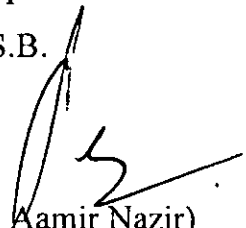


05.10.2016

Appellant in person and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. Last opportunity granted. To come up for written reply/comments on 25.10.2016 before S.B.

  
(Muhammad Aamir Nazir)  
(Member)

25.10.2016

Counsel for the appellant and Mr. Gulzar Alam alongwith Assistant AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 05.01.2017.

  
Chairman

05.01.2017

Appellant in person and Mr. Ziaullah, Government Pleader for the respondents present. Appellant submitted application for withdrawal of the instant appeal. Signature of the appellant also recorded at the margin of order sheet as a token of proof. The appeal in hand is hereby dismissed as withdrawn. File be consigned to the record room

ANNOUNCED  
05.01.2017

  
MUHAMMAD AAMIR NAZIR  
MEMBER

2218  
2017/10/10

11.05.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as Sub Engineer and promoted as Assistant Engineer BPS-17 on 14.10.1992 and stood retired as such on 16.11.1995. That the appellant was entitled to promotion w.e.f. 12.11.1975 on the basis of seniority-cum-fitness and availability of vacancy but ignored and his promotion delayed till 14.10.1992. That the appellant stood retired from service on 16.11.1995 and there-after preferred departmental appeal for financial benefits on 14.12.2015 which was not responded and hence the instant service appeal on 11.04.2016.

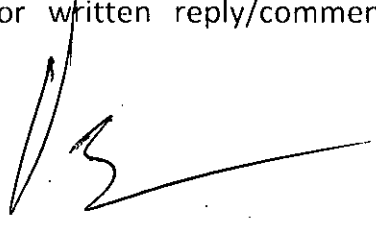
That the appellant is entitled to promotion and benefits thereof w.e.f. 12.11.1995 i.e. date on which the vacancy for promotion for considering the appellant against the same had become available.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 08,09.2016 before S.B.

  
Chairman

08.09.2016

Appellant in person and Mr. Hayatullah, Supdt. Alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 05.10.2016 before S.B.

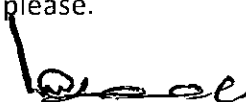


  
Member

Appellant Deposited  
Security & Process Fee

Form- A  
FORM OF ORDER SHEET

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

Case No. 452/2016

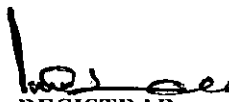
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.04.2016	<p>The appeal of Mr. Fida Muhammad resubmitted today by him may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2	28-4-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>5-5-2016</u></p> <p> CHAIRMAN</p>
	5.5.2016	<p>Counsel for the appellant present. Submitted Wakalat Nama and requested for adjournment. Adjourned for preliminary hearing to 11.5.2016 before S.B.</p> <p> Member</p>

The appeal of Mr. Fida Muhammad Ex-Assistant Director Technical LG&RDD Govt. of NWFP received to-day i.e. on 11.04.2016 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Law under which appeal is filed is not mentioned.
- 2- Documents referred to in the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Annexures of the appeal may be attested.
- 4- Annexures of the appeal may be flagged.
- 5- Page No.20 and 22 of the appeal are illegible which may be replaced by legible/better one.
- 6- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 581 /S.T,

Dt. 13/4 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Fida Muhammad appellant.

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 452 /2016

Fida Muhammad Ex Director

Verses

Chief Secretary KPK and Others Peshawar

**INDEX**

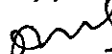
S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES NO
	Name of Appeal		1-6
1.	Initial Appointment Letter	A	7
3.	Notification of Transfer to IRDP Markz Akora Khattak with PARD Training Certificate	B	8-10
4.	Additional Duty as Project Manager Akora Khattak	C	11
5.	Abolition of post & Transfer to IRDP IRDP Marakiz Mardan. * Promotion of Hayath Bhatti in B-16.	D	12-14
6.	Promotion to the BPS-16 as Assistant Engineer and Transfer to Kohistan with additional charges.	E	15-17
7.	Transfer from Kohistan to Directorate General Peshawar	F	18
8.	Additional Charge Mohmand Agency	G	19
10.	Duty at Karachi as Director Technical BPS-18 Post.	H	20-21
11.	Promotion to BPS-17 & Retirement on 16th November 1995	I	22
13.	Promotion of Liaqat Hayat Bhatti in BPS-16	J	12-14
14.	Promotion of Sub Engineer BPS-16 (8 No's)	K	As 15-16
15.	Position of Seniority of the appellant and Liaqat Hayat Bhatti	L	23-26
17.	Position of Appellant & Liaqat Bhatti in the seniority List BPS-17	M	22
18.	NIPA & Engineering Training	N	27-28
19.	Departmental Appeal	O	29-32

  
Appellant

## LIST OF MEMORINDUM

1. Chief Secretary, Government of Khyber Pakhtunkhwa Peshawar. ( Civil Secretariat, Peshawar)
2. Government of Khyber Pakhtunkhwa Peshawar through Secretary Local Government and Rural Development Department, Peshawar. (Civil Secretariat, Peshawar)
3. Government of Khyber Pakhtunkhwa Peshawar through Secretary Services and General Administration Department, Peshawar. (Civil Secretariat, Peshawar)
4. Director General, Local Government and Rural Development Department, Government of Khyber Pakhtunkhwa (Civil Secretariat Peshawar) ( Civil Secretariat, Peshawar)

Appellant



(FIDA MUHAMMAD)

Ex- Assistant Engineer

Local Government & Rural  
Development Department Peshawar

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

APPEAL NO. 452 /2016

N.W.F. Province  
Service Tribunal  
Diary No. 360  
Dated 11-4-2016

Fida Muhammad S/O Hassan Gul (Ex-Assistant Engineer) Local Government and Rural Development Department, Government of NWFP (Now Khyber Pakhtunkhwa)

..... (Appellant)

**VERSUS**

1. Chief Secretary, Government of Khyber Pakhtunkhwa Peshawar.
2. Government of Khyber Pakhtunkhwa Peshawar through Secretary Local Government and Rural Development Department, Peshawar.
3. Government of Khyber Pakhtunkhwa Peshawar through Secretary Services and General Administration Department, Peshawar.
4. Director General, Local Government and Rural Development Department, Government of Khyber Pakhtunkhwa (Civil Secretariat Peshawar)

.....(Respondents)

Appeal under section 4 of KPK Service Tribunal Act 1974 against the respondents who have taken no action on the departmental appeal of appellant within the statutory period of 90 days.

**PRAYER IN APPEAL:**

On acceptance of this appeal, the respondents may be directed to allow all back benefits of BPS-17 and other Higher

Filed to the  
Registrar  
11/4/16

Co-submitted to the  
and filed.

Registrar

27/4/16

post. Such as receipt of less pay annual increments, pension and commutation etc. wef. 14-11-1975 to 14-10-1992.

**Respectfully Sheweth:-**

Brief facts leading to the instant appeal is as under

1. That the appellant have been inducted in Service as Overseer vide order No. 6716-71 ADBD dated 29-10-1963 and served up to 30-07-1981 in BPS-11 in different posts vide

**Annexure "A"**

2. That the appellant throughout his whole service has performed his duties with utmost of his capabilities and to the entire satisfaction of his Superiors.
3. That the appellant was hereby transferred and posted as Assistant Engineer on the basis seniority cum fitness in IRDP Markaz Akora Khattak District Peshawar in his own pay & grade BPS-11 with condition of successful training from Pakistan Academy for Rural Development. Which was completed by him Successfully, and worked there up to 30-08-1979.

**Annexure "B"**

4. That on the transfer of one Mr. Rahim Shah Afridi Project Manager on his promotion in BPS -18 as Plant Protection Officer in Agriculture Department, the post of Project Manager BPS-17 was assigned to him as additional charge vide

**Annexure "C"**

5. That appellant was transferred as Assistant Engineer IRDP Markiz District Mardan but in his own pay & grade BPS-11 and as such he worked there upto 30-07-1981.

**Annexure "D"**

6. That appellant was transferred and posted as District Engineer IRDP Marakiz District Kohistan by allowing BPS-16 and in addition to his own duties as Assistant Engineer, he was assigned the additional charges of District Engineer, District



Council Kohistan and also Assistant Engineer Local Government and Rural Development Department Kohistan and as such the appellant had performed his duty on three different posts at one time with the entire satisfaction of his superior.

**Annexture "E"**

7. That the appellant was transferred from Kohistan to Directorate General Local Government & Rural Development Department Peshawar as Assistant Engineer & hold the post of Assistant Director (Technical).

**Annexture "F"**

8. That the appellant at Directorate General Office at Peshawar in addition to his own duties as Assistant Director (Technical) he was assigned the additional duties of Assistant Engineer Local Government & Rural Development Mohmand Agency.

**Annexture "G"**

9. That he was also assigned the duty of District Engineer IGPR (German Added Project) for construction of farm to market (Black Topped Road) at Peshawar and as such the appellant had performed his duties on 3 different posts in one time with the entire satisfaction of his superiors.
10. The appellant was detailed to Karachi as Director Technical BPS-18 Posts for shipment of machinery for farm to market road donated by Government of Japan. The appellant had exercised full power as Director General Local Government and Rural Development Department and Secretary Local Government and Rural Development Department Government of N.W.F.P now KPK as consignee of the machinery, failing which the Director General & Secretary himself would remained at Karachi for few months. The appellant performed this duty for 9 months at Karachi Satisfactorily.

**Annexture "H"**

11. That the appellant was promoted to BPS-17 on 14-10-1992 just at the verge of his retirement and was retired on 16-11-1995.

**Annexture "I"**

12. That it was the bad luck of the appellant that when he was transferred and posted to IRDP Markez Akora Khattak with condition of successful training from PARD and had Served wef 29-10-1963 till 13<sup>th</sup> Nov 1975 ie 12 year continues Service in BPS-11 and kept him BPS-11 till 30-07-1981 was meaningless and of no use because he was assigned the duties of BPS-17 and BPS-18 and also additional charges in one time but no monetary benefits etc attached with these posts were allowed to him for the lengthy period of his entire service which is in justice.
13. That there was another main cause which also relates with the case and affected the real right of the appellant, purely on the part of the Government N.W.F.P (KPK) and Local Government & Rural Development Department is that one Mr. Liaqat Hayat Bhatti was appointed as Sub Engineer BPS-11 on 14-07-1975 and was promoted as SDO (BPS-16) Assistant Engineer on 01-07-1977 only after serving two years which is also evident from the Annexture "J" at serial No.4 of the notification.

**Annexture "J"**

14. That it is further to mention that in the promotion list of Sub Engineer 8 No against 25% quota the name Mr. Liaqat Hayat Bhatti is not even existed. And the appellant name is at the top of the seniority list of the promotee Sub Engineer.

**Annexture "K"**

15. That in order to further verified the position of the appellant seniority is also confirmed from the seniority list in which the name of appellant stands at Serial No. 21 which is on the top of the diploma holder Assistant Engineer while Mr. Liaqat Hayat Bhatti name is at Serial No.28 and further more that the

appellant joining of service is 04-10-1963 While Mr. Liaqat Hayat Bhatti date of joining is 14-07-1975.

**Annexure "L"**

16. That it is strange that Mr. Liaqat Hayat Bhatti name was place at serial No.4 in the notification with NPS-16 as S.D.O (Assistant Engineer) while the appellant name was placed at S.No. 21 in NPS-11 ie on the top of the diploma Assistant Engineer & as such the appellant right were violated.
17. . It is also strange that while allowing BPS-17 the name of Liaqat Hayat Bhatti was placed at S.No.1 while the appellant name was placed at S.No.2 which also clear cut violation of the appellant rights.

**Annexure "M"**

18. That the Department/Government of Khyber Pakhtunkhwa nominated him for training course at NIPA Karachi and also for Engineering course at Research and Laboratory Testing Institute Lahore on the basis of his performance and experience, and were completed both the training successfully.

**Annexure "N"**

**GROUNDS:**


- (A) That as per judgment of August Supreme Court of Pakistan that if a Civil Servant When fully qualified is appointed on a post for work would be fully entitled to all remuneration attached with the post but the appellant who was qualified was appointed for work on the post of Assistant Engineer has not been paid remuneration attached the a foresaid post may be allowed all legal monetary benefits attached with this post from the date of his appointment.
- (B). That the appellant case is also similar and identical to such numerous cases which have been decided by this Hon'ble Tribunal and the appellant's concerned have been allowed monetary benefits and as the appellant stands entitled for all

monetary benefits from 14-11-1975 to 14-10-1992 under the law.

- (C). That the loss of monetary benefits is a recurring cause of action and no limitation runs against it.
- (D). That the impugned omission is illegal mala fide without jurisdiction and without lawful authority and hence many not be permitted under the law.
- (E). That the appellant seek leave of this Hon'ble Tribunal to rely on additional grounds at the time of arguments.
- (F). That the appellant has satisfactory worked on different higher posts but not been paid the monetary benefits attached with the aforesaid post to the appellant under the law and may be paid now.
- (G). That the appellant was detailed to Karachi as Director Technical BPS-18 post for shipment of machinery for farm to market road donated by Government of Japan and performed his duty for about 09 Months at Karachi.

It is therefore prayed that respondents may Kindly be directed to allow the BPS-17 and to the appellant from 13<sup>th</sup> November, 1975 till 14<sup>th</sup> October, 1992, with all back benefits like receipt of less pays, periodical increments, pension and commutation etc with retrospective effect for the duties perform by him on higher post including additional charges because the appellant services were utilized on higher post but no monetary benefit was granted to him which may be paid now to meet the end of justice.

Dated:  04-2016

Appellant  
  
 (FIDA MUHAMMAD)  
 Ex- Assistant Engineer  
 Local Government & Rural  
 Development Department.  
 Peshawar.  
**(IN PERSON)**

(7)

OFFICE OF THE DEPUTY COMMISSIONER PESHAWAR.

No...../ A.D.D. Dated ...../1963.

OFFICE ORDER.

Sanction is hereby accorded to the appointment of Fida Mohammad of Azad Wala Colony Peshawar as a Project Overseer on temporary basis on fixed pay of Rs. 200/- P.M. with effect from 29.9.63 or the date of his taking over charge. He will work as Overseer in Peshawar District. The appointment is subject to the following conditions:-

Conditions.

1. The appointment is purely temporary and for a period of one year in the first instance.
2. The services can be terminated/quitted after giving one month's notice or paying one month pay in lieu of the notice.
3. The Overseer will work under the project Director (D.C) Peshawar according to the Rules and Regulations laid down in the Manual of Instructions for the District Works Programme and Orders of the Govt. received from time to time.

Cost involved shall be met out from the funds allocated to the Rural Works Programme.

S/-

(Maqood Nabi Noor) C.S.P.  
Deputy Commissioner,  
Peshawar.

No. 6716-17 / A.D.D. Dated Peshawar the 29/X /1963.

Copy forwarded to that-

1. Commissioner, Peshawar Division, Peshawar.
2. Mr. Fida Mohammad of Azad Wala Colony, Peshawar, for information. ~~and~~

Deputy Commissioner,  
Peshawar.



(8)

(7)

(7)

(7)

DIRECTORATE OF RURAL DEVELOPMENT,  
N. I. F. P., PESHAWAR.

Dated Peshawar the 12<sup>th</sup> Sept:1975.

NOTIFICATION.

No:SO(IRDP)LG-4(1)/73, Mr. Fida Mohammad Overseer office of the Assistant Director, Rural Development Peshawar is hereby appointed to officiate as Assistant Engineer in the Integrated Rural Development Programme as a stop gap arrangement with immediate effect. Mr. Fida Mohammad will be entitled to draw his existing pay in his own grade.

His appointment is subject to successful completion of training course at the Pakistan Academy for Rural Development.

Sd/- Director General,  
Rural Development Department,  
N. I. F. P., Peshawar.

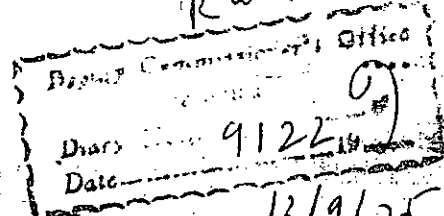
...

No:SO(IRDP)LG-4(1)/73, Dated Peshawar the 12<sup>th</sup> Sept:1975.

Copy of the above is forwarded to :-

- 1- The Private Secretary to Minister for Local Government.
- 2- The Director, Pakistan Academy for Rural Development for information and with the request that Mr. Fida Mohammad may be allowed to join the training course already in progress at the Pakistan Academy for Rural Development.
- 3- The Accountant General, NWFP, Peshawar.
- ✓ The Deputy Commissioner, Peshawar.
- 5- The Manager, Government Printing Press, Peshawar for publication in the next issue of Government Gazette.
- 6- The Assistant Director, Rural Development, Peshawar.
- 7- The Accountant office of the Director General, Rural Development, Peshawar.
- 8- File No: DG(PWP)KC-2(3)/73.
- 9- Office order file.

*Muhammad*  
Assistant Director (Admn.),  
Rural Development Department,  
N. I. F. P., Peshawar.



Directorate of Rural Development  
N.W.F.P., Peshawar.

Dated Peshawar the 19th Nov. 1975.

NOTIFICATION.

No. SO(IRDP) LG-4(1)/73. In continuation of Notification of even number dated 13th September, 1975 Mr. Fida Mohammad, is hereby posted as Assistant Engineer in IRDP Markaz Area, Akora Khattak, District Peshawar with effect from 14th November, 1975 (FN).

He will be entitled to draw his existing pay in his own grade.

Sd/- x x x  
Director General/Addl. Secy.  
Rural Development,  
N.W.F.P.

No. SO(IRDP) LG-4(1)/73. Dated Peshawar the 19th Nov. 1975.

Copy of the above is forwarded to :

- 1- The Deputy Commissioner, Peshawar.
- 2- The Accountant General, N.W.F.P., Peshawar.
- 3- The Assistant Director, Rural Development Department, Peshawar.
- 4- The Project Manager, IRDP Markaz Area, Akora Khattak.
- 5- The Manager, Government Printing Press Peshawar in the next issue Government Gazette.
- 6- File No. DG(PWP) KC-2(3)/73.
- 7- DD(IRDP) 4(13) Akora Khattak.
- 8- Office Order File.
- 9- Personal File.

\*S.S. Shahid\*

*Ansar Ahmad*  
(Ansar Ahmad),  
Asstt. Director (Admn.),  
Rural Development Department,  
N.W.F.P.

*Atty*  
*27/11/76*

Pakistan Academy for Rural Development Peshawar.



10

*certifies that*

**FIDA MOHAMMAD**

*has successfully completed the Training Course*

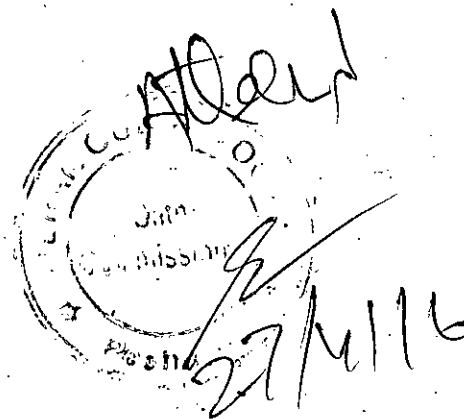
*in*

**Integrated Rural Development**

*held from*

*August 30 to October 30, 1976.*

**Given at Peshawar on the Thirty First day of October in the year  
Nineteen Hundred and Seventy Six.**



**(HIZBULLAH KHAN)**  
Director.



(11)      (12)      (13)

DIRECTORATE OF RURAL DEVELOPMENT  
DEPARTMENT, N.W.F.P., PESHAWAR.

Dated Peshawar the 31st Dec., 1977.

NOTIFICATION.

No. SO(IRDP)LG-4(1)Vol.VI/77. On his selection as Plant Protection Officer (National Pay Scale No-18) in Agriculture Department Mr. Rahim Shah Afridi, Project Manager, IRDP Markaz, Akora-Khattak is hereby relieved of his duties w.e.from 31.12.1977 (After Noon).

2. Mr. Fida Mohammad, Assistant Engineer, IRDP Markaz, Akora-Khattak will hold the charge the post of Project Manager, IRDP Markaz, Akora-Khattak in addition to his own duties till further orders.

Sd/- x x x  
Director General/Addl. Secretary,  
Rural Development Department, NWFP,  
P e s h a w a r.

No.SO(IRDP)LG-4(1)Vol.VI/77. Dated Peshawar the 31st Dec., 1977.

Copy to :-

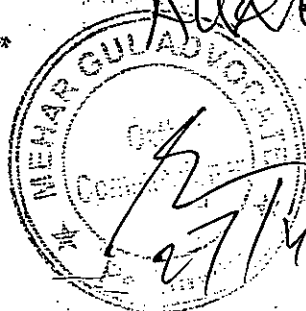
- 1- The Secretary to Government of NWFP, Local Govt, Social Welfare, Cooperation and Rural Dev: Peshawar.
- 2- The Secretary to Government of NWFP, Agriculture, Department, Peshawar.
- 3- Mr. Rahim Shah Afridi, Project Manager, IRDP Markaz, Akora-Khattak.
- 4- Mr. Fida Mohammad, Assistant Engineer, IRDP Markaz, Akora-Khattak.
- 5- The Accountant General, NWFP, Peshawar.
- 6- The Project Manager, IRDP Markaz, Akora-Khattak.
- 7- Personal files.
- 8- Office Order file.
- 9- The Manager, Government Printing press, Peshawar for information and publication in the next issue of Government Gazette.

*Ansar Ahmad*

(Ansar Ahmad)

Assistant Director (Administration),  
Rural Development Department, NWFP,  
Peshawar.

F.Nabi)\*\*\*



(10) (12)

DIRECTORATE OF RURAL DEVELOPMENT  
N.W.F.P., PESHAWAR.

Dated Peshawar the 7th October, 1979.

NOTIFICATION.

NO. DG(IRDP)4(2)/79. Consequent upon the abolition of posts of 2 Assistant Directors and One Progress Officer from the Directorate of Rural Development Deptt: and Assistant Engineers from I.R.D.P. Marakaz as a result of economy measures notified vide notification No. SOG(LG)10-32/78-Vol-I, dated 10.9.1979, the following postings and transfers are hereby ordered in the interest of public service:-

Sl. No.	Name of Officer	From.	To
1-	Mr. Mohammad Safdar (NPS-17) Asstt: Director, Directorate of RDD, NWFP, Peshawar.	Directorate of RDD, NWFP, Peshawar.	As Project Manager, IRDP Markaz Khanpur, against a vacant post.
2-	Mr. Fazal Shah Abbasi (NPS-17) Assistant Director, Directorate of RDD, NWFP, Peshawar.	-do-	As Asstt: Director, Rural Development, Mansehra vice Mr. Nisar Ahmad.
3-	Mr. Mohammad Zaman (NPS-9) Progress Officer, Directorate of RDD, NWFP.	-do-	As Coop: Officer, IRDP Markaz, Katlang, against a vacant post in his own grade & Pay.
4-	Mr. Liaqat Hayat (NPS-16) SDO (Asstt: Director, Tech) Directorate of RDD, NWFP.	-do-	As Asstt: Engineer, IRDP Marakaz, Distt: Peshawar in his own grade & Pay His Headquarter will remain in the Directorate of RDD, NWFP.
5-	Mr. Rafiq Ahmad (NPS-16), Asstt: Engineer, IRDP Markaz Daudzai.	IRDP Markaz Daudzai.	Repatriated to his parent Deptt: i.e., C & W Deptt. He should report for further posting to the Chief Engineer, C&W, Peshawar.
6-	Mr. Muslim Ali (NPS-17) Asstt: Engineer, IRDP Pabbi.	IRDP Markaz Pabbi.	As Asstt: Engineer, IRDP Marakaz, District Abbottabad.
7-	Mr. Siraj Mir (NPS-17) Asstt: Engineer, IRDP Markaz Nizampur.	IRDP Markaz Nizampur.	As Project Manager, IRDP Markaz Batkhela against a vacant post.
8-	Mr. Abdur Rashid (NPS-17) Asstt: Engineer, IRDP Markaz Tangi.	IRDP Markaz Tangi.	As Project Manager, IRDP Markaz Tangi against a vacant Post.
9-	Mr. Amin Jan (NPS-17), Asstt: Engineer, IRDP Badaber.	IRDP Markaz Badaber.	As Project Manager, IRDP Markaz Topi vice Mr. Akhtar Munir.
10-	Samir-Rehman (NPS-17), Asstt: Engineer, IRDP Markaz Matani.	IRDP Markaz Matani.	As Asstt: Engineer, IRDP Marakaz Malakand Agency.

Sl. NO.	Name of Officer	From-	To.
11-	Mr. Pervez Anwar (NPS-17) Asstt: Engineer, IRDP Markaz Mathra.	IRDP Markaz Mathra.	As Asstt: Engineer, IRDP Marakaz, Distt: Mansehra.
12-	Zainul Abedin (NPS-17), Asstt: Engineer, IRDP Markaz Drosh.	IRDP Markaz Darosh.	As Asstt: Engineer, IRDP Marakaz, Distt: Chitral.
13-	Mr. Anwar Hussain (NPS-17) Asstt: Engineer, IRDP Markaz Doaba.	IRDP Markaz Doaba.	As Asstt: Engineer, IRDP Marakaz, Distt: Kohat.
14-	Mr. Mohammad Khan (NPS-17) Asstt: Engineer, IRDP Markaz Ghoriwala.	IRDP Markaz Ghowriwala.	As Asstt: Engineer, IRDP Marakaz, Distt: Dannu
15-	Mr. Mukhtarul Anam (NPS-17) Asstt: Engineer, IRDP Markaz Khwaza Khela.	IRDP Markaz Khwazakhela.	As Asstt: Engineer, IRDP Marakaz, Distt: Swat.
16-	Mr. Akhtar Shah (NPS-17) Asstt: Engineer, IRDP Markaz Dir.	IRD Markaz Dir.	As Asstt: Engineer, IRDP Marakaz, Distt: DIR.
17-	Mr. Fazal-i-Wahid (NPS-17) Asstt: Engineer, IRDP Markaz Ouch.	IRDP Markaz Ouch.	As Project Manager, IRDP Markaz Ouch against a vacant post.
18-	Mr. Mohammad Pervez (NPS-17) Asstt: Engineer, IRDP Markaz, Batkhela.	IRDP Markaz Batkhela.	As Asstt: Engineer, RDD, Malakand Agency.
19-	Mr. Banat Khan (NPS-17) Asstt: Engineer, RDD, Malakand.	RDD, Malak- and.	As Asstt: Engineer, IRDP Marakaz Distt: D.I. Khan.
20-	Mr. Faramoz Khan (NPS-16) Asstt: Engineer (conting- ent paid) IRDP Markaz Bari Kot.	IRDP Markaz Bari Kot.	As Asstt: Engineer, as Contingent paid in RDD Peshawar distt: and post at IRDP Markaz Daudzai.
21-	Mr. Fida Mohammad (NPS-11), Asstt: Engineer, IRDP Markaz Akora Khattak.	IRDP Markaz Akora Khattak.	As Asstt: Engineer, IRDP Marakaz, Distt: Mardan.
22-	Mr. Abdul Ghafar (NPS-11) Asstt: Engineer, IRDP Markaz Khanpur.	IRDP Markaz Khanpur.	As Asstt: Engineer, IRDP Marakaz, Distt: Kohistan. He will look after the work of RDD, Kohistan Distt:
23-	Mr. Gul Ajab Khan (NPS-11) Asstt: Engineer, IRDP Markaz Billitang.	IRDP Markaz Billitang.	As Project Manager, IRDP Markaz Mori-bad- ben vice Mohammad Farid Khan.
24-	Mr. Akhtar Munir (NPS-9) Project Manager, IRDP Markaz Topi.	IRDP Markaz Topi.	As Coop: Officer, IRDP Markaz, Kuza-Banda in his own grade pay.
25-	Mr. Saiful Malook (NPS-17) Asstt: Director, Rural Development, Swat.	Rural Dev: Swat.	As Project Manager, IRDP Markaz Khwaza- Khela vice Mr. Jamshed Khan.

*Handwritten signature and date:*  
27/4/16

Sl. No. Name of Officer

From.

To.

- 26- Mr. Jamshed Khan (NPS-17) IRDP Markaz As Project Manager,  
Project Manager, IRDP Khawazakhela. IRDP Markaz Toru. (14)
- 27- Mr. Mohd Farid Khan (NPS-10) IRDP Markaz As Coop: Officer,  
Project Manager, IRDP Mohri Bad Ben. IRDP Markaz Mohri-  
Markaz Mohri Bad Ben. Bad Ben.

2- The transfer Orders of Mr. Saiful Malook as Asstt: Director, Rural Development, Mansehra is hereby cancelled.

3- The transfer orders of the officers from S.No. 1 to S.No. 23 will take effect from 10th September, 1979, the date from which the post have been abolished.

4- The Assistant Directors, Rural Development will provide Office accommodation and secretariat facilities to the Assistant Engineers, posted in Districts for IRDP Marakaz, who will establish their offices in the office of respective Asstt: Directors.

( By orders of Secretary, Local Govt.)

*Fattahudin Din*  
Director General,  
Rural Development Deptt  
N.W.F.P., Peshawar.

NO. DG(IRDP)4(2)/79.

Copy of the above forwarded to:-

- 1- All Commissioners in N.W.F.P.
- 2- Private Secretary to Advisor to MLA/Governor, Local Govt. & Rural Development, NWFP.
- 3- All Deputy Commissioners in NWFP.
- 4- Political Agent, Malakand.
- 5- The Chief Engineer, C & W, NWFP, Peshawar.
- 6- The Accountant General, NWFP, Peshawar.
- 7- All Distt: Accounts Officers in NWFP.
- 8- The Agency Accounts Officers in Malakand-
- 9- All Officers concerned.
- 10- All Asstt: Directors, Rural Development.
- 11- All Project Managers, IRDP Marakaz in NWFP.
- 12- Personal Files.
- 13- All file in Sub head SO(IRDP)4(13)
- 14- The Manager, Government Printing Press for publication in the next issue of Govt. Gazette.
- 15- The Director, Pakistan Academy for Rural Development, Peshawar.

*Ansar Ahmad*  
( ANSAR AHMAD ),  
Assistant Director (Adm:),  
Rural Development Department,  
NWFP, Peshawar.

A.Majeed/\*

(15)

GOVERNMENT OF  
NORTH-WEST FRONTIER PROVINCE  
LOCAL GOVERNMENT, ELECTION, INFORMATION  
AND RURAL DEVELOPMENT DEPARTMENT

July 25, 1981.

NOTIFICATION

NO. SO/LG-1/RD/2-128/81- The Provincial Government is pleased to promote the following Sub-engineers (N.P.S. NO.11) of Rural Development Department, to Assistant Engineers (N.P.S. NO.16), with effect from 1-7-1981.

1. Mr. Bahadar Khan.
2. Mr. Abdul Ghaffar.
3. Mr. Gul Ajab.
4. Mr. Muhammad Anwar.
5. Mr. Mr. Gul Faraz.
6. Mr. Bashir Shaheen.
7. Mr. Maroof Khan. *Shir.*

Sd/-

( AZIZUL HASSAN KHAN )

Secretary,

Government N-W.F.P. Local Government, Election  
Information and Rural Development Department

Enit: NO. SO/LG-1/RD/2-128/81-  
Dated Peshawar, the 25th. July, 1981.

Copy of the above is forwarded for information and necessary action to the :-

- 1- Director General, L.G & R.D.D. N-W.F.P. Peshawar.
- 2- Accountant General, N-W.F.P. Peshawar.
- 3- All Divisional Directors, L.G & R.D. N-W.F.P. Peshawar.
- 4- Manager, Government Printing & Stationery Department, NWFP, Peshawar for publication in the Government Gazette bearing the same date.
- 5- Mr. Bahadar Khan, Asstt. Engineer, R.V. Kuram Agency.
- 6- Mr. Abdur Ghaffar, Asstt. Engineer, IKDP, Markaz Khan Pur.
- 7- Mr. Gul Ajab, IKDP, Markaz, Bilitang ( KOHAT )
- 8- Mr. Muhammad Anwar, C/O of Directorate General, L.G & R.D.D. Peshawar.
- 9- Mr. Gul Faraz, R.W.P. Dir.
- 10- Mr. Bashir Shaheen, R.D.V. Mansehra.
- 11- Mr. Maroof Khan, R.V.D. Khyber Agency.
- 12- Mr. Personal Files of all concerned.

*Y Shir*

( MIAN FAHIM SHAH )  
Section Officer (LG - I)  
Local Govt. Department.

27/4/16

GOVERNMENT OF  
NORTH-WEST FRONTIER PROVINCE  
LOCAL GOVERNMENT, ELECTION, INFORMATION  
AND RURAL DEVELOPMENT DEPARTMENT

July 30, 1981.

NOTIFICATION,

NO. SO/LG-I/RD/2-128/81- In partial modification to this  
Department Notification of even No. dated 25th. July, 1981.  
The name of Mr. Fida Muhammad has now been inserted in the above said  
notification whose name may be read against Serial No.1 while  
Mr. Bahader Khan, may be read against S.No.2 where Mr. Maroof Shah  
name may be read against S.No. 8 instead of S.NO.7.)

Sd/-  
( AZIZUL HASSAN KHAN )  
Secretary,  
Government of N-W.F.P. Local Government,  
and Rural Development Department

Encl. NO. SO/LG-I/Rd/2-128/81-  
Dated Peshawar, the 30th, July, 1981.

Copy of the above is forwarded for information and  
necessary action to the :-

- 1- Director General, L.G & R.D.D N-W.F.P. Peshawar.
- 2- Accountant General, N-W.F.P. PESHAWAR.
- 3- All Divisional Directors, N-W.F.P. Peshawar.
- 4- Mr. Fida Muhammad Khan, H.NO, 145, Zaheer Abad Charsadda Road, Peshawar
- 5- Manager, Government Printing and Stationery Department, N-W.F.P. Peshawar for publication in the Government Gazette bearing the same date.

( MIAN FAHEEM SHAH )  
Section Officer (LG - I)  
Local Government Department

P/ file  
2- (5)  
file

Attd  
27/8/16

NOTIFICATION

Peshawar, the 17th Sept: 1982.

No. DG(RMP)2(3)/73. The following transfers/postings amongst the Assistant Engineers of this department are hereby ordered in the interest of public service:-

Sl. No	Name of Asstt: Engr	From	To
1.	Mr. Atwar Hussain	IRDP Markaz Parachinar.	Asstt: Engr: LG/ R.D.D. Karak against a vacant post.
2.	Mr. Fazli Wahid.	LG/RDD Peshawar.	LG/R.D.D. Chitral against a vacant post.
3.	Mr. Liaqat Hayat.	LG/R.D.D Kohistan.	LG/RDD Peshawar vide serial 2 above.

Mr. Atwar Hussain, Assistant Engineer will also look after the work of Assistant Engineer District Council Ka. in addition to his own duties without any additional remuneration till further orders.

Mr. Fazli Wahid, Assistant Engineer will also look after the work of District Engineer IRDP Markaz Chitral in addition to his own duties without any additional remuneration till further orders.

Mr. Liaqat Hayat, District Engineer, IRDP Markaz Kohistan will look after the work of Asstt: Engr: LG/RDD Kohistan in addition to his own duties without any additional remuneration till further orders.

Mr. Hussain Ahmad, Assistant Engineer, LG/RDD Kurri will look after the work of Assistant Engineer IRDP Markaz Parachinar in addition to his own duties without any additional remuneration till further orders.

Sd/- Director Ge

Local Govt & Rural Development Peshawar.

No. DG(RMP)2(3)/73

Copy of the above is forwarded to:

- 1- The Political Agent, Kurri (Parachinar).
- 2- All the Districtal Engineers, LG/RDD in NWFP.
- 3- The Chairman District Councils, Peshawar, Karak, Kohistan and Chitral.
- 4- The Asstt: District Engineers, Karak, Peshawar, Kohistan and Chitral.
- 5- The Project Director, Kurri (Parachinar).
- 6- All the Districtal Engineers, Districtal Office:
- 7- The Accounts Officer, Peshawar.
- 8- The District Accounts Officers, Kurri, Karak & Chitral.
- 9- The Agency Accounts Officer, Parachinar.
10. Office Memorandum.
11. ED (LG) & (IRDP) Peshawar General.
12. The Manager, Govt Printing Press, Peshawar for favour of publication in next issue of Govt Gazette.
13. Special Files of the Director concerned.
14. Director (Technical) of this Directorate General.

For information and record of the Director General

3-11-82  
Assistant Director,  
Local Govt & Rural Development  
Peshawar.



*Handwritten notes:*  
P/Asst  
Answer 4

**DIRECTORATE GENERAL  
LOCAL GOVERNMENT AND RURAL DEVELOPMENT DEPARTEMEN  
N.W.F.P PESHAWAR**

No. DG(RWP)2(3)/73 Dated Peshawar the 17<sup>th</sup> September 1982.

**NOTIFICATION**

The following transfer/posting amongst the assistant Engineer of this department are hereby order in the interest of public Service.

S/No	Name of Asstt Engr	From	To
1.	Mr. Anwar Hussain	IRDP Markaz Parachinar	Asstt Engr LG/R.D.D Karak Against a Vacant Post
2.	Mr. Fazal e Wahid	LG/R.D.D Pesh	LG/R.D.D Chatral Against a Vacant Post.
3.	Mr. Liqat Hayat	LG/R.D.D Kohistan	LG/R.D.D Peshawar Vice S.No.2 Above

Mr. Anwar Hussain Assistant Engineer will also lookafter the work of assistant engineer district council Karak in additional his own duty without any addition remuneration till further order.

Mr. Fazl e Wahid Assistant Engineer will also lookafter the work of district engineer IRDP Marakez Chatral in addition to his own duties without any addition remuneration till further order.

Mr. Fida Muhammad, Distt Engineer IRDP Marakez Kohistan will look after the work of Assitt Engineer LG/R.D.D Kohistan in addition to his duties without any additional remuneration till further order.

Mr. Hussain Ahmad Assitt Engineer, LG/R.D.D Khorram will lookafter the work of Assitt Engineer IRDP Marakez Parachinar in addition to his own duties without any addition remuneration till further order.

S/d

**DIRECTOR GENERAL  
Local Govt & Rural Development  
Department, N.W.F.P Peshawar**

*Handwritten signature and date:*  
27/9/16



No. DG(RWP)2(3)/73

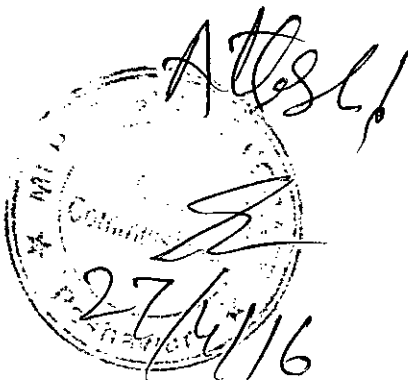
Copy of the above forwarded to:

1. The political Agent Khorram (Parachanar)
2. All the divisional Directors LG/R.D.D N.W.F.P.
3. The chairman district council, Peshawar, Karak. Kohistan & Chattral
4. The Assistant Director LG/R.D.D, Peshawar, Kohistan, Karak & Chattral.
5. The Project Manager LG/R.D.D, Peshawar, Kohstan, Karak & Chattral.
6. All the Accountant, Peshawar, Kohstan, Karak & Chattral.
7. The district Account Officer Monsehra, Karak, Kohistan and Chattral.
8. The Agency Accountant.
9. Office of Directorate General.
10. (LG) A (TRPP).
11. The Manager Govt Printing Price, Peshawar for favour of publication in next issue of Govt Gazatt.
12. Personal file of the Assistant Engineer Concern.
13. Director (technical) LG/R.D.D Directorate General.

For information and necessary action

S/d

**DIRECTOR GENERAL**  
Local Govt & Rural Development  
Department, N.W.F.P Peshawar



DIRECTORATE GENERAL OF LOCAL GOVT & RURAL DEVELOPMENT  
DEPARTMENT, N.W.F.P., PESHAWAR.

OFFICE ORDER

Dated Peshawar the 7th March, 1983.

No. JG(R/P) 213/73. The following transfers/postings are hereby ordered in the interest of public service:-

S/No	Name of Officer/ Official designation	From	To
1.	Mr. Fidda Mohammad, AE (Grade-16)	IRDP-Marakiz Kohistan.	Asstt. Engineer in-Provincial Directorate vice-Mr. M. Naeem Gasuria whose orders are being issued separa- tely.
2.	Mr. Zafullah Khan, AE (G-17).	LG/RDD Mohmand Agency.	On deputation as Asstt. Engineer Distt. Council Mardan vice Mr. Zafullah Khan proceeding on leave.
3.	Mr. Abdur Rashid, AE (Grade-17).	Distt. Council Swat.	LG/RDD Mohmand vice serial 2 above.
4.	Mr. Siraj Mir, Distt. Engr (G-17).	IRDP Marakiz Abbottabad.	S.E. LG/RDD Peshawar vice Mr. Fazli Wahid.
5.	Mr. Fazli Wahid, AE (Grade-17).	LG/RDD Peshawar.	Distt. Engr. IRDP Marakiz Abbotta- bad vice serial No. 4 above.
6.	Mr. Attiq Farooq, Sub Engr.	R.D.D. Kohat, FR	R.D.D. Peshawar FR against a vacant post.
7.	Mr. Shah Zaman, Office Asstt.	LG/RDD Kohistan.	Office Assistant in the Provincial Directorate against a vacant post.

Sd/- Director General  
Local Govt and Rural Dev. Deptt:  
N.W.F.P., Peshawar.

No. JG(R/P) 213/73

Copy of the above is forwarded to:-

- 1- The Private Secretary to Secretary Local Govt Deptt: N.W.F.P.
- 2- All the Civil Directors, LG/RDP in N.W.F.P.
- 3- The Political Agent, Mohmand Agency at Ghallanai.
- 4- The Chairmen Distt. Councils Peshawar, Swat, Kohistan,  
Abbottabad.
- 5- The Asstt. Directors, LG/RDD Peshawar, Kohistan, Mohmand,  
Kohat and Abbottabad.
- 6- The Accountant General, N.W.F.P., Peshawar.
- 7- The D.A.Os Swat, Mansehra, Abbottabad and Kohat.
- 8- The Agency Accounts Officer Mohmand at Ghallanai.
- 9- Officer concerned.
- 10- Case No. JG(R/P) 215/73.
- 11- Case No. JG(R/P) 216/73.

Assistant Director/In-  
Local Govt & Rural Development  
Deptt: NWFP, Peshawar.



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(19)

DIRECTORATE GENERAL  
LOCAL GOVT. & RURAL DEV. DEPARTMENT  
N.W.F.P. PESHAWAR

Dated Pesh., the 19th June, 1989.

OFFICE ORDER.

No. DG(RWP)2(5)/73. Mr. Fida Muhammad, Assistant  
Director (Technical) of Directorate General, Local  
Govt. & Rural Dev. Department, NWFP Peshawar is hereby  
allowed to look after the work of Assistant Engineer,  
Local Govt. & Rural Dev. Deptt. Mohmand Agency in  
addition to his own duties till further orders without  
any additional remuneration to relieve Mr. Mukhtiar Alam  
Sub-Engineer from additional charge.

DIRECTOR GENERAL  
LOCAL GOVT. & RURAL DEVELOPMENT  
DEPTT: N.W.F.P. PESHAWAR.

Endst. No. DG(RWP)2(5)/73. Dated Pesh., the 19th June, 1989.

Copy of the above is forwarded to :-

1. The Political Agent, Mohmand Agency for information with reference to his D.O. letter No. 227/PA/PD(RWP)/88 dated 31st May, 1989.
2. The Divisional Director, LCRDD, Peshawar.
3. The Assistant Director, LG & R.D., Mohmand Agency.
4. Mr. Fida Muhammad, Asstt. Director (Technical), Directorate General, LCRDD, NWFP, Peshawar.
5. Personal File.

For information and necessary action.

*Fida Muhammad*  
Assistant Director/Admn.  
Local Govt. & Rural Development  
Department, NWFP, Peshawar.



Local Government, Elections and Rural Development  
Department, Civil Secretariat, Peshawar.

To

The District Controller,  
Stores (Shipping)  
Karachi Cantt.

20

17



No. LG (RDP) A/P-6(23)/81-82  
Dated Peshawar the \_\_\_\_\_

Subject: PROCUREMENT OF MACHINERY FOR THE CONSTRUCTION AND  
IMPROVEMENT OF RURAL TO MARKET ROADS IN PAKISTAN -  
MACHINERY COMPONENT PROGRAM UNDER \$ 2 MILLION  
DURING 1982-83.

Reference:

Please refer to letters No. P. 2(24)/83-PRDG/PAM/PROV/I,  
dated 12.11.1983 and No. P. 2(24)/82-PRDG/PRG/VOL.III dated 24.11.1983  
on the subject noted above, received from the Project Director, Ministry  
of Local Government and Rural Development, Islamabad wherein it has  
been intimated that Machinery for Rural to Market Roads has been arrived  
to Karachi.

Mr. Fida Mohammad, Director (Technical) Identity Card  
No. 135-35-040425 of this Directorate General has been authorized to  
collect the Machinery as per attached Form No. ANNEEXURE "A".

Specimen signature of the Officers are given as under:-

- 1. [Signature]
- 2. [Signature]
- 3. [Signature]

Secretary to Government of NWFP,  
Local Government, Elections and  
Rural Development Department,  
Peshawar.

No. LG (RDP) A/P-6(23)/81-82.

Copy of the above is furnished to:

- 1. The Director General, Local Govt. and Rural Development Department,  
NWFP, Peshawar.
- 2. The Director (Technical), Local Govt. and Rural Development  
Department, NWFP, Peshawar.
- 3. The Asst. Director (World Food Programme) of this Directorate  
General to assist Director (Technical) in the collection of the  
aforesaid machinery.

[Signature]  
Secretary to Government of NWFP,  
Local Government, Elections and  
Rural Development Department,  
Peshawar.

Government of NWFP,  
Local Government,  
Elections and Rural Development  
Department, Peshawar.

[Signature]  
MEHAR GILLESPIE  
COMMISSIONER  
PESHAWAR  
27/4/16

21

DIRECTORATE OF LOCAL GOVERNMENT  
AND RURAL DEVELOPMENT  
N.W.F.P., PESHAWAR.

To

The District Controller,  
Stores (Shipping),  
Karachi Cantt.

No. DG (RWP) ADP-6 (23) / 81-82  
Dated Peshawar the 13th December, 1983.

Subject:-

PROCUREMENT OF MACHINERY FOR THE CONSTRUCTION AND  
IMPROVEMENT OF FARM TO MARKET ROADS IN PAKISTAN-  
MACHINERY COMPONENT PROCURED UNDER 3.2 MILLION  
DURING 1982-83

MEMORANDUM:

Please refer to letters No. P.2(24)/83-PRRSC/FARM/PROV/I,  
dated 12-11-1983 and No. P.2(24)/82-PRRSC/DPC/EOL:III, dated 24-11-1983  
on the subject noted above, received from the Project Director, Ministry  
of Local Government and Rural Development, Islamabad wherein it has  
been intimated that Machinery for Farm to Market Roads has been arrived  
to Karachi.

Mr. Fid Mohammad, Director (Technical) Identity Card  
No. 135 35 04 04 26 of this Directorate General has been  
authorized to collect the Machinery as per attached Proforma ANNEXURE

Specimen signature of the Officer are given as under :-

- 1 [Signature]  
12.12.83
- 2 [Signature]  
12.12.83
- 3 [Signature]  
12.12.83

Director General,  
Local Govt & Rural Dev. Department,  
N.W.F.P., Peshawar.

No. DG (RWP) ADP-6 (23) / 81-82

Copy forwarded to :-

- 1- The Director (Technical) of this Directorate General,  
for information.
- 2- The Assistant Director (World Food Programme) of this  
Directorate General to assist Director (Technical) in  
the collection of the aforesaid machinery.

Director General,  
Local Govt & Rural Dev. Department, NWFP,  
PESHAWAR.

*Abey*  


DATED PESHAWAR THE 14TH OCTOBER, 1992

N O T I F I C A T I O N

NO. SO(LG-I)2-128/D.- The Governor North-West Frontier Province in consultation with the Departmental Promotion/ Selection Committee is pleased to allow BPS-17 to the following promotee Assistant Engineers (BPS-16) in Rural Development Department with immediate effect:-

1. Mr. Liaqat Hayat Bhatti.
2. Mr. Fida Mohammad.
3. Mr. Abdul Ghaffar.
4. Mr. Gul Ajab.
5. Mr. Mohammad Anwar.
6. Mr. Gul Faraz.
7. Mr. Mohammad Bashir Shaheen.
8. Mr. Maroof Shah.

SECRETARY TO GOVERNMENT OF NWFP,  
LOCAL GOVT. ELECTIONS AND RURAL  
DEVELOPMENT DEPARTMENT

Endst. NO. SO(LG-I)2-128/D/ Dated Pesh: the 14th Oct. 1992

A copy is forwarded to:-

1. The Accountant General, N.W.F.P., Peshawar.
2. The Director General, EG&RDD, NWFP, Peshawar.
3. All the Divisional Directors, IGRDD in NWFP.
4. All the Assistant Directors, IGRDD in NWFP.
5. The Section Officer (Urdu Cell), Govt. of NWFP, Services and General Administration Department.
6. All District Accounts Officers in NWFP.
7. All Agency Accounts Officers in NWFP.
8. The Manager Government Printing Press, NWFP, Peshawar for publication in the next Govt. Gazettee.
9. The Officers concerned.
10. Personal files of the officers concerned.



FINAL SENIORITY LIST OF ASSISTANT ENGINEERS  
OF LOCAL GOVT. & RURAL DEVELOPMENT DEPARTMENT



1. NAME OF OFFICER	2. EDUCATIONAL QUALIFICATION	3. DATE OF BIRTH	4. DATE OF FIRST ENTRY INTO SERVICE (BPS)	5. FIRST REGULAR APPOINTMENT TO THE SERVICE/CADRE		7. METHOD OF RECRUITMENT	8. PROMOTION TO PRESENT CADRE/SERVICE		11. DATE OF MOVE-OVER TO NEXT HIGHER GR.
				6. Date	7. BPS		9. Date	10. BPS	
Mr. Noor Mohammad	B.sc. Engineering	10-1-40	23-5-1967 SW-Agency (B-16)	26-6-1975	17	Direct	-	-	-
Mr. Zainul Abedin	-do-	10-3-40	25-3-1969 Peshawar (B-16)	26-6-1975	17	-do-	-	-	1-12-1984 (BPS-18)
Mr. Noor Saleh Din	-do-	1-3-41	23-6-1967 NW-Agency (B-16)	26-6-1975	17	-do-	-	-	-do-
Mr. Mohammad Akbar Khan	-do-	3-3-41	2-5-1969 NW-Agency (B-16)	26-6-1975	17	-do-	-	-	-
Mr. Arbab Shah Afridi	-do-	2-3-44	5-1-1971 Khyber (B-16)	26-6-1975	17	-do-	-	-	1-12-1986 (BPS-18)
Mr. Mohammad Sher Khan	-do-	1-11-47	22-3-1973 SW-Agency (B-16)	26-6-1975	17	-do-	-	-	-do-
Mr. Banat Khan	-do-	1-4-48	26-3-1974 SW-Agency (B-16)	26-6-1975	17	-do-	-	-	-
Mr. Mohammad Ibrahim	-do-	5-5-48	16-5-74 SW-Agency (B-16)	26-6-1975	17	-do-	-	-	1-12-1986
Mr. Hussain Ahmad	-do-	13-11-50	24-6-1974 Kurram (B-16)	26-6-1975	17	-do-	-	-	1-12-1988

Contd:.....P/2.....

*Handwritten signature and date 27/9/16*

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2	3	4	5	6	7	8	9	10	11
Mr. Siraj Mir	B.Sc. Engineering	3-1-1944 Mardan	16-7-1974 (Adhoc)	19-3-1987	17	Direct	-	-	1-12-1984 (BPS-18)
Mr. Waris Khan	-do-	10-1-1944 SW-Agency	1-4-1975 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Abdur Rahid	-do-	9-3-1945 Peshawar	1-7-1975 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Mukhtar-Ul-Anam	-do-	13-6-1947 Swat	16-7-1974 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Mohammad Pervez	-do-	1-7-1947 Swat	16-1-1974 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Fazli Wa-hid	-do-	6-9-1947 Malakand	1-7-1975 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Mohammad Naeem Qasuria	-do-	20-8-1948 D.I. Khan	16-7-1974 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Muslim Ali	-do-	1-2-1950 Mardan	30-4-1973 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Mohammad Khan	-do-	1-3-1951 Bannu	30-4-1976 (Adhoc)	19-3-1987	17	-do-	-	-	1-12-1988 (BPS-18)
Mr. Khalid Khan	-do-	21-3-1961 Nowshera	7-9-1987 (Adhoc)	23-1-1988	17	-do-	-	-	---
Mr. Amjad Javed	-do-	7-3-1962 Peshawar	7-9-1987 (Adhoc)	23-1-1988	17	-do-	-	-	---

CONTD: ... P/3 ...

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 29/4/16

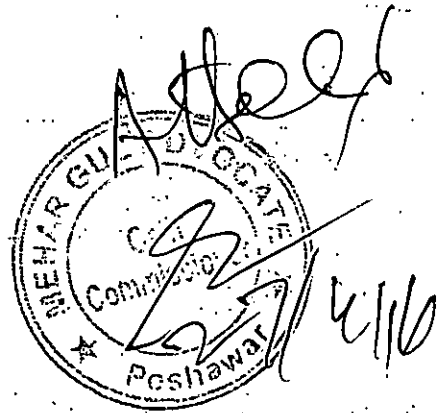


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1	2	3	4	5	6	7	8	9	10	11
21.	Mr. Fida Mohammad	Diploma Holder	1-1-1935 Iardan	4-10-1963	31-3-1975	11	Promotee	B-17	14-10-1992	
22.	Mr. Maroof Shah	-do-	5-10-1935 Peshawar	1-3-1960	31-3-1975	11	-do-	B-17	-do-	
23.	Mr. Abdul Ghaffar	-do-	12-10-1937 Peshawar	24-10-1965	31-3-1975	11	-do-	B-17	-do-	
24.	Mr. Gul Faraz	-do-	17-3-1942 Dir	5-3-1969	31-3-1975	11	-do-	B-17	-do-	
25.	Mr. Mohammad Bashir Shaheen	-do-	15-3-1944 Abbottabad	4-12-1969	31-3-1975	11	-do-	B-17	-do-	
26.	Mr. Gul Ajab	-do-	10-5-1947 Iohat	1-5-1968	31-3-1975	11	-do-	B-17	-do-	
27.	Mr. Mohammad Anwar	-do-	28-2-1948 Bajour	28-12-1968	31-3-1975	11	-do-	B-17	-do-	
28.	Mr. Liaqat Hayat Bhatti	-do-	4-6-1944 Abbottabad	14-7-1973	14-7-1975	11	-do-	B-17	-do-	





circulate a revised final seniority list (copy enclosed)  
of Assistant Engineers of Local Govt. & Rural Development  
Department for information and record.



*[Signature]*  
(PAZAL UR REHMAN)  
SECTION OFFICER-I


Endst. No. & Date Even.

A copy is forwarded to :-

1. The Director General, Local Government and Rural Development, N.W.F.P., Peshawar.
2. All the Divisional Directors, LG&RDD in NWFP.
3. The Manager Government Printing Press, Peshawar for publication in the next government gazettee.
4. All the Assistant Directors, LGRDD in NWFP.

H.M/-

*[Signature]*  
SECTION OFFICER-I

*[Handwritten signature]*  
  
*[Handwritten number]* 4116

(27)

  
**NATIONAL INSTITUTE OF PUBLIC ADMINISTRATION**  
**KARACHI**

*This is to certify that*

*Mr. Fida Mohammad*

*has successfully completed the*

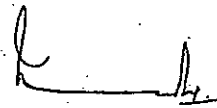
*Third Short Course in*

*Rural*

*Development*

*held from 14.1.1978 to*

*26.1.1978.*



Director  
NIPA, Karachi.



*Atty*  
*27/4/16*



28



THIS IS TO CERTIFY THAT

Mr. Fida Muhammad

Attended the

**RURAL ROADS TRAINING COURSE**

for Engineers

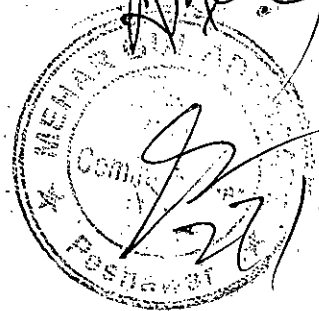
Sponsored jointly by the Ministry of Local Government and Rural Development,  
Government of Pakistan, and the United States Agency for International Development  
held at the Road Research and Material Testing Institute, Lahore  
from April 07, 1979 to April 26, 1979.

*William A. Wolffer*

(WILLIAM A. WOLFFER)  
Acting Mission Director  
US AID

*Anis Ahmed*

(ANIS AHMED)  
Joint Secretary  
M/O Local Govt & Rural Development



*Atoll*  
*27/4/79*

PS. Secy. Peshawar

Diary No. 4729 14/12/15

To, Chief Secy 11655/14/12/15

14-12-2015

The Chief Secretary  
Government of Khyber Pakhtunkhwa  
Peshawar

GOVERNMENT OF K.P  
Diary No. 14230  
Date: 14-12-2015  
L.G.R.D.O

14.12.2015  
14/12/15  
PA.

26

29

Subject: GRANT OF B-17 AS I.E./ ASSISTANT ENGINEER WITH RETROSPECTIVE EFFECT 13-11-1975 TILL 14-10-1992 BY ALLOWING ALL MONETARY BENEFIT ATTACHED WITH THE POSTS LIKE PERIODICAL INCREMENTS, ARREARS OF LESS PAYS RECEIVED, PENSION AND COMMUTATION ETC

Respected Sir,

With due respect, it is submitted.

- 1) That I had joined my service as Overseer vide No 6716-17/ADBD dated 29-10-1963 and posted in Rural Development Department in District Peshawar and served up-to 13-11-1975 in B-11.
- 2) That being the senior most Sub Engineer (Overseer), on the basis of seniority-cum-fitness, after 12 years continue service I was transferred and posted as Assistant Engineer in IRDP Markaz Akora Khattak vide notification No SO (IRDP) LG-4 (1)/73 dated 19-11-1975 read with notification of even No dated 12-09-1975 w.e.f 13-11-75 (AN) subject to successful completion of training course at Pakistan Academy for Rural Development, which was completed by me successfully and thus this condition was fulfilled. Though the post of Assistant Engineer was B-17 (Regularly Budgeted Post) even then, I was kept in B-11 in my own pay and grade.

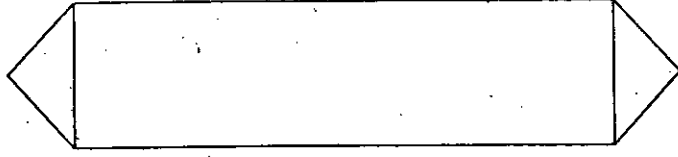
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27/4/16  
MEHAR...  
PESHAWAR

3) That on the transfer of one Mr. Rahim Shah Afridi Project Manager on his promotion in B-18 as Plant Protection Officer in Agriculture Department, the post of Project Manager B-17 was assigned to me as additional charge vide notification No SO (IRDP) LG-4 (1) Vol-1.VI/77 dated 31<sup>st</sup> December, 1977 and in this way I had performed my duties on two different posts in B-17 with the entire satisfaction of my superiors. My stay at IRDP Markaz Akora Khattak was w.e.f. 13-11-1975 till 30-08-1979 for about 04 years continuous service. But I was neither allowed B-17 and was kept in B-11. Nor any monetary benefit attached with these posts was given to me.

4) That consequent upon the abolition of post of Assistant Director, Progress Officer and Assistant Engineer IRDP Markaz, as a result of economy measure notified vide notification No SOS (LG) 10-32/78-Vol-I dated 10-09-1979 I was transferred and posted as Assistant Engineer IRDP Marakiz District Mardan and worked there from 01-09-1979 till 07-06-1981 i.e. about one year and 09 months, but still I was kept in B-11.

5) That vide notification Nos SO/LG-1/RD/2-138/81 dated 25<sup>th</sup> July and even No 30<sup>th</sup> July, 1981. I was promoted alongwith other wrongly in B-16 instead of B-17 because there was not even a single post B-16 of Assistant Engineer existed, and my promotion was as Assistant Engineer (B-17) and not SDO (B-16). I was transferred and posted as Assistant Engineer IRDP Marakiz Kohistan B-17 sanctioned post. In addition to my own duties as Assistant Engineer IRDP Marakiz I was assigned the additional charge of District Engineer District Council Kohistan vide No 1269-76 dated 15-5-1982 in response to letter No 1822 dated 01-03-1982 and also the

بعدالت کے لیے سے لے کر ہونے پر لے کر



Service Appeal No. 12 of 16

Appellant

2 منجانب  
بنام

فدا علی خان

سابقہ ایجنٹ  
لہذا کو رائٹنگ

مورخہ

مقدمہ

دعویٰ

جرم

Appellant

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

M. Usman Khan Turlandi

M, A. LL. B Advocate

آن مقام KPK-ST کیلئے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ پیر

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زر میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے

سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں

گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

ATTESTED  
&  
ACCEPTED

2016

ماہ

المرقوم داہج

محمد عثمان خان ترلانڈی

ایڈووکیٹ  
عدالت مشرقی شاہجہانی کورٹ  
چوک مشرقی شاہجہانی ٹون: 2220193  
Mob: 0345-9223239

العہد گواہ العہد

کے لئے منظور ہے۔

مقام KPK-ST

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

**SERVICE APPEAL NO.452/ 2016**

**Fida Muhammad, ex-Assistant Engineer, LG&RDD**

**..... Appellant**

**Versus**

**Chief Secretary, Khyber Pakhtunkhwa and others Peshawar**

**..... Respondents**

**PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS**

**Respectfully Shweth;**

**Preliminary Objections:-**

- i) That the appellant has got no cause of action and locus standi to institute the instant appeal;
- ii) That the appellant concealed material facts from this Service Tribunal.
- iii) That the Tribunal has no jurisdiction to entertain appeal of the appellant being time barred helplessly;
- iv) That the appellant has not come to the Tribunal with clean hands
- v) That the appeal is not maintainable in its present form
- vi) That the appeal is barred by time and is liable to be dismissed summarily;
- vii) That the appellant filed identical Service Appeal No.554 of 2004 in this Hon'ble Tribunal which was dismissed vide Judgement dated 13-11-2007 (Annex-A).

**Reply on Facts:-**

Para-1. Mr.Fida Muhammad was appointed as Overseer on fixed pay of Rs.200/- per month on 4-10-1963 for a period of one year by the Deputy Commissioner, Peshawar and was allowed to draw his pay from the Rural Works Programme funds.

Para-2 Incorrect. Good performance of the appellant is denied.

Para-3 Incorrect. The appellant was not posted as Assistant Engineer (BPS-17) but was appointed to officiate as Assistant Engineer in the defunct IRDP as a stop-gap arrangement with the condition that he will draw his existing pay in his own grade which did not entitle him to claim any seniority or right of promotion.



- Para-4 Correct to the extent that the appellant was allowed to hold the charge of the post of Project Manager, IDP Markaz, Akora Khattak in addition to his own duties till further orders.
- Para-5 The appellant was posted as Assistant Engineer IRDP Markaz District Mardan in his own pay and scale which did not entitle him to claim any seniority or right of promotion.
- Para-6 Incorrect. The appellant has been allowed BPS-16 vide Notification No.SO(LG-I)RD/2-128/18, dated 30-07-1981.
- Para-7 Correct to the extent that the appellant was transferred from Kohistan and posted in Directorate General, LG&RDD against the post of Assistant Director (Technical).
- Para-8 Correct.
- Para-9 Pertains to record.
- Para-10 The appellant being a Civil Servant can undertake / accomplish any task / job assigned to him for which he had already been paid.
- Para-11 In response to para-11, it is clarified that the appellant alongwith seven (7) others as mentioned in LG&RDD Notification No.,SO(LG-I)2-128/D, dated 14-10-1992 annexed-I to the appeal of appellant were promoted to the post of Assistant Engineer (BS-17) in Local Government and Rural Development Department.
- Para-12 Incorrect. The appellant was paid his salaries and other emoluments attached to his post / pay scale in which he was appointed / serving at the time.
- Para-13 As replied in Para-11 above
- Para-14 The appellant had been shown senior to Mr.Liaqat Hayat Bhatti which has no cause of action on the part of appellant.
- Para-15 Pertains to record.
- Para-16 Incorrect. The appellant had rightly been promoted to the post of Assistant Engineer(BS-17) during 1992 as is evident from this Department Notification annexed-I to the appeal of appellant.

**Para-17** Incorrect. Though there was no illegality / irregularity in the promotion case of the appellant as well as Mr.Liaqat Hayat Bhatti. In case there was any grievance / objection of the appellant, he was required to agitate the same before the competent forum well in time. The appellant has started hue and cry after lapse of 24 years.

**Para-18** Correct. The appellant was nominated for the training course on government expenses to enhance his technical know how and experience in his relevant field.

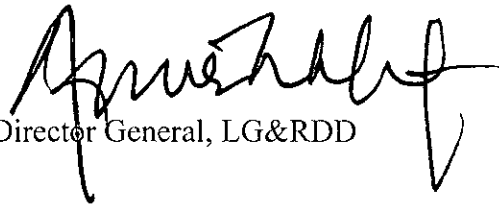
**ON GROUNDS**

- (A) Incorrect. Judgement of the Apex Court as quoted by the appellant is not applicable in his case
- (B) Incorrect. The appellant had been retired from service with effect from 15-11-2-1995 and has been allowed all benefits attached with the post of Assistant Engineer at the time of retirement.
- (C) Incorrect. As replied in Para-17 above.
- (D) As replied in Para (B) above.
- (E) Additional grounds if produced by the appellant will be replied at the time of arguments.
- (F) Incorrect. Satisfactory performance of the appellant is denied. He has been paid all benefits attached to the post on which he was appointed / promoted by the competent forum.
- (G) As replied in Para-10 above.

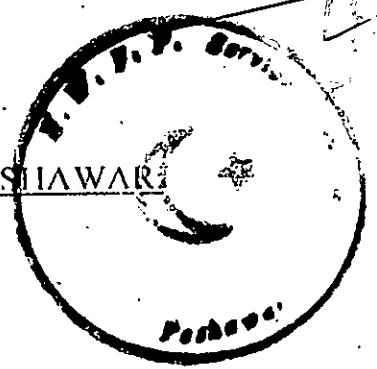
It is requested that this Hon'ble Tribunal may graciously dismiss appeal of the appellant with cost.

  
Secretary, LG, E&RDD

  
Secretary, E&A Department

  
Director General, LG&RDD

Annex-A



BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR

Appeal No. 554/2004

Date of institution - 02.07.2004  
Date of decision - 13.11.2007

Fida Muhammad, Assistant Engineer (Retd.), Local Government & Rural Development Department, Government of NWFP Peshawar .....  
.....(Respondent)

VERSUS

1. Chief Secretary, Government of NWFP, Peshawar.
2. Secretary to Government of NWFP, Local Government & Rural Development Department, Peshawar.
3. Secretary to Government of NWFP, Establishment and Administration Department, Peshawar.
4. Secretary to Government of NWFP, Finance Department, Peshawar.
5. Director General, Local Government & Rural Development Department, NWFP, Peshawar.

Appeal according to the departmental appeal dated 4-3-2004 whereby the representation of the appellant for all monetary benefits attached with the post of Assistant Engineer BPS-17 from 12-9-1975 to 13-12-1992, including periodical increments, arrears of pay, pension and commutation has been (not processed pursued) till date and against impugned order dated 28-1-2004 of appeal dated 10-11-2003.

PRAYER.

On acceptance of the appeal, the above departmental appeal dated 4-3-2004 vide diary no 1268 by Secretary Local Gov't; and Rural Development Department, Govt. of NWFP not processed pursued till date may be accepted and the Respondents may be directed to allow all monetary benefits to the appellant attached with the post of Assistant Engineer BPS-17 from 12-11-1975 to 13-12-92 including periodical increments, arrears of pay, pension and commutation etc and also impugned order dated 28-1-2004.

ATTESTED

Mr. Aslam Khan Khattak, Advocate.....For appellant.  
Mr. Usman Ghani, A.G.P.....For respondents.

MR. SHAH SAHIB.....MEMBER.  
MR. SULTAN MAHMOOD KHATTAK.....MEMBER.

NWFP Service Tribunal  
Peshawar

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JUDGEMENT.

SHAH SAHIB, MEMBER:- The appellant had filed the instant appeal for the grant of monetary benefits attached with the post of Assistant Engineer BPS-17 from 12.11.1975 to 13.12.1992 including periodical increments arrears of pay, pension and commutation etc.

2. Brief facts of the case as narrated in the memo of appeal are that the appellant had been inducted in service as Overseer / Sub Engineer in Local Government & Rural Development Department on 4-10-1963. The appellant, being the senior most Overseer/ Sub-Engineer in the department, most efficient and hard working throughout the tenure of his service was appointed as Assistant Engineer (BPS)-17 against sanctioned post vide Notification No SO ( IRDP) LG-4 (1)/ 75, dated 12th September, 1975 with the condition of successful undergoing training from Pakistan Academy for Rural Development (PARA). The appellant was posted as Assistant Engineer (BPS-17) in his own pay and grade (BPS-11) vide notification No. SO-IRDP LG-4 (!)/73, dated 19th November, 1975 with effect from of 14-11-1975 against the sanctioned post in Integrated Rural Development Programme (IRDP) Markaz, Akora khattak, a branch of Local Gov't: and Rural Dev; Department. The appellant had completed the training course from Pakistan Academy for Rural Development (PARA) Peshawar and as such, the appellant had fulfilled the condition of his appointment as Assistant Engineer. The appellant had also been given the additional charge of the post of 'Project Manager (B-17)' sanctioned for Integrated Rural Development Programme (I.R.D.P) Markaz, Akora Khattak vide notification No. SO (IRDP) LG-4(1) Vol, VI/77, dated 31-12-

ATTESTED

MEMBER  
NWFP SOAD Tribunal  
Peshawar

1977. In addition to his own duties, the appellant had held the charge of the post of Assistant Engineer, IRDP Markaz, Pabbi and Nizampur as Assistant Engineer, Project Manager IRDP Akora Khattak and as such the appellant had performed duties on four different (BPS-17 sanctioned post for one year & ten months successfully. The appellant had been selected, nominated for the 3<sup>rd</sup> Short Course in Rural Development at National Institute of Public Administration (NIPA) Karachi Vide No 13/63/77, dated 9<sup>th</sup> January, 1978 and the appellant had completed the said course successfully. The appellant had also been nominated/selected for Engineer Training Course in 'Road Research and Material Institute', Lahore jointly sponsored by Gov't; of Pakistan and United States Agency for International Development (USAID) which he had completed successfully in 1979. On the basis of good performance, hard-work and successful trainings in different fields from different institutes, the appellant had been transferred from IRDP Markaz, Akora Khattak and posted as District Engineer, Assistant Engineer IRDP Markaz, District Mardan, where different four Marakaz, i.e. Katlang, Lahore, Toru and Topi had been functioning and the appellant had held this BPS-17 sanctioned post successfully till 9-9-1981. The appellant had served against BPS-17 sanctioned post from 14-11-1975 to 9-9-1981 i.e. (6) years continuously but he had been kept in B-11. The appellant, after having served as Overseer Sub Engineer (BPS-11) from 4-10-63 to 13-11-1975 and as 'Assistant Engineer' (BPS-17) against the sanctioned post from 13-11-1975 to 9-9-1981. He had been promoted as 'Assistant Engineer' against 25% quota on the basis of seniority cum fitness among the Overseer / Sub Engineer (BPS-11) vide Notifications

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ATTESTED

EXAMINER

OWFP SOURCE TRIBUNAL  
Peshawar

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dated 25th & 30th July, 1981 against regular sanctioned posts (BPS-17). The appellant had also held the charge of the post of Director Technical (BPS-18) sanctioned post during 1983-84 in addition to his own duty of his BPS-17 sanctioned post of Assistant Director (Technical), Local Gov't: & Rural Development, NWFP, Peshawar for about 9 months. The post of Assistant Engineer Local Gov't; and Rural Development Department had been in BPS-17 and the promotion case should have been placed before the Provincial Selection Board instead of getting the clearance from Departmental Promotion/Selection Committee. The relevant rules did not permit the promotion of Sub Engineer (BSP-11) to the post of Assistant Engineer (BPS-16) as the post of Assistant Engineer had been in BPS-17. The DPC acted wrongly in promoting the appellant to BPS-16 instead of referring the case to Provincial Selection Board for promoting him as Assistant Engineer in BPS-17. When it was realized that the appellant alongwith others had been allowed BPS-16 instead of BPS-17 wrongly, the department prepared the Working Paper and furnished the case to the (Establishment & Administration Department) for placing it before the Provincial Selection Board (PSB) in 1989. The case had been under process, in the meanwhile the powers for promotion to the post in BPS-17 had been delegated to the Departmental Promotion/Selection Committee. The case had been returned by the Establishment & Administration Department accordingly in 1990. On receipt of the case, the department prepared Working Paper for Departmental Promotion Committee's meeting held on 20-9-1992 in which the department recommended the appellant's promotion alongwith others to BPS-17 with retrospective effect without

ATTESTED

BY  
EXAMINER  
NWFP Selection Tribunal  
Peshawar

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claiming any arrears. But, the Departmental Promotion Committee determined the appellant's suitability alongwith others in BPS-17 with immediate effect. The department issued notification dated 14-10-1992 in which the appellant alongwith others had been allowed BPS-17 instead of BPS-16 with immediate effect 14-10-1992. Aggrieved with the department's decision, the appellant and other promotees preferred an appeal in which they had requested that they may be allowed BPS-17 with retrospective effect from the date of allowing BPS-16 by the Govt. In the light of above facts the department referred the case to the Establishment & Administration Department to solicit views as to whether or not the appellant alongwith other promotees could be given retrospective promotion in BPS-17 as the appellant had been placed in BPS-16 wrongly. The appellant had preferred representations dated 10-11-2003 and 4-3-2004 to Respondent No 1 for award of all monetary benefits of BPS-17 from 1-7-81 to 31-12-1992 including periodical increments, arrears of pay pension and commutation. The latter had rejected the appellant's departmental appeal vide the impugned order dated 28-1-004. His representation preferred to respondents No 2 through Chief Minister Govt; of NWFP had not been processed/pursued till date. Feeling aggrieved with these, he had thus filed the instant appeal on the following grounds on 2.7.2004:-

- A According to the Supreme Court judgments, if an employee is made to work against a particular post, he will be entitled to all monetary benefits relating to that post but the appellant has been deprived for all monetary benefits attached with the post of Assistant engineer BPS-17 from 14-11-1975 to 13-12-1992. Such practice of the respondents had been illegal and against the principles of natural justice;

ATTESTED

WAZIR  
N.W.F.P. SECRETARY (General)  
Peshawar

B The impugned order is illegal, malafide without jurisdiction and without lawful authority. Hence, it is liable to be set aside.

3. The case had been admitted to regular hearing on 6.5.2005 and the respondents had been put on Notice. They appeared through their representatives, filed written reply, contested the appeal and denied the claim of the appellant.

4. Arguments heard and record perused.

5. The main contention of the learned counsel for the appellant is that the appellant had worked against the higher post in his own pay scale and had been entitled to all monetary benefits of that post according to the judgements of Hon'ble Supreme Court of Pakistan. In support of his claim, the learned counsel for the appellant quoted the authorities reported in the following cases:-

- i. PLD-1994-Supreme Court-233
- ii. 1992-SCMR-1869
- iii. 1998-PLC(C.S) 963
- iv. 1998 PLC (C.S) 1362
- v. 2006-PLC (C.S) 497

He prayed for the acceptance of the appellant's appeal.

6. The learned AGP contended that the appeal had been hopeless time barred. The appellant had been appointed as officiate Assistant Engineer in the defunct IRDP as a stop-gap-arrangement with the condition that he will draw his existing pay in his own pay grade which did not entitle him to claim any monetary benefits, seniority or right of promotion. He had preferred his departmental appeal in 2004 to agitate the impugned order passed in 2003. Moreover, he had been estopped by his own conduct in that had never challenged the notification vide which he had been posted in

ATTESTED

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40own pay and scale. The learned AGP prayed for the dismissal of the appellant's appeal.

7. After hearing arguments of both the sides, the Tribunal holds that the appellant had been posted as Assistant Engineer in his own pay scale, purely on temporary basis and stop gap arrangement against various posts of BPS-17. He had accepted his officiating appointment mentioned in his order and had taken over charge without any objection or hesitation. Moreover, the appeal of the appellant had been badly time barred. The departmental appeal of the appellant dated 10.11.2003 had been rejected vide the impugned order dated 28.1.2004. He had been required to approach this Tribunal within 30 days after the disposal of his departmental appeal. The instant appeal had been preferred on 2.7.2007 with a delay of more than 5 months. Needless to mention that no application for seeking the condonation of the delay had been filed alongwith the appeal. The judgement of Hon'ble Supreme Court of Pakistan quoted by the learned counsel for the appellant had not been applicable to his case. The appeal, being devoid of merit and besides being hopelessly time barred, is, therefore, dismissed. There are no orders as to costs. File be consigned to record after necessary completion.

ANNOUNCED.  
13.11.2007.

  
(SULTAN MAHMOOD KHATTAK)  
MEMBER.

  
(SHAH SAHIB)  
MEMBER.