project was regularized by means of Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017. **(Copy of Regularization Act is attached as Annexure-E)**

7. That on 01.06.2017, to this effect separate Gazetted Notification on 21.12.2017 whereby the ATD-CRP Cell's employees including the appellant were regularized. **(Copy of regurgitation dated 21/12/2017 is attached as Annexure-F)**

8. That the subject post was properly sanctioned by the Finance Department as is evident from the letter dated 20.11.2017 issued by the Finance Department. **(Copy of letter dated 20/11/2017 is attached as Annexure-G)**

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9. That after the regularization of the Automation of Transport Department, the matter for framing the Service Rules was taken up by the Administrative Department with other concerned stakeholders. A detailed scrutiny of the case was carried out including the job description of each post and after threadbare discussion, the Standing Service Rules Committee (SSRC") recommended the Service Rules for MIS Cell which were notified in the Gazette of Khyber Pakhtunkhwa Gazetted Notification dated 14.07.2020. **(Copy of notification dated 14/07/2020 is attached as Annexure-H)**
10. That the Transport Department vide Notification dated 14.06.2017 assigned the appellant with an additional charge of post of Project Director of the Project "Establishment of Transport Inspection Station in Khyber Pakhtunkhwa" The appellant remained as such for a period of 03 & half years during which time the web based online centralized Database System was deployed for issuance of Smart Card for Computerized Driving License and issuance of International Driving Permit in Khyber Pakhtunkhwa. For the purpose of Driving License, the appellnat vide

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office order dated 03.05.2023 was declared as Convener/Coordinator of Computerized Driving License. **(Copies of notifications dated 14/06/2017 and office order dated 03/05/2023 are attached as Annexure-I & J respectively)**

11. That Respondent No.5/ Director Transport vide letter dated 24.12.2019 issued the work distribution in the Directorate of Transport wherein the Deputy Director IT/MIS work description being given as All IT related matters and ADP projects. Subsequently, he again issued work distribution in the Directorate vide letter dated 12.07.2021 wherein the Deputy Director IT/MIS work description being given as All IT/MIS related matters, computerized driving license, computerized Route Permit and Fitness Certificates. Once again the work distribution as the Directorate was issued vide letter dated 26.08.2022 with the same responsibility of Deputy Director MIS. The incumbent Director also issued work distribution of the Business of Directorate of Transport vide order dated 16.05.2023 wherein the Deputy Director MIS has been shown having work description of

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computerization of Route Permits. **(Copies of letters dated 24/12/2019, 12/07/2021, 26/08/2022 and 16/05/2023 are attached as Annexure-K, L, M and N respectively)**

12. That Similarly MIS Cell was established in 2011 as one window operation for issuance of route permit under the scheme Automation of Transport- Computerization of Route Permit, a high-end Server Machines along with application software, ORACLE database and RED HAT LINUX operating system deployed in the MIS cell whereas a centralized database established which is connected through Virtual Private Network (VPN) in the MIS cell to all the divisional headquarters for issuance of all kinds of route permits in Provincial Transport Authority ("PTA") and Reginal Transport Authorities ("RTAS") in Khyber Pakhtunkhwa.
13. The appellant along with staff working in MIS cell since 2011 whereas one window operation for issuance of route permit which was inaugurated on 05.01.2012, the route permit issuance process includes verification of applicant record from MIS cell database, data entry and issuance of computerized challan in MIS cell, after deposit

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of challan in State Bank route permit printed by the MIS cell on the security featured paper which is then issued by PTA and RTAs.

14. That since 2011 till date for the last 12 years, the appellant alongwith MIS Cell served to the entire satisfaction of the high-ups with no ifs and buts from any quarter, however, during current Caretaker Govt. Respondent No.5 the Director Transport (recently posted as Director) wrote a letter dated 13.06.2023 to the Secretary Transport & Mass Transit Department recommending the abolition of the post of appellant with copy to Private Secretary to Minister Transport for the abolition of the post of appellant with the so called justifications declaring the post of appellant as redundant all at once. **(Copy of letter dated 13/06/2023 is attached as Annexure-O)**

15. That record speaks for itself that the abolition of the post was pre-decided and predetermined matter as on the following day the worthy Secretary without looking into the matter and undertaking any spadework or taking the opinion of the Establishment Department there and then agreed with the Director Transport and

forwarded the matter to the Secretary Finance vide letter dated 14.06.2023 to abolish the post. Accordingly, the Finance Department on such recommendations deleted the post from the Budget Book and informed the Secretary vide letter dated 07.07.2023. **(Copies of letters dated 14/06/2023 and 07/07/2023 are attached as Annexure-P & Q respectively)**

16. That on deletion of the post, the Secretary Transport vide letter dated 10.07.2023 (Wrongly written as 10.06.2023) requested the Establishment Department for placing the services of the appellant at the disposal of the Surplus Pool Wing of the Establishment Department under the Surplus Pool Policy. It is essential to add that the Establishment Department has not yet taken any such decision due to the untimely decision, however, the salary of the appellant has been stopped as the same would necessitate the creation of post at the strength of Establishment Department. **(Copies of letter dated 10/07/2023 and Surplus Pool Policy are attached as Annexure-R & S respectively)**

(11)

17. That appellant has also ventilated his grievance before the worthy Chief Secretary, Government of Khyber Pakhtunkhwa vide Representation dated 18.07.2023, which is yet to be decided. **(Copy of representation dated 18/07/2023 are attached as Annexure-T)**
18. That thereafter the appellant filed writ petition before worthy Peshawar High Court, Peshawar, the W.P No. 3206-P/2023 was dispose off vide order dated 13/09/2023 with direction issued to respondent No.1 to decide the appeal within one month, but respondent No.1 malafide be kept mum. **(Copies of writ petition and order dated 13/09/2023 are attached as Annexure-U)**
19. That despite the clear cut direction of the Hon'ble Peshawar High Court, Peshawar, the appellate authority miserably failed to decide the fate of the departmental appeal all ready pending, hence after completion of one month period, the present appeal.
20. That appellant is aggrieved of the conduct of Respondents and the impugned decisions of abolition of the post of appellant and subsequent proceedings of the respondent's department and having no other adequate remedy assails the

(12)

same through this service appeal, inter-alia on the following grounds:-

GROUND S:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully took the impugned decision of abolition of the post of appellant, which is unjust, unfair and hence not sustainable in the eye of law.

- B. That the appointment of Caretaker Government in terms of Article- 224(1A) of the Constitution of Islamic Republic of Pakistan. 1973 is a transient arrangement during the interregnum as no elected Government remains in force. All decision making authority vests in the elected Government in terms of preamble read with Article-2A of the Constitution of Islamic Republic of Pakistan. 1973 which reads: WHEREIN the State shall exercise its powers and authority through chosen representatives of the people. The role of Caretaker Government has been holistically trashed out by the august Supreme Court of Pakistan in the case of Khwaja

Muhammad Asif .Vs.. Federation of Pakistan reported in 2013 SCMR 1205 and also this Hon'ble Court in the case of Raja Muhammad Zubair V's.. The Govt. of Khyber Pakhtunkhwa reported in 2022 PLC(CS) 778 According to the dicta above, the Caretaker Government would enjoy limited powers of administrative continuity within available resources while preventing any major decision from being taken. Viewed in this perspective, the impugned decision of abolition of the post is an affront to the directives of the Apex Court in terms of Article-189 & 190 of the Constitution of Islamic Republic of Pakistan, 1973 attracting penal consequences under Article-204 of the Constination of Islamic Republic of Pakistan, 1973 read with Contempt of Court Ordinance. 2003.

- C. That immediately after the dissolution of Provincial Assembly under Article-112 of the Constitution of Islamic Republic of Pakistan, 1973, the Election Commission of Pakistan issued Notification dated 22.01.2023 under Article-218(3), 220 of the Constitution, read with Section-4, 3. 8(c) & Section 230 of the Elections Act, 2017 supported by Workers' Party case through Akhtar Hussain Advocate, General Secretary and 06 others .Vs.. Federation of

Pakistan and 02 others reported in PLD 2012 SC 681 for the purpose of ensuring transparent Election and to provide level playing field for all contesting candidates and Political parties directed the Caretaker Governments of Punjab and Khyber Pakhtunkhwa inter-alia to refrain from recruitments in any Department, posting/transfer outside Province and to perform functions and attend day to day matters which are necessary to run the affairs of the Provinces in accordance with law. In view of the directions, the impugned decision of abolition of the post being a substantial decision is of no legal effect and being violative of the directives of the Election Commission of Pakistan. **(Copy of notification dated 22/01/2023 is attached as Annexure-V)**

- D. That earlier in response to a similar kind of attempt be made by the Minister for placing the service of another official of the department in Surplus Pool without following the rules, regulations and law, in response to that competent authority i.e. respondent No.4 replied

“Services of employee are sent to surplus pool when the entity is being dissolved or as a result of some right sizing exercise. Since dissolution or right sizing is not taking place therefore,

sending an employee of Transport Department

to surplus pool is not a viable option."

In the lights of that, it is crystal clear that the impugned decisions made without following the rules, regulations, liable to be struck down on this score alone. **(Copy of the letter dated 25/10/2022 is attached as Annexure-W)**

E. That the impugned decision of abolition of the post was based on malafide intention with ulterior motives and has never been taken in the public interest nor in exigency of service. The request of abolition of the post by a recently transferred Director Transport with a copy to the Minister Transport with the so called justification speaks volumes. As a pre-determined matter, the Secretary Transport on the following day approved the same and forwarded the same to the Finance Department who also toed the line and abolished the post. No groundwork was taken into the matter and haphazard decision was taken under the pre-set mind and malafide intention which has resulted in serious miscarriage of justice.

F. That in the case of Ali Azhar Khan Baloch..Vs.the Province of Sindh reported in 2015 SCMR 456 it has been laid down in Para-

118 that the decision of abolition of a post in the Department shall be taken in consultation with the S&GAD (Establishment Department. KP) and shall be approved by the Competent Authority. In the case in hand neither the Administrative Department obtained any opinion of the Establishment-Department nor consulted the same with it for the reasons best known, therefore, the impugned decision of abolition of the post is arbitrary, result of abusive and colourable exercise of power and thus not sustainable under any canons of law, justice and fair-play.

- G. That the appellant along with staff of MIS Cell was established way back in 2011 and since then the cell under the supervision of the appellant discharging its function of IT & MIS of route permit, driving license and fitness certificates till date for the last 12 years without any objection of redundancy but all of sudden the post of appellant was declared as redundant which beyond comprehension. The Cell worked as a team till 2017 where after the whole Cell was converted to regular non- developmental budget side because of the importance and successful operation. However, all of sudden only the post of appellant being head of the Cell became redundant and abolished in an illegal

fashion. Thus the impugned decision is illogical, unreasonable, slipshod and thus not maintainable.

- H. That by deletion of post of the appellant not only appellant was illegally declared as surplus rather lower cader officers/officials were also effected in their carrier progression as the subject post is inline of promotion to those lower cader officers/officials.
- I. That by becoming surplus the entire service carrier of the appellant has been jeopardized as under the surplus pool policy the appellant will be adjusted in any other department either in the same scale at the bottom of the seniority list or in lower scale at the top of seniority list. In either to the case a dire complication will ensue and appellants's service career will receive an irreparable setback till the end. A BPS-18 post in almost all the Departments is a promotion post and less in number and any such adjustment will result into endless litigation with the incumbents as their seniority and right of promotion would be adversely affected.
- J. That the post of the appellant is selected for abolishment who is the head of the MIS Cell which establishes malafide intention of the

(18)

Respondents and a Policy of pick and choose to abolish the specific post rather than abolishing the whole Cell. Thus appellant has been subjected to a discriminatory treatment in violation of law.

K. That any other grounds will be raised at the time of arguments with prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this service appeal, this Hon'ble Tribunal may graciously be pleased to declare that the impugned decision of abolition of the post of Deputy Director-IT MIS Manager (BPS-18) pursuant to the letters dated 13.06.2023 and 14.06 2023 of the Director and Secretary Transport & Mass Transit Department and letter dated 07.07.2023 of the Secretary Finance and letter dated 10.07.2023 (Wrongly written as 10.06.2023) by the Secretary Transport and Mass Transit Department to the Secretary Establishment Department, as without lawful authority and hence of no legal effect and to strike down the same. This Hon'ble Tribunal may further be pleased to direct the Respondents to act in the matter in accordance with law and restore the previous

(19)


position of the appellant as Deputy Director-IT/MIS Manager (BPS- 18) as Incharge of MIS Cell. Directorate of Transport, Khyber Pakhtunkhwa with effect from the date of the abolition of the post with all consequential back benefits.

Any other relief may deemed fit in the circumstances of the law may also be granted in favour of the appellant against respondent.


Appellant

Through

Date: 02/11/2023


Mian Asif Aman
Advocate, Supreme Court
of Pakistan.

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

CM No. _____/2023

IN

Appeal No. _____/2023

Muhammad Imran.....**Appellant**

V E R S U S

Chief Secretary and others:.....**Respondents**

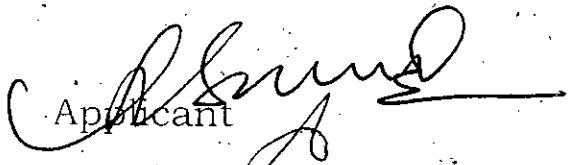
APPLICATION FOR SUSPENSION OF
OPERATION OF IMPUGNED LETTERS
DATED 13/06/2023, 14/06/2023,
07/07/2023 AND 10/07/2023 (WRONGLY
WRITTEN AS 10/06/2023) AND TO
RELEASE THE SALARIES OF THE
PETITIONER/APPELLANT, TILL THE
FINAL DECISION OF THE SERVICE
APPEAL.

Respectfully Sheweth:-

1. That the above noted service appeal is being filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.
2. That the facts and grounds of the service appeal may kindly be read as an integral part of this application.
3. That the applicant has got a good prima facie case in her favour, and is sanguine about its success.

4. That the balance of convenience also lies in favour of the applicant.
5. That if the operation of impugned letters dated 13/06/2023, 14/06/2023, 07/07/2023 and 10/07/2023 (wrongly written as 10/06/2023) are not suspended and not release the salaries of the petitioner /appellant, than the applicant would suffer irreparable loss, salary being livelihood for the family.

It is, therefore, respectfully prayed that on acceptance of this application, the interim relief as prayed in the heading of the application may kindly be granted in favour of the applicant, till the final decision of the main service appeal.


Applicant

Through

Mian Asif Aman
Advocate, Supreme Court
of Pakistan.

Date: 02/11/2023

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

CM No. _____/2023

IN

Appeal No. _____/2023

Muhammad Imran.....**Appellant**

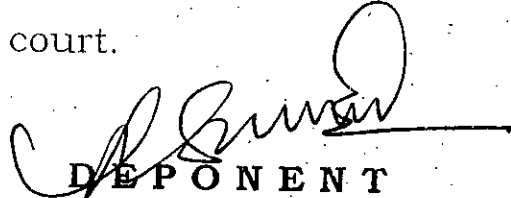
V E R S U S

Chief Secretary and others.....**Respondents**

AFFIDAVIT


I, **Mr. Muhammad Imran, Deputy Director-IT/MIS Manager, Directorate of Transport & Mass Transit Khyber Pakhtunkhwa Peshawar**, do hereby solemnly affirm and declare on oath that the contents of accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Identified by:


DEPONENT

CNIC# 11101-5619703-9

Cell# 0333-9185827


Mian Asif Aman
Advocate, Supreme Court
of Pakistan.

GOVERNMENT OF KHYBER PAKHTUNKHWA

TRANSPORT DEPARTMENT

REVISED

PC-I

AUTOMATION OF TRANSPORT DEPARTMENT
(COMPUTERIZATION OF ROUTE PERMIT)

| ADP No. | Forum of Approval | Total Cost |
|------------|---------------------------|----------------------------------|
| 929-90393 | PDWP Dated: 25/02/2014 | Rs.83.947 Million (Approved) |
| 1291-90393 | PDWP Dated: 26/05/2017 | Rs. 139.506 Million (Revised) |

PREPARED BY
DIRECTORATE OF TRANSPORT
GOVERNMENT OF KHYBER PAKHTUNKHWA
January, 2017

ATTESTED

A

17

24

PART "A"
PROJECT DIGEST

| | |
|--|--|
| Name of the Project | Automation of Transport Department (Computerization of Route Permits) |
| Location | District Peshawar, Khyber Pakhtunkhwa |
| Authorities responsible for: | |
| (i) Sponsoring | Government of Khyber Pakhtunkhwa |
| (ii) Execution | Directorate of Transport, Govt of Khyber Pakhtunkhwa |
| (iii) Operation & Maintenance | Transport Department, Govt of Khyber Pakhtunkhwa |
| (a) Plan Provision | |
| (i) If the project is included in the medium term /current Five Year Plan, specify actual Allocation: | The project is included in the current three years plan and amount of Rs. 16.000million has been allocated in the current financial year 2016-17. |
| (ii) If not included in the current plan, what warrants its inclusion and how is it now proposed to be accommodated. | Not Applicable |
| (iii) If the project is proposed to be financed out of block provision, indicate: | Not Applicable |
| (b) Provision in Current Year ADP | Rs. 16.000Million.. |
| Introduction of the Project | The exponential growth in number of Public Service Vehicles (PSVs) plying in Khyber Pakhtunkhwa has made regulation and checking functions increasingly difficult. The system lacks the capacity and infrastructure required for checking, |


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monitoring, statistically analyzing, and taking policy and management decisions. It is an uphill task for policy makers, managers and the functional tiers to work without appropriate systems and lack of modern technologies, including most importantly computerization.

The outcome is that today PSVs are plying the roads of Khyber Pakhtunkhwa geographical areas outside their authorized or licensed domain and on routes other than those for which they are permitted, as effective monitoring, checking and regulation is incapacitated.

Without immediate and intermediate attention to some aspects of the current system, that would constitute a realistic start towards equipping basic checking and regulating functions, it would become increasingly difficult to implement more advanced systems that enable the government and policy makers to address the macro level systemic requirements of urban transport planning and improvement, inter district & inter provincial systems of passenger and goods transportation, etc.

The purpose of this document is to propose the introduction of the basic and critical element of a system, that enables a start towards cleaning up, documenting and licensing afresh, the existing population of PSVs in Khyber Pakhtunkhwa, including most importantly regulating the PSVs permitted and licensed geographical domain, route and usage. The documentation process, carried out through implementing and activating a component of a Customized Off the Shelf (COTS) software solution, would include, most importantly, issuance of a PSV Windscreen RFID sticker/tag accompanying a Permit on secured paper, both of which would need to contain secure, forgery resistant, and on-the-spot verification and features. This first step would enable improvements in the basic functions of "on-the-road" checking and regulation.

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PREAMBLE

For an understanding of the specific subject proposed through this document, i.e. Route Permits Management, general understandings of what are PSVs and what is broadly required to operate as a PSV, Public Service Vehicles (PSVs) operating on roads generally fall in to the following two categories:-

1. Vehicles Licensed to Carry Passengers (Buses, Mini Buses, Station Vans, Taxis, Rickshaws, etc.)
2. Vehicles Licensed to Carry Goods & Materials (Trucks, Trawlers, Mini Trucks, and Pickups, etc.)

For a PSV to ply on road, following requirements are necessary:

1. The vehicle must be inspected and certified to confirm that its physical specifications accord with the specifications as stated in its documents (documents of import, local manufacturer, body builder/converter workshop).
2. The vehicle must be inspected and checked technically for fitness and certified to be fit.
3. The vehicle must be registered under the Laws of the Motor Registration Authority as a commercial vehicle.

For a vehicle to continue being considered fit and worthy to ply on the roads to carry out its stated activity, it must periodically be re-inspected (to ensure that its specifications have not been altered), re-checked technically (to ensure that it is fit and safe and road worthy) and pays its road taxes to the E&TD- MRA (to be entitled the continuing use of the roads).

When the above conditions and detailed criteria are met, the owner (or fleet operator) of the vehicle can obtain a permit or license and subsequently renew it, so that the owner and PSV are legally entitled to operate in a defined geographical area

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OR on a specific route, for a specified purpose of carrying passengers or hauling goods. The Route Permit therefore constitutes on the one hand the monopoly, shared rights or permission to a vehicle and its owner to operate and on the other hand enables the system to regulate and monitor that the PSV operates in the defined space and purpose.

While the Legal and Regulatory Framework governing the above exists in the form of specific Laws and Regulations, these are not elaborated in this document, as it is not the specific subject at hand. However, suffice to mention that practical application of the overall legal and regulatory environment, in terms of regulation and enforcement, is weak owing to both systemic weaknesses and capacity constraints of the Transport Department and the functional sections/parts under it. For example the function of the Motor Vehicle Examiner (MVE) as provided for in the law or to meet modern requirements of Road and Public Safety are not practically possible, simply because the infrastructure and tools, such as vehicle inspection and fitness testing equipment, does not even exist with the MVE. Equally, for example, monitoring and regulation of vehicle body building workshops and fabricators, an activity largely carried out at the cottage industry level, is virtually non-existent and it would not be an overstatement to say that anyone can set up the business of a truck and bus body building workshop. To state that our problems are endemic and incomparable amongst any other developing country is not an exaggeration. The recent report titled "*Modernization of Trucking Industry of Pakistan*" - Engineering Development Board, Ministry of Industries and Special Initiatives (GoP) is an incisive document providing details of the serious problems, suggested solutions and policy recommendations that were approved by the Government of Pakistan.

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PROBLEMS WITH EXISTING SYSTEM

Some of the major problems and issues which the Government and specifically the Transport Department have at hand, as an outcome of trying to manage a system that is not only outdated but does not have the capacity or wherewithal to manage a large population of PSVs, are outlined as follows:

1. Vehicles of Khyber Pakhtunkhwa transgress, unchecked, the specified geographical boundaries and routes for which they are licensed and permitted;
2. Vehicles from other Provinces operate in Khyber Pakhtunkhwa, without being effectively checked, penalized and evicted. The problems are worsened by the presence of Afghanistan origin vehicles and vehicles bearing unverifiable credentials and number plates of the FATA/FANA – areas that fall outside the ambit of Khyber Pakhtunkhwa regulation and enforcement;
3. Vehicles do not obtain timely renewal of their Route Permits & Fitness Certification and are a hazard and compromise in road safety, exposing both lives and properties of passengers and the general public at large;
4. The manually managed systems do not provide policy makers and managers in the Government setup to analyze, plan and decide on the basis of statistics, road and route requirements or requirements of planned Route Permits.

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**PROPOSED SYSTEM FOR MANAGING ROUTE PERMITS
BY THE GOVT. OF KHYBER PAKHTUNKHWA**

Given the existing scenario and serious problems, the following is proposed:

1. Invoking and enforcing a requirement for all PSVs to obtain a route permit and windscreen sticker bearing Route and Route Permit holder details, enabling checking while the vehicle is on the move or in a "stop-check" process at toll and designated checkpoints.
2. Introducing Route Permit (on secured paper) and windscreen RFID sticker/tag on secured paper and sticker media, which is the state of the art invention in terms of being forgery and tamper resistant, and to enable on spot verification by policing and checking agencies, on the basis of a document and sticker that can be relied upon as authentic (not forged or tampered) document;
3. Through the process of issuance of new style route permits and stickers, creating a fresh database in a computerized Route Permits Management System, with the objective of weeding out vehicles that are operate illegally as PSVs and also ensuring that vehicles that operate outside their licensed and permitted domains are evicted and returned to their domains (Districts or Routes).

Through the new system-providing the policing and checking agencies the awareness and necessary training of the new requirements in the new style documents and windscreen stickers will be established. This should be to enable the policing and checking inspectors to carry out effective on-the-road checking, to identify vehicles not carrying a Route

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| | | Permit/Sticker, vehicles with expired Route Permits, vehicles transgressing the permitted route, geographical area and permitted usage, etc. |
| 5 | Project Objectives | <ul style="list-style-type: none"> • To introduce an effective and sustainable system, which will continue to maintain an accurate and updated database of the commercial vehicles having capabilities handling all transactions. • To equip the Policing and Checking Agencies with on-the-spot ease in verification of vehicle Route Permit & its validity. • An IT enabled system, consisting of application software, hardware, networking and communication enabling Province wide connectivity on a progressive basis, following successful implementation of the system in Peshawar District (Headquarter). • Ensuring transparency through effective stop on forgery and Issue of fake route permits. • Ensuring effective and efficient revenue receipts. |
| 6 | Description and Justification of the Project | <p>E-Government is one of the major initiatives under the present IT policy and Action Plan. To pursue this initiative, the Government of Pakistan is undertaking multifarious projects in different areas. One of the main objective of the IT Action Plan is to deliver efficient & effective public services without any delay. IT is the key technology that will be used to deliver these and more services. IT as a vehicle of automation is to be used to transform the quality of services to the public.</p> <p>SIGNIFICANCE & JUSTIFICATION OF MIS CELL</p> <ul style="list-style-type: none"> ① • Effective and sustainable system has been established which maintain an accurate and updated database of the commercial vehicles having capabilities handling all |

Not sole purpose of route permit

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transactions of:-

- Computerized Route Permit.
 - Computerized Fitness Certificates
 - Bus Stand Licenses.
 - Goods Forwarding Agency Licenses.
 - Body Building Workshop Licenses.
- A computerized generated Challan issued to the applicant through MIS cell across the province.
 - Efficient revenue collection & tracking system, including effective penalizing for the defaulters.
 - Revenue has been increased multiple times through computerized system from Rs.120 Million upto Rs.550 Million per annum and next year target is Rs.750 Million.
 - After computerization, an amount of Rs.1000 million has been generated through MIS cell for the Government.
 - MIS Cell is a central repository of the Transport Department in Khyber Pakhtunkhwa, Government may use the data for the purpose of analysis of vehicles and decision-making.
 - A security featured paper has been introduced for the route permit to eliminate the fake route permits.
 - Establishment of Transport Inspection Stations is in process in all districts of Khyber Pakhtunkhwa, which will be connected online through MIS Cell for issuance of vehicle fitness, overloading fee & fines, etc.
 - On spot verification of vehicles on roads through RFID/UHF stickers will be issued by the MIS Cell for vehicles carrying the required information & fee details for on spot verification of vehicles on roads.
 - CPEC is the future of our economy boost in KPK.
 - MIS cell has the important role in China-Pakistan-

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Economic-Corridor (CPEC) route in KPK for issuance of computerized vehicle route permit, vehicle fitness, taxes & fines on overloading, trucking terminals, bus stands, goods forwarding agency license, etc.

- Millions of vehicles will utilize the CPEC route in KPK and MIS cell will generate billions of rupees for the Government exchequer.

Features of MIS

The TDAS business involves eight major entities integrating with each other and sharing information. These eight entities are:

1. Route Classification
2. Issuance and Management of Route Permits
3. Motor Vehicle Fitness Certification
4. Issuance and Management of Body Building Workshop Licenses
5. Issuance and Management of Goods Forwarding Agency Licenses
6. Issuance and Management of Bus Stand Licenses
7. Hearing of the cases submitted to PTA & RTA.
8. Prosecution cases and Compensation Tribunal

The working business model and functions automated for these entities are as under:-

1. Route Classification

Route Classification is being done by PTA/RTA and Traffic Police, on the basis of survey report & remarks.

Following functions are covered in Route Classification Section:

- Definition of new route with starting and ending stops/cities.
- Definition of distance and fare between one stop to another.
- Under the computerized setup, the automatic routes classification will be possible through sharing of road data from FHA and NHA.

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2. Issuance and Management of Route Permits

In this section Route Permits are Issued against filed application to the applicant. Approving authority takes the decision for issuing the Route Permit or rejecting the application. Prints of all type of route permits issued by the duty clerk.

Following are the main functions of Route Permit Issuance Section:

- Issuance of Inter City and Local Route Permits
- Flow of new route permit Issuance
- Verification of Token Tax Status from Excise Database
- Flow of renewal of route permit
- Suspension of route permit
- Re-activation of suspended route permits
- Cancellation of route permit
- Replacement of NOC
- Document Scanning
- Application Status Inquiry
- Replacement of Route Permits
- Configuration of permit fees

3. Motor Vehicle Fitness Certificate

In this section applicant submits the application for acquiring the Vehicle Fitness Certificate. After proper validation of application, MVE examine the Vehicle and submits the report along with his remarks.

Following functions of Fitness Certification Section are covered in TDAS:-

- Flow of Fitness Certificate Issuance
- Flow of Fitness Certificate Renewal
- Suspension of Fitness Certificate
- Re-Activation of suspended Fitness Certificates
- Cancellation of Fitness Certificate
- Document Scanning
- Application Status Inquiry

4. Issuance and Management of Body Building Workshop Licenses

In the Body Building Workshops License section, applicant applies for acquiring the license. After validation of application, relevant inspector inspects the location and submits his report along with his remarks. Competent

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Authority decides to issues the certificate on the basis of Inspection report.

Following are major Body Building Workshop Section functions:

- Flow of Issuance of Body Building Workshop License
- Flow of Renewal of Body Building Workshop License
- Suspension of Body Building Workshop License
- Re-Activation of Body Building Workshop License
- Cancellation of Body Building Workshop License
- Document Scanning
- Application Status Inquiry

5. Issuance and Management of Goods Forwarding Agency Licenses

In the Goods Forwarding Agency Licenses section applicant applies for acquiring the license. After proper validation of application, relevant inspector inspects the spot and submits his report along with his remarks. Competent Authority decides to issues the certificate on the basis of inspection report.

Following are major Goods Forwarding Agency Section functions:

- Flow of Issuance of Goods Forwarding Agency License
- Flow of Renewal of Goods Forwarding Agency License
- Suspension of Goods Forwarding Agency License
- Re-Activation of Goods Forwarding Agency License
- Cancellation of Goods Forwarding Agency License
- Document Scanning
- Application Status Inquiry

6. Issuance and Management of Bus Stand Licenses

In the Bus Stands Licenses section applicant applies for acquiring the license. After proper validation of application, relevant inspector inspects the spot and submits his report along with his remarks. Competent Authority decides to issue the certificate on the basis of Inspection report.

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Following are major Bus Stand Section functions:

- Flow of Issuance of Bus Stand License
- Flow of Renewal of Bus Stand License
- Suspension of Bus Stand License
- Re-Activation of Bus Stand License
- Cancellation of Bus Stand License
- Document Scanning
- Application Status Inquiry

7. Hearing of the cases submitted to RTA

In this section Defendant submits the application for Prosecution of Case. The case is placed before the Regional Transport Authority for hearing.

Following are major functions covered for Hearing of Prosecution Cases:

- Process flow of submission of new application
- Record of case hearing
- Document Scanning
- Application Status Inquiry

8. Compensation Tribunal

In Compensation Tribunal Claimant submit his application for claim of Loss to the PT/RTA. Notices are issued to the for Accused and Defendants for hearing. On particular date both parties attend the Tribunal for decision. If accused party is found guilty then it pays the compensation to the defendant. Besides this, all the Tribunal and Compensation Information is to be noted.

Following are major functions covered for Compensation Tribunal:

- Process flow of submission of new application
- Record proceedings of Tribunal
- Document Scanning
- Application Status Inquiry

| | | | |
|--|--------------------|---------------------------|----------------------------------|
| Capital Cost Estimates | ADP No. | Forum of Approval | Total Cost |
| | 857-90393 | PDWP Dated: 25/02/2014 | Rs. 83.947 Million (Approved) |
| | 1278-90393 | PDWP Dated: 26/05/2017 | Rs. 139.506 Million (Revised) |
| (See Annexure-I): | | | |
| Annual Operating Expense after completion of the project | Rs. 24.000 Million | | |

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| Financial Plan and mode of Financing | February, 2010–June ,2016 | Feb-2010 - June, 2018 |
| | Rs.84.344Million (Expenditures) | Rs. 139.506 Million (Revised Expenditures) |
| | Provincial Government @ 100% Financial phasing of the project may be seen at (Annexure-X) | |
| Project Benefits and Analysis | <p>Project Benefits</p> <p>Creation of a database of PSVs through a process of clean up - akin to a re-registration - would apart from providing the transport department with the first elements of a system that enables physical checking, monitoring and regulation, would provide the department a sound foundation for progressively implementing a complete system. The long term requirements achievement through a clear approach and plan would with the objectives of positioning the transport department as an important stakeholder for managing urban passenger transport and carriage of goods in an environment that has increasingly more demands of citizen facilitation, enhancing and facilitating regional trade and transport, would become easy and possible.</p> <p>The wider computerization should enable the Transport Department to address the following specific future requirements also:</p> <ol style="list-style-type: none"> a. For urban transport systems and specifically PSVs licensing, data that enables analysis followed by response to address paucity or excess of licensed PSVs plying on metropolitan, urban and rural routes, through a reallocation approach; where necessary and inducting additional PSV fleet operators. b. Route allocation and protection to enable private | |

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operators making the investment of an assured return.

- c. Improving convenience and safety of passengers and the general public by ensuring that a balance between demand and supply is arrived at, through the right number and mix of licensed PSVs enroute, avoiding overloading, adherence to time tables and preventing over speeding of competing PSV operators.
- d. Introducing the concept of master (unique number) registration of a PSV owner/fleet operator, that in conjunction with performance of individual vehicles operated by the operator, enables renewal of the master registration, based on data that the TLB system can obtain and integrate with its own systems. This would include data such as accident reports, vehicle fitness certification history from the MVE system, penalty ticketing record of the Traffic Police, and legal dispensation of the courts and insurance claims history from the insurance companies.
- e. Similar to urban transport, having improved data in respect of planning and management of inter city transport systems, tour operator licenses, goods vehicles, etc.

Financial Analysis

Quantifiable Output of the project

Employment Analysis

- Employment Generation (Direct)

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Existing Staff

MIS Manager 1
 Database Administrator 1
 Network Administrator 1
 Assistant Network Administrator 1
 Account Assistant 1
 Computer Operator 11
 Driver 1
 NaibQasid 1
 Sweeper 1

Risk Analysis

| S No | Risk | Viability |
|------|--|--|
| 1 | There is a risk of not proper utilization of software after development | To minimize the risk operating system and user level training would be provided to the project staff as well as staff already working in the Transport department. |
| 2 | There is a risk of delay in implementation of the project due to codal formalities. | Direct liaison should be maintained between Transport department, project staff and staff of Directorate of IT |
| 3 | There is risk of the following: 1. Vehicles of Khyber Pakhtunkhwa Transgress, unchecked, the specified geographical boundaries and routes for which they are not licensed and permitted. 2. Vehicles from other Provinces operate in Khyber Pakhtunkhwa, without being effectively checked, penalized and evicted. The problems are worsened by the presence of Afghanistan origin vehicles and vehicles bearing unverifiable credentials and number the plates of the FATA/FANA - | Implementation of the new system and Issuance of a PSV RFID Windscreen Sticker/tags, accompanying a Permit on secured paper, with forgery resistant and on-the-spot verification features. This first step would enable improvements in the basic functions of "on-the-road" checking and regulation. With the introduction of this system all issues would be resolved relating to transgress, other provinces vehicles operating in Khyber Pakhtunkhwa. The renewal of route permits, fitness certification and statistics on road & route |

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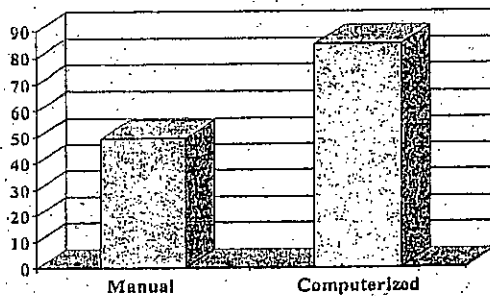
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| | <p>areas that fall outside the ambit of regulation and enforcement Khyber Pakhtunkhwa.</p> <p>3. Vehicles do not obtain timely renewal of their Route Permits & Fitness Certification and are a hazard and compromise in road safety, exposing both lives and properties of passengers and the general public at large.</p> <p>4. The manually managed systems do not provide policy makers and managers in the Government to analyze, plan and take decisions based on statistics, the requirements of road and route.</p> | <p>requirements would be available on a single click for better planning & decision making by the Transport department.</p> |
| 11 | <p>Implementation Schedule</p> <p>And</p> <p>Implementation Arrangements</p> | <p>(i) Date of Start: February, 2010</p> <p>(ii) Date of Completion: June, 2018</p> <p>The project will be executed/implemented, by the Directorate of Transport. For the implementation purpose, project management team under supervision of MIS Manager of ATD-CRP will report to the Director Transport and housed in the Directorate of Transport, Khyber Pakhtunkhwa, Peshawar. The project team will be responsible for procurement (fulfilling all codal formalities as per prescribed procurement rules of Government of Khyber Pakhtunkhwa) and deployment of hardware and monitoring/supervising of software installed up-gradation/modification, and its successful operation and other allied activities.</p> |
| 12 | <p>Impact of Computerization Of Route Permits</p> | <p>The computerized route permit was inaugurated on 5th January, 2012. The system was successfully implemented for issuance of route permits of Provincial Transport Authority, Khyber Pakhtunkhwa and Regional Transport Authority, Peshawar Division.</p> <p>The impact of computerized system in quantitative/qualitative forms is as follows:-</p> <p>1) <u>Increase in Revenue Receipt</u></p> <p>After issuance of computerized route permits, the revenue receipt has been increased 100% and the actual amount</p> |

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pertaining to the route permits is being deposited in the bank.

Comparison of Manual & Computerization System (Average Per Year in Millions)



2) Removal of Fake Route Permits

The issuance of computerized route permits on forgery resistant secure paper have made the process transparent and secure, the issuance of fake route permits are eliminated due to security featured paper for route permits. The fake route permit was possible only in the manual system. The computerized route permits made easy for on road checking to identify fake route permits.

3) Facilitate General Public through One Window Operation

'One window operation' has facilitated the general public thus maximized transparency, the process clarifies the applicant entry on computer system at real time and issuance of Challanis system generated. The route permit is issued on the same day after fulfillment of all codal formalities which was not exercised before.

4) Data availability on a single click.

The Project has been successfully implemented at Peshawar Division, the computerization process are more secure and transparent thus eradicate misappropriation on revenue receipt and serve as information base for easy and timely access to the decision support information. Data of all the route permits pertaining to any vehicle is available on a single click. Vehicle tracking is very easy incase of any violation, the record can be easily traced through the database.

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|---------------------------------|---|--|-------------|---|------------------------|---|-----------------------|---|---------------------------------|---|-------------------|---|-------------------|----|--------|---|------------|---|---------|---|
| | | <p>5) <u>Improve Management and Planning</u></p> <p>The system has provided deep impact on the management and planning of the department, such as route classification which was a severe problem for PTA & RTA in the manual system, In the computerized system, the vehicle routes have been updated in the database and route permit is only issued for classified route.</p> | | | | | | | | | | | | | | | | | | |
| 13 | Management Structure and manpower requirements | <p>For the management of the project, the services of the following staff resources would be hired:</p> <p><u>Existing Staff</u></p> <table> <tr> <td>MIS Manager</td> <td>1</td> </tr> <tr> <td>Database Administrator</td> <td>1</td> </tr> <tr> <td>Network Administrator</td> <td>1</td> </tr> <tr> <td>Assistant Network Administrator</td> <td>1</td> </tr> <tr> <td>Account Assistant</td> <td>1</td> </tr> <tr> <td>Computer Operator</td> <td>11</td> </tr> <tr> <td>Driver</td> <td>1</td> </tr> <tr> <td>Naib Qasid</td> <td>1</td> </tr> <tr> <td>Sweeper</td> <td>1</td> </tr> </table> | MIS Manager | 1 | Database Administrator | 1 | Network Administrator | 1 | Assistant Network Administrator | 1 | Account Assistant | 1 | Computer Operator | 11 | Driver | 1 | Naib Qasid | 1 | Sweeper | 1 |
| MIS Manager | 1 | | | | | | | | | | | | | | | | | | | |
| Database Administrator | 1 | | | | | | | | | | | | | | | | | | | |
| Network Administrator | 1 | | | | | | | | | | | | | | | | | | | |
| Assistant Network Administrator | 1 | | | | | | | | | | | | | | | | | | | |
| Account Assistant | 1 | | | | | | | | | | | | | | | | | | | |
| Computer Operator | 11 | | | | | | | | | | | | | | | | | | | |
| Driver | 1 | | | | | | | | | | | | | | | | | | | |
| Naib Qasid | 1 | | | | | | | | | | | | | | | | | | | |
| Sweeper | 1 | | | | | | | | | | | | | | | | | | | |
| 14 | Additional projects/decisions required to maximize socio-economic benefits from the proposed project | Not Applicable | | | | | | | | | | | | | | | | | | |
| 15 | Justification of Revised PC-I for necessary Hardware & other items required for the remaining 6 divisions as per the scope of project | <p><u>Executive Summary</u></p> <p>The exponential growth in number of Public Service Vehicles (PSVs) plying in Khyber Pakhtunkhwa has made regulation and checking functions increasingly difficult. The system lacks the capacity and infrastructure required for checking, monitoring, statistically analyzing, and taking policy and management decisions. It is an uphill task for policy makers, managers and the functional tiers that check and regulate to work without appropriate systems and lack of modern technologies, including most importantly computerization.</p> <p>The outcome is that today PSVs are plying the roads of Khyber Pakhtunkhwa in geographical areas outside their authorized or licensed domain and on routes other than those for which they are permitted, as effective monitoring, checking and regulation is incapacitated.</p> <p>Without immediate and intermediate attention to some aspects of the current system, that would constitute a realistic start towards equipping basic checking and regulating functions, it would become increasingly difficult to implement more advance systems that enable the government and policy makers to address the macro level systemic requirements of</p> | | | | | | | | | | | | | | | | | | |

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urban transport planning and improvement, inter provincial systems and good transportation, etc.

As per scope of the project, the existing was designed for all divisions of Khyber Pakhtunkhwa and initially it was started in Peshawar Division, the computerized system was deployed in Provincial Transport Authority, Khyber Pakhtunkhwa and Regional Transport Authority, Peshawar.

The existing system was designed as central repository of all kind of permits, etc connecting with PTA and all RTAs in Khyber Pakhtunkhwa at a central location in MIS Cell, District Peshawar. The system has been successfully implemented in PTA and RTA Peshawar division.

The computer hardware and other equipment are incorporated in the revised PC-I as per scope of project for remaining 06 RTAs, the system will be deployed in the remaining RTAs after provision of necessary hardware/equipment.

RFId Technology

RFId is an abbreviation from Radio Frequency Identification. RFId is automatic identification which enables data transfer between a tag and a reader without eye sight. Each tag is unique with their identifying number and they are re-writable. A tag can be encoded to include information about the product, manufacturing process, time etc. RFId technology has been used with success for more than 10 years now. Most commonly it serves as a payment card for public transportation or electronic immobilizer in vehicles.

RFId technology can be divided into two parts depending on the voltage the tag requires. If the tag is equipped with a battery it is called an active tag. In other cases the required voltage is transferred to the tag from the reader and thus the tag is called passive.

Active tags are significantly more expensive than passive tags and they are generally used for transportation of valuables and identification of vehicles and containers. Positive side of active tags is a long reading and writing distance (typically 10 meters).

Passive tags are divided into two groups based on voltage and data feeding technique. Low and High Frequency tags exploit electromagnetic induction. UHF, VHF and SHF frequency tags use backscattering of the electromagnetic field to transfer data and required voltage.

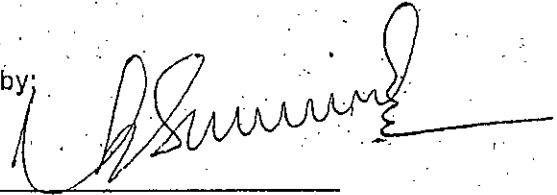
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Certificate

Prepared by:




Mr. Muhammad Imran
Manager MIS
Directorate of Transport
Phone: 091-9210775

Checked by:




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Business Development Officer
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Phone: 091-9214185

Approved by:



Mr. Dawood Khan
Secretary to Govt. of Khyber Pakhtunkhwa,
Transport Department
Phone: 091-9212557

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Annexure

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| Total Cost of the Project | | | | |
|---------------------------|---|-------------------------------|------------------------------|------------|
| S. No | Description | Approved Cost (in million) | Revised Cost (in million) | Difference |
| 1 | Application Software for Commercial Vehicle Route Permit Management system (Annex-II) | 9.700 | 9.700 | 0.000 |
| 2 | Hardware, Network, Bandwidth, Licenses (Annex-III) | 11.690 | 12.150 | 0.460 |
| 3 | Staff Salaries (Annex-IV) | 22.187 | 37.596 | 15.409 |
| 4 | Purchase of Vehicle (Annex-V) | 1.000 | 1.000 | 0.000 |
| 5 | POL & Maintenance of Vehicle (Annex-VI) | 1.400 | 2.450 | 1.050 |
| 6 | Furniture/fixture/renovation (Annex-VII) | 2.000 | 2.000 | 0.000 |
| 7 | Operational Expenses (Utility Bills, Advertisement, Travel etc. (Annex-VIII) | 9.970 | 16.010 | 6.040 |
| 8 | Special Stationary/Security featured Paper for Route Permit (Annex-IX) | 26.000 | 58.600 | 32.600 |
| Grand Total | | 83.947 | 139.506 | 55.559 |

ANNEXURE-I

| Application Software for Commercial Vehicle Route Management System (Approved) | | | | Revised |
|--|---|-----|-------------|-------------|
| S.No | Description | Qty | Cost in Rs. | Cost in Rs. |
| 1 | Application Software for Commercial Vehicle Route Management system, Implementation (formal Training, Implementation, on the job training/Maint). | 1 | 9,700,000 | 9,700,000 |
| Total Cost | | | 9,700,000 | 9,700,000 |

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Annexure-III

| Hardware, Network, Software Licenses (Approved) | | | | | Hardware, Network, Software Licenses (Revised) | | | |
|---|--|-----|------------|-------------|--|------------|-------------|------------|
| S.No | Item/Description | Qty | Unit Price | Total Price | Qty | Unit Price | Total Price | Difference |
| 1 | Desktop Computers (for all divisions) | 13 | 60,000 | 780,000 | 13 | 60,000 | 780,000 | 0 |
| | | 12 | 70,000 | 840,000 | 12 | 70,000 | 840,000 | 0 |
| 2 | Server Machines | 2 | 500,000 | 1,000,000 | 0 | 500,000 | 1,000,000 | 0 |
| 3 | Scanners | 8 | 35,000 | 280,000 | 0 | 35000 | 280000 | 0 |
| 4 | UPS (3 KVA) | 2 | 125,000 | 250,000 | 2 | 125000 | 250000 | 0 |
| 5 | Network Printers (heavy duty) | 1 | 140,000 | 140,000 | 1 | 140000 | 140000 | 0 |
| 6 | HP lasejet Printer | 7 | 100,000 | 700,000 | 7 | 100,000 | 700,000 | 0 |
| 7 | Copier | 1 | 140,000 | 140,000 | 1 | 140,000 | 140,000 | 0 |
| 8 | Anti-virus Software Licenses (30 client and 1-4 server licenses) | 50 | | 200,000 | 50 | 200,000 | 200,000 | 0 |
| 9 | DB Server License SE with Support/other software licenses | | 1100000 | 1,100,000 | | 1,100,000 | 1,100,000 | 0 |
| 10 | Forms & Reports License with Support and support/maintenance of application software | | 2150000 | 2,150,000 | 0 | 2,150,000 | 2,150,000 | 0 |
| 11 | Network for MIS Cell for 18 user having 25 Nodes, Branded Router for VPN/Remote Connectivity | - | 450000 | 450,000 | | 650,000 | 650,000 | 200,000 |

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| | | | | | | | | |
|------------|--|----|-----------|------------|----|-----------|------------|---------|
| 12 | Printer Accessories, Disk Storage, Tape Drive, Tape cartridge, DVD Writer, DVDs etc., Others | | 300,000 | 300,000 | 1 | 500,000 | 500,000 | 200,000 |
| 13 | Special Printers for printing of RFID Stickers & allied accessories | 1 | 500,000 | 500,000 | 1 | 500,000 | 500,000 | 0 |
| 14 | Reader for RFID Tags/stickers | 1 | 400,000 | 400,000 | 1 | 400,000 | 400,000 | 0 |
| 15 | LCD displays and token machine for one window operations counters | 1 | 400,000 | 400,000 | 1 | 400,000 | 400,000 | 0 |
| 16 | Digital Camera (integration with SDK) alongwith stand & accessories | 1 | 50,000 | 50,000 | 1 | 50,000 | 50,000 | 0 |
| 17 | Notebook | 1 | 100,000 | 100,000 | 1 | 100,000 | 100,000 | 0 |
| 18 | UPS 650 VA | 25 | 10,000 | 250,000 | 25 | 10,000 | 250,000 | 0 |
| 19 | Hardware Firewall | 1 | 400,000 | 400,000 | 1 | 400,000 | 400,000 | 0 |
| 20 | Water dispenser for MIS Cell | 2 | 15,000 | 30,000 | 2 | 15,000 | 30,000 | 0 |
| 21 | Split air conditioner for MIS Cell | 3 | 60,000 | 180,000 | 3 | 60,000 | 180,000 | 0 |
| | | | | | | 60,000 | 60,000 | 60,000 |
| 22 | Generator (Auto power off system)Peshawar | 1 | 1,000,000 | 1,000,000 | 1 | 1,000,000 | 1,000,000 | 0 |
| 23 | Fax Machine | 1 | 50,000 | 50,000 | 1 | 50,000 | 50,000 | 0 |
| Total Cost | | | | 11,690,000 | | | 12,150,000 | 460,000 |

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MIS/2011

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| Staff Salaries (Approved) | | | | | | |
|---------------------------------|---|-------------|--------------|--------|---------------|-------------------|
| S.No | Designation | No. of Post | Salary/month | Months | Cost per Year | Total Cost |
| 1 | MIS Manager/Deputy Director MIS (BS-18) | 1 | 95,000 | 24 | 1,140,000 | 2,280,000 |
| 2 | Database Administrator (BS-17) | 1 | 80,000 | 24 | 960,000 | 1,920,000 |
| 3 | Network Administrator (BS-17) | 1 | 80,000 | 24 | 960,000 | 1,920,000 |
| 4 | Accounts Assistant (BS-14) | 1 | 27,563 | 24 | 330,756 | 661,512 |
| 5 | Computer Operator (BS-12) | 7 | 27,563 | 24 | 2,315,292 | 4,630,584 |
| 6 | Computer Operator (BS-12) | 4 | 27,964 | 24 | 1,342,272 | 2,684,544 |
| 7 | Assistant Network Administrator (BS-16) | 1 | 45,000 | 24 | 540,000 | 1,080,000 |
| 8 | Driver (BS-04) | 1 | 15,000 | 24 | 180,000 | 360,000 |
| 9 | Naib Qasid (BS-04) | 1 | 16,538 | 24 | 198,456 | 396,912 |
| 10 | Sweeper (BS-04) | 1 | 15,000 | 24 | 180,000 | 360,000 |
| 11 | Staff salaries drawn till June, 2016 | | | | | 20,802,916 |
| Total | | | | | | 37,096,468 |
| 5% increment | | | | | | 500,000 |
| Grand Total (in Rs.) | | | | | | 37,596,468 |
| Grand Total (in million) | | | | | | 37.596 |

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Annexure-V

| Purchase of Vehicle (Approved) | | | | |
|--------------------------------|------------------|-----|-----------------|------------|
| S.No | Item/Description | Qty | Cost of Vehicle | Total Cost |
| 1 | Vehicle | 1 | 1,000,000 | 1,000,000 |
| Total Cost | | | | 1,000,000 |

Annexure-VI

| POL & Maintenance (Approved) | | | | POL & Maintenance (Revised) |
|------------------------------|------------------|-----|------------|-----------------------------|
| S.No | Item/Description | Qty | Total Cost | Total Cost |
| 1 | POL/CNG | - | 1,000,000 | 1,800,000 |
| 2 | Maintenance | - | 400,000 | 650,000 |
| Total Cost | | | 1,400,000 | 2,450,000 |


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Annexure-VII

| Furniture/Fixture/Renovation of MIS Cell (Approved) | | | | Furniture/Fixture/Renovation of MIS Cell & 6 Divisional Offices (Revised) |
|---|---|-----|------------|---|
| S.No | Item/Description | Qty | Total Cost | Total Cost |
| 1 | Furnishing/Renovation/Fixture/Furniture of MIS Cell & 6 divisional offices | - | 1,500,000 | 1,500,000 |
| 2 | Renovation for Client sitting area with 20 chairs and 2 center Tables of MIS Cell | - | 300,000 | 300,000 |
| 3 | Racks for servers and switches | - | 200,000 | 200,000 |
| Total Cost. | | | 2,000,000 | 2,000,000 |

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Annexure-VIII

| Operational Expenses (Approved) | | | | | | Operational Expenses (Revised) | | | | |
|---------------------------------|--|-----|----------------|---------------|------------|--------------------------------|----------------|---------------|------------|------------|
| S.No | Item/Description | Qty | Cost per month | Cost per year | Total Cost | Qty | Cost per month | Cost per year | Total Cost | Difference |
| 1 | DSL Internet for MIS Cell Peshawar | 1 | 10000 | 120,000 | 700,000 | 1 | 12000 | 144,000 | 1,116,000 | 416,000 |
| 2 | DSL Internet (for 6 divisions) | 6 | 2500 | 180,000 | 400,000 | 6 | 3000 | 216,000 | 974,000 | 574,000 |
| 3 | Advertisement/promotional campaigns | | | 100,000 | 600,000 | | | | 900,000 | 300,000 |
| 4 | TA/DA | | | | 500,000 | | | | 1,100,000 | 600,000 |
| 5 | Utility Bills (electricity, gas, rent, telephone etc.) | | | 800,000 | 3,000,000 | | | | 5,800,000 | 2,800,000 |
| 6 | Stationary | | | | 1,200,000 | | | | 2,200,000 | 1,000,000 |
| 7 | POL for Generator | | | 150,000 | 450,000 | | | | 750,000 | 300,000 |
| 8 | Electrification | | | | 200,000 | | | | 250,000 | 50,000 |
| 9 | Telephone exchange system | | | | 100,000 | | | | 100,000 | 0 |
| 10 | PMP/SAP training of project staff | | | | 300,000 | | | | 300,000 | 0 |
| 11 | Charges for VPN connectivity of Internet | | | | 300,000 | | | | 300,000 | 0 |
| 12 | Purchase of suzuki swift car | | | | 1,520,000 | | | | 1,520,000 | 0 |

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| | | | | | | | | | | |
|----|------------------------|--|--|--|--|-----------|--|--|------------|-----------|
| 13 | CNG Kit + Registration | | | | | 100,000 | | | 100,000 | 0 |
| 14 | POL charges | | | | | 600,000 | | | 600,000 | 0 |
| | Total Cost | | | | | 9,970,000 | | | 16,010,000 | 6,040,000 |

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Annexure-IX

| Special Stationary/Computerized Paper for Route Permits (Approved) | | | | | Special Stationary for Route Permits (Revised) | | |
|--|--|-----|-----------|-------------------|--|-------------------|-------------------|
| S.No | Item/Description | Qty | Unit Cost | Total Cost | Unit Cost Per Division | Total Cost | Difference |
| 1 | Special Stationary /Paper for printing of route permit for District Peshawar | - | 5,000,000 | 5,000,000 | | 19,000,000 | 14,000,000 |
| 2 | Special Stationary /Paper for printing of route permit for 6 divisional | 6 | | 16,400,000 | | 34,400,000 | 18,000,000 |
| 3 | RFID Stickers/tags for Route Permit | | | 4,000,000 | | 4,000,000 | 0 |
| 4 | Printer Cartridges/tonners | | | 400,000 | | 1,000,000 | 600,000 |
| 5 | Maintenance & Repair, other hardware/components needed, licenses, misc, medical, etc.) | | 200,000 | 200,000 | | 200,000 | 0 |
| Total Cost | | | | 26,000,000 | | 58,600,000 | 32,600,000 |

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Annual Phasing of the Project

| S.NO | Item | 2009-10 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 | 2016-2017 | 2017-2018 |
|---|--|----------------|------------------|-------------------|------------------|-------------------|------------------|-------------------|-------------------|-------------------|
| 1 | Application Software | 0 | 0 | 7,732,520 | 1,911,100 | 0 | 0 | 0 | 56,380 | 0 |
| 2 | Hardware, software, Network, Licenses | 0 | 4,046,500 | 2,200,000 | 40,000 | 4,388,000 | 865,500 | 150,000 | 300,000 | 160,000 |
| 3 | Staff Salaries | 0 | 469,811 | 2,419,318 | 2,533,500 | 3,084,624 | 4,856,287 | 7,439,379 | 8,146,773 | 8,646,776 |
| 4 | Transport | 873,000 | 0 | 50,000 | 0 | 0 | 0 | 0 | 77,000 | |
| 5 | POL of Vehicle | 0 | 73,000 | 150,000 | 160,000 | 207,000 | 210,000 | 400,000 | 400,000 | 200,000 |
| 6 | Repair & Maintenance of Vehicle | | 18,000 | 50,000 | 40,000 | 38,930 | 100,000 | 100,000 | 203,070 | 100,000 |
| 7 | Furniture/ fixture/ renovation of MIS Cell | 0 | 1,100,000 | 600,000 | 40,000 | 0 | 100,000 | 100,000 | 60,000 | 0 |
| 8 | Operational expenses | 39,000 | 179,600 | 1,680,000 | 1,100,000 | 3,508,656 | 2,056,300 | 3,424,500 | 2,011,944 | 2,010,000 |
| 9 | Special Stationary for Route Permit | | | 2,770,000 | 100,000 | 22,839,891 | 0 | 100,000 | 32,490,109 | 300,000 |
| Total (in rupees) | | 912,000 | 5,886,911 | 17,651,838 | 5,924,600 | 34,067,101 | 8,188,087 | 11,713,879 | 43,745,276 | 11,416,776 |
| Total (in million) | | 0.912 | 5.887 | 17.652 | 5.925 | 34.067 | 8.188 | 11.713 | 43.745 | 11.417 |
| Total Estimated Cost of the Project:- Rs.139.506 Million | | | | | | | | | | |

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AAAJ, The Largest Circulated Publication of the Province

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Area B
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JOB OPPORTUNITY

Applications are invited for the following posts from Khyber Pakhtunkhwa/FATA domiciled candidates on contract basis for the project period, in the project "Automation of Transport Department (Computerization of Route permits)", of Transport Department Government of Khyber Pakhtunkhwa.

| S.No. | Post | No. of Posts | Salary | Qualification and Experience |
|-------|------------------------|--------------|------------|--|
| 1 | MIS Manager | 01 | 50,000/P.M | 4 years BCS/M.Sc. Computer Science/MCS/MIT from recognized university with at least 5 years experience in IT Field; preference will be given to the candidates having on hand experience in Project Management and Monitoring. Age: 25 to 40 years. |
| 2 | Database Administrator | 01 | 45,000/P.M | 4 years BCS/M.Sc. Computer Science/MCS/MIT from recognized university with minimum 3 years relevant experience. Age: 25 to 35 years. |
| 3 | Network Engineer | 01 | 45,000/P.M | 4 years BCS/M.Sc. Computer Science/MCS/MIT from recognized university with 3 years experience of design, installation and maintenance of LAN/WAN. Age: 25 to 35 years. |
| 4 | Accounts Assistant | 01 | 15,000/P.M | Bachelor degree from recognized university with minimum 2 years of relevant experience. Age: 18 to 35 years. |
| 5 | Computer Operator | 07 | 15,000/P.M | F.A/ F.Sc with one year of relevant experience. Typing speed as per rules of government of Khyber Pakhtunkhwa. Age: 18 to 35 years. |
| 6 | Driver | 01 | 7000/P.M | Literate, LTV/HTV license holder with minimum one year experience of driving. Age: 21 to 35 years (Male). |
| 7 | Naib Qasid | 01 | 7000/P.M | Literate with 1 year of relevant experience. Age: 21 to 35 years (Male). |

GENERAL TERMS:

- Selection will be purely on merit.
- Incomplete or application without supporting documents shall be rejected.
- Only short-listed candidates will be called for test/interview.
- No TA/DA shall be paid.
- Application along with CV and attested copies of CNIC, two photographs, testimonials should reach the office of undersigned within 15 days of publication of the advertisement.
- Government servants shall apply through proper channel.
- The S.No. and posts for which candidate applying must be mentioned on the left corner of the envelop.
- The competent authority reserves the right to review/impepe the recruitment for any of the above mentioned post at any time.

INEP/2009

Business Development Unit
Transport Department Room No: 117, Ground Floor
Benevolent Fund Building Saddar Road, Peshawar

~~APPROVED~~

[Signature]

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**GOVERNMENT OF
KHYBER PAKHTUNKHWA
TRANSPORT DEPARTMENT**

Dated Peshawar the 13/01/2011

ORDER

No 1-8/2010/4457-65 Consequent upon recommendation of the Selection Committee, Mr. Muhammad Imran s/o Hafiz Abdul Razaq resident of House # 699, street # 32, sector D-4, Phase I Hayat Abad Peshawar has been selected as MIS Manager with a lump sum pay package of Rs.50000/- Per month with 5 % annual increment upto the maximum, on contract basis in the Project titled "Automation of Transport Department (Computerization of Route Permits)" in Transport Department Khyber Pakhtunkhwa on the following terms and conditions.

1. The period of his contract will be up to 30-06-2011. The period is renewable thereafter.
2. His services would be liable to termination on 15 days notice if not required or found unsatisfactory.
3. In case he wishes to resign at any time, one month notice will be necessary or in lieu thereof one month pay shall be forfeited/paid by him to Government.
4. He will have to produce a medical certificate of fitness from the Medical Superintendent/Civil Surgeon, Police & Services Hospital, Peshawar.
5. His appointment to above post will not confer on him any right of regular appointment/absorption against any other post and nor his service will count towards seniority/promotion/pension etc.
6. He has to join the duty at his own expense.
7. He will execute a contract agreement with Transport Department, Government of Khyber Pakhtunkhwa, on prescribed form before joining the post.
8. If he accepts the post on above terms & conditions he will report for duty in the Transport Department Khyber Pakhtunkhwa, within thirty (30) days after issuance of this offer otherwise the offer will automatically be cancelled.
9. He will be governed as per provisions contained in the Contract Agreement signed by him.

Sd/-
Secretary Transport
Government of Khyber Pakhtunkhwa

Endst. No. & Date Even

Dated Peshawar the 13/01/2011

Copy is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. PS to Additional Chief Secretary, Planning & Development Department.
3. PS to Secretary, Planning & Development Department.
4. PS to Secretary Establishment, Govt. of Khyber Pakhtunkhwa.
5. PS to Secretary Transport, Govt. of Khyber Pakhtunkhwa.
6. PS to Secretary Finance, Govt. of Khyber Pakhtunkhwa.
7. PA to Director Transport, Govt. of Khyber Pakhtunkhwa.
8. Mr. Muhammad Imran s/o Hafiz Abdul Razaq resident of House # 699, street # 32, sector D-4, Phase I Hayat Abad Peshawar.

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[Signature]
Section Officer (Coordination)

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| S.NO | Name | Designation | Appointment Date | Domicile |
|------|----------------------|---------------------------------|------------------|-----------|
| 01 | Muhammad Imran | Deputy Director (I.T) | 13-01-2011 | Bannu |
| 02 | Khawar Abbas | Data Base Administrator | 13-01-2011 | Peshawar |
| 03 | Saddam Umair Sami | Network Administrator | 22-09-2011 | Peshawar |
| 04 | Mian Muhammad Zubair | Assistant Network Administrator | 02-07-2012 | Nowshetra |
| 05 | Bashir Ahmad | Computer Operator | 01-07-2011 | Bannu |
| 06 | Mian Irfan Uddin | Computer Operator | 01-07-2011 | Nowshetra |
| 07 | Farhan Nisar | Computer Operator | 02-01-2012 | Peshawar |
| 08 | Faridullah Khan | Computer Operator | 03-01-2012 | Bannu |
| 09 | Baber Fasih | Computer Operator | 07-04-2014 | Mardan |
| 10 | Faizan Ahmad | Computer Operator | 09-06-2014 | Peshawar |
| 11 | Abdul Sattar | Computer Operator | 01-07-2014 | Nowshetra |
| 12 | Khaista Bacha | Computer Operator | 24-07-2014 | Mardan |
| 13 | Muhammad Faizan Shah | Computer Operator | 24-07-2014 | Charsada |
| 14 | Irfan Jehan | Computer Operator | 13-10-2014 | Mardan |
| 15 | Tahir Jamal Hassan | Computer Operator | 16-03-2015 | Peshawar |
| 16 | Adnan Ayub | Assistant Accountant | 19-03-2014 | Peshawar |
| 17 | Noor Muhammad | Naib Qasid | 19-03-2014 | Nowshetra |
| 18 | Azhar Ali | Driver | 19-12-2016 | Charsada |
| 19 | Irfan Khan | Sweeper | 19-12-2016 | Nowshetra |

M.I.S Staff Appointment Date

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EXTRAORDINARY
GOVERNMENT



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REGISTERED NO. P.III

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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 1ST JUNE, 2017.

PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 1st June, 2017.

No. PA/Khyber Pakhtunkhwa/Bills/2017/18409.—The Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Bill, 2017 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 22nd May, 2017 and assented to by the Governor of the Khyber Pakhtunkhwa on 29th May, 2017 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA EMPLOYEES OF TRANSPORT DEPARTMENT (REGULARIZATION OF SERVICES) ACT, 2017

(KHYBER PAKHTUNKHWA ACT NO. XX OF 2017)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 1st June, 2017).

AN
ACT

To provide for the regularization of the services of employees appointed on contract/ fixed pay basis against the project posts of Automation of Transport Department- Computerization of Route Permit (ATD-CRP) Project and Business Development Unit (BDU) Project and others in the Transport & Mass Transit Department, Khyber Pakhtunkhwa.

PREAMBLE.---WHEREAS it is expedient to provide for the regularization of services of employees of Automation of Transport Department- Computerization of Route Permit (ATD-CRP) and Business Development Unit (BDU) of the ADP Projects and certain other contract/ fixed pay employees, in the public interest;

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ATTESTED

It is hereby enacted as follows:

1. **Short title and commencement.** --- (1) This Act may be called the Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017.

(2) It shall come into force at once.

2. **Definitions.** --- (1) In this Act, unless the context otherwise requires,-

(a) "ADP" means Annual Development Programme Project, falls against the code "90393" and "90040" having name "Automation of Transport Department (Computerization of Route Permits) (ATD-CRP) and Establishment of Business Development Unit (BDU) in Transport Department respectively.

(b) "ATD-CRP employees" means those employees who were appointed by the Government on contract/fixed pay basis in the Automation of Transport Department-Computerization of Route Permit Project under the respective ADP;

(c) "BDU employees" means those employees who were appointed by the Government on contract/fixed pay basis in Business Development Unit Project, under respective ADP;

(d) "Department" means the Transport & Mass Transit Department of Government;

(e) "Government" means the Government of the Khyber Pakhtunkhwa;

(f) "law or rule" means the law or rule for the time being enforce governing the selection and appointment of civil servants;

(g) "PBT employees" means those employees who were appointed by the Road Transport Board on contract/fixed pay basis in Peshawar Bus Terminal;

(h) "Post" means the post of contract employees under the ADP and are required to be regularized upon commencement of this act;

(i) "Project" means the post of contract employees under the ADP of Automation of Transport Department- Computerization of Route Permit (ATD-CRP) and ADP of Establishment of Business Development Unit (BDU) in Transport Department; and

(j) "Project Post" means a post in the ADP project;

(2) The expression "contract appointment" shall have the same meaning as respectively assigned to them in Khyber Pakhtunkhwa Civil Servants Act 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973)

ATTESTED

3. Regularization of Services of ATD-CRP Employees.---Notwithstanding anything contained in any law or rule, all ATD-CRP employees appointed on contract/fixed pay basis holding the project post since January 2011 under the ADP shall be deemed to have been so validly appointed to those posts on regular basis from the date of commencement of this Act, in the basic Pay Scale of the post as initially appointed.

Provided further that those ATD-CRP employees in their Basic Pay Scales, who are appointed on regular basis under this Act, for their further posting would be on the strength of Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa.

4. Regularization of Services of BDU Employees.--- Notwithstanding anything contained in any law or rule, all BDU employees appointed on contract/fixed pay basis under the ADP who have served against the project posts for minimum period of five year since start of the project till 31st December 2016 and those whose service contract extended upto 30th June 2017, shall be deemed to have been so validly appointed to those posts on regular basis from the date of commencement of this Act, in the Basic Pay Scale of the post as initially appointed;

Provided further that those BDU employees in their Basic Pay Scales, who are appointed on regular basis under this Act, for their further posting would be on the strength of Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa.

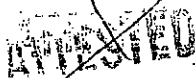
5. Regularization of Services of PBT Employees. --- Notwithstanding anything contained in any law or rule, Administrator, Manager, Computer Operators, CCTV Operators, Plumbers, Electricians, Tube Well Operators, Naib Qasids and Security Guards of PBT appointed on contract/fixed pay basis holding the post shall be deemed to have been so validly appointed to those posts on regular basis from the date of commencement of this Act,

Provided that a scrutiny committee shall be constituted by the Road Transport Board and it shall verify the qualification, experience and other criteria for PBT employees against which they were appointed.

Provided further that those PBT employees in their Basic Pay Scales, who are appointed on regular basis under this Act, for their further posting would be on the strength of Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa.

6. Determination of Seniority. ---(1) The ATD-CRP employees, who are appointed under this Act shall rank junior to all other employees, belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act in the Department,

(2) The seniority inter se of the ATD-CRP employees, who services are regularized under this Act, within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:



Provided that if the date of continuous officiation in the case of two or more ATD-CRP employees is the same, the employees older in age shall rank senior to the younger one.

(3) The BDU employees, who are appointed under this Act shall rank junior to all other employees, belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act in the Department,

(4) The seniority inter se of the BDU employees, who services are regularized under this Act, within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more BDU employees is the same, the employee older in age shall rank senior to the younger one.

(5) The PBT employees, who are appointed under this Act shall rank junior to all other employees, belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act in the Department,

(6) The seniority inter se of the PBT employees, who services are regularized under this Act, within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more PBT employees is the same, the employee older in age shall rank senior to the younger one.

7. **Removal of difficulties.** --- if any difficulty arises in giving effect to any provision of this Act, Government may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty.

8. **Overriding effect.** ---Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force; the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of this Act shall cease to have effect.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. 111

GAZETTE

KHYBER PAKHTUNKHWA

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PESHAWAR, TUESDAY, 2ND JANUARY, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA TRANSPORT & MASS TRANSIT DEPARTMENT

NOTIFICATION

Dated 21st December, 2017.

No. SO(G)/TD/12-04/2017-18/ROS Act 2017/7400-12.—In pursuance of Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No. XX of 2017), services of the following officers/officials of the Transport & Mass Transit Department, Khyber Pakhtunkhwa are regularized against the posts which they were serving on contract basis:

| S.No. | Name of Officers/Officials | Designation / BPS |
|-------|----------------------------|---|
| 01. | Muhammad Imran | MIS Manager/Deputy Director MIS (BPS-18) |
| 02. | Khawar Abbas | Data Base Administrator (BPS-17) |
| 03. | Saddam Umair Sami | Network Administrator (BPS-17) |
| 04. | Mian Muhamad Zubair | Assistant Network Administrator (BP-16) |
| 05. | Farhan Nisar | Computer Operator (BPS-16) |
| 06. | Khaista Bacha | Computer Operator (BPS-16) |
| 07. | Mian Irfan Uddin | Computer Operator (BPS-16) |
| 08. | Faridullah Khan | Computer Operator (BPS-16) |
| 09. | Bashir Ahmad | Computer Operator (BPS-16) |
| 10. | Baber Fasih | Computer Operator (BPS-16) |
| 11. | Abdul Sattar | Computer Operator (BPS-16) |
| 12. | Faizan Ahmad | Computer Operator (BPS-16) |
| 13. | Muhammad Faizan Shah | Computer Operator (BPS-16) |
| 14. | Irfan Jehan | Computer Operator (BPS-16) |
| 15. | Tahir Jamal Hassan | Computer Operator (BPS-16) |
| 16. | Adnan Ayub | Assistant Accountant (BPS-14) |
| 17. | Azhar Ali | Driver (BPS-04) |
| 18. | Noor Muhammad | Naib Qasid (BPS-03) |
| 19. | Irfan Khan | Sweeper (BPS-03) |
| 20. | Waqas Saliheen | Business Development Officer (BPS-19) |
| 21. | Bashir Ahmad | Traffic Engineer & Development Officer (BPS-18) |
| 22. | Shah Nawaz | Budget & Account Officer (BPS-17) |
| 23. | Safdar Mahboob | Office Assistant (BPS-16) |
| 24. | Irfan Nisar | Office Assistant (BPS-16) |

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|-----|-----------------|----------------------------|
| 25. | Baseer Ahmad | Office Assistant (BPS-16) |
| 26. | Muhammad Ashfaq | Office Assistant (BPS-16) |
| 27. | Asim Ullah | Computer Operator (BPS-16) |
| 28. | Abdul Ghafoor | Naib Qasid (BPS-03) |
| 29. | Zarshad Khan | Naib Qasid (BPS-03) |
| 30. | Ikhtiar Gul | Chowkidar (BPS-03) |

Terms and conditions of their regularization are as under:

- (i) As per section 3 of the said Act, the above employees of ATD (CRP) (Sr. No. 1-19) project and as per section 4 of the said Act, the above employees of BDU (Sr. 20-30) project were appointed on contract basis by the Government in the Directorate of Transport and in compliance to the said Act. They shall be deemed to have been so validly appointed to those posts on regular basis from the date of commencement of this Act, respectively.
- (ii) As per section 6 of the said Act:
- (a) The above employees whose services are regularized under this Act, shall rank junior to all other employees, belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act in the department.
- (b) The seniority inter se of the employees, whose services are regularized under this Act, within the same services or cadre, shall be determined on the basis of their continuous officiation in such services or cadre.

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

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GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

No. BO-II/FD/4-2/TPT/SNE/2017-18
Date Peshawar the 20.11.2017

To

The Secretary to Government of Khyber Pakhtunkhwa,
Transport & Mass Transit Department

SUBJECT: **CREATION OF POSTS FOR PROJECT REGULARIZED UNDER "THE KHYBER PAKHTUNKHWA EMPLOYEES OF TRANSPORT DEPARTMENT (REGULARIZATION OF SERVICE) ACT 2017.**

Dear Sir,

I am directed to refer your letter No. SO(D)/TD/5-5/2014-15/BDU/6089-90 dated 06.11.2017 on the subject noted above and to state that in pursuance of the Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017 (The Khyber Pakhtunkhwa Act No. XX of 2017), Finance Department agrees to the conversion/creation of following project posts on current side budget as per breakup indicated below:-

| a) Automation of Transport Department Computerization of Route Permit (ATDCRP) | | | |
|---|--|-----|-------------|
| S# | Name of Post | BPS | No. of post |
| 1 | MIS manager/Dy. Director MIS | 18 | 01 |
| 2 | Assistant Network administrator | 16 | 01 |
| 3 | Assistant Accountant | 14 | 01 |
| 4 | Computer Operator | 16 | 02 |
| 5 | Drivers | 04 | 01 |
| TOTAL | | | 06 |
| b) Establishment of Business Develop Unit in Transport Directorate (BDU) | | | |
| S# | Name of Post | BPS | No. of post |
| 1 | Business Dev. Officer | 19 | 01 |
| 2 | Traffic Engineer & Development Officer | 18 | 01 |
| 3 | Office Assistant | 16 | 03 |
| TOTAL | | | 05 |
| GRAND TOTAL (a + b) | | | 11 |

2. Services of rest of the above mentioned project's staff may be regularized against the posts lying vacant in the Directorate of Transport subject to observance of above referred act/laid down procedure and all codal formalities.

3. The Administrative Department may submit audit copy in r/o the created posts indicating therein accurate financial implications for authentication please.

Yours faithfully,

(FAZLE SUBHAN)
BUDGET OFFICER-II

Endst: of even No. & Date

Copy forwarded to the:-

- 1) The Director FMIU, Finance Department Peshawar.
- 2) Master File.


BUDGET OFFICER-II

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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 14th JULY, 2020.

GOVERNMENT OF KHYBER PAKHTUNKHWA TRANSPORT & MASS TRANSIT DEPARTMENT

NOTIFICATION

Dated: 1st July, 2020.

NO.SO(E)/TD/16-8/Vol-IV/2019-20/SSRC. In exercise of powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous Notifications, issued in this behalf, the Government of Khyber Pakhtunkhwa, Transport and Mass Transit, in consultation with the Establishment Department and Finance Department, lays down the method of recruitment, promotion, qualification and conditions specified in columns 2 to 5 of the appendix to this Notification which shall be applicable to the posts in the Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa, specified in column 1 of the said Appendix, with immediate effect:

| 1 Name of the post | 2 Minimum Qualification prescribed for initial recruitment | 3 Age limit | 4 Method of recruitment |
|---|---|----------------|---|
| 1 Director Transport & Mass Transit (BPS-15) | 2 | 3 | 4 By transfer from amongst the officers of the Provincial Civil Service of Provincial Management Service Class or Transport Administration |

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PUBLISHED BY AUTHORITY

PESHAWAR, TUESDAY, 23RD NOVEMBER, 2020

GOVERNMENT OF KHYBER PAKHTUNKHWA TRANSPORT & MASS TRANSIT DEPARTMENT

NOTIFICATION

Dated Peshawar, the 06th October, 2021

No.SO(E)/TD/16-8/Vol-IV/2019/S.R DOT. In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 the Transport & Mass Transit Department, in consultation with the Established Department and the Finance Department hereby directs that in this Department's Notification No.SO(E)/TD/16-8/Vol-IV/2019-20/SSRC, dated:01.07.2020; the following amendments shall be made namely:-

| S.# | Name of the Post | Minimum Qualification prescribed for initial recruitment | Age limit | Method of recruitment |
|-----|---|---|-------------|-------------------------|
| 1 | 2 | 2 | 4 | 5 |
| "1A | Business Development (Officer) (BPS-19) | 2 nd Class University Degree obtained after 16 years of education in Business Administration/Public Administration/Economics/Urban & Regional planning from a recognized University, with 5 years post qualification experience. | 30-45 Years | By Initial Recruitment. |

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KEYBER PAKHTUNKHWA

Published by Authority
PESHAWAR, TUESDAY, 23RD NOVEMBER, 2021.

GOVERNMENT OF KHYBERPAKHTUNKHWA, MASSPORT, MASS TRANSPORT DEPARTMENT.

NOTIFICATION

Dated Peshawar, the 06TH October, 2021.

In pursuance of the powers conferred by sub-section (2) of section 10 of the Mass Transport Department Act, 2001, the Government hereby directs that the Department shall be known as the Mass Transport Department and shall be a department of the Government of Khyber Pakhtunkhwa.

AMENDMENTS

The Government hereby amends the provisions of the Mass Transport Department Act, 2001, in the following manner:-

| No. of the Act | Section | Amendment |
|----------------|-------------|---|
| 1 | Section 10 | Sub-section (2) shall read as follows: "(2) The Government may, by notification, direct that the Department shall be known as the Mass Transport Department and shall be a department of the Government of Khyber Pakhtunkhwa." |
| 2 | Section 11 | Section 11 shall be omitted. |
| 3 | Section 12 | Section 12 shall be omitted. |
| 4 | Section 13 | Section 13 shall be omitted. |
| 5 | Section 14 | Section 14 shall be omitted. |
| 6 | Section 15 | Section 15 shall be omitted. |
| 7 | Section 16 | Section 16 shall be omitted. |
| 8 | Section 17 | Section 17 shall be omitted. |
| 9 | Section 18 | Section 18 shall be omitted. |
| 10 | Section 19 | Section 19 shall be omitted. |
| 11 | Section 20 | Section 20 shall be omitted. |
| 12 | Section 21 | Section 21 shall be omitted. |
| 13 | Section 22 | Section 22 shall be omitted. |
| 14 | Section 23 | Section 23 shall be omitted. |
| 15 | Section 24 | Section 24 shall be omitted. |
| 16 | Section 25 | Section 25 shall be omitted. |
| 17 | Section 26 | Section 26 shall be omitted. |
| 18 | Section 27 | Section 27 shall be omitted. |
| 19 | Section 28 | Section 28 shall be omitted. |
| 20 | Section 29 | Section 29 shall be omitted. |
| 21 | Section 30 | Section 30 shall be omitted. |
| 22 | Section 31 | Section 31 shall be omitted. |
| 23 | Section 32 | Section 32 shall be omitted. |
| 24 | Section 33 | Section 33 shall be omitted. |
| 25 | Section 34 | Section 34 shall be omitted. |
| 26 | Section 35 | Section 35 shall be omitted. |
| 27 | Section 36 | Section 36 shall be omitted. |
| 28 | Section 37 | Section 37 shall be omitted. |
| 29 | Section 38 | Section 38 shall be omitted. |
| 30 | Section 39 | Section 39 shall be omitted. |
| 31 | Section 40 | Section 40 shall be omitted. |
| 32 | Section 41 | Section 41 shall be omitted. |
| 33 | Section 42 | Section 42 shall be omitted. |
| 34 | Section 43 | Section 43 shall be omitted. |
| 35 | Section 44 | Section 44 shall be omitted. |
| 36 | Section 45 | Section 45 shall be omitted. |
| 37 | Section 46 | Section 46 shall be omitted. |
| 38 | Section 47 | Section 47 shall be omitted. |
| 39 | Section 48 | Section 48 shall be omitted. |
| 40 | Section 49 | Section 49 shall be omitted. |
| 41 | Section 50 | Section 50 shall be omitted. |
| 42 | Section 51 | Section 51 shall be omitted. |
| 43 | Section 52 | Section 52 shall be omitted. |
| 44 | Section 53 | Section 53 shall be omitted. |
| 45 | Section 54 | Section 54 shall be omitted. |
| 46 | Section 55 | Section 55 shall be omitted. |
| 47 | Section 56 | Section 56 shall be omitted. |
| 48 | Section 57 | Section 57 shall be omitted. |
| 49 | Section 58 | Section 58 shall be omitted. |
| 50 | Section 59 | Section 59 shall be omitted. |
| 51 | Section 60 | Section 60 shall be omitted. |
| 52 | Section 61 | Section 61 shall be omitted. |
| 53 | Section 62 | Section 62 shall be omitted. |
| 54 | Section 63 | Section 63 shall be omitted. |
| 55 | Section 64 | Section 64 shall be omitted. |
| 56 | Section 65 | Section 65 shall be omitted. |
| 57 | Section 66 | Section 66 shall be omitted. |
| 58 | Section 67 | Section 67 shall be omitted. |
| 59 | Section 68 | Section 68 shall be omitted. |
| 60 | Section 69 | Section 69 shall be omitted. |
| 61 | Section 70 | Section 70 shall be omitted. |
| 62 | Section 71 | Section 71 shall be omitted. |
| 63 | Section 72 | Section 72 shall be omitted. |
| 64 | Section 73 | Section 73 shall be omitted. |
| 65 | Section 74 | Section 74 shall be omitted. |
| 66 | Section 75 | Section 75 shall be omitted. |
| 67 | Section 76 | Section 76 shall be omitted. |
| 68 | Section 77 | Section 77 shall be omitted. |
| 69 | Section 78 | Section 78 shall be omitted. |
| 70 | Section 79 | Section 79 shall be omitted. |
| 71 | Section 80 | Section 80 shall be omitted. |
| 72 | Section 81 | Section 81 shall be omitted. |
| 73 | Section 82 | Section 82 shall be omitted. |
| 74 | Section 83 | Section 83 shall be omitted. |
| 75 | Section 84 | Section 84 shall be omitted. |
| 76 | Section 85 | Section 85 shall be omitted. |
| 77 | Section 86 | Section 86 shall be omitted. |
| 78 | Section 87 | Section 87 shall be omitted. |
| 79 | Section 88 | Section 88 shall be omitted. |
| 80 | Section 89 | Section 89 shall be omitted. |
| 81 | Section 90 | Section 90 shall be omitted. |
| 82 | Section 91 | Section 91 shall be omitted. |
| 83 | Section 92 | Section 92 shall be omitted. |
| 84 | Section 93 | Section 93 shall be omitted. |
| 85 | Section 94 | Section 94 shall be omitted. |
| 86 | Section 95 | Section 95 shall be omitted. |
| 87 | Section 96 | Section 96 shall be omitted. |
| 88 | Section 97 | Section 97 shall be omitted. |
| 89 | Section 98 | Section 98 shall be omitted. |
| 90 | Section 99 | Section 99 shall be omitted. |
| 91 | Section 100 | Section 100 shall be omitted. |

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KHYBER PAKHTUNKHWA

PUBLISHED BY AUTHORITY

PESHAWAR, TUESDAY, 14TH JULY, 2020

GOVERNMENT OF KHYBER PAKHTUNKHWA
TRANSPORT & MASS TRANSIT DEPARTMENT

NOTIFICATION

Dated: 1st July, 2020

No.SO(E)/TD/16-8/Vol-IV/2019-20/SSRC. In exercise conferred by sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 and in supersession of all previous Notifications, issued in this behalf, the Government of Khyber Pakhtunkhwa, Transport and Mass Department in consultation with the Establishment Department and Finance Department, lays down the method of recruitment, promotion, qualification and specified in columns 2 to 5 of the appendix to this Notification which shall be applicable to the posts in the Directorate of Transport & Mass Transit Khyber Pakhtunkhwa, specified in column 2 of the said Appendix, with immediate effect:

| S.#. | Name of the Post | Minimum Qualification prescribed for initial recruitment | Age limit | Method of recruitment |
|------|--|--|-----------|--|
| 1 | 2 | 2 | 4 | 5 |
| 1. | Director Transport & Mass Transit (BPS-19) | --- | --- | By transfer from amongst the officer of the provincial Civil Service or Provincial Management HMS of |

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th JULY, 2020

| | | | |
|--|---|-------------|--|
| Deputy Director/Deputy Director Technical (BPS-18) | | | By promotion on the basis of seniority cum fitness, from an Assistant Directors, Assistant Directors (Legal) & Assistant Dir (BPS-17) with at least five years service as such. |
| Dy Director (IT)/ MIS Manager (BS-18) | | | Note: A joint Seniority list of Assistant Directors, Assistant Director and Assistant Directors (P&T) shall be maintained. By promotion on the basis of seniority cum fitness, from an Assistant Directors (IT), Database Administrator & Network Ac (BS-17) with at least five years service as such. |
| Assistant Director (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Economics, Statistics, Business Administration, Public Administration, Urban Planning, Development Studies, or Bachelor Degree in Law or any engineering technology from a recognized university. | 20-30 Years | Note: A joint Seniority list of AD (IT), Database Administrator or Administrator shall be maintained. i. Fifty percent by promotion on the basis of seniority cum fitness from amongst the Superintendent (BPS-17) with three years service as Superintendent. ii. Fifty percent by initial recruitment. |
| Assistant Director (IT) (BPS-17) | | | By promotion on the basis of seniority cum fitness from amongst Computer Operator having 03 years service as such. |
| Assistant Director (P&T) (BPS-17) | At least Second Class Bachelor's Degree in Civil Engineering from a recognized University. Note: preference will be given to those having specialization in the Traffic Engineering or higher qualification in the field of Traffic Engineering & Management. | 21-30 years | i. Fifty percent by promotion on the basis of seniority cum fitness from amongst the Chief & Divisional Motor Vehicle (BPS-17) with three years service as Chief/Divisional Vehicle Examiner, and ii. Fifty percent by initial. |
| Assistant Director (Legal) (BPS-17) | At least Second Class LLB Degree from recognized university with at least two years experience, having license from Bar Council. | 21-30 years | By initial recruitment. *Provided that if no officer is available by initial recruitment then having experience as Law Officer along with LLB Degree, will apply by initial recruitment. |

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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY JULY 2020

| | | | |
|---|--|-------------|---|
| Assistant Director/Deputy Director Technical (BPS-18) | | ----- | By promotion on the basis of seniority cum fitness and Assistant Director, Assistant Director (Legal) & Assistant Director (BPS-17) with at least five years service as such Note: A joint Seniority list of Assistant Directors, Assistant Director and Assistant Directors (P&T) shall be maintained |
| Dy Director (IT)/ MIS Manager (BS-18) | | ----- | By promotion on the basis of seniority cum fitness and Assistant Director (IT), Database Administrator & Network Administrator (BPS-17) with at least five years service as such Note: A joint Seniority list of AD (IT) Database Administrator and Network Administrator shall be maintained |
| Assistant Director (BPS-17) | At least Second Class University Degree obtained after 15 20:30 years of education in Economics, Statistics, Business Years Administration, Public Administration Urban Planning, Development Studies, or Bachelor Degree in Law or any engineering technology from a recognized university. | 20-30 years | i. Fifty percent by promotion on the basis of seniority o from amongst the Superintendent (BPS-17) with the service as Superintendent. ii. Fifty percent by initial recruitment. |
| Assistant Director (IT) (BPS-17) | | ----- | By promotion on the basis of seniority cum fitness from a Computer Operator having 03 years service as such |
| Assistant Director (P&T) (BPS-17) | At least Second Class Bachelor's Degree in Civil Engineering from a recognized University Note: preference will be given to those having specialization in the Traffic Engineering or higher qualification in the field of Traffic Engineering & Management | 21-30 years | i. Fifty percent by promotion on the basis of seniority cum from amongst the Chief & Divisional Motor Vehicle (BPS-17) with three year's service as Chief/Divisional Vehicle Examiner, and ii. Fifty percent by initial |
| Assistant Director (Legal) (BPS-17) | At least Second Class LLB Degree from recognized university 21-30 with at least two years experience, having license from Bar Council | 21-30 years | By initial recruitment Provided that no officer is available by initial recruitment then having experience as Law Officer along with LLB Degree till approval by initial recruitment |

| | | | |
|---|--|-------------|--|
| 8. Database Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Computer Science/IT, Software Engineering or equivalent qualification from a recognized university and having specialization/certificates in Database; from public/reputable private sector institute with 03 years post qualification experience in Database. | 21-30 years | By initial recruitment. |
| 9. Network Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Computer Science/IT, Software Engineering or equivalent qualification from a recognized university and having specialization/certification in Networking; from public/reputable private sector institute with 03 years post qualification experience in Networking. | 21-30 years | By initial recruitment. |
| 10. Budget & Accounts Officer (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Commerce/Business Administration (Finance)/Finance, with at least 2 nd division from a recognized University. | 21-30 years | By initial recruitment. Provided that if no suitable officer is available for initial recruitment, the transfer from suitable officers of equivalent scale/grade from Fin Department (Local Fund Audit/Treasury Office), till appointment by recruitment. |
| 11. Superintendent (BPS-17) | | --- | By promotion on the basis of seniority-cum-fitness, from among Assistants (BPS-16) with at least five years service as such. |
| 12. Chief Motor Vehicles Examiner/Divisional Motor Vehicles Examiner (BPS-17) | | --- | By promotion, on the basis of seniority-cum-fitness, with at least 05 years service, from amongst the Senior Motor Vehicles Examiners /District Motor Vehicle Examiners (BPS-16). |
| 13. Computer Operator (BPS-16) | i. At least Second Class University Degree obtained after 16 years of education in Computer Science/Information Technology or equivalent qualification from recognized University; or ii. At least Second Class Bachelor Degree obtained after 14 years of education from recognized University with one year diploma in Information Technology from a recognized board of Technical Education. | 21-30 years | By initial recruitment. |

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 30/7/2020
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 GOVERNMENT OF
 KHYBER PAKHTUNKHWA

BETTER COPY OF THE PAGE NO. 71
KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY JULY 2020

| | | | |
|--|--|-------------|--|
| Database Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Computer Science/IT/ Software Engineering or equivalent qualification from a recognized university and paving specialization/certificates in Database, from public/reputable private sector institute with 03 years post qualification experience in Database | 21-30 years | By initial recruitment. |
| Network Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Computer Science/IT/ Software Engineering or equivalent qualification from a recognized university and having specialization/certification in Networking, from public/reputable private sector institute with 03 years post qualification experience in Networking | 21-30 years | By initial recruitment |
| Budget & Accounts Officer (BPS-17) | At least Second Class University Degree obtained after 16 years of education in Commerce/Business Administration (Finance)/Finance, with at least 2 division from a recognized University | 21-30 years | By initial recruitment Provided that if no suitable officer is available for initial recruitment, the transfer from suitable officers of equivalent scale/grade from Fin Department (Local Fund Audit/Treasury Office), alt appointment by recruitment. |
| Superintendent (BPS-17) | ---- | ---- | By promotion on the basis of seniority-cum-fitness, from among Assistants (BPS-16) with at least five years service as such |
| Chief Motor Vehicles Examiner/Divisional Motor vehicles Examine:(BPS-17) | ---- | ---- | By promotion, on the basis of seniority-cum-fitness, with at least 05ye service, from amongst the Senior Motor Vehicles Examiners/District Motor Vehicle Examiners (BPS-16) |
| Computer Operator (BPS-16) | At least Second Class University Degree obtained after 16 years of education in Computer Science/Information Technology or equivalent qualification from recognized University, or At least Second Class Bachelor Degree obtained after 14 years of education from recognized University with one year diploma Information Technology a recognized board of Technical Education | 21-30 years | By initial recruitment. |

| | | | | |
|-----|---|---|-------------|--|
| 8. | Database Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of Education in Computer Science/IT/Software Engineering or equivalent qualification from a recognized university and having specialization/Certificates in Database, from public/reputable private sector institute with 03 years post qualification experience in Database. | 21-30 Years | By initial recruitment. |
| 9. | Network Administrator (BPS-17) | At least Second Class University Degree obtained after 16 years of Education in Computer Science/IT/Software Engineering or equivalent qualification from a recognized university and having specialization/Certificates in Database, from public/reputable private sector institute with 03 years post qualification experience in Database. | 21-30 Years | By initial recruitment. |
| 10. | Budget & Accounts Officer (BPS-17) | At least Second Class University Degree obtained after 16 years of Education in Commerce/Business Administration (Finance)/Finance, with at least 2 nd division from a recognized University. | 21-30 Years | By initial recruitment. Provided that if no suitable officer is available for initial recruitment, the transfer from suitable officers of equivalent scale/grade from Finance Department (Local Fund Audit/Treasury Office), till appointment by initial recruitment. |
| 11. | Superintendent (BPS-17) | --- | --- | By promotion on the basis of seniority-cum-fitness, from amongst Assistants (BPS-16) with at least five years service as such. |
| 12. | Chief Motor Vehicles Examiner/Divisional Motor Vehicles Examiner (BPS-17) | --- | --- | By promotion, on the basis of seniority-cum-fitness, from amongst Assistants (BPS-16) with at least five years service as such. |
| 13. | Computer Operator (BPS-16) | <ul style="list-style-type: none"> i. At least Second Class University Degree obtained after 16 years of education in Computer Science/Information Technology or equivalent qualification from recognized University, or. ii. At least Second Class University Degree obtained after 14 years of education from recognized University with one year diploma in information/Technology from a recognized board of Technical Education. | 21-30 Years | By initial recruitment. |



TRANSPORT & MASS TRANSIT DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

Mian Rashid Hussain Block, Civil Secretariat, Peshawar
PH. 091-9212557 Fax. 091-9212556

Handwritten signature

Date: 14-06-2017

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NOTIFICATION

No. SO(D)/TD/6-21/2016-17/TIS. Consequent upon the approval of the ADP2016-17 Scheme No1294-160147 "Establishment of Transport Inspection Stations in Khyber Pakhtunkhwa", from the PDWP on 26-05-2017 and as per the organizational arrangement reflected in the PC-I, the Competent Authority is pleased to assign additional charge of Project Director to Mr. Muhammad Imran, Manager MIS, Directorate of Transport for the said scheme in addition to his own duties till further orders.

He will report to the Director Transport & Mass Transit, Khyber Pakhtunkhwa to assist in over all supervision and timely execution of the scheme.

-SD-

Secretary to Government of Khyber Pakhtunkhwa
Transport & Mass Transit Department

Endst: No & Date Even. / 3737-43

A copy is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Manager MIS, Directorate of Transport & Mass Transit.
3. PS to Secretary to Govt of Khyber Pakhtunkhwa, Establishment Department.
4. PS to Secretary to Govt of Khyber Pakhtunkhwa, P&D Department.
5. PS to Secretary to Govt of Khyber Pakhtunkhwa, Finance Department.
6. PS to Secretary to Govt of Khyber Pakhtunkhwa, Transport & Mass Transit Department.
7. PA to Director Transport & Mass Transit, Khyber Pakhtunkhwa

Handwritten signature
(Waqas Saleheen)
Senior Planning Officer
Transport & Mass Transit Department

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**DIRECTORATE OF TRANSPORT & MASS TRANSIT
GOVERNMENT OF KHYBER PAKHTUNKHWA**

Tel No. 091-9214185

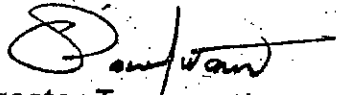
Dated Peshawar the, May 03, 2023.

ORDER

No.Dir/TPT/Misc/1-1/23/5771-5776 :- In supersession of this office order NO.DIR/TPT/1-82/P&T/4815-20 dated 25-10-2022 the Competent Authority is pleased to declare Mr. Muhammad Imran, Deputy Director MIS (BS-18) as Convener/Coordinator of Driving License, Peshawar in addition to his own duties with the following terms & conditions:-

TORs

- Submission of cases to MLA Peshawar.
- Collection of smart card fee and its deposits into relevant head.
- Uploading of online driving license record.
- Issuance/renewal and printing of driving license.
- Any other duty assigned to him time to time.

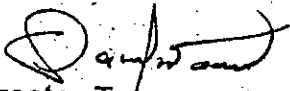

Director Transport/
Motor Licensing Authority, Peshawar
Khyber Pakhtunkhwa

Endst: No & date even:

A copy is forwarded to the:-

1. Deputy Director (Admin), Directorate of Transport, Peshawar.
2. Deputy Director (MIS), Directorate of Transport, Peshawar.
3. Budget & Account Officer, Directorate of Transport, Peshawar.
4. PS to Secretary to Government of Khyber Pakhtunkhwa, Transport & Mass Transit Department.
5. Chief Motor Vehicle Examiner, Directorate of Transport, Peshawar.
6. PA to Director Transport, Khyber Pakhtunkhwa.

~~ATTACHED~~


Director Transport/
Motor Licensing Authority, Peshawar
Khyber Pakhtunkhwa



Directorate of Transport & Mass Transit Khyber Pakhtunkhwa

Ground Floor, Benevolent Fund Building, Peshawar Cantt Tel: 091-9214185/9212061

Dated: 24-12-2019

Office Order

No. Dir/TPT/1-36/D.W/15723-31. The Competent Authority is pleased to distribute the business of the Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa as per the following arrangements:-

| ✓ Mr. Salman Nisar Deputy Director (Transport) | ✓ Mr. Tariq Usman Deputy Director (Technical) | ✓ Mr. Bashir Ahmad Traffic Engineer | ✓ Muhammad Imran Deputy Director (MIS) | Ms. Sara Haroon Jadoon Assistant Director | Mr. Shah Nawaz Budget & Account Officer |
|--|--|---|---|---|---|
| <ul style="list-style-type: none">• Peshawar Bus Terminal• Road Transport Board• PTA/RTA related matters• Litigation Matters• Driving License File.• Assembly Questions• Merged Area related issues. | <ul style="list-style-type: none">• Administration• Establishment• Technical• All matters related to VETS & MVEs• Government Driving School• DDO Ship for the Directorate and GDS | <ul style="list-style-type: none">• Transport & Traffic Engineering & Policy related matters. | <ul style="list-style-type: none">• All matters related to IT• ADP Projects. | <ul style="list-style-type: none">• Establishment Section• Administration Section• PMRU• Government Driving School | <ul style="list-style-type: none">• Revenue Receipt• Audit Paras• Budget related issues |

Director
Transport & Mass Transit
Khyber Pakhtunkhwa

Endst: No. & Date Even:

▶ A copy is forwarded for information to the:-

1. Superintendent, Transport & Mass Transit, Khyber Pakhtunkhwa.
2. Officers Concerned.

RECEIVED

DIRECTOR
Transport & Mass Transit
Khyber Pakhtunkhwa

Handwritten initials/signature

1. P.S to Minister, Transport & Mass Transit, Khyber Pakhtunkhwa
2. P.S to Secretary, Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa
3. Official Concerned

A copy is forwarded for information to the
Director, State & House Events

DIRECTOR
Transport & Mass Transit
Khyber Pakhtunkhwa

Director Transport, KP will be over all in charge of the official business of the Directorate of Transport

| | | | |
|--|--|--|--|
| <ul style="list-style-type: none"> • All IT MIS-related activities • Computerized Training Exercise • Computerized Driving License • Computerized Fitness Certificate • Public Engineering & Police • Training in various fields • Establishment of Transport | <ul style="list-style-type: none"> • All IT MIS-related activities • Computerized Training Exercise • Computerized Driving License • Computerized Fitness Certificate • Public Engineering & Police • Training in various fields • Establishment of Transport | <ul style="list-style-type: none"> • All IT MIS-related activities • Computerized Training Exercise • Computerized Driving License • Computerized Fitness Certificate • Public Engineering & Police • Training in various fields • Establishment of Transport | <ul style="list-style-type: none"> • All IT MIS-related activities • Computerized Training Exercise • Computerized Driving License • Computerized Fitness Certificate • Public Engineering & Police • Training in various fields • Establishment of Transport |
|--|--|--|--|

SECRET
The copy distribution of this memorandum is as follows:
1. P.S to Minister, Transport & Mass Transit, Khyber Pakhtunkhwa
2. P.S to Secretary, Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa
3. Official Concerned

12.02.2021

Directorate of Transport & Mass Transit
Khyber Pakhtunkhwa

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LEGIBLE COPY

**Directorate of Transport & Mass Transit
Khyber Pakhtunkhwa**

S Dated 12-07-21

OFFICE ORDER

No.DIR/TPT/1-30/W.D:- The work distribution of the Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa will be as per the following arrangements:-

| Deputy Director (Admin) | Deputy Director (IT/MIS) | Deputy Director (Technical) | Traffic Engineer & Development Officer | Budget & Account Officer |
|---|--|---|---|---|
| <ul style="list-style-type: none"> Administration Matters Litigation Matters Vehicular Emission Testing Station Govt Driving School Road Transport Board Matters | <ul style="list-style-type: none"> All IT/MIS related activities Computerized Driving license Computerized Roste permit and Fitness Certificate | <ul style="list-style-type: none"> Establishment Matters Technical matters Pertaining to Fitness Traffic Engineering & Police | <ul style="list-style-type: none"> Formulation Monitoring & supervision of all civil works | <ul style="list-style-type: none"> Drawing and disbursing officer, directorate of transport & GDS. Govt Revenue Receipt Assembly Business Audit para |

Director Transport KP will be over all in charge of the official business of the Directorate of Transport.

**Director
Transport & Mass Transit
Khyber Pakhtunkhwa**

Endst No & Date Even:

A Copy is forwarded for information to the:-

1. P.S to Minister, Transport & Mass Transit, Khyber Pakhtunkhwa.
2. P.S to Secretary, Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa.
3. Official Concerned.

**Director
Transport & Mass Transit
Khyber Pakhtunkhwa**

ATTESTED



DIRECTORATE OF TRANSPORT & MASS TRANSIT
KHYBER PAKHTUNKHWA - 50 Area M

Ground Floor Benevolent Fund Building, Peshawar Cantt B: 091-9214185/9212061

Dated: 26/08/2022

OFFICE ORDER:

No. DIR/TPT/1-36/W.D/ 3722-31 In supersession of this office earlier distribution of business duly notified vide order No.DIR/TPT/1-36/W.D/ 4999-5006, dated: 12-07-2021, henceforth the work distribution at the Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa will be as per the following arrangements:-

| S.No | Name & Nomenclature | Work Description |
|------|--|---|
| 01. | Deputy Director (Admin) | <ul style="list-style-type: none">• Administration & Establishment matters.• Litigation Matters.• Govt. Driving School.• Road Transport Board matters.• VETS Projects.• Administrative Department.• FBR related issues. |
| 02. | Deputy Director (MIS) | <ul style="list-style-type: none">• All IT/MIS related activates.• Computerized Driving License.• Computerized Route Permit and Fitness Certificate. |
| 03. | Deputy Director (Technical) | <ul style="list-style-type: none">• Traffic Engineering & Transport Policy.• Research.• Pak Afghan Bus Service.• Projects. |
| 04. | Traffic Engineer & Development Officer | <ul style="list-style-type: none">• Formulation Monitoring & Supervision of all Civil works. |
| 05. | Budget & Account Officer | <ul style="list-style-type: none">• Drawing and Disbursing Officer of Directorate of Transport & Mass Transit and Govt. Driving School.• Govt. Revenue receipts.• Assembly Business.• Audit Paras. |
| 06. | Manager VETS | <ul style="list-style-type: none">• Vehicle Emission Testing Station related matters. |
| 07. | Chief Motor Vehicle Examiner | <ul style="list-style-type: none">• Matters pertaining to Fitness of motor vehicle.• MVEs and other related matters. |

Director Transport & Mass Transit, Khyber Pakhtunkhwa will be over all in charge of the official business of the Directorate of Transport.



DIRECTOR

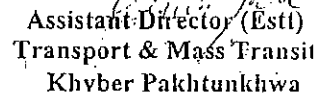
Transport & Mass Transit
Khyber Pakhtunkhwa

Endst: No. & Date Even: /3722-31

A copy is forwarded for information to the:-

1. Secretary, Transport & Mass Transit Department, Govt. of Khyber Pakhtunkhwa.
2. Assistant Director (Estt), Transport & Mass Transit, Khyber Pakhtunkhwa.
3. P.S to Minister, Transport & Mass Transit, Khyber Pakhtunkhwa.
4. Officers Concerned

ATTESTED


Assistant Director (Estt)
Transport & Mass Transit
Khyber Pakhtunkhwa



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**Directorate of Transport
Khyber Pakhtunkhwa**

Sher Shah Suri Road, Benevolent Fund Building, Peshawar Cantt
Twitter.com/DTMTKPK @ <http://newtransport.kp.gov.pk/> ☎ 091-9214185

Dated: 16/05/2023

ORDER

No. DIR/TPT/1-36/W.D/1193-1203. The undersigned is pleased to distribute the business of the Directorate of Transport Khyber Pakhtunkhwa, henceforth as per the following arrangements:

| S.No. | Nomenclature of post | Work Description |
|-------|--|--|
| 1 | Deputy Director | Assembly Business, & MMPs related matters |
| 2 | Deputy Director Technical | Establishment and Technical wings of MVIs & VETs |
| 3 | Deputy Director MIS | Computerization of Route Permits |
| 4 | Traffic Engineer and Development Officer | Supervision of Civil Works |
| 5 | Assistant Director Legal | Litigation matters |
| 6 | Assistant Director Amir Nawab | (a) Establishment and Administration matters, (b) In charge Government Driving School |
| 7 | Budget & Accounts Officer | (a) DDO of Directorate, (b) Audit Paras, (c) Govt Revenue Receipts, (d) Budget related matters |
| 8 | Chief Motor Vehicle Examiner | Motor Vehicle Examiner and Fitness related matters |
| 9 | Manager VETS | Emission Testing related matters |

The following matters will be looked after by the undersigned directly with the support of other officers and ministerial staff, and the undersigned will be overall in charge of the official business of the Directorate.

Development Portfolio

- Road Transport Board Matters

No officer shall use any self-created nomenclature of their position/designation in any official correspondence or otherwise, other than the one notified in Budget copy.

All officers are directed to hand over and return all the files to the concerned sections immediately. The compliance report must be submitted by Assistant Director looking after the affairs of Establishment and Administration.

~~ATTENDED~~

Director Transport
Khyber Pakhtunkhwa

ENCL. NO. & DATED EVEN: /1193-1203

Copy for information is forwarded to the:-

1. PS to Minister Transport & Mass Transit Khyber Pakhtunkhwa.
 2. PS to Secretary Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa
- officers concerned.

Director Transport
Khyber Pakhtunkhwa

N

BETTER COPY OF THE PAGE NO. 79
DIRECTORATE OF TRANSPORT
KHYBER PAKHTUNKHWA

Sher Shah Suri Road, Benevolent Fund Building, Peshawar Cantt
Twitter.com/DTMTKPK <https://newtransport.kp.gov.ph/>

Dated: 16/05/2023

ORDER

No. DIR/TPT/1-36/W.D/ 1193-1203 The undersigned is pleased to distribute the business of the Directorate of Transport Khyber Pakhtunkhwa, henceforth as per the following arrangements:

| S.No. | Nomenclature of Post | Work Decryption |
|-------|--|--|
| 1 | Deputy Director | Assembly Business, & MMPIs related matters |
| 2 | Deputy Director Technical | Establishment and Technical wings of MVE & VETs |
| 3 | Deputy Director MIS | Computerization of Route Permits |
| 4 | Traffic Engineer and Development Officer | Supervision of nail Works |
| 5 | Assistant Director Legal | Litigation matters |
| 6 | Assistant Director Amir Nawab | (a) Establishment and Administration matters. (b) In charge Government Driving School |
| 7 | Budget & Accounts Officer | (a) DDO of Directorate, (b) Audit Paras, (c) Govt. Revenue Receipts (d) Budget related matters |
| 8 | Chief Motor Vehicle Examiner | Motor Vehicle Examiner and Fitness related matters. |
| 9 | Manager VETS | Emission Testing related matters |

The following matters will be looked after by the undersigned directly with the support of other officers and ministerial staff, and the undersigned will be overall in charge of the official business of the Directorate.

Development Portfolio

Road Transport Board Matters

No officer shall use any self-created nomenclature of their position designation in any official correspondence or otherwise, other than the one notified in Budget copy.

All officers are directed to hand over and return all the files to the concerned sections immediately. The compliance report must be submitted by Assistant Director looking after the affairs of Establishment and Administration.

Director Transport
Khyber Pakhtunkhwa

ENDST NO & DATED EVEN/1143-1203

Cops for information is forwarded to the-

1. P.S to Minister Transport & Mass Transit Khyber Pakhtunkhwa
2. P.S to Secretary Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa
3. Officers concerned.

Director Transport,
Khyber Pakhtunkhwa



Directorate of Transport Khyber Pakhtunkhwa

Ground Floor Benevolent Fund Building, Sher Shah Suri Road Peshawar Cantt
Twitter.com/DTMTKPK @ https://newtransport.kp.gov.pk/ ☎ 091-9214185 📠 091-9214186

No. DIR/TPT/1594-96

Dated: 13-06-2023

To

The Secretary to the Government of Khyber Pakhtunkhwa, Diary No. 825
Transport and Mass Transit Department.

Dated 13-6-2023
P.S To Secretary Transport
Deptt Khyber Pakhtunkhwa

SUBJECT: ABOLISHMENT OF A REDUNDANT POST

Respected Sir,

Please refer to the subject noted above and to state that "Automation of Transport Department - Computerization of Route Permits" was a project of Transport Department with the main purpose of automating the printing of route permits (copy enclosed). The employees of the said project were regularized in 2017 through a private member Act of Provincial Assembly "The Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No. XX of 2017) (copy enclosed) and placed at the strength of Directorate of Transport under the PR code 5122 (copy enclosed). Under the said Act, a post namely Deputy Director (IT)/Manager MIS(IT) was regularized in BPS-18 as part of a project solely for the purpose of printing route permits and he is currently drawing a salary of Rs. 135,000/-.

It is submitted that the printing of route permits has already been deployed in Provincial Transport Authority (PTA) and all Regional Transport Authorities (RTAs) across the province which are working independently under the Motor Vehicle Ordinance 1965. Moreover, there is no provision in Motor Vehicle Ordinance 1965 regarding interfering in the matters of and overlapping the domain of PTA and RTAs by MIS with regard to the issuance of route permits. Therefore, the post of DD(IT)/Manager MIS has been completely redundant and is of no utility. It is further submitted that this Directorate has sufficient manpower, and this redundant position is not contributing in any manner, rather, putting an undue burden on government exchequer. Moreover, the officer in this position is working and interfering in other matters/services/domain of this Directorate (for example, driving license) that do not pertain to his position.

In the light of the above, it is recommended that the Finance Department may be approached to abolish this position henceforth and the services of this officer may be placed at the disposal of surplus pool of the Establishment Department, please.

Foushan
Director Transport
Khyber Pakhtunkhwa

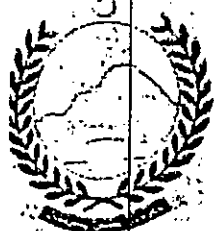
ENDST. NO. & DATED EVEN:

Copy for information is forwarded to the:-

P.S. to Minister, Transport & Mass Transit Department, Govt. of Khyber Pakhtunkhwa. ✓

ATTENDED

Foushan
Director Transport
Khyber Pakhtunkhwa



49
Govt P 01
**GOVERNMENT OF KHYBER PAKHTUNKHWA
TRANSPORT & MASS TRANSIT
DEPARTMENT**

Ph 091-9211782

No SO(E)/TD/2-53/Rec of DOT/2021-22/203-05

Dated: 14/06/2023

✓ The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department.

subject: ABOLISHMENT OF A REDUNDANT POST.

Dear Sir,

I am directed to refer to Director Transport, Khyber Pakhtunkhwa letter
no DIR/TPT/1594-96 dated 13/06/2023 (copy attached) on the subject and to state that
the Competent Authority i.e Secretary Transport & Mass Transit Department has agreed
with Director Transport mentioned above and is pleased to recommend abolition of the
post namely Deputy Director(IT)/Manager MIS (BPS-18) being redundant at Directorate
Transport, in exercise of his power vested in him under Serial No. 1 Second
Schedule Powers Common to all under Khyber Pakhtunkhwa Delegation of Financial
Powers 2018, circulated by Finance Department Government of Khyber
Pakhtunkhwa vide letter No. SO(FR)/FD/9-1/2017/17441/DOP dated 2nd July 2018.

I am therefore directed to state that further necessary action may be taken
in regard to abolition of the post titled as Deputy Director (IT)/Manager MIS from the
Budget Book of Transport and Mass Transit Department under the PR Code 5122
under intimation to this office, please.

ATTACHED

Your faithfully

(IJAZ RAHIM)
SECTION OFFICER (ESTT)

Ref: As Above

Dist: No & Date Even

Copy forwarded to the

- 1. Director Transport, Khyber Pakhtunkhwa
- 2. PS to Secretary Transport & Mass Transit Department, Peshawar
- 3. Master file



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Finance Department Civil Secretariat Peshawar | <http://www.financekpp.gov.pk> | [facebook.com/GokPFD](https://www.facebook.com/GokPFD) | twitter.com/GokPFD

No. BO-II/FD/4-5/TD:SNE/2022-23

Dated Peshawar, the 07.07.2023

CORRIGENDUM: -

In the Budget Book 'DEMANDS FOR GRANTS AUTHORIZED CURRENT EXPENDITURE FOR JULY - OCTOBER 2023 VOL-III (PART-I), under DDO Code PR5122 Directorate of Transport, the following rectification is hereby notified:-

| S# | Existing Entry | | | To be read | | |
|----|---|-----|-------------|---|-----|-------------|
| | Post | BPS | No. of Post | Post | BPS | No. of Post |
| 01 | Deputy Director (IT) / MIS Manager (IT) | 18 | 01 | Deputy Director (IT) / M S Manager (IT) | 18 | |
| | TOTAL | | 01 | TOTAL | | |

Encls: No. & Date even:

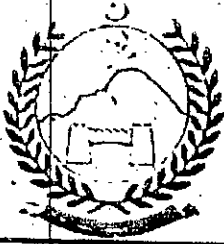
FINANCE SECRETARY

Copy forwarded to the:-

- 1) Secretary Transport & Mass Transit Department w/r to letter No. SOE/TD/2-53/Rec of DOT/2021-22/803-05 dated 14.06.2023.
- 2) Accountant General, Khyber Pakhtunkhwa.
- 3) Director FMIU, Finance Department.
- 4) Assistant Director-II FMIU, Finance Department.
- 5) Master File.

ATTESTED

BUDGET OFFICER-II



GOVERNMENT OF KHYBER PAKHTUNKHWA
TRANSPORT & MASS TRANSIT
DEPARTMENT

Ph: 091-9211782

No. SO(E)/TD/2-53/Rec of DOT/2021-22
Dated 10/06/2023

1280-83

To

10/7/23

The Secretary to Government of Khyber Pakhtunkhwa,
Establishment Department.

Subject: - ABOLISHMENT OF A REDUNDANT POST.

Dear Sir,

I am directed to refer to the subject noted above and to state that the Government of Khyber Pakhtunkhwa Finance Department has abolished the post of Deputy Director (IT)/MIS Manager (IT) (BPS-18), Directorate of Transport from the Budget Book 2023-24 under DDO code PR-5122 Directorate of Transport (copy enclosed).

In view of the above, it is requested to kindly place the services of Mr. Muhammad Imran DD(IT)/MIS Manager (IT) working against the above deleted post at the disposal of Surplus Pool Wing of Establishment Department, please.

Your faithfully

(IJAZ RAHIM)

SECTION OFFICER (ESTT)

Encl: As Above:

Endst: No. & Date Even

Copy forwarded to the: -

1. Director Transport, Khyber Pakhtunkhwa.
2. PS to Secretary Finance, Khyber Pakhtunkhwa.
3. PS to Secretary Transport & Mass Transit Department, Peshawar.
4. Master file.

AVIESTT

(IJAZ RAHIM)
SECTION OFFICER (Estt)

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Para S⁷⁹
BY

Surplus Pool Policy

Policy for declaring government servants as surplus and their subsequent absorption/ adjustment.

I am directed to refer to the subject noted above and to say that the Provincial Government has been pleased to make the following policy for absorption/adjustment of Government Servants declared as surplus in view of the transition of District System and resultant re-structuring of the Government Organizations/Departments etc.

1. POWER WITH REGARD TO THE DECLARATION OF POSTS AS SURPLUS.

The Finance Department in consultation with Department concerned and with the approval of competent authority would decide with regard to the declaration of a particular organization, set up or individual post as redundant or inessential.

2. CREATION OF SURPLUS POOL

There will be a surplus pools cell in the E&AD. After abolition of such posts in the concerned department, duly notified by the Finance Department, equal number of posts in the corresponding basic pay scales would be created in the E&AD for the purpose of drawl of pay and allowances etc by the employees declared surplus as such.

3. IMPLEMENTATION/MONITORING CELL

For the purpose of coordination and to ensure proper and expeditious adjustment/absorption of surplus staff, the Government of NWFP has been pleased to constitute the following committee:-

- a. Additional Secretary(Establishment) E&AD.....Chairman.
- b. Deputy Secretary LG&RD Department.....Member
- c. Deputy Secretary Finance Department.....Member
- d. Deputy Secretary(Establishment) E&AD.....Secretary

4. CRITERIA FOR DECLARING A GOVERNMENT SERVANT AS SURPLUS AS A RESULT OF ABOLITION OF POST.


Consequent upon the abolition of a post in a particular cadre of a department, the junior most employee in that cadre would be declared as surplus. Such posts should be abolished in the respective departments and created in the surplus pool as indicated in para 2 above for the purpose of drawl of pay and allowances and also for consideration for subsequent adjustment.

5. PROCEDURE FOR ADJUSTMENT OF SURPLUS EMPLOYEES

Notwithstanding anything contained in any other law, rules or regulation to the contrary, for the time being in force, the following procedure for the adjustment of surplus staff would be followed:-

- (a) Before transferring an employee to the surplus pool, he should be given option by the concerned department.

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- 73 
- (i) to proceed on retirement with normal retiring benefits under the existing rules;
- OR
- (ii) to opt for readjustment/absorption against a future vacancy of his status/BPS which may not necessarily be in his original cadre/department.
- (b) Those who opt for retirement would be entitled for usual pension and gratuity according to the existing Government Servants Pension and Gratuity Rules of the Provincial Government. Those who opt for absorption/re-adjustment, a category-wise seniority list will be caused in the surplus pool for their gradual adjustment against the future vacancies as and when occurred in any of the Government Departments. These adjustments shall be on seniority-cum-fitness basis. For this purpose, the seniority list will be caused category-wise with reference to their respective dates of appointment in the cadre. In case where dates of appointment of two or more persons are the same, the person older in age shall rank senior and shall be adjusted first.
- (c) Adjustment shall be made on vacant post pertaining to initial recruitment quota from those in the surplus pool in the following manner:-
- (i) In case of occurrence of vacancies in their corresponding posts in any Government Department/ Organization, the senior most employee in the surplus pool should be adjusted first.
- (ii) In case of cross cadre adjustment, the persons with such minimum qualification as prescribed in the relevant Service Rules for the post in question shall be adjusted keeping in view their seniority position.
- (iii) If an employee possesses the basic academic qualification but lacks the professional/technical qualification, he may be adjusted against such post subject to imparting the requisite training.
- (iv) (a) The surplus employees holding such posts which fall to promotion quota in about all the Departments, he shall remain in the surplus pool till the availability of a post in the parent department.
- OR
- (b) Where no equivalent post is available the civil servant may be offered a lower post in such manner, and subject to such conditions, as may be prescribed and where such civil servant is appointed to a lower post the pay being drawn by him in the post immediately preceding his appointment to a lower post shall remain protected.
- (v) ⁸⁴In case an employee already adjusted against a lower post is declared surplus again, he shall regain his original pay scale.
- (vi) ⁸⁵ Surplus employees, who voluntarily opt, may be allowed adjustment in Autonomous/Semi-autonomous bodies with the concurrence of these bodies, where the job is pensionable. The Government will pay pension contribution for the period they rendered regular service under the Government.

ATTESTED

⁸⁴ Sub para c (v) added to para 5 vide circular letter No.SORVI(E&AD)5-1/2005, dated 15.2.2006.

⁸⁵ Sub para c (vi) added to para 5 vide circular letter No.SORVI(E&AD)5-1/2005, dated 31.5.2006.

- 74 86
- (d) If no suitable person is available in the surplus pool to be adjusted against the vacant/revised post, such a post would be filled up by initial recruitment manner after getting clearance from the E&AD.
- (e) ⁸⁶Surplus Staff in BPS-01 to 15 shall not be adjusted in the district other than their district of domicile.
- (f) To facilitate the adjustment of surplus staff, it will be incumbent upon the Administrative Department to take up the case with Finance Department for revival of the essential posts so retrenched as a result of general directive issued by Finance Department from time to time, giving cogent reasons/justification. Against the resultant revival/restoration of the post, the concerned Department will place a requisition on the E&AD for transferring of suitable surplus employee against the said post.
- (g) Unless the surplus employees in Class-IV are fully adjusted/ absorbed against their respective graded posts in various Government Departments/Organizations, the general policy of the Finance Department regarding conversion of BPS-1 & 2 posts to posts in fixed salary @ Rs.2000/- per month for contractual appointed should be restricted to the above extent.

6. FIXATION OF SENIORITY

The inter-se seniority of the surplus employees after their adjustment in various Departments will be determined according to the following principles:-

- (a) In case a surplus employee could be adjusted in the respective cadre of his parent Department he shall regain his original seniority in that cadre.
- (b) In case, however, he is adjusted in his respective cadre but in a Department other than his parent Department, he shall be placed at the bottom of seniority list of that cadre.
- (c) In case of his adjustment against a post in a corresponding basic pay scale with different designation/nomenclature of the post, either in his parent Department or in any other department, he will be placed at the bottom of seniority list.
- (d) ⁸⁷In case of adjustment against a post lower than his original scale, he shall be placed at the top of seniority list of that cadre, so as to save him from being rendered surplus again & becoming junior to his juniors.

~~ATTACHED~~

⁸⁶ (3) Sub para (e) added to para 5 vide circular letter No.SORVI/E&AD/5-1/2005, dated 19.1.2007.

⁸⁷ Sub para d added to para 6 vide circular letter No. SORVI(E&AD)5-1/2005, dated 15.2.2006

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NOTE:-

In case the officer/official declines to be adjusted/absorbed in the above manner in accordance with the priority fixed as per his seniority in the integrated list, he shall lose the facility/right of adjustment/absorption and would be required to opt for pre-mature retirement from Government service.

Provided that if he does not fulfill the requisite qualifying service for premature retirement he may be compulsorily retired from service by the competent authority.

COMPETENT AUTHORITY TO NOTIFY/ORDER ADJUSTMENT/ABSORPTION.

After the transfer of services of surplus employee to a Department for adjustment/absorption against a vacant/revived post, the Competent Authority to notify/order his absorption/adjustment, shall be the respective appointing authority under the relevant rules for the post.

Provided that the decision of adjustment/absorption of surplus employees by the E&AD shall be binding upon the respective appointing authorities.

(Authority: letter NO.SOR-I(E&AD)I-200/98, Dated 8th June, 2001)

Decision of the meeting of chief secretary with district coordination officers, on the issue of surplus pool.

I am directed to refer to the subject noted above and to say that a meeting was held on 4.8.2001 in the Cabinet Room Civil Secretariat under the Chairman of Chief Secretary, NWFP to discuss the issues relating to adjustment of employees rendered surplus due to restructuring of the Government Departments and Devolution of Power Plan, 2000. The following decisions were taken in the said meeting:-

- i). Administrative Departments may reconsider adjustments already made against the available posts at District level. The guiding principle for reviewing the adjustment would be aimed at avoiding dislocation of the employees to the possible extent.
- ii) The DCOs will maintain the surplus pool of the employees, declared surplus in the District cadres and their subsequent adjustment against the vacant posts (District Cadres). It must be ensured that only the junior most employees in the scale in the cadre be declared surplus. At the stage of adjustment of Class-IV posts, the senior most be adjusted first. However, for the other posts besides seniority, the background of the individual and requisite experience of the posts shall be kept in view. The surplus pool of Divisional cadres be maintained by the DCOs posted at divisional headquarters.
- iii) The surplus pool of the employees of the Head Offices be maintained by the Head of the concerned Attached Department. Declaring employees surplus and their subsequent adjustment be made strictly according to the spirit of the policy of the Provincial Government issued vide circular letter No.SORI (S&GAD)I-200/98, dated 8.6.2001.

ATTESTED
ATTESTED

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- iv) The surplus pool of the Secretariat be maintained by the Establishment Department in consultation with the Department concerned.
- v) The salaries of the surplus employees be disbursed through their relevant offices for the time being.
- vi) It was also felt that the sanctioned staff for the office of DCO and other offices is not sufficient. The ministerial staff has no appropriate tiers for the purpose of control and promotion i.e. Senior Clerk and Superintendent etc. The post of Chowkidar/ Sweeper does not exist in the office of DCOs and other offices. Even the other required staff does not meet the bare minimum. The DCOs will, therefore, forward the required proposal for consideration of Finance Department. The budget for the same can be arranged from the available savings due to phasing away of magistracy etc.
- vii) The LR&RD Department may reconsider the adjustment of the employees of the Local Council Board, so as to find out whether any such employees have been adjusted against the regular Government posts funded from the Provincial Consolidated Fund.
- viii) For adjustment of regular Class-IV (BS 1- 4) Government Servant in surplus pool, Finance Department may consider conversion of fixed pay/ contract posts into regular.

2. It is requested that decisions taken during the meeting held on 4.8.2001 may kindly be implemented by all concerned in letter and spirit and compliance report be furnished accordingly.

(Authority: letter NO.SOR-I(S&GAD)1-200/98 (Vol.1), Dated 13th August, 2001)

ATTESTED

BEFORE THE CHIEF SECRETARY, KHYBER PAKHTUNKHWA

Muhammad Imran, Deputy Director IT/MIS Manager (BS-18), Directorate of
PS/C.S Khyber Pakhtunkhwa Transport, Khyber Pakhtunkhwa

Diary No. 3134 (w/e) P
Date: 19-07-2023

Versus

(Appellant) 89

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA, TRANSPORT & MASS
TRANSIT DEPARTMENT

(Respondent)

APPEAL/REPRESENTATION AGAINST TRANSPORT DEPARTMENT
IMPUGNED LETTER No. SO(E)/TD/2-53/Rec of DOT/2021-22/1280-83 Dated
10-07-2023 (WRONGLY WRITTEN 10-06-2023) WHEREBY THE POST OF THE
UNDERSIGNED AS DEPUTY DIRECTOR-IT/MIS MANAGER (BS-18)
ABOLISHED AND PLACED AT THE DISPOSAL OF SURPLUS POOL

PRAYER IN APPEAL

Subject recommendation for abolition of Deputy Director IT/MIS Manager (BS-18) position based on malafide and without knowing career profile of appellant at Transport & Mass Transit Department, which May Kindly Be Set Aside.

Respectfully Sheweth,

1. That the undersigned was shocked to receive subject letter on 10-07-2023 regarding abolishing position of Deputy Director IT/MIS Manager (BS-18) from the Budget Book of the Directorate of Transport under DDO code PR-5122 and to place the services of undersigned at the disposal of Surplus Pool Wing of Establishment Department considering it redundant (Annex-I).
2. That ATD/MIS cell was established way back in January, 2011 under the ADF project "Automation of Transport Department-Computerization of Route Permit (ATD-CRP)". The project was regularized under Khyber Pakhtunkhwa Employees of Transport Department (Regularization of Services) Act, 2017 on 01.06.2017 (Act at Annex-II) and a separate Gazette Notification was issued on 21.12.2017 whereby the ATD-CRP employees including the undersigned were regularized (Annex-III). Since then the MIS cell under the supervision of the undersigned performing its functions related to IT & MIS of route permit, driving license and fitness certificates for the last 12 years without any objection of redundancy. But all of sudden, the post of Deputy Director IT/MIS was declared as redundant which is beyond comprehension.
3. That the Transport Department vide Notification No. SO(D)/TD/6-21/2016-17/TIS dated 11.06.2017 (Notification at Annex-IV) assigned me with an additional charge of Project Director of the Project "Establishment of Transport Inspection Stations in Khyber Pakhtunkhwa". The undersigned remained PD for two years during which the web based online centralized database system was deployed for issuance of smart card for computerized driving license and issuance of International Driving Permit in Khyber Pakhtunkhwa. For the purposes of driving license, the

ATTESTED

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undersigned vide office order dated 03.05.2023 was declared as convener/coordinator of computerized driving license (Annex-V)

4. That the undersigned has been assigned a supervisory role of IT & MIS related activities in the Directorate of Transport, Khyber Pakhtunkhwa (JDs enclosed at Annex-VI, Annex-VII, Annex-VIII).

5. That various IT/MIS systems have been established by the undersigned in Transport Department that are successfully working in Khyber Pakhtunkhwa. These systems include but not limited to:

- ✓ Centralized database system for computerized route permit which has been implemented since January, 2012 for issuance of route permits of Provincial Transport Authority and all Regional Transport Authorities in Khyber Pakhtunkhwa.
- ✓ Modernization of driving license system to a state-of-the-art web based secured online system & issuance of chip based smart card for driving license (LTV, HTV, PSV, etc).
- ✓ International driving permit in Khyber Pakhtunkhwa.
- ✓ Online web-based system for Vehicle Emission Testing Stations (VETS).
- ✓ Computerized Fitness Certificates, mobile vehicle fitness stations & mobile weigh/axel load stations.
- ✓ online record verification of these services is made available through website of Transport Department and mobile application.

6. That the impact of automation of these services in Khyber Pakhtunkhwa resulted in increase in revenue receipts, removal of fake route permits, streamlining issuance of driving license and ensuring transparent fitness certificates. Implementation of these systems has never been an easy task and the efforts being made to materialize these concepts shall be given due weightage.

7. That it seems, the decision of abolition of the post was already finalized before the letter was issued by the Director Transport (Annex-IX) as the worthy Secretary on the very next day i.e 14.06.2023, without looking into the matter and any spade work, forwarded the letter to the Secretary Finance (Annex-X) to abolish the post. Accordingly, the Finance Department deleted the post from the Budget Book and informed the Secretary Transport vide letter dated 07.07.2023 (Annex-XI). The Secretary Transport issued a letter dated 10.07.2023 (wrongly written as 10.06.2023) for placing the services of the undersigned at the disposal of the Surplus Pool Wing of the Establishment Department.

8. That the entire service carrier of the undersigned has been jeopardized, ignoring all the successful initiatives being taken as mentioned above. the undersigned will now, under the surplus pool policy, be adjusted in any other department either in the same scale at the bottom of the seniority list or in lower scale at the top of seniority list. Whereas by deletion of the post, not only the undersigned illegally declared as surplus but also lower cadre officers/officials affected in their carrier progression as the subject post is inline of promotion. (Service rules at Annex-XII, List of cadre employees regularized under ibid Act is attached at Annex-XIII)

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[Handwritten Signature]

ATTESTED

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9. That the use of Information & Communication Technologies (ICT) in all sectors is need of the day. Government of Khyber Pakhtunkhwa as well as Federal Government has also a clear vision for implementation and development of ICT sector as priority not only in public but also in private sector to bring transparency in business processes and increase revenue generation. 91

10. That the post of the undersigned is selected for abolishment, who is head of the unit of MIS cell, rather than abolishment of a whole unit which establishes malafide towards pick and choose policy. The abolishment of this post will not only suffer the transparency in the system but will also bring on stack the investments being made by the government so for.

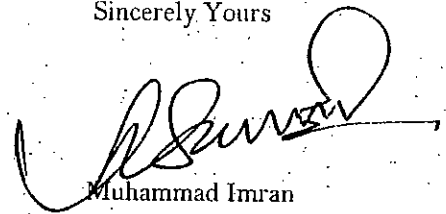
Prayer:

In view of above mentioned facts and circumstances, being aggrieved, I hereby register my grievance with a humble request to kindly re-consider the decision for abolishing Deputy Director IT/MIS Manager (BS-18) position to set-aside. Specially in the case where other staff of ATD/MIS cell including BS-17 and BS-16 Officers/officials are being considered as non-redundant and a leading position considered as redundant. It is also kindly requested that undersigned be given an opportunity for personal appearance/hearing, if your grace deem it appropriate, on said matter and I shall be obliged please.

Dated: 18th July 2023

Sincerely Yours

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Muhammad Imran
Deputy Director-IT/MIS Manager

ATTESTED

ANNEX T 92



IN THE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No. _____/2023

Mr. Muhammad Imran,
Deputy Director-IT/MIS Manager
Directorate of Transport & Mass Transit
Khyber Pakhtunkhwa Peshawar..... Petitioner

Versus

1. The Govt. of Khyber Pakhtunkhwa
through Chief Secretary Civil Secretariat,
Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa
Establishment Department Civil Secretariat
Peshawar.
3. The Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department Civil Secretariat
Peshawar.
4. The Secretary to Govt. of Khyber Pakhtunkhwa
Transport & Mass Transit Department
Civil Secretariat Peshawar.
5. The Director,
Directorate of Transport & Mass Transit,
Khyber Pakhtunkhwa Ground Floor
Benevolent Fund Building Peshawar Cantt;..... Respondents

Writ Petition under Article, 199 of the Constitution of the Islamic Republic of Pakistan, 1973 for declaration to the effect that the impugned abrupt decision of abolition of the post of Petitioner i.e. Deputy Director-IT/MIS Manager (BPS-18) as head of the Automation of Transport Department after long 12 years of outstanding service as such in the Transport Department on the recommendation of the Director Transport during the current Caretaker Government with limited powers without consulting the Establishment Department and prohibitory directives of the Election Commission of Pakistan, is politically motivated, based on malafide intention and hence of no legal effect being contrary to law and Judgments of the Apex Court and directives of the Election Commission of Pakistan.

Respectfully Sheweth,

ATTESTED
EXAMINER
Peshawar High Court

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JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT JUDICIAL DEPARTMENT.

Writ Petition No.3206-P/2023

J U D G M E N T



Date of hearing : 13th September, 2023
Petitioner : By Mr. Khaled Rehman, Advocate
(Muhammad Imran)
Respondent(s) : By Mr. Amir Javed, Advocate
(Government of Khyber General.
Pakhtunkhwa / Chief Secretary etc.)

S. M. ATTIQUE SHAH, J.-By this single judgment, we propose to decide the present Writ Petition No.3206-P/2023 and the connected Writ Petition No.3207-P/2023 as common questions of law and facts are involved in both the petitions.

2. In essence, both the petitioners i.e. Muhammad Imran and Waqas Saliheen are aggrieved from the abolishment of their respective posts i.e. Deputy Director-IT / MIS Manager (BS-18) and Business Development Officer (BS-19).

ATTESTED
EXAMINER
Peshawar High Court

3. During the course of brief submissions, when the learned counsel for the petitioners was confronted with the proposition that creation and abolishment of seats is the

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solitary prerogative of the provincial government and being a policy matter, this court in the given circumstance cannot intervene as it is not its domain rather the petitioners being civil servants are supposed to approach the Khyber Pakhtunkhwa Service Tribunal in view of the explicit bar contained under Article 212(2) of the Constitution of the Islamic Republic of Pakistan, 1973 for the redressal of their grievance, the learned counsel could not controvert such legal proposition and straightaway submitted at the bar that since the appeals / representations of the petitioners are pending adjudication before the departmental authority viz. worthy Chief Secretary Khyber Pakhtunkhwa, therefore, he would be satisfied, if direction is made for early disposal of the same in accordance with law.

Such being the position, we dispose of these writ petitions in terms of directing the worthy Chief Secretary Khyber Pakhtunkhwa to decide the appeals / representations of the petitioners in accordance with law as early as possible but not later than one month, after the receipt of this judgment, whereafter, the petitioners may have recourse for the redressal of their grievance before the proper forum.

Announced
13.09.2023

JUDGE

JUDGE

(Fayaz)

(D.B) Justice S. M. Attique Shah, JJ and Justice Wajid Ahmad, JJ

CERTIFIED TO BE TRUE
EXAMINER
Peshawar High Court, Pesh.
Authorized Under Article 8
of the Oath-taking Act

19 SEP 2023

Part U²

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ELECTION COMMISSION OF PAKISTAN
NOTIFICATION

Islamabad the 22nd January, 2023

F.No 2(1)/2023-Cord.- WHEREAS, the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa under Article 112 of the Constitution of the Islamic Republic of Pakistan stand dissolved on 14th and 18th January, 2023 respectively.

AND WHEREAS, the Election Commission of Pakistan is mandated with the constitutional duty to organize and conduct elections in terms of Article 218(3) of the Constitution and to make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with the law and that corrupt practices are guarded against;

AND WHEREAS, it has become imperative that the Election Commission shall take all necessary steps under the Constitution and prevalent law for smooth conduct of General Elections to the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa.

NOW THEREFORE, in exercise of the powers conferred upon it under Articles 218(3), 220 of the Constitution of the Islamic Republic of Pakistan, Sections 4, 5, 8(c) read with Section 230 of the Elections Act, 2017 and as supported by the Workers' Party case through Akhtar Hussain Advocate, General Secretary and 6 others Versus Federal of Pakistan and 2 others reported in PLD 2012 SC 681, and all the other powers enabling it in that behalf, the Election Commission of Pakistan, to ensure transparent election and to provide a level playing field for all contesting candidates and political parties, hereby directs the Caretaker Governments of Punjab and Khyber Pakhtunkhwa:-

- (a) To assist the Election Commission to hold elections in accordance with law as provided under section 230(1)(b) of the Elections Act, 2017.
- (b) To ensure the compliance of all the notifications, directives and the provisions as laid down in Section 230 of the Act *ibid*.
- (c) Not to post or transfer any public official after the issuance of this notification within and to / from Punjab & Khyber Pakhtunkhwa without prior approval in writing of the Election Commission as laid down in Clause 2(f) of Section 230 of the Elections Act, 2017.
- (d) Ensure that all kinds of recruitments in any Ministry, Division, Department or Institution under the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunkhwa are banned with immediate effect, except recruitments by the Provincial Public Service Commissions and those government organizations where test / interviews have already been conducted before this day.
- (e) Not to announce / execute any kind of Development Schemes in Punjab and Khyber Pakhtunkhwa Provinces except those which are ongoing and approved before the issuance of this notification. Moreover, the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunkhwa shall not issue tenders of such schemes till culmination of General Elections of both Assemblies.

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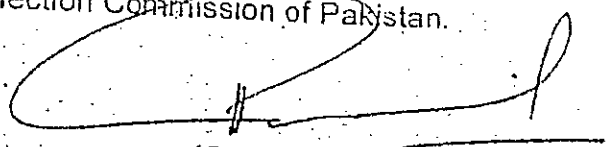
~~ATTENTION~~

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(7)

- (f) All development funds relating to Local Government institutions of Punjab and Khyber Pakhtunkhwa and Cantonment Boards falling in the jurisdiction of Punjab and Khyber Pakhtunkhwa shall stand frozen with immediate effect till announcement of results of the said General Elections.
- (g) To ensure immediate termination of services of all heads of the institutions appointed on political basis and to send their lists to the Commission forthwith.
- (h) To ensure vacation of the government residential facilities from Ex-Chief Ministers and their advisors, Ex-Provincial Ministers and Ex-Members of the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa, besides ensuring withdrawal of official vehicles from them. Furthermore, the dignitaries shall be provided security / protocol as per their entitlement and any extra deployment of security / protocol be withdrawn from them forthwith.
- (i) The Care taker Governments shall perform their functions and attend to day-to-day matters which are necessary to run the affairs of the Provinces in accordance with law.
- (j) The Chief Minister or a Minister or any other member of Caretaker Governments shall, within three days from the date of assumption of office, submit to the Commission, a statement of assets and liabilities including assets and liabilities of his spouse and dependent children as on the preceding 30th day of June on Form B.

This issues with the approval of Election Commission of Pakistan.



(Omar Hamid Khan)

Secretary

Election Commission of Pakistan

ATTESTED

ATTESTED

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Copy forwarded for information to the:

- (1) Secretary to the President, Aiwan-e-Sadr, Islamabad.
- (2) Secretary to the Prime Minister, Prime Minister's Secretariat, Islamabad.
- (3) Secretary, Ministry of Parliamentary Affairs, Govt. of Pakistan, Islamabad.
- (4) Secretary, Ministry of Interior, Government of Pakistan, Islamabad.
- (5) Secretary, Ministry of Planning, Development and Reforms, Government of Pakistan, Islamabad. (for implementation and Circulation to all relevant Departments)
- (6) Secretary, Senate Secretariat, Islamabad.
- (7) Secretary, National Assembly of Pakistan, Islamabad.
- (8) Secretary, Ministry of Defence, Government of Pakistan, Rawalpindi.
- (9) Secretary, Establishment Division, Government of Pakistan, Islamabad. (for implementation and Circulation to all concerned)
- (10) Principal Secretary to the Governor, Punjab, Lahore.
- (11) Principal Secretary to Chief Minister of Punjab, Lahore.
- (12) Chief Secretary, Government of Punjab, Lahore.
- (13) Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar. } For Implementation and Circulation to all subordinate Departments
- (14) Registrar, Supreme Court of Pakistan, Islamabad.
- (15) Registrar, Lahore High Court, Lahore.
- (16) Registrar, Peshawar High Court, Peshawar.
- (17) Provincial Election Commissioner Punjab, Lahore.
- (18) Provincial Election Commissioner Khyber Pakhtunkhwa, Peshawar.
- (19) Inspector General of Police, Punjab, Lahore.
- (20) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

II. Copy also forwarded to the:

- (1) Director General (Law)
- (2) Director General (IT- Policy & Planning)
- (3) Additional Director General (Training)
- (4) Additional Director General (GSI)
- (5) Additional Director General (Elections-II)
- (6) Principal Staff Officer to Hon'ble CEC
- (7) Director to Hon'ble CEC
- (8) Director (Elector Rolls)
- (9) Director (MIS)
- (10) Director (Political Finance)
- (11) Director (MCO)
- (12) Deputy Director (Budget)
- (13) Deputy Director (Election-I & II)
- (14) Deputy Director (Confid.)
- (15) Deputy Director (Political Finance)
- (16) Deputy Director (Training)
- (17) Deputy Director (Web)
- (18) Deputy Director (Law)
- (19) PS to Hon'ble Members - I, II, III & IV.
- (20) Staff Officer to Secretary
- (21) Assistant Director (Monitoring)
- (22) PS to Additional Secretary (Admn)
- (23) JPA to Special Secretary (ECP)

ECP Secretariat, Islamabad.

Shahid Iqbal
 (Shahid Iqbal)
 Additional Director Gener
 (Elections)

ATTESTED

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
TRANSPORT & MASS TRANSIT DEPARTMENT

Ph: 091-9210502
Fax: 091-9212556

NO. SO(G)/TD/7-37/P.F/BDO/1420-22
Dated Peshawar 25-10-2022

To

The PS to Minister Transport & Mass Transit Department,
Khyber Pakhtunkhwa.

Subject: - DISENGAGEMENT OF BUSINESS DEVELOPMENT OFFICER
MR. WAOAS SALHEEN FROM SECRETARIAT BUSINESS AND
RELOCATION TO PARENT OFFICE (DIRECTORATE OF
TRANSPORT & MASS TRANSIT)

I am directed to refer to your office letter No. PS/Minister/T&MT/Transport/2022 dated 21.10.2022 and to state that it appears that this office letter No. SO(G)/TD/7-37/P.F/BDO/1363-65 dated 14.10.2022 has not been carefully read and understood properly. There is no misleading information or fabricated statement etc.

Services of employees are sent to surplus pool when that entity is being dissolved or as a result of some right sizing exercise. Since dissolution or right sizing is not taking place therefore sending an employee of Transport Department to the surplus pool is not a viable option, please.


Encl: As Above.

Encl. No. & Date Even.

Copy to the:-

1. PS to Secretary Transport & Mass Transit Department, Khyber Pakhtunkhwa.
2. Master File.


SECTION OFFICER (Admin)


SECTION OFFICER (Admin)

ATTESTED

