

598

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

SERVICE APPEAL NO. 1758-P/ 2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 9872

Dated 13/12/2023

Tayyab Shah

..... Appellant / Petitioner

VERSUS

1. Registrar, Cooperative Societies, Khyber Pakhtunkhwa, Peshawar
2. Secretary, Livestock, Fisheries and Cooperative department
3. Secretary(Finance), Finance department, Government of Khyber Pakhtunkhwa,
Peshawar

.....Respondents

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20-12-23
Peshawar

SERVICE APPEAL NO. 1758 of 2023

Tayyab Shah.....

..... **Appellant / Petitioner**

VERSUS

- 1- Registrar, Cooperative Societies, Khyber Pakhtunkhwa, Peshawar
- 2- Secretary, Livestock, Fisheries and Cooperative department & others
- 3- Secretary (Finance), Finance department, Government of Khyber Pakhtunkhwa, Peshawar

..... **Respondents**

JOINT PARA-WISE COMMENTS OF RESPONDENTS (NO. 1 TO 3)

Preliminary Objections

1. That the appellant has no cause of action/locus standi to file the instant appeal.
2. That the appeal is incompetent and is not maintainable in its present form.
3. That the instant appeal is not maintainable and liable to be dismissed.
4. That the appellant has not come to this Honorable Court with clean hands.

ON FACTS

- 1 Pertains to record, hence no comments.
- 2 Pertains to record, hence no comments.
- 3 Pertains to record, hence no comments.
- 4 According to existing Service Rules of the Cooperative Department (**Annex-I**) the following is the criteria for promotion of Inspector(BPS-16) to the post of Assistant Registrar(BPS-17);

Name of post	Qualification	Method of recruitment	Age limit
Assistant Registrar	At least Second Class Bachelor's Degree in Commerce, Economics, Agriculture or its equivalent qualification from a recognized university.	(a). Fifty percent by promotion, on the basis of seniority cum-fitness, from amongst the Inspectors who have passed the departmental examination with at least five years service as such: and (b). fifty percent by initial recruitment.	21 to 32 years

The appellant appeared in a special/Supplementary Exam arranged for the failed/compart Inspectors and passed the said Exam (**Annex-II**) by the end of January 2023 and subsequently he got retired from Government service on attaining the age of superannuation in February, 2023.

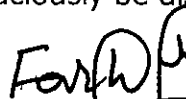
The DPC meeting is normally arranged for the promotion of all eligible employees, but not individually, for which participation of various departments including Finance & Establishment is required. Detailed Working Papers along-with supporting documents need to be prepared and thoroughly examined well before the DPC meeting. Hence, it is a time taking process.

- 5 Para-5 is misleading, the appellant has been treated in accordance with the law and rules in vogue.
- 6 As explained in Para-4 above.
- 7 Para-7 is incorrect hence denied. The Department has always acted in accordance with the law and rules framed by the Provincial Government.
- 8 Para-8 is correct to the extent that the appellant submitted appeal on 13.03.2023 after his retirement before the Honorable Secretary, Livestock, Fisheries & Cooperative Department for grant of Proforma promotion which was regretted.
- 9 No comments.

GROUND:

- A. Incorrect. The Department has always acted in accordance with the law and rules framed by the Provincial Government.
- B. Incorrect. As stated in Para-4 above.
- C. Incorrect. The Department has always acted in accordance with the law and rules framed by the Provincial Government.
- D. That further grounds will be agitated at the time of arguments with kind permission of the Hon'ble Tribunal.

It is, therefore, humbly prayed that on acceptance of the above noted submissions, the instant appeal may graciously be dismissed with no cost.


(FARHAN KHAN)

REGISTRAR
COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA,
Respondent (1)

(MUHAMMAD ISRAR)
SECRETARY

LIVESTOCK, FISHERIES & COOPERATIVE DEPTT
GOVERNMENT OF KHYBER PAKHTUNKHWA

(AMIR SULTAN TAREEN)
SECRETARY

FINANCE DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

Respondent (3)

3

BEFORE THE KHYBER PAKHTUNKHTWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO.1758-P/ 2023

Tayyab Shah

Appellant / Petitioner

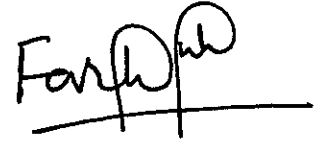
VERSUS

1. Registrar, Cooperative Societies, Khyber Pakhtunkhwa, Peshawar
2. Secretary, Livestock, Fisheries and Cooperative department
3. Secretary(Finance), Finance department, Government of Khyber Pakhtunkhwa, Peshawar

..... **Respondents**

AFFIDAVIT

I, **Farhan Khan, REGISTRAR (BS-18)** Cooperative Societies Khyber Pakhtunkhwa Peshawar, Respondent No.1, do hereby solemnly affirm and declare on oath that the contents of the accompanying para-wise comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



DEPONENT

CNIC: 17301-8416815-7

Cell: 0301-8983889

Identify by

Add: Advocate General

Khyber Pakhtunkhwa Service tribunal Peshawar



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.1758-A/2023

Tayyab Shah.....

.....Appellant/ Petitioner

Versus

Registrar cooperative societies Khyber Pakhtunkhwa & others


..... Respondents

AUTHORITY

Mr. Khalid Mehmood Superintendent (BS-17) office of the Registrar Cooperative Societies Khyber Pakhtunkhwa Peshawar is hereby authorized to appear before The Khyber Pakhtunkhwa Service Tribunal Peshawar, on behalf of the Registrar Cooperative Societies Khyber Pakhtunkhwa (Respondent No.01) till the announcement of judgment in the case.



REGISTRAR
COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR





GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVES
DEPARTMENT

No. SO(LFC)AD-4(12)/2018
Dated Peshawar the 15th January, 2019

To

The Secretary
Government of Khyber Pakhtunkhwa
Law & Parliamentary Affairs Department
Peshawar.

Subject: **DRAFT NOTIFICATION OF COOPERATIVE SERVICE RULES.**

Dear Sir,

I am directed to refer to your letter No.Reg:1(6)76(B)/42024-27 dated 21.12.2018 on the subject cited above and to state that the substituted/vetted Notification has been issued duly countersigned by the Secretary Agriculture, Livestock and Cooperative Department for your kind information please.

Encl: As Above

Yours Faithfully

[Signature]
15/1/19
SECTION OFFICER (LFC)

ENDST: of Even No. & Date

Copy of the above is forwarded to:

1. Registrar Cooperative Societies, Khyber Pakhtunkhwa, Peshawar w/r to this department letter of even No. dated 19.10.2018.
2. PS to Secretary Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.
3. P.A to Dy. Secretary (Admn), Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.

Suppl(2)

[Signature]
15/1/19
SECTION OFFICER (LFC)

AM
[Signature]
Subd. Reg. 15/1/19



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK AND
COOPERATION DEPARTMENT

Peshawar, dated the 15.01.2019

NOTIFICATION

No. **SO(LFC)AD-4(12)/2018** - In pursuance of the provisions contained in 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 Agriculture, Livestock and Cooperation Department in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column No. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts mentioned in column No. 2 of the said Appendix borne in the Office of the Registrar Cooperative Societies of the Agriculture, Livestock and Cooperation Department.

APPENDIX

TECHNICAL STAFF

S. no.	Nomenclature of the post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1	2	3	4	5
1.	Registrar.	---	---	By transfer, from amongst the officers of All Pakistan Unified Grades or Provincial Unified Grades.
2.	Deputy Registrar/ Principal.	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Instructors with at least five years service as such or twelve years service as Assistant Registrar and Instructor.
3.	Instructor.	(i) At least Second Class Master's Degree in Economics, Business Administration, Public Administration, B.Sc (Hons four years) in Agriculture or its equivalent qualification from a recognized University; or	21 to 32 years.	(a) Sixty seven percent by promotion, on the basis of seniority cum-fitness, from amongst the Assistant Registrars with at least five years service as such; and (b) thirty three percent by initial recruitment.

Asstt. Legal Drafter
Govt. of Khyber Pakhtunkhwa
Law Department

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Asstt. Legal Officer
Govt. of Khyber Pakhtunkhwa
Law Department

		(ii) at least Second Class Bachelor's Degree in Science (four years) with Economics, Business Administration, Public Administration or its equivalent qualification from a recognized University.		
4.	Assistant Registrar.	At least Second Class Bachelor's Degree in Commerce, Economics, Agriculture or its equivalent qualification from a recognized University.	21 to 32 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Inspectors who have passed the departmental examination with at least five years service as such; and (b) fifty percent by initial recruitment.
5.	Inspector.	At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University.	21 to 32 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub- Inspectors who have passed the departmental examination with at least five years service as such; and (b) fifty percent by initial recruitment.
6.	Sub-Inspector.	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board.	18 to 32 years.	By initial recruitment.

MINISTERIAL/SUPPORTING STAFF

7.	Budget and Account Officer.	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least five years service as such; or Provided that: If no suitable person is available for promotion, then by transfer on deputation from the Accountant General
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Asstt. Legal Officer
Govt. of Khyber Pakhtunkhwa
Law Department

8.	Superintendent.		---	<p>Office.</p> <p>By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants and Senior Scale Stenographers with at least five years service as such.</p> <p>Note: For the purpose of promotion, a joint seniority list of the Assistants and Senior Scale Stenographers shall be maintained, if the date of appointment is the same, than Assistant shall rank senior to the Senior Scale Stenographer.</p>
9.	Senior Scale Stenographer.		---	<p>By promotion, on the basis of seniority cum-fitness, from amongst the Junior Scale Stenographers with at least five years service as such.</p>
10.	Computer Operator.	<p>(i) At least Second Class Bachelor's Degree in Computer Science or Information Technology (BCS/BIT four years) or its equivalent qualification from a recognized University; or</p> <p>(ii) at least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.</p>	18 to 32 years.	<p>By initial recruitment.</p>
11.	Assistant.	<p>At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University.</p>	10 to 32 years.	<p>(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with five years service as Junior clerk and Senior Clerk; and</p> <p>(b) twenty five percent by initial recruitment.</p>

2024-25 ANUPUR PUNJAB UNIVERSITY
 Law Department

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 A. J. S.
 S. P. S.
 R. C.

12.	Junior Scale Stenographer.	<p>(i) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board;</p> <p>(ii) a speed of fifty words per minute in shorthand in English and thirty five words per minute in typing; and</p> <p>(iii) knowledge of Computer in using MS-Word, MS-Excel.</p>	18 to 32 years.	By initial recruitment.
13.	Senior Clerk.	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with at least two years service as such.
14.	Junior Clerk.	<p>(i) At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board; and</p> <p>(ii) speed of typing thirty words per minute in English on computer.</p>	18 to 32 years.	<p>(a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids, Chowkidars and Malies having Secondary School Certificate from a recognized Board with two years service as such; and</p> <p>(b) sixty seven percent by initial recruitment.</p> <p>Note: For the purpose of promotion, there shall be maintained a common seniority list of the Naib Qasids, Chowkidars and Malies with reference to the dates of their acquiring the Secondary School Certificate:</p> <p>Provided that:</p> <p>a. if two or more officials have acquired the Secondary School Certificate in the same session, the inter-se seniority in the lower post shall be maintained for the purpose.</p>

Law Department

Advice
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				determining seniority in the higher post: b. where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.
15.	Driver.	Literate, having a valid Light Transport Vehicle (LTV) driving license. Note: Preference shall be given to those who have sufficient experience in driving, repairing and maintenance of vehicles.	18 to 40 years.	By initial recruitment.
16.	Naib Qasid.	Literate.	18 to 40 years.	By initial recruitment.
17.	Chowkidar.	Literate, having sound physique.	18 to 40 years.	By initial recruitment.
18.	Mali.	Literate, with two years working experience as Mali.	18 to 40 years.	By initial recruitment.
19.	Sweeper.	Literate.	18 to 40 years.	By initial recruitment

Asstt. Legal Officer
Govt. of Khyber Pakhtunkhwa
Law Department

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK AND
COOPERATION DEPARTMENT.

Endst: SO(LFC)AD-4(12)/2018

Date Peshawar, the January 15th, 2019

Copy of the above is forwarded to :

1. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa Law Department, w/r to his letter No-Reg:1(6)76(B)/42024-27 Dated:21.12.2018.
4. Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
5. Chairman Public Service Commission Khyber Pakhtunkhwa, Peshawar.
6. Registrar Cooperative Societies Khyber Pakhtunkhwa, Peshawar.
7. Manager Printing Press, Peshawar for Publication in Official Gazette Notification and also to provide (11 copies of the same).
8. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
9. PS to Secretary Agriculture, Livestock & Cooperative Department.
10. Web Administrator for Uploading on the official website of Agriculture, Livestock & Cooperative Deptt.



P-11

<http://coopsocieties.kp.gov.pk>
Email:- rcs.kpkpeshawar@gmail.com

11/11

**OFFICE OF
THE REGISTRAR, COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR
091-9211912**

No. 175 /RCS/C-263

Dated Peshawar the: 25/01/2023


To

**The Principal,
Cooperative Training College,
Khyber Pakhtunkhwa, Peshawar.**

Subject:-

**RESULT OF THE ASSISTANT REGISTRAR / INSPECTORS
SUPPLEMENTARY EXAMINATION HELD DURING THE YEAR
DECEMBER 2022.**

I am directed to refer to your office letter No. ^{P.305} 208/PL/CTC/C-57 dated 13.12.2022 on the subject noted above and to return herewith the result of the supplementary examination of Assistant Registrars / Inspectors training class held in December 2022, duly approved/signed by the Registrar Cooperative Societies, Khyber Pakhtunkhwa, Peshawar for further necessary action.


**DEPUTY REGISTRAR (H.O.)
COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR**

C.C:-

P.A to Registrar, Cooperative Societies, Khyber Pakhtunkhwa.

Avi-ii
Septd.
RC



P-12

ctc.kpkpeshawar@gmail.com
OFFICE OF THE PRINCIPAL
COOPERATIVE TRAINING COLLEGE
KHYBER PAKHTUNKHWA
PESHAWAR
091-2586409
No. 208 PL/CTC/C-57
Dated Peshawar the. 13 /12/2022

To

Registrar,
Cooperative Societies,
Khyber Pakhtunkhwa,
Peshawar.

Subject: - RESULT OF THE ASSISTANT REGISTRARS / INSPECTORS SUPPLEMENTARY EXAMINATION HELD DURING THE YEAR DECEMBER 2022.

The Supplementary examination of the Assistant Registrars/Inspectors which was held during the year december 2022, and now the result of the said examination has been prepared which is submitted herewith for kind perusal and approval please.

PRINCIPAL
COOPERATIVE TRAINING COLLEGE
KHYBER PAKHTUNKHWA
PESHAWAR.

DRCT (Supdt)

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20/12/22

Supdt. (K)


20/12/22

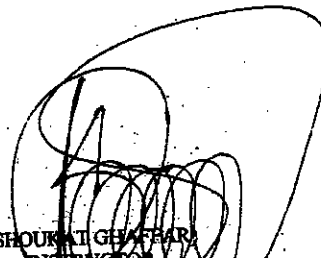
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RESULT OF THE SUPPLEMENTARY EXAMINATION OF ASSISTANT REGISTRARS/INSPECTORS TRAINING CLASS 2022

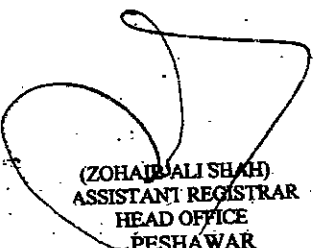
COMPART CANDIDATE

S.#	NAME	DISTR/CT	BOOK KEEPING ACCOUNTS D/E Marks 100	BOOK KEEPING ACCOUNTS S/E Marks 100	BUSINESS MANAGEMENT Marks 100	COOP. LAW Marks 100	ECONOMICS Marks 100	COOPERATION Marks 100	COOPERATIVE LAW & Practice Marks 50	General Law Marks 50	Community Development Marks 100	VIVA VOCE Marks 50	TOTAL MARKS OBTAINED Total Marks 850	REMARKS
1-	Tayb Shah Inspector	Manshera	50	45	41	41	44	50	23	25	40	25	384	Passed in all and in aggregate
2-	Sahib Noor Inspector	Kohat	40	47	45	46	42	43	47	33	45	25	413	Passed in all and in aggregate



 (MAQBOOL KHAN)
 PRINCIPAL
 COOPERATIVE TRAINING COLLEGE,
 KHYBER PAKHTUNKHWA
 PESHAWAR

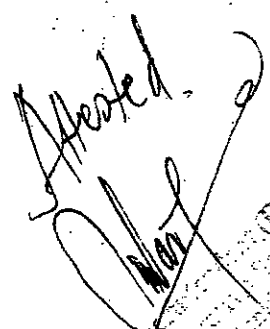

 (SHOUKAT GHAFFAR)
 INSTRUCTOR
 COOPERATIVE TRAINING COLLEGE,
 KHYBER PAKHTUNKHWA
 PESHAWAR

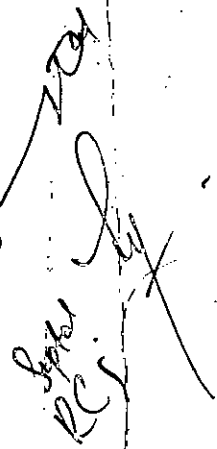

 (WASEEM ULLAH)
 INSTRUCTOR
 COOPERATIVE TRAINING COLLEGE,
 KHYBER PAKHTUNKHWA
 PESHAWAR


 (ZOHAI ALI SHAH)
 ASSISTANT REGISTRAR
 HEAD OFFICE
 PESHAWAR

APPROVED


 REGISTRAR
 COOPERATIVE SOCIETIES
 KHYBER PAKHTUNKHWA
 PESHAWAR


 REGISTRAR
 COOPERATIVE SOCIETIES
 KHYBER PAKHTUNKHWA
 PESHAWAR


 Inspector
 R.C.S.

See Live Stock



→ Change →

Secretary Finance