

BEFORE THE HONORABLE SERVICE TRIBUNAL, PESHAWAR

In Service Appeal No.1666/2023

Muhammad Bilal

.... Petitioners

VS

Government of Khyber Pakhtunkhwa, & Others

.... Respondents

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Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No. 1666/2023.

Muhammad Bilal Inspector VS Govt: of Khyber Pakhtunkhwa & Others.

PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS.

Respectfully submitted,

**Khyber Pakhtunkhwa
Service Tribunal**

Preliminary objections:

Diary No. 10472

Dated 10-1-24

- i. That the appellant has no cause of action to file the instant services appeal.
- ii. The appeal in hand is not maintainable in its present form.
- iii. That the appeal is a mis-joinder/non-joinder of unnecessary and necessary parties.
- iv. That under section 4(b) of Khyber Pakhtunkhwa Services Tribunal Act 1974, no appeal shall lie in the tribunal against an order or decision of a departmental authority regarding the fitness or otherwise of a person to be appointed to or to hold a particular post or to be promoted to a higher post or cadre on this score alone the appeal is not maintainable (**Annex-A**).
- v. That the appeal is based on misrepresentation of facts, the appellant is estopped by his conduct to file the appeal.
- vi. That the appellant has availed all his back benefits, increments, salaries, etc.
- vii. That the appellant has not come to the 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. Pertains to the record, hence no comments.
5. The appellant is not an aggrieved party under Section 8 of the Khyber Pakhtunkhwa Tourism Act 2019, under which the Khyber Pakhtunkhwa Culture and Tourism Authority has been established. The Directorate of Culture and Directorate of Tourists Services are no longer in existence and their functions were merged into the Khyber Pakhtunkhwa Culture and Tourism Authority. According to the Khyber Pakhtunkhwa Tourism Act 2019, the Secretary Tourism Department issued a certificate that the Authority has developed the requisite capacity to take over the functions of the Directorate of Tourists Services vide Notification dated 25th July 2022 (**Annex-B**). The functions of the Directorate of Tourists Services were transferred to the Khyber Pakhtunkhwa Culture and Tourism Authority vide notification dated 17th November 2022 (**Annex-C**). The Provincial Cabinet in its meeting held on 09.08.2023 approved the creation of a surplus pool for the employees of the Directorate of Tourist Services and Directorate of Culture (**Annex-D**). Subsequently, a surplus pool was created and all the employees of the directorate of Tourists services were placed in the surplus

pool (**Annex-E**). Therefore, for all intents and purposes, the employees of the erstwhile directorate of tourist services and directorates of culture are no longer the employees of the Culture, Tourism, Archaeology and Museum department. Hence, the respondents are not legally in a position to convene a meeting of DPC for the promotion of the appellant.

6. Incorrect. The appellant was an employee of the directorate of tourist services which is no longer in existence after the approval of the provincial cabinet in its meeting held on 24.06.2023. All of the posts in the directorate of Tourist services were abolished by the finance department on 07.09.2023(**Annex-F**). All the employees of the Directorate of Culture and Directorate of Tourist Services were declared as surplus for further adjustment under the surplus pool policy, 2001 by the establishment department notification dated 24.10.2023 (**Annex-G**).
7. Incorrect. The appellant was appointed as Inspector on 29.06.2020. The departmental Promotion Committee meeting was held on 07.11.2022. The DPC deferred the appointment of the appellant to the post of the Assistant Director/Assistant Director cum Assistant Controller (BS-17) on acting charge basis, due to non-completion of the required service length as per service rules of DTS. (**Annex-H**).
8. No comments. Pertains to the record.
9. Incorrect. Peshawar High Court dismissed the writ petition No.2772-P/2022 on the ground that on 30-09-2019, the Provincial Assembly of Khyber Pakhtunkhwa passed the Khyber Pakhtunkhwa Tourism Act, 2019. The aim and purpose of the act is to provide a legal framework to promote Tourism and Culture in Khyber Pakhtunkhwa.

The Act provides for the establishment of the Khyber Pakhtunkhwa Culture and Tourism Authority under section 06 of the Act and under section 08 sub-section (i) (b) the Directorates shall cease to be the attached Directorates of the department and shall be merged into the authority. Section 08(iv) of the act has provided for the creation of a Surplus pool for the employees of DTS. The honorable court in its judgment has further stated that " *now the brief question as to whether a department which is no more in existence and merged into an authority while its employees are kept in the surplus pool who would be in the surplus pool, and their fate either absorption, retention or utilization has not so far decided, how come the respondents would convene a meeting of the departmental Selection or promotion committee for their promotion for the simple reason that on which post and in which department they will be given promotion*". The honourable Court has further decided that their right of promotion shall be in accordance with the rules and regulations and terms and conditions of the cadres into which they are absorbed (**Annex-I**).

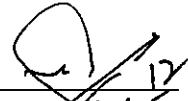
10. As narrated in para 07 above.
11. As narrated in para 07 above.
12. No comments.

ON GROUNDS

- A. No comments.
- B. The appellant endorses his non-promotion on the grounds of the non-completion of the length of service on the date of DPC and narrates that he has now completed the required length of service and is eligible to be promoted to BS-17.
- C. Incorrect. As per section 08 (iv) (a), "the government shall create a surplus pool in the establishment department for the employees of the directorates till the retirement of the last incumbent. These employees shall continue to enjoy all the benefits currently admissible to them and shall be entitled to receive their salaries and other benefits as if they had continued work against the existing cadre or post. The services of such employees shall either"
- (i) Be utilized by the government in such offices as controlled by the government under such terms and conditions as decided by the government.
- (ii) Absorb the services of the employees of the directorates at the discretion of government in various government departments, and in such case, the right of promotion shall be in accordance with rules and regulations and terms and conditions of the cadres into which they are absorbed.
- D. Incorrect as narrated in para 07 and ground B.
- E. Incorrect as narrated in ground C.
- F. Incorrect as narrated in para 07 and ground B.
- G. Incorrect as narrated in para 07 and ground B.
- H. Incorrect, hence denied. As applies above.
- I. Incorrect. As replied in above paras.
- J. The respondents seek leave to raise additional grounds at the time of arguments.

It is, therefore, humbly prayed that the appeal may kindly be dismissed with Costs.

Respondent No. 2


Secretary
Establishment Department.

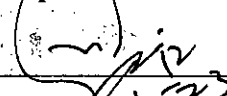
M. SHAHID ULLAH

Respondent No. 3


Secretary
Culture & Tourism Department.

MUTAHIR ZEB

Respondent No.1


Chief Secretary
Khyber Pakhtunkhwa.

NADEEM ASLAM CHAUDRY



GOVERNMENT OF, KHYBER PAKHTUNKHWA,
CULTURE & TOURISM DEPARTMENT.

13-A, KHYBER ROAD, PESHAWAR CANTT:



091- 9223448.



091-9212535.



Sportslitigation@gmail.com

NO. SO (LIT)/C&TD/1- 578/2023/ M. Bilal
Dated Peshawar the, __ December, 2023.

AUTHORITY LETTER

Mr. Muhammad Javed (BPS-17), Section Officer, is hereby authorized to submit the joint Parawise comments and attend the Service Tribunal, Peshawar in Service Appeal No. 1666/2023 titled "Muhammad Bilal vs Govt. of Khyber Pakhtunkhwa & others" on behalf of the undersigned till the final decision of the case.

Secretary to Govt. of Khyber Pakhtunkhwa,
Culture, Tourism & Museums Department.

BEFORE THE SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.1666/2023

Muhammad Bilal & Others

.... Petitioner

VS

Government of Khyber Pakhtunkhwa & Others

.... Respondents

Affidavit

I, Mutahir Zeb Secretary, Culture & Tourism Department Khyber Pakhtunkhwa, do hereby solemnly affirm and declare an oath that the contents of Parawise Comments in the above Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court. *it is further stated on oath that in this appeal the answering respondents have neither been placed ex-Parte nor their defense is struck off*

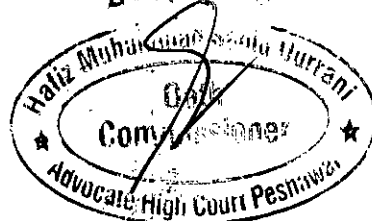
Identified By

LD. ADVOCATE GENERAL
KHYBER PAKHTUNKHWA

DEPONENT
CNIC
Cell No
Secretary to Government
Culture, Tourism, Archaeology
& Museums Department
Khyber Pakhtunkhwa

10 JAN 2024

ATTESTED



**THE ¹[KHYBER PAKHTUNKHWA]
SERVICE TRIBUNALS ACT, 1974.**

²[KHYBER PAKHTUNKHWA] ACT NO. I OF 1974.

[28th March, 1974]

CONTENTS.

PREAMBLE

SECTIONS:

1. Short title, commencement and application.
2. Definitions.
3. Tribunals.
- 3A. Adhoc Appointment.
- 3B. Tenure, Terms and condition of service of Chairman and member.
4. Appeals to Tribunals.
5. Constitution of Benches.
6. Hearing of appeals and, their disposals.
7. Power of Tribunals.
8. Abatement of Suits and other proceeding.
9. Limitation.
10. Re-appeal and transfer of cases.
11. Power to make Rules.
12. Repeal.

Attested
HP

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

¹[(4) The Chairman and members of a Tribunal shall be appointed by the Governor in consultation with the Chief Justice of the Peshawar High Court.]

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the Governor.

(6) The Chairman or a member of a Tribunal may be appointed by name or by designation.

²[3-A Adhoc appointment.--The Governor may, if necessary or expedient, for a particular case or cases, make an ad hoc appointment on the Tribunal of person qualified to be Chairman or a member as the case may be.]

³[3-B Tenure, Terms and conditions of service of Chairman and members. (1) The Chairman and a member shall hold office for a period of three years or until he attains the age of sixty years, whichever is earlier, and shall not be eligible for re-appointment:

Tenure, Terms and conditions of service of Chairman and members.

Provided that if a judge of the High Court is appointed as Chairman, he shall hold office for a period of three years or until he attains the age of superannuation as judge of the High Court whichever is earlier.

(2) In case, a retired judge of the High Court is appointed as Chairman under clause (a) of sub-section (3) of section 3, he shall hold office for a period of three years and shall not be eligible for re-appointment.

(3) The other terms and conditions of service of the Chairman and members shall be such as may be determined by the Governor.]

4. Any civil servant aggrieved by any final order, whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him ⁴[or within six months of the establishment of the appropriate Tribunal, whichever is later], prefer an appeal to the Tribunal having jurisdiction in the matter:

Appeals to Tribunals.

Provided that ----

¹ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.2(b).

² Inserted vide Khyber Pakhtunkhwa Act No. XIII of 1976, S.2.

³ Inserted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.3.

⁴ Inserted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3 (a).

Attested
[Signature]

- (a) Where an appeal, review or representation to a departmental authority is provided under the [Khyber Pakhtunkhwa] Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was preferred;²
- (b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining-
 - (i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade ;or
 - (ii) the quantum of departmental punishment or penalty imposed on a civil servant as a result of a departmental inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement ³[; and].
- ⁴[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.]

Explanation.—In this section, "departmental authority" means any authority other than a Tribunal which is competent to make an order in respect of any of the terms and conditions of service of civil servants.

5. (1) There may be constituted one or more Benches, each consisting of— Constitution of Benches.
- (a) the Chairman alone ; or
 - (b) the Chairman and one or more members ; or
 - (c) ⁵[one preferably judicial member] or more member,

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
² Omitted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3(b)(i).
³ Replaced vide Act No IX of 1974, S.3 (b)(ii).
⁴ Added vide Khyber Pakhtunkhwa Act No IX of 1974, S.3 (b) (iii).
⁵ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(i)(a)

Attested

H



GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS &
YOUTH AFFAIRS DEPARTMENT.

6

Annex: B

Dated Peshawar 25th July, 2022

NOTIFICATION:

No. SO(Tourism)/5-92(A)/Act/2022/ 3224 :

Consequent upon the certification of Director General Culture and Tourism Authority (CTA) on 10.05.2022 that the Authority has developed the requisite capacity to take over the function of "Directorate of Tourist Services", I, as Secretary Sports, Culture, Tourism, Archaeology, Museums and Youth Affairs Department to the Government of Khyber Pakhtunkhwa, am of the considered opinion that pursuant to Section 8, clause (iii) of the Khyber Pakhtunkhwa Tourism Act, 2019 that the Culture and Tourism Authority has developed requisite capacity to handle activities, offices or centers etc of Directorate of Tourist Services, Khyber Pakhtunkhwa, and therefore certify this fact towards the purposes of clauses (i) and (ii) of Section 8 read with Section 1, sub-section (3) of the Khyber Pakhtunkhwa Tourism Act, 2019 as invoked by the Provincial Cabinet in its meeting held on 21.07.2021 along with following directions to implement with immediate effect:

- (a) Culture and Tourism Authority shall take over the Administrative, Financial and Regulatory control of all activities, offices, projects, sub-offices, assets including all movable and immovable assets and liabilities including furniture, fixtures, equipment, vehicles, records, data etc of the Directorate of Tourist Services and it shall be ensured by the Director General Culture and Tourism Authority as well as Director General, Directorate of Tourist Services that smooth handing / taking takes place immediately;
- (b) Section 37 read with section 33 of the Khyber Pakhtunkhwa Tourism Act, 2019 shall take effect after the transition period mentioned in the said Act;
- (c) Case may be taken up with Establishment Department in accordance with Section 8 (iv)(a) of the Khyber Pakhtunkhwa Tourism Act, 2019;
- (d) The Tourism Department to move case / summary for amendment in Rules of Business, 1985 to delete the Directorate of Tourist Services from the list of Attached Departments, and
- (e) The above may be notified as speaking order and all departments may be informed, so that consequential and ancillary actions may be taken accordingly where required especially by Finance, Establishment and Planning & Development Departments.

Secretary to Government of
Khyber Pakhtunkhwa Sports, Tourism,
Archaeology, Culture, Museums & Youth Affairs
Department

Attest
A

Endst. No. & Date even:

Dated: 25th July, 2022

Copy forwarded to:

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Govt. of Khyber Pakhtunkhwa.
5. Director General, Culture & Tourism Authority Khyber Pakhtunkhwa (KP-CTA).
6. Director General, Directorate of Tourist Services, Khyber Pakhtunkhwa.
7. Managing Director, Pakistan Tourism Development Corporation (PTDC), Islamabad.
8. PSO to Chief Secretary, Khyber Pakhtunkhwa.
9. Manager Printing Press, Khyber Pakhtunkhwa with the request to publish the same in the official gazette and provide 15 copies of the same for official record.
10. All Heads of Attached Departments, Sports & Tourism Department.
11. Chief Planning Officer, Sports & Tourism Department.
12. All Section Officers in Sports & Tourism Department.
13. PS to Secretary Sports, Tourism, Archaeology, Museums and Youth Affairs.
14. FA to Additional Secretary-I & II, Sports & Tourism Department.
15. PA to Deputy Secretaries-I, II, III & IV, Sports & Tourism Department.
16. Master File.

~~25-7-22~~
 SECTION OFFICER (TOURISM)

Attested
h



Annex C

(8)

**GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS &
YOUTH AFFAIRS DEPARTMENT.**

Dated Peshawar 17th November, 2022

NOTIFICATION:

No. SO(T)/5-92/Act/2022/4184-93; Whereas, as per Section-57 (Repeal Section) read with Section-33 of "Khyber Pakhtunkhwa Tourism Act, 2019" and subsequent Notification of the "KP-Hospitality & Tourism Sector (Regulation, Licensing, Registration & Classification of Tourism Products) Regulation-2021" dated 03.11.2021, the present status of Directorate of Tourist Services, Khyber Pakhtunkhwa will cease to exist from 02.11.2022.

And Whereas, as per Clause-33(2) of the Tourism Act-2019, the entire functions of DTS will be exercised by KP-CTA's Tourist Services Wing (TSW) from 3rd November, 2022 onwards. Moreover, as per Section-57 of Khyber Pakhtunkhwa Tourism Act-2019, all previous Acts of DTS shall be deemed to be repealed from the adjustment period of one year as provided in Section-33 of the Act ibid. Therefore, new Registration, Renewals etc. of the DTS registered units will be issued on the signature of Controller (GM C&T, KP-CTA), Tourist Services Wing (of KP-CTA) under Regulations-2021 ibid.

Now therefore, The KP-Culture & Tourism Authority, is directed to ensure taking over all the above-mentioned record, assets with immediate effect and to start exercising the functions of DTS. Whereas, the services of DTS staff will be managed by Controller, TSW, KP-CTA and their monthly bio-matric report shall be shared with this Department on regular basis, till the creation of surplus pool for these employees.

-Sd-


**Secretary to Government of Khyber Pakhtunkhwa
Tourism, Culture Archaeology & Museums Department**

Endst: No. & Date even:

Copy forwarded to the:

1. Director General, KP-Culture & Tourism Authority, Peshawar for immediate necessary action and report.
2. Director General, Directorate of Tourist Services, Khyber Pakhtunkhwa for strict compliance for handing-over all remaining record including Capacity Building Project, Guarantees and bank accounts, Vehicles, Motorcycles & assets etc. with immediate effect.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Chairman, KP-Travel Agents & Tour Operators Association, Peshawar.
5. All Heads of Attached Formations of Tourism, Culture, Archaeology & Museums Department.
6. Chief Planning Officer, Tourism, Culture, Archaeology & Museums Department.
7. All Section Officers, Tourism Department.
8. P.S to Secretary, Tourism Department.
9. PA to A.S-I, Tourism Department.
10. PA to DS-III, Tourism Department.
11. Master File.


SECTION OFFICER (TOURISM-I)

dt/ 
Accessed
H



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(CABINET WING)
No.SOC(E&AD)9-8/CT/2023
Dated Peshawar the 18th August, 2023

To,

The Secretaries to Govt. of Khyber Pakhtunkhwa

- i. Establishment Department
- ii. Culture & Tourism Department

SUBJECT MINUTES OF THE 08th MEETING OF THE CARETAKER PROVINCIAL CABINET HELD ON 09th AUGUST, 2023

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith the following decision of the 08th meeting of caretaker Provincial Cabinet held on 09.08.2023 under the chairmanship of Caretaker Chief Minister, Khyber Pakhtunkhwa for Implementation:-

| AGENDA ITEM NO.29 | |
|---------------------|---|
| Case No. 2023/08/29 | CREATION OF SURPLUS POOL FOR EMPLOYEES OF DIRECTORATE OF TOURIST SERVICES, KHYBER PAKHTUNKHWA UNDER KHYBER PAKHTUNKHWA TOURISM ACT, 2019. |
| Presented By: | SECRETARY CULTURE & TOURISM, KHYBER PAKHTUNKHWA. |

DISCUSSIONS:

Secretary Tourism Department presented agenda item regarding creation of surplus pool for the employees of Directorate of Tourist Services, Khyber Pakhtunkhwa under Khyber Pakhtunkhwa Tourism Act, 2019. He further informed that the Government of Khyber Pakhtunkhwa promulgated the Khyber Pakhtunkhwa Tourism Act on 08th October, 2019. Whereas section 8 of Tourism Act, 2019 provides that the KP Culture Tourism Authority (CTA) shall take over the administrative, financial & regulatory control of all the activities, offices, projects etc. of the Directorate of Tourist Services along with their movable & immovable assets and liabilities.

Secretary Tourism Department apprised the forum that Section 8(iv)(a) of the Tourism Act, 2019 provides that the Government shall create Surplus Pool in the Establishment Department for employees of the Directorate i.e. Directorate of Tourist Services, Khyber Pakhtunkhwa till the retirement of the last incumbent.

Secretary Tourism Department further requested the forum to approve the creation of surplus pool for the employees of Directorate of Tourist Services, Khyber Pakhtunkhwa in the Establishment Department for utilization of their services as per policy.

DECISION:

The Provincial Cabinet approved creation of surplus pool for the employees of Directorate of Tourist Services, Khyber Pakhtunkhwa in the Establishment Department for utilization of their services as per policy.

Implementing Department: Culture & Tourism/Establishment

2. I am to request that an implementation report of the Cabinet decision as required under Rule 25 (2) of the Khyber Pakhtunkhwa Government Rules of Business, 1985 may kindly be furnished on top priority basis to the Cabinet Section, Administration Department.

Yours faithfully,

(MUHAMMAD AMJAD KHAN)
SECTION OFFICER (CABINET)

Attested
#



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(CABINET WING)
No.SOC(E&AD)9-2/CT/2023
Dated Peshawar the 18th August, 2023

To,

The Secretaries to Govt. of Khyber Pakhtunkhwa
I. Establishment Department
II. Culture & Tourism Department

SUBJECT MINUTES OF THE 08th MEETING OF THE CARETAKER PROVINCIAL CABINET HELD ON 09th AUGUST, 2023

Dear Sir,
I am directed to refer to the subject noted above and to forward herewith the following decision of the 08th meeting of caretaker Provincial Cabinet held on 09.08.2023 under the chairmanship of Caretaker Chief Minister, Khyber Pakhtunkhwa for implementation:-

AGENDA ITEM NO.30

| | |
|---------------------|--|
| Case No. 2023/08/30 | CREATION OF SURPLUS POOL FOR EMPLOYEES OF DIRECTORATE OF CULTURE, KHYBER PAKHTUNKHWA UNDER KHYBER PAKHTUNKHWA TOURISM ACT, 2019. |
| Presented By: | SECRETARY CULTURE & TOURISM, KHYBER PAKHTUNKHWA |

DISCUSSIONS:
Secretary Tourism Department presented agenda item regarding creation of surplus pool for the employees of Directorate of Culture, Khyber Pakhtunkhwa under Khyber Pakhtunkhwa Tourism Act, 2019. He further informed that the Government of Khyber Pakhtunkhwa promulgated the Khyber Pakhtunkhwa Tourism Act on 08th October, 2019. Whereas section 8 of Tourism Act, 2019 provides that the KP Culture Tourism Authority (CTA) shall take over the administrative, financial & regulatory control of all the activities, offices, projects etc. of the Directorate of Culture along with their movable & immovable assets and liabilities.

Secretary Tourism Department apprised the forum that Section 8(iv)(a) of the Tourism Act 2019 provides that the Government shall create Surplus Pool in the Establishment Department for employees of the Directorate i.e. Directorate of Culture, Khyber Pakhtunkhwa till the retirement of the last incumbent.

Secretary Tourism Department further requested the forum to approve the creation of surplus pool for the employees of Directorate of Culture, Khyber Pakhtunkhwa in the Establishment Department for utilization of their services as per policy.

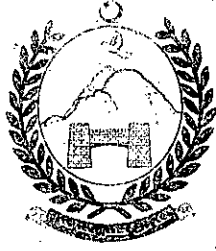
DECISION:
The Provincial Cabinet approved creation of surplus pool for the employees of Directorate of Culture, Khyber Pakhtunkhwa in the Establishment Department for utilization of their services as per policy.

Implementing Department: Culture & Tourism/Establishment

2. I am to request that an implementation report of the Cabinet decision as required under Rule 25 (2) of the Khyber Pakhtunkhwa Government Rules of Business, 1985 may kindly be furnished on top priority basis to the Cabinet Section, Administration Department.

Yours faithfully,

(MUHAMMAD AMJAD KHAN)
SECTION OFFICER (CABINET)



Annex E
GOVERNMENT OF KHYBER PAKHTUNKHWA,
TOURISM, CULTURE, ARCHAEOLOGY & MUSEUMS
DEPARTMENT.

13-A, KHYBER ROAD, PESHAWAR CANTT:

No. SO(T)/5-92(B)/employees/2023 /6053-58
Dated Peshawar the 24th August, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department.

Subject:

MINUTES OF THE 08TH MEETING OF THE CARETAKER PROVINCIAL CABINET
HELD ON 09TH AUGUST, 2023 REGARDING CREATION OF SURPLUS POOL
FOR DIRECTORATE OF CULTURE AND DIRECTORATE OF TOURIST SERVICES

Dear Sir,

I am directed to enclose herewith copies of approved minutes of the 08th meeting of the Care Taker Provincial Cabinet (Agenda item No.29 & 30) held on 09th August, 2023 regarding creation of surplus pool for Directorate of Culture and Directorate of Tourist Services, wherein the Provincial Cabinet has approved surplus pool for the employees of both the Directorates (i.e Culture and Tourist Services) in the Establishment Department for utilization of their services as per policy.

2. Keeping in view the above, Finance Department is requested to abolish posts of both the Directorates as per attached employees lists (Annex-I & II) and equal number of posts in the corresponding basic pay may be created in Establishment Department as per surplus pool policy, please.

Encl: As Above.

(AKHLAQ AHMAD)
SECTION OFFICER (TOURISM)

Endst No & Date even:

Copy forwarded to:

1. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department
2. Section Officer (Cabinet), Administration Department Khyber Pakhtunkhwa.
3. PS to Secretary, Culture & Tourism Department.
4. PS to AS, Culture & Tourism Department.
5. PA to DS (Tourism), Culture & Tourism Department.
6. Master File.

(MUHAMMAD AMJAD KHAN)
SECTION OFFICER (TOURISM)

Altesaf
AD

(MUHAMMAD AMJAD KHAN)
SECTION OFFICER (CABINET)

2/12

LIST OF EMPLOYEES OF DIRECTORATE OF TOURIST SERVICES (DTS), KHYBER PAKHTUNKHWA:

| S# | Name of employee | Designation | BPS |
|-----|---------------------|-----------------------------|-----|
| 1. | Muhammad Arabi | Additional Director General | 19 |
| 2. | Naseer Ahmad | Admn. & Accounts Officer | 17 |
| 3. | Awais Tahir | Admn. & Accounts Officer | 17 |
| 4. | Asad-Ikram Qazi | Assistant Director | 17 |
| 5. | Raza Khan | Superintendent | 17 |
| 6. | Rafiq Ahmad | Assistant | 16 |
| 7. | Mian Iftikhar Ali | Assistant | 16 |
| 8. | Sanobar Khan | Assistant | 16 |
| 9. | Waqar Muhammad | Legal Assistant | 16 |
| 10. | Israr Ahmad | Computer Operator | 16 |
| 11. | Muhammad Riaz Khan | Computer Operator | 16 |
| 12. | Muhammad Amjad | Computer Operator | 16 |
| 13. | Shaharyar Khan | Computer Operator | 16 |
| 14. | Israr Ahmad Khan | Computer Operator | 16 |
| 15. | Asif Shahzad | Inspector | 16 |
| 16. | Muhammad Bilal | Inspector | 16 |
| 17. | Hisham Khan | Inspector | 16 |
| 18. | Imran Khan | Inspector | 16 |
| 19. | Muhammad Fahim | Inspector | 16 |
| 20. | Zer Muhammad Khan | Inspector | 16 |
| 21. | Khalid Bashir | Inspector | 16 |
| 22. | Sajid Khan | Accountant | 14 |
| 23. | Haider Zaman | Senior Clerk | 14 |
| 24. | Arshad Ali | Senior Clerk | 14 |
| 25. | Muhammad Ilyas | Senior Clerk | 14 |
| 26. | Ziaullah | Senior Clerk | 14 |
| 27. | Muhammad Asim Khan | Sub-Inspector | 14 |
| 28. | Ihsanullah Khan | Sub-Inspector | 14 |
| 29. | Noor Kamal Khan | Sub-Inspector | 14 |
| 30. | Haider Ali | Sub-Inspector | 14 |
| 31. | Waseem Zeb Khan | Sub-Inspector | 14 |
| 32. | Muhammad Ishaq | Sub-Inspector | 14 |
| 33. | Saddam Hussain | Sub-Inspector | 14 |
| 34. | Amjad Jamil | Assistant Sub-Inspector | 09 |
| 35. | Amir Afzal Khan | Assistant Sub-Inspector | 09 |
| 36. | Hassan Ali Khan | Assistant Sub-Inspector | 09 |
| 37. | Muhammad Asif | Assistant Sub-Inspector | 09 |
| 38. | Zeeshan Tariq | Assistant Sub-Inspector | 09 |
| 39. | Shamsher Ali Khan | Assistant Sub-Inspector | 09 |
| 40. | Zohaib Ullah | Assistant Sub-Inspector | 09 |
| 41. | Majid Ali Shah | Assistant Sub-Inspector | 09 |
| 42. | Muhammad Sirajuddin | Assistant Sub-Inspector | 09 |
| 43. | Sharif Ullah | Head Constable | 07 |
| 44. | Khalil-ur-Rehman | Head Constable | 07 |
| 45. | Noorad Ali | Head Constable | 07 |
| 46. | Huzaif Ali Shah | Head Constable | 07 |
| 47. | Irfan Ullah Khan | Driver | 06 |
| 48. | Imdad Ullah | Driver | 06 |
| 49. | Kamran Khan | Constable | 05 |
| 50. | Abbas Mehdi | Constable | 05 |
| 51. | Abdul Wadood | Constable | 05 |

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| 52. | Muhammad Saleem | Constable | 05 |
| 53. | Qasim Khan | Constable | 05 |
| 54. | Naseer Khan | Constable | 05 |
| 55. | Umar Farooq | Constable | 05 |
| 56. | Salman Khan | Constable | 05 |
| 57. | Luqman Khan | Constable | 05 |
| 58. | Mujahid Khan | Constable | 05 |
| 59. | Mubarak Zeb | Constable | 05 |
| 60. | Qadir Khan | Constable | 05 |
| 61. | Shanzaib | Constable | 05 |
| 62. | Attaullah | Constable | 05 |
| 63. | Faiz Muhammad | Constable | 05 |
| 64. | Mushatmil Shah | Dispatch Rider | 05 |
| 65. | Shabbir Ahmad | Duplicate Machine Operator | 04 |
| 66. | Muhammad Alamgir Khan | Naib Qasid | 03 |
| 67. | Saeed Ullah | Naib Qasid | 03 |
| 68. | Hamza Khan | Naib Qasid | 03 |
| 69. | Muhammad Nawaz | Naib Qasid | 03 |
| 70. | Kamran Khan | Naib Qasid | 03 |
| 71. | Hammad Raza | Naib Qasid | 03 |
| 72. | Muhammad Naeem | Naib Qasid | 03 |
| 73. | Ibne Ali | Naib Qasid | 03 |
| 74. | Mohsin Jan | Naib Qasid | 03 |
| 75. | Umar Zada | Naib Qasid | 03 |
| 76. | Sajjad Ullah | Naib Qasid | 03 |
| 77. | Muhammad Umar | Naib Qasid | 03 |
| 78. | Bismillah Jan | Chowkidar | 03 |
| 79. | Imdad Ullah | Chowkidar | 03 |
| 80. | Nouman Amjad | Chowkidar | 03 |
| 81. | Noor-ul-Amin | Chowkidar | 03 |
| 82. | Muhammad Zubair | Chowkidar | 03 |
| 83. | Shahid Ullah | Chowkidar | 03 |
| 84. | Mehmood ul Hassan | Chowkidar | 03 |
| 85. | Yousaf Masih | Chowkidar | 03 |

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DETAIL OF EMPLOYEES WORKING UNDER DIRECTORATE OF CULTURE, KHYBER PAKHTUNKHWA (PR-8609), PESHAWAR

| S.NO. | NAME OF EMPLOYEE | DESIGNATION WITH BPS | Qualification | DOMICILE | PERMANENT ADDRESS | MOBILE NUMBER | DATE OF 1 ST ENTRY INTO GOVT. SERVICE | |
|-------|---------------------|-----------------------------|---------------|--------------|---|---------------|--|------------|
| 1. | Ajmal Khan | Director Culture (BPS-19) | B.A | Mardan | Toot House, Toot Kalay, Mardan | 0345-9210264 | 17/11/1986 | 16/08/2021 |
| 2. | Amin Khan | Deputy Director (BPS-18) | MBA | Charsadda | Village Marozai, Tehsil Shabqadar, District Charsadda | 0333-9373474 | 01/02/2011 | 01/10/2018 |
| 3. | Riaz Ahmad | Deputy Director (BPS-18) | B.A | Peshawar | Mohallah Khan Baba, Near Tanga Ada, Hazar Khawani, P.O Hazar Khawani Tehsil & District Peshawar | 0311-0092360 | 09/09/1985 | 08/02/2017 |
| 4. | Muhammad Riaz | Assistant Director (BPS-17) | MA | Bajaur | Bara Nawagai, P.O Nawagai, Tehsil Nawagai, District Bajawar | 0345-9142375 | 01/11/2010 | --- |
| 5. | Imran Ullah Khan | Assistant Director (BPS-17) | BBA (Hons) | Lakki Marwat | Mohallah Muslim Abad, Machin Khei, District Lakki Marwat | 0334-5360997 | 29/07/2015 | --- |
| 6. | Mazhar Ali | Accounts Officer (BPS-17) | BBA (Hons) | Mardan | Village Sajjan Kalay, P.O Lund Khuwar, Tehsil Takht Bai, District Mardan | 0347-9147067 | 18/03/2014 | 15/05/2019 |
| 7. | Rehman Shah | Programme Officer (BPS-16) | Matric | Nowshera | Village Khudrezai, Mohallah Bar Masjid, Tehsil Pabbi, District Nowshera | 0300-5947229 | 18/07/1993 | 06/02/2019 |
| 8. | Sajid Ali Shah | Assistant (BPS-16) | Matric | Nowshera | Village Khudrezai, Mohallah Manan Garhi, Tehsil Pabbi, District Nowshera | 0332-9081681 | 01/06/1994 | 16/05/2018 |
| 9. | Kashif Jan | Assistant (BPS-16) | BA | Charsadda | Mohallah Haji Sarfaraz Khan, Ghazgi, Tehsil & District Charsadda | 0332-9255297 | 30/07/2009 | 06/02/2019 |
| 10. | Naeem-ul-Haq | S.S. Stenographer (BPS-16) | MA | Malakand | P/O Dargai, Sharif Abad Tehsil Dargai, District Malakand | 0345-9347764 | 16/07/2014 | 16/10/2019 |
| 11. | Syed Azaz-ul-Hassan | Computer Operator (BPS-16) | BA | Peshawar | House # 3850, Dabgari, Street #1, Mohallah New Peshawar. | 0331-9020425 | 30/07/2009 | --- |
| 12. | Muhammad Ayaz Tajik | Computer Operator (BPS-16) | B.COM (IT) | Peshawar | Dheri Baghbanan P.O Ramdas, House # 818, Mohallah Agha Ameer Shah, Bhana Mari, Peshawar | 0345-9196422 | 30/07/2009 | --- |
| 13. | Junaid Thomas | Senior Clerk (BPS-14) | FA | Peshawar | Shahed Bazar, Flat No. 204, Mohallah Bara Ehata, Peshawar Cantt, Peshawar | 0321-9025073 | 30/07/2009 | 15/10/2018 |
| 14. | Muhammad Zahid | Senior Clerk (BPS-14) | BA | Peshawar | Margazi, Kotla Mohsin Khan, P.O GPO, Peshawar | 0313-9475818 | 30/07/2009 | 15/10/2018 |

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|-----|-----------------|----------------------------------|----------------------------|-----------|--|------------------------------|------------|------------|
| | Amjad Ali | Senior Clerk (BPS-14) | FA | Charsadda | Village Shahi Kulali, P.O Tarnab, Tehsil & District Charsadda | 0315-9592000 | 30/07/2009 | 23/11/2018 |
| 16. | Arshad Khan | Supervisor Sound System (BPS-13) | MS. Engineering Management | Peshawar | Flate No. 30, Block No. 5, Doctors Colony, LRH, Peshawar | 0333-5432101 | 30/07/2009 | --- |
| 17. | Muhammad Naeem | Electrician (BPS-12) | BA | Peshawar | 11, The Mall road, House # 2/1, Peshawar Cantt, peshawar | 0345-9417507 | 30/07/2009 | --- |
| 18. | Ajun Khan | Junior Clerk (BPS-11) | MA | Peshawar | Mohallah Ludi Khel, Masho Gagar, P.O Budhber, Tehsil & District Peshawar | 0313-9291548 | 05/12/2013 | 15/10/2018 |
| 19. | Rizwan Javed | Junior Clerk (BPS-11) | FA | Peshawar | Dheri Baghbanan, House # 248, Mohallah Malang Pura, Peshawar | 0334-9223063 | 30/07/2009 | 15/10/2018 |
| 20. | Sajjad Khan | Generator Operator (BPS-08) | FA | Peshawar | House # 236 Jandar Gali, Nothia Qadeem Peshawar Cantt, P.O, G.P.O Tehsil & District Peshawar | 0333-8814448 | 30/07/2009 | --- |
| 21. | Yasir Khayam | Driver (BPS-06) | Middle | Peshawar | Mohallah Ghafar Abad, Landi Arabab, P.O Khas Tehsil & District Peshawar | 0312-9297978 | 30/07/2009 | --- |
| 22. | Atta Ullah | Driver (BPS-06) | Middle | Peshawar | Dabgari P.O Namak Mandi, House # 3757, Street # 2, Peshawar | 0313-9018180 | 30/07/2009 | --- |
| 23. | Noor Akbar | Security Guard (BPS-03) | BA | Peshawar | House # 9, Gali Mohallah Nasruillah Jan, Nothia Qadeem, Tehsil & District, Peshawar | 0300-5970748 | 30/07/2009 | --- |
| 24. | Zia-ul-Haq | Security Guard (BPS-03) | middle | Peshawar | Tipu Sultan Road, Khazanchi, G.P.O Area House # 1201/A, Peshawar | 0321-9002018 | 30/07/2009 | --- |
| 25. | Sarfaraz Khan | Security Guard (BPS-03) | 4 th Class | Peshawar | Nothia Jadeed, House # 546, Mohallah Shahsawar, Peshawar Cantt, Peshawar | 0315-0117930 | 30/07/2009 | --- |
| 26. | Asif Khan | Security Guard (BPS-03) | Primary | Peshawar | Pathan Colony, Kohat road, GPO Technical College | 0316-9628757 | 30/07/2009 | --- |
| 27. | Wajid Khan | Security Guard (BPS-03) | FA | Peshawar | Kanday Payan Landi Arbab, Mohallah Bakhtawar Baba, Peshawar | 0333-9161737 | 30/07/2009 | --- |
| 28. | Habib-ur-Rehman | Security Guard (BPS-03) | Primary | Peshawar | Raziq Abad Colony, Androon Civil Quarters, Peshawar Cantt, Peshawar | 0334-7054330 | 26/11/2009 | --- |
| 29. | Muhammad Shahid | Security Guard (BPS-03) | matric | Peshawar | Nothia Jadeed, P.O, G.P.O, Sector 7, Mohallah Mushtaq Abad, Peshawar | 0321-5828720 | 30/07/2009 | --- |
| 30. | Waheed Khan | Security Guard (BPS-03) | FA | Peshawar | Landi Arbab Road, Mohallah Kotla Mohsin Khan, Peshawar | 0314-9975662 0333-9137391 | 30/07/2009 | --- |
| 31. | Shah Jehan Khan | Qasid (BPS-04) | Uneducated | Charsadda | Mohallah Bada Khel, Sreekh Marozai, P.O Shabqadar, Tehsil & District Charsadda | 0311-9777071 | 03/12/2011 | --- |
| 32. | Gul Nawaz | Naib Qasid (BPS-03) | middle | Peshawar | P.O Hazar Khawani, Mohallah Shekhan, Hazar Khawani, Peshawar | 0344-2263637 | 01/11/2012 | --- |
| 33. | Muhammad Waqas | Naib Qasid (BPS-03) | FA | Mardan | Bughdada, Mohallah Kuz Kanday, Mardan | 0300-9266888 | 06/01/2017 | --- |

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| | Muhammad Zeeshan | Naib Qasid (BPS-03) | Matric | Peshawar | Tehkal Bala, Mohallah Mughal Zai, Peshawar | 0323-9570295 | 06/01/2017 | --- |
| 35. | Gulzar Ali | Naib Qasid (BPS-03) | Middle | Peshawar | Mera Masho Gagar, P.O Budhber, Tehsil & District Peshawar | 0346-9095797 | 30/07/2009 | --- |
| 36. | Altaf Khan | Chowkidar (BPS-03) | Middle | Peshawar | Kotla Mohsin Khan, Mohallah Shakir ullah, Peshawar | 0316-2664452 | 30/07/2009 | --- |
| 37. | Syed Naseem Shah | Chowkidar (BPS-03) | Matric | Mansehra | Narma, P.O Lassa Takral, Tehsil & District Mansehra | 0342-6175413 | 14/04/2010 | --- |
| 38. | Zakir Ullah | Chowkidar (BPS-03) | Middle | Peshawar | P.O dabgari, Shah Qabool, Androon Asia gate, Flat No. 1112/4, Mohallah Dandiyar, Peshawar | 0342-9034434 | 30/07/2009 | --- |
| 39. | Aman Ullah | Mali (BPS-03) | Middle | Peshawar | Charkhana Road, Mohallah Fazal Karim Nothia Jadeed, Peshawar | 0312-9087034 | 30/07/2009 | --- |
| 40. | Sifat Ullah | Mali (BPS-03) | middle | Nowshera | Mohallah Malak Khel Banda, Pabbi, Banda Nahi, P.O Pabbi, Tehsil & District Nowshera | 0322-9021592 | 30/07/2009 | --- |
| 41. | Shakil | Sweeper (BPS-03) | Uneducated | Peshawar | House # 215/5, Mohallah Bari Lal Kurti, Peshawar Cantt, Tehsil & District peshawar | 0332-9198994 | 30/07/2009 | --- |
| 42. | Miss Naseem | Sweeper (BPS-03) | Uneducated | Peshawar | House # 212, R.A Bazar, Peshawar Cantt. | 0332-9068396 | 30/07/2009 | --- |

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DETAIL OF EMPLOYEES WORKING UNDER DIRECTORATE OF CULTURE, KHYBER PAKHTUNKHWA, NISHTAR HALL (PR-8608), PESHAWAR

| S.NO. | NAME OF EMPLOYEE | DESIGNATION WITH BPS | Qualification | DOMICILE | PERMANENT ADDRESS | MOBILE NUMBER | DATE OF 1 ST APPOINTMENT | DATE OF PROMOTION TO THE CURRENT POST |
|-------|---------------------|------------------------------|---------------|----------|---|------------------------------|-------------------------------------|---------------------------------------|
| 43. | Muhammad Karim | Technical Assistant (BPS-14) | Matric | Malakand | Mohallah Arab Dhanada, Bacha Jan Kalay, P.O Skhakot, Tehsil Dargai, District Malakand | 0333-9135101 | 20/02/1994 | --- |
| 44. | Muhammad Javed Khan | Stage Supervisor (BPS-14) | Matric | Peshawar | Mohib Kehi, P.O Nodeh Payan, Nodeh Payan, Tehsil & District Peshawar | 0345-9041067 | 01/04/1996 | --- |
| 45. | Zahid Hussain | Junior Clerk (BPS-11) | FA | Peshawar | Shakar Pura, P.O nahki, Tehsil & District Peshawar | 0336-9291087 | 11/06/2003 | --- |
| 46. | Ghulam Rasool | Security Supervisor (BPS-11) | Matric | Peshawar | House #1352, Mohallah Parochiyan, Chowk Gari Khana, P.O Gari Khana, Peshawar | 0345-9131811 | 23/07/1992 | --- |
| 47. | Momin Khan | Security Incharge (BPS-08) | Matric | Swat | Mohallah Karam Deri, Alam Gani, P.O Charbagh, Tehsil & District Swat | 0333-9197768 | 13/06/1996 | --- |
| 48. | Faqir Hussain | Mechanical Helper (BPS-04) | Un-educated | Peshawar | P.O Technical College, Street #1, Mohallah Lateef Abad, Haji Abad. Peshawar | 0300-9394364 | 20/11/1996 | --- |
| 49. | Jehanzeb Khan | Security Guard (BPS-04) | Un-educated | Peshawar | Terikal Bala, Street #8, Muslim Abad, Peshawar | 0315-1908843 | 25/05/1998 | --- |
| 50. | Muhammad Riaz | Security Guard (BPS-04) | Uneducated | Peshawar | Lateef Abad, Spin Jumat, Afghan Colony Street #4, Tehsil & District Peshawar | 0346-9153251 | 16/07/1992 | --- |
| 51. | Asad Ullah | Security Guard (BPS-03) | Middle | Peshawar | Science Superior College, Out Side Yakatoot, Tehsil & District Peshawar | 0333-5518911 | 17/10/2022 | --- |
| 52. | Javed Masih | Sweeper (BPS-04) | Un-educated | Peshawar | Basheer Line, House #1, Peshawar Cantt, Tehsil & District Peshawar | 0334-9065691 | 09/06/1992 | --- |
| 53. | Muhammad Kamran | Security Guard (BPS-04) | Un-educated | Peshawar | P.O Ashrafia Colony, Charsadda Road, Muhallah Sardar Colony, Peshawar | 0347-0922745 0343-5980231 | 06/03/2007 | --- |
| 54. | Sohaib Afridi | Security Guard (BPS-03) | Matric | Peshawar | Androon Dabgari Bazar, Mohallah New Dabgari, House #1742, Peshawar | 0317-9702773 | 11/08/2021 | --- |
| 55. | Zahid Ullah Shah | Electric Helper (BPS-03) | Matric | Chitral | P.O Zondarnagram, Warimon, Tehsil Mastooj, District Chitral | 0345-9106817 | 31/12/2009 | --- |
| 56. | Arshad Khan | Naib Qasid (BPS-03) | Primary | Peshawar | Lakaray Kaneeza, P.O Peshawar University, Tehsil & District, Peshawar | 0333-4114485 0313-9632128 | 22/07/2020 | --- |
| 57. | Sajjad Ahmad | Chowkidar (BPS-03) | Middle | Peshawar | Laia Kalay, P.O Tarnab Farni, Tehsil & District Peshawar | 0311-0911515 | 01/03/2019 | --- |

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DETAIL OF EMPLOYEES WORKING UNDER DIRECTORATE OF CULTURE, NISHTAR HALL BASIS (PR-8608), PESHAWAR

| S.NO. | NAME OF EMPLOYEE | DESIGNATION WITH BPS | Qualification | DOMICILE | PERMANENT ADDRESS | MOBILE NUMBER | DATE OF 1 ST APPOINTMENT | DATE OF PROMOTION TO THE CURRENT POST |
|-------|-------------------------|----------------------------|---------------|----------|--|---------------|-------------------------------------|---------------------------------------|
| 58. | Syed Saif Ul Wahab Shah | Computer Operator (BPS-16) | MBA DIT | Peshawar | House # 137/1356, Sheikh Abad No.2, P.O Gulbahar, Peshawar | 0300-5973866 | 27/02/2014 | --- |
| 59. | Zubair Ali | Junior Clerk (BPS-11) | BA | Peshawar | House # 5363, Mohallah Shah Qabool Colony #1, Peshawar | 0345-9179138 | 17/08/2009 | --- |
| 60. | Obaid-ur-Rehman | Junior Clerk (BPS-11) | BA DIT | Peshawar | Gargari, Edal Khel, P.O Sabar Abad, Garori, Tehsil & District Karak | 0334-9201922 | 28/02/2014 | --- |
| 61. | Fazal Aziz | Junior Clerk (BPS-11) | BA | Peshawar | Sango Landi Bala, Bara Fort Peshawar | 0312-9869994 | 04/08/2014 | --- |
| 62. | Mujtaba | Driver (BPS-06) | Primary | Mardan | Sabat Khel, Bar Hujra, Rustam Tehsil & District Mardan | 0346-7979531 | 04/06/2010 | --- |
| 63. | Sherdad Khan | Driver (BPS-06) | Matric | Peshawar | Mushtar Zai P.O Budhber, Mohallah Most Khel, Peshawar | 0313-9647941 | 01/04/2015 | --- |
| 64. | Mashal Khan | Photographer (BPS-03) | Primary | Nowshera | Khan Khel, Shedo, Nowshera | 0312-9295918 | 16/11/2012 | --- |
| 65. | Arshad Ali | Carpenter (BPS-03) | Primary | Peshawar | Kohat Road, House # 213, Mohallah Deri Baghbanan, Peshawar | 0315-5299553 | 03/12/2012 | --- |
| 66. | Majeed Khan | Naib Qasid (BPS-03) | Un-educated | Peshawar | Swati Phatak, P.O GPO Mohallah Ali Jan, Garhi Peshawar | 0302-5966547 | 17/08/2009 | --- |
| 67. | Shah Khalid | Naib Qasid (BPS-03) | FA | Nowshera | Mohallah Bar Masjid, P.O RS Pabbi, Station Khudrezai, Tehsil & District Nowshera | 0321-9169655 | 02/04/2013 | --- |
| 68. | Said Rehman | Naib Qasid (BPS-03) | Un-educated | Mardan | Toot Kalay, Ababeenay P.O, Tehsil & District Mardan | 0345-8190782 | 10/11/2014 | --- |
| 69. | Adnan Khan | Mali (BPS-03) | Primary | Peshawar | Mohallah Mian Gan, Patwar Payan, P.O Mathra, Tehsil & District Peshawar | 0314-9109080 | 28/07/2017 | --- |
| 70. | Fazal Ghani | Security Guard (BPS-03) | Matric | Peshawar | Garhi Kamar Din, P.O Technical College, Tehsil & District Peshawar | 0302-8857556 | 18/02/2014 | --- |
| 71. | Tariq Afridi | Security Guard (BPS-03) | FSC | Khyber | Bar Kambar Khel, Wangri Kanday, Misri Khel, Kambar Abad, P.O Bara, Tehsil Bara, District Khyber Agency | 0314-9194616 | 12/05/2015 | --- |
| 72. | Bashir Muhammad | Security Guard (BPS-03) | Un-educated | Peshawar | Elaqa Bana Mari, Kohat Road, House # 20, Mohallah Postal Colony, Peshawar | 0316-9693472 | 01/09/2014 | --- |

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| 73. | Gohar Ali | Security Guard (BPS-03) | Un-educated | Nowshera | Mohallah Mian Gan, Khudrezai, P.O Pabbi, Teshil & District Peshawar | 0332-9928443 | 31/03/2009 | --- |
| 74. | Zawar Hussain | Chowkidar (BPS-03) | Matric | Mardan | P.O Kata Khat, Tehsil & District Mardan | 0306-5447054 | 10/01/2017 | --- |
| 75. | Atta Ullah | Chowkidar (BPS-03) | Un-educated | Peshawar | Kandi Abdur Rehman Khan, Kafoor Deri, Peshawar | 0345-9202686 | 26/08/2013 | --- |
| 76. | Risalat Khan | Chowkidar (BPS-03) | Middle | Nowshera | Khudrezai, P.O Pabbi, Tehsil & District Nowshera | 0333-9261866 | 01/10/2013 | --- |
| 77. | Emmanuelle | Sweeper (BPS-03) | Un-educated | Peshawar | P.O Khas Pakhoki, Tehsil & District Narowal | 0300-5911469 | 08/01/2014 | --- |
| 78. | Harison Javed | Sweeper (BPS-03) | Un-educated | Nowshera | Near Hospital Road, House #2, Mohallah Hamam Line, Nowshera Cantt, Tehsil & District Nowshera | 0348-9996946 | 02/04/2018 | --- |

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Annex F (20)

Finance Department, Civil Secretariat, Peshawar. | finance.gkp.pk | finance.gkp.govt | finance.gkp.govt

No.BO-III/FD/5-17/2023-24

Dated Peshawar the 07-09-2023

To,

The Secretary to Govt. of Khyber Pakhtunkhwa,
Culture, Tourism, Archeology & Museums, Department.

Subject: - **MINUTES OF THE 08TH MEETING OF THE CARETAKER PROVINCIAL CABINET HELD ON 09 AUGUST, 2023 REGARDING CREATION OF SURPLUS POOL FOR DIRECTORATE OF CULTURE AND DIRECTORATE OF TOURIST SERVICES**

Dear Sir,

I am directed to refer to your letter No.SO(T)/5-29(B)/ employees/ 2023/ 6053-58 dated 24-08-2023 on the subject noted above and to state that in compliance with the decision taken by the Provincial Cabinet in its meeting held on 09-08-2023, the posts of various categories of the following Directorates are hereby abolished.

| S.# | DDOs and Description | No of Posts | Detail of Posts |
|-----|---|-------------|-----------------|
| 1. | PR8609-Directorate of Culture Khyber Pakhtunkhwa Peshawar | 53 | Annexed-I |
| 2. | PR8608-Culture Activities for Nishtar Hall Peshawar | 38 | Annexed-II |
| 3. | PR8607-Tourist Services Peshawar | 135 | Annexed-III |

Yours faithfully

[Signature]
BUDGET OFFICER-III

Endst: No And Date Event:

Copy forwarded to the: -

- Secretary Establishment Department, Khyber Pakhtunkhwa.
- Accountant General, Khyber Pakhtunkhwa.
- Directorate of Culture Department.
- Directorate of Tourist Services Department.
- Budget Officer-IV, Finance Department, is requested to initiate the case for approval regarding creation of posts in the surplus pool.
- Private Secretary to Finance Secretary.
- PS to Special Secretary Finance.
- PA to Additional Secretary Finance.
- PA to Deputy Secretary Finance.
- Master File.

[Signature]
BUDGET OFFICER-III

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AS
AS/II
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SO (I)
SO (II)
SO (Coord)

AS/Admn
5/11/23

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NC21135 (066)
TOURISM DEPARTMENT

082105 PROMOTION OF CULTURAL ACTIVITIES

| FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME | NUMBER OF POSTS | | BUDGET ESTIMATES | REVISED ESTIMATES | AUTHORIZED EXPENDITURE JUL - OCT 2023 |
|---|--------------------|-----------|---------------------|----------------------|--|
| | 2022-2023 | 2023-2024 | 2022-2023 | 2022-2023 | |
| | | | Rs | Rs | Rs |
| 08 RECREATIONAL, CULTURE AND RELIGION | | | | | |
| 082 CULTURAL SERVICES | | | | | |
| 0821 CULTURAL SERVICES | | | | | |
| 082105 PROMOTION OF CULTURAL ACTIVITIES | | | | | |
| PR8609 Directorate of Culture Khyber Pakhtunkhwa Peshawar | | | | | |
| A01 TOTAL EMPLOYEES RELATED EXPENSES. | | | | | <u>10,029,000</u> |
| A011 TOTAL PAY | | 53 | | | <u>6,445,000</u> |
| A011-1 TOTAL PAY OF OFFICERS | | 15 | | | <u>3,265,000</u> |
| A01101 Total Basic Pay Of Officer | | 15 | | | <u>3,265,000</u> |
| D063 Director (BPS-19) | | 1 | | | 410,000 |
| D028 Deputy Director (BPS-18) | | 2 | | | 491,000 |
| A007 Accounts Officer (BPS-17) | | 1 | | | 203,000 |
| A021 Administrative Officer (BPS-17) | | 1 | | | 264,000 |
| A079 Assistant Director (BPS-17) | | 2 | | | 534,000 |
| C153 Computer Programmer (BPS-17) | | 1 | | | 267,000 |
| A057 Assistant (BPS-16) | | 3 | | | 487,000 |
| C082 Computer Operator (BPS-16) | | 2 | | | 203,000 |
| P083 Programme Officer (BPS-16) | | 1 | | | 203,000 |
| S061 Senior Scale Stenographer (BPS-16) | | 1 | | | 203,000 |
| A011-2 TOTAL PAY OF OTHER STAFF | | 38 | | | <u>3,180,000</u> |
| A01151 Total Basic Pay Other Staff | | 38 | | | <u>3,180,000</u> |
| S035 Senior Clerk (BPS-14) | | 3 | | | 386,000 |
| S115 Stenographer (BPS-14) | | 2 | | | 192,000 |
| S154 Supervisor Sound System (BPS-13) | | 1 | | | 129,000 |
| A005 Accountant (BPS-12) | | 1 | | | 120,000 |
| E019 Electrician (BPS-12) | | 1 | | | 120,000 |
| J013 Junior Clerk (BPS-11) | | 3 | | | 321,000 |
| G013 Generator Operator (BPS-09) | | 1 | | | 99,000 |
| D112 Driver (BPS-06) | | 3 | | | 259,000 |

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NC21135 (066)
TOURISM DEPARTMENT

082105 PROMOTION OF CULTURAL ACTIVITIES

| FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME | NUMBER OF POSTS | | BUDGET ESTIMATES | REVISED ESTIMATES | AUTHORIZED EXPENDITURE |
|---|--------------------|-----------|---------------------|----------------------|---------------------------|
| | 2022-2023 | 2023-2024 | 2022-2023 | 2022-2023 | JUL - OCT 2023 |
| | | | Rs | Rs | Rs |
| 08 RECREATIONAL, CULTURE AND RELIGION | | | | | |
| 082 CULTURAL SERVICES | | | | | |
| 0821 CULTURAL SERVICES | | | | | |
| 082105 PROMOTION OF CULTURAL ACTIVITIES | | | | | |
| PR8609 Directorate of Culture Khyber Pakhtunkhwa Peshawar | | | | | |
| Q004 Qasid (BPS-04) | 1 | | | | 102,000 |
| C057 Chowkidar (BPS-03) | 3 | | | | 205,000 |
| M010 Mali (BPS-03) | 2 | | | | 153,000 |
| N005 Naib Qasid (BPS-03) | 6 | | | | 386,000 |
| S023 Security Guard (BPS-03) | 9 | | | | 579,000 |
| S162 Sweeper (BPS-03) | 2 | | | | 129,000 |
| A012 TOTAL ALLOWANCES | | | | | <u>3,584,000</u> |
| A012-1 TOTAL REGULAR ALLOWANCES | | | | | <u>3,573,000</u> |
| A01202 House Rent Allowance | | | | | 1,044,000 |
| A01203 Conveyance Allowance | | | | | 476,000 |
| A01207 Washing Allowance | | | | | 94,000 |
| A01208 Dress Allowance | | | | | 5,000 |
| A0120D Integrated Allowance | | | | | 55,000 |
| A01216 Qualification Allowance | | | | | 11,000 |
| A01217 Medical Allowance | | | | | 287,000 |
| A0121T Adhoc Relief Allowance 2013 | | | | | 79,000 |
| A01226 Computer Allowance | | | | | 13,000 |
| A0122C Adhoc Relief Allowance - 2015 | | | | | 56,000 |
| A0124H Special Allowance-2021 | | | | | 394,000 |
| A0124L Weather Allowance | | | | | 12,000 |
| A0124N Disparity Reduction Allowance 2022- 15% | | | | | 497,000 |
| A0124R Adhoc Relief Allowance 2022 | | | | | 550,000 |
| A012-2 TOTAL OTHER ALLOWANCES(EXCLUDING TA) | | | | | <u>11,000</u> |
| A01274 Medical Charges | | | | | <u>11,000</u> |
| 001 Medical Charges | | | | | 11,000 |
| A03 TOTAL OPERATING EXPENSES | | | | | <u>2,066,000</u> |

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NC21135 (066)
TOURISM DEPARTMENT

082105 PROMOTION OF CULTURAL ACTIVITIES

| FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME | NUMBER OF POSTS | | BUDGET ESTIMATES | REVISED ESTIMATES | AUTHORIZED EXPENDITURE JUL - OCT 2023 |
|---|--------------------|-----------|---------------------|----------------------|--|
| | 2022-2023 | 2023-2024 | 2022-2023 | 2022-2023 | |
| | | | Rs | Rs | Rs |
| 08 RECREATIONAL, CULTURE AND RELIGION | | | | | |
| 082 CULTURAL SERVICES | | | | | |
| 0821 CULTURAL SERVICES | | | | | |
| 082105 PROMOTION OF CULTURAL ACTIVITIES | | | | | |
| PR8608 Cultural Activities for Nishrar Hall Peshawar | | | | | |
| A01 TOTAL EMPLOYEES RELATED EXPENSES. | | | | | <u>6,355,000</u> |
| A011 TOTAL PAY | | 38 | | | <u>3,631,000</u> |
| A011-1 TOTAL PAY OF OFFICERS | | 1 | | | <u>112,000</u> |
| A01101 Total Basic Pay Of Officer | | 1 | | | <u>112,000</u> |
| C082 Computer Operator (BPS-16) | | 1 | | | 112,000 |
| A011-2 TOTAL PAY OF OTHER STAFF | | 32 | | | <u>3,519,000</u> |
| A01151 Total Basic Pay Other Staff | | 32 | | | <u>3,519,000</u> |
| S655 Stage Supervisor (BPS-14) | | 1 | | | 214,000 |
| T097 Technical Assistant (BPS-14) | | 1 | | | 214,000 |
| J013 Junior Clerk (BPS-11) | | 4 | | | 417,000 |
| S271 Security Supervisor (BPS-11) | | 1 | | | 193,000 |
| S230 Security Incharge (BPS-08) | | 1 | | | 172,000 |
| D112 Driver (BPS-06) | | 2 | | | 126,000 |
| S656 Security Head (BPS-05) | | 1 | | | 150,000 |
| C012 Carpenter (BPS-03) | | 1 | | | 57,000 |
| C057 Chowkidar (BPS-03) | | 4 | | | 278,000 |
| E126 Electrical Helper (BPS-03) | | 1 | | | 107,000 |
| M010 Mali (BPS-03) | | 1 | | | 57,000 |
| M234 Mechanical Helper (BPS-03) | | 1 | | | 107,000 |
| N005 Naib Qasid (BPS-03) | | 4 | | | 278,000 |
| P027 Photographer (BPS-03) | | 1 | | | 57,000 |
| S023 Security Guard (BPS-03) | | 9 | | | 764,000 |
| S162 Sweeper (BPS-03) | | 4 | | | 328,000 |

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BUDGET/OFFICER-III

(24)

NC21135 (066)
TOURISM DEPARTMENT

047202 TOURISM

| FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME | NUMBER OF POSTS | | BUDGET ESTIMATES | REVISED ESTIMATES | AUTHORIZED EXPENDITURE JUL - OCT 2023 |
|---|--------------------|------------|---------------------|----------------------|--|
| | 2022-2023 | 2023-2024 | 2022-2023 | 2022-2023 | |
| | | | Rs | Rs | Rs |
| 04 ECONOMIC AFFAIRS | | | | | |
| 047 OTHER INDUSTRIES | | | | | |
| 0472 SUBSIDIES | | | | | |
| 047202 TOURISM | | | | | |
| PR8607 Tourist Services Peshawar | | | | | |
| A01 TOTAL EMPLOYEES RELATED EXPENSES. | | | | | <u>24,343,000</u> |
| A011 TOTAL PAY | | 135 | | | <u>17,035,000</u> |
| A011-1 TOTAL PAY OF OFFICERS | | 39 | | | <u>6,636,000</u> |
| A01101 Total Basic Pay Of Officer | | <u>30</u> | | | <u>6,633,000</u> |
| A737 Additional Director General (BPS-19) | | 1 | | | 314,000 |
| D068 Director General (BPS-19) | | 1 | | | 366,000 |
| D028 Deputy Director (BPS-18) | | 1 | | | 325,000 |
| A079 Assistant Director (BPS-17) | | 1 | | | 244,000 |
| A191 Assistant Controller (BPS-17) | | 1 | | | 244,000 |
| A513 Assistant Director (IT) (BPS-17) | | 1 | | | 170,000 |
| A725 Administrative and Account Officer (BPS-17) | | 2 | | | 487,000 |
| A760 Assistant Director (Planning) (BPS-17) | | 1 | | | 170,000 |
| A850 Assistant Director Cum-Assistant-Controller (BPS-17) | | 4 | | | 676,000 |
| L025 Law Officer (BPS-17) | | 1 | | | 244,000 |
| S166 Superintendent (BPS-17) | | 1 | | | 244,000 |
| A057 Assistant (BPS-16) | | 4 | | | 458,000 |
| C082 Computer Operator (BPS-16) | | 6 | | | 904,000 |
| I012 Inspector (BPS-16) | | 12 | | | 1,421,000 |
| L123 Legal Assistant (BPS-16) | | 1 | | | 183,000 |
| S115 Stenographer (BPS-16) | | 1 | | | 183,000 |
| A01105 Qualification Pay | | | | | 3,000 |
| A011-2 TOTAL PAY OF OTHER STAFF | | 96 | | | <u>10,399,000</u> |
| A01151 Total Basic Pay Other Staff | | <u>96</u> | | | <u>10,399,000</u> |

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NC21135 (066)
TOURISM DEPARTMENT

047202 TOURISM

| FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME | NUMBER OF POSTS | | BUDGET ESTIMATES | REVISED ESTIMATES | AUTHORIZED EXPENDITURE JUL - OCT 2023 |
|---|--------------------|-----------|---------------------|----------------------|--|
| | 2022-2023 | 2023-2024 | 2022-2023 | 2022-2023 | 2023 |
| | | | Rs | Rs | Rs |
| 04 ECONOMIC AFFAIRS | | | | | |
| 047 OTHER INDUSTRIES | | | | | |
| 0472 SUBSIDIES | | | | | |
| 047202 TOURISM | | | | | |
| PR8607 Tourist Services Peshawar | | | | | |
| A005 Accountant (BPS-14) | 2 | | | | 214,000 |
| S035 Senior Clerk (BPS-14) | 5 | | | | 435,000 |
| S114 Steno Typist (BPS-14) | 1 | | | | 107,000 |
| S138 Sub Inspector (BPS-14) | 10 | | | | 857,000 |
| J013 Junior Clerk (BPS-11) | 8 | | | | 686,000 |
| A149 Assistant Sub Inspector (BPS-09) | 10 | | | | 771,000 |
| H015 Head Constable (BPS-07) | 5 | | | | 364,000 |
| D112 Driver (BPS-06) | 5 | | | | 302,000 |
| C088 Constable (BPS-05) | 25 | | | | 1,607,000 |
| D136 Dispatch Rider (BPS-05) | 1 | | | | 64,000 |
| D471 Duplicate Machine Operator (BPS-04) | 1 | | | | 64,000 |
| C057 Chowkidar (BPS-03) | 8 | | | | 4,113,000 |
| F001 Farash (BPS-03) | 3 | | | | 172,000 |
| N005 Naib Qasid (BPS-03) | 12 | | | | 643,000 |
| A012 TOTAL ALLOWANCES | | | | | 7,308,000 |
| A012-1 TOTAL REGULAR ALLOWANCES | | | | | 7,296,000 |
| A01202 House Rent Allowance | | | | | 2,151,000 |
| A01203 Conveyance Allowance | | | | | 1,216,000 |
| A01207 Washing Allowance | | | | | 108,000 |
| A01208 Dress Allowance | | | | | 2,000 |
| A0120D Integrated Allowance | | | | | 60,000 |
| A01217 Medical Allowance | | | | | 588,000 |
| A0121T Adhoc Relief Allowance 2013 | | | | | 43,000 |
| A01224 Entertainment Allowance | | | | | 2,000 |
| A01226 Computer Allowance | | | | | 34,000 |
| A0122C Adhoc Relief Allowance - 2015 | | | | | 29,000 |
| A01238 Charge allowance | | | | | 8,000 |
| A0123E Executive Allowance to PCS and PMS Officers (KP) | | | | | 460,000 |

Attested

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(ESTABLISHMENT WING)
Email: soeiiisection@gmail.com

091-9210524

Dated Peshawar the 24th October, 2023**ORDER:**

SOE-III(E&AD)/1-5/Culture & Tourist Services/2023/Vol-I: In pursuance of the provision of Section 8(iv)(a) of the Khyber Pakhtunkhwa Tourism Act, 2019, and decision of the Caretaker Provincial Cabinet in its 8th Meeting dated 09-08-2023, the following employees of the Directorate of Culture and Directorate of Tourist Services, Tourism Department, are hereby declared as surplus for further adjustment under Surplus Pool Policy, 2001:

| DIRECTORATE OF CULTURE | | | |
|------------------------|---------------------|---------------------------|-----|
| S# | NAME OF EMPLOYEE | DESIGNATION | BPS |
| 1. | Ajmal Khan | Director Culture | 19 |
| 2. | Amin Khan | Deputy Director | 18 |
| 3. | Riaz Ahmad | Deputy Director | 18 |
| 4. | Muhammad Riaz | Assistant Director | 17 |
| 5. | Imran Ullah | Assistant Director | 17 |
| 6. | Mazhar Ali | Accounts Officer | 17 |
| 7. | Rehman Shah | Programme Officer | 16 |
| 8. | Sajid Ali Shah | Assistant | 16 |
| 9. | Kashif Jan | Assistant | 16 |
| 10. | Naeem-ul-Haq | Senior Scale Stenographer | 16 |
| 11. | Syed Azaz-ul-Hassan | Computer Operator | 16 |
| 12. | Muhammad Ayaz Tajik | Computer Operator | 16 |
| 13. | Junaid Thomas | Senior Clerk | 14 |
| 14. | Muhammad Zahid | Senior Clerk | 14 |
| 15. | Amjad Ali | Senior Clerk | 14 |
| 16. | Arshad Khan | Supervisor Sound System | 13 |
| 17. | Muhammad Naeem | Electrician | 12 |
| 18. | Ajun Khan | Junior Clerk | 11 |
| 19. | Rizwan Javed | Junior Clerk | 11 |
| 20. | Sajjad Khan | Generator Operator | 08 |
| 21. | Yasir Khayam | Driver | 06 |
| 22. | Alta Ullah | Driver | 06 |
| 23. | Noor Akbar | Security Guard | 03 |
| 24. | Zia-ul-Haq | Security Guard | 03 |
| 25. | Sarfraz Khan | Security Guard | 03 |
| 26. | Asif Khan | Security Guard | 03 |
| 27. | Wajid Khan | Security Guard | 03 |
| 28. | Habib-ur-Rehman | Security Guard | 03 |
| 29. | Muhammad Shahid | Security Guard | 03 |
| 30. | Waheed Khan | Security Guard | 03 |
| 31. | Shah Jehan Khan | Qasid | 03 |
| 32. | Gul Nawaz | Naib Qasid | 03 |
| 33. | Muhammad Waqas | Naib Qasid | 03 |
| 34. | Muhammad Zeeshan | Naib Qasid | 03 |
| 35. | Gulzar Ali | Naib Qasid | 03 |
| 36. | Altaf Khan | Chowkidar | 03 |

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|-----|-------------------------|---------------------|----|
| 37. | Syed Naseem Shah | Chowkidar | 03 |
| 38. | Zakir Ullah | Chowkidar | 03 |
| 39. | Aman Ullah | Mali | 03 |
| 40. | Sifat Ullah | Mali | 03 |
| 41. | Shakil | Sweeper | 03 |
| 42. | Miss Naseem | Sweeper | 03 |
| 43. | Muhammad Karim | Technical Assistant | 14 |
| 44. | Muhammad Javed Khan | Stage Supervisor | 14 |
| 45. | Zahid Hussain | Junior Clerk | 11 |
| 46. | Ghulam Rasool | Security Supervisor | 11 |
| 47. | Momin Khan | Security Incharge | 08 |
| 48. | Faqir Hussain | Mechanical Helper | 04 |
| 49. | Jehanzeb Khan | Security Guard | 04 |
| 50. | Muhammad Riaz | Security Guard | 04 |
| 51. | Asad Ullah | Security Guard | 03 |
| 52. | Javed Masih | Sweeper | 04 |
| 53. | Muhammad Kamran | Security Guard | 04 |
| 54. | Sohaib Afridi | Security Guard | 03 |
| 55. | Zahid Ullah Shah | Electric Helper | 03 |
| 56. | Arshad Khan | Naib Qasid | 03 |
| 57. | Sajjad Ahmad | Chowkidar | 03 |
| 58. | Syed Saif Ul Wahab Shah | Computer Operator | 16 |
| 59. | Zubair Ali | Junior Clerk | 11 |
| 60. | Obaid-ur-Rehman | Junior Clerk | 11 |
| 61. | Fazal Aziz | Junior Clerk | 11 |
| 62. | Mujtaba | Driver | 06 |
| 63. | Sherdad Khan | Driver | 06 |
| 64. | Mashal Khan | Photographer | 03 |
| 65. | Arshad Ali | Carpenter | 03 |
| 66. | Majeed Khan | Naib Qasid | 03 |
| 67. | Shah Khalid | Naib Qasid | 03 |
| 68. | Said Rehman | Naib Qasid | 03 |
| 69. | Adnan Khan | Mali | 03 |
| 70. | Fazal Ghani | Security Guard | 03 |
| 71. | Tariq Afridi | Security Guard | 03 |
| 72. | Bashir Muhammad | Security Guard | 03 |
| 73. | Gohar Ali | Security Guard | 03 |
| 74. | Zawar Hussain | Chowkidar | 03 |
| 75. | Atta Ullah | Chowkidar | 03 |
| 76. | Risalat Khan | Chowkidar | 03 |
| 77. | Emmanuelle | Sweeper | 03 |
| 78. | Harison Javed | Sweeper | 03 |

| DIRECTORATE OF TOURIST SERVICES | | | |
|---------------------------------|-------------------|-----------------------------|-----|
| S# | Name of employee | Designation | BPS |
| 79. | Muhammad Arabi | Additional Director General | 19 |
| 80. | Naseer Ahmad | Admn. & Accounts Officer | 17 |
| 81. | Awais Tahir | Admn. & Accounts Officer | 17 |
| 82. | Abid Hayat Safi | Law Officer | 17 |
| 83. | Asad Ikram Qazi | Assistant Director | 17 |
| 84. | Raza Khan | Superintendent | 17 |
| 85. | Rafiq Ahmad | Assistant | 16 |
| 86. | Mian Iftikhar Ali | Assistant | 16 |
| 87. | Sanobar Khan | Assistant | 16 |
| 88. | Waqar Muhammad | Legal Assistant | 16 |
| 89. | Israr Ahmad | Computer Operator | 16 |

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|------|-----------------------|----------------------------|----|
| 90. | Muhammad Riáz Khan | Computer Operator | 16 |
| 91. | Muhammad Amjad | Computer Operator | 16 |
| 92. | Shaharyar Khan | Computer Operator | 16 |
| 93. | Israr Ahmad Khan | Computer Operator | 16 |
| 94. | Asif Shahzad | Inspector | 16 |
| 95. | Muhammad Bilál | Inspector | 16 |
| 96. | Hisham Khan | Inspector | 16 |
| 97. | Imran Khan | Inspector | 16 |
| 98. | Muhammad Fahim | Inspector | 16 |
| 99. | Zer Muhammad Khan | Inspector | 16 |
| 100. | Khalid Bashir | Inspector | 16 |
| 101. | Sajid Khan | Accountant | 14 |
| 102. | Haider Zaman | Senior Clerk | 14 |
| 103. | Arshad Ali | Senior Clerk | 14 |
| 104. | Muhammad Ilyas | Senior Clerk | 14 |
| 105. | Ziaullah | Senior Clerk | 14 |
| 106. | Muhammad Asim Khan | Sub-Inspector | 14 |
| 107. | Ihsanullah Khan | Sub-Inspector | 14 |
| 108. | Noor Kamal Khan | Sub-Inspector | 14 |
| 109. | Haider Ali | Sub-inspector | 14 |
| 110. | Waseem Zeb Khan | Sub-Inspector | 14 |
| 111. | Muhammad Ishaq | Sub-inspector | 14 |
| 112. | Saddam Hussain | Sub-Inspector | 14 |
| 113. | Amjad Jamil | Assistant Sub-Inspector | 09 |
| 114. | Amir Afzal Khan | Assistant Sub-Inspector | 09 |
| 115. | Hassan Ali Khan | Assistant Sub-Inspector | 09 |
| 116. | Muhammad Asif | Assistant Sub-Inspector | 09 |
| 117. | Zeeshan Tariq | Assistant Sub-Inspector | 09 |
| 118. | Shamsher Ali Khan | Assistant Sub-Inspector | 09 |
| 119. | Zohaib Ullah | Assistant Sub-Inspector | 09 |
| 120. | Majid Ali Shah | Assistant Sub-Inspector | 09 |
| 121. | Muhammad Sirajuddin | Assistant Sub-Inspector | 09 |
| 122. | Sharif Ullah | Head Constable | 07 |
| 123. | Khalil-ur-Rehman | Head Constable | 07 |
| 124. | Noorad Ali | Head Constable | 07 |
| 125. | Huzaif Ali Shah | Head Constable | 07 |
| 126. | Irfan Ullah Khan | Driver | 06 |
| 127. | Imdad Ullah | Driver | 06 |
| 128. | Kamran Khan | Constable | 05 |
| 129. | Abbas Mehdi | Constable | 05 |
| 130. | Abdul Wadood | Constable | 05 |
| 131. | Muhammad Saleem | Constable | 05 |
| 132. | Qasim Khan | Constable | 05 |
| 133. | Naseer Khan | Constable | 05 |
| 134. | Umar Farooq | Constable | 05 |
| 135. | Salman Khan | Constable | 05 |
| 136. | Lugman Khan | Constable | 05 |
| 137. | Mujahid Khan | Constable | 05 |
| 138. | Mubarak Zeb | Constable | 05 |
| 139. | Qadir Khan | Constable | 05 |
| 140. | Shanzaib | Constable | 05 |
| 141. | Attaullah | Constable | 05 |
| 142. | Faiz Muhammad | Constable | 05 |
| 143. | Mushatmil Shah | Dispatch Rider | 05 |
| 144. | Shabbir Ahmad | Duplicate Machine Operator | 04 |
| 145. | Muhammad Alamgir Khan | Naib Qasid | 03 |
| 146. | Saeed Ullah | Naib Qasid | 03 |
| 147. | Hamza Khan | Naib Qasid | 03 |

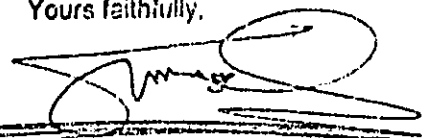
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|------|-------------------|-----------|----|
| 148. | Muhammad Nawaz | Nab Qasid | 03 |
| 149. | Karnran Khan | Nab Qasid | 03 |
| 150. | Hammad Raza | Nab Qasid | 03 |
| 151. | Muhammad Naeem | Nab Qasid | 03 |
| 152. | Ibne Ali | Nab Qasid | 03 |
| 153. | Mohsin Jan | Nab Qasid | 03 |
| 154. | Umar Zada | Nab Qasid | 03 |
| 155. | Sajjad Ullah | Nab Qasid | 03 |
| 156. | Muhammad Umar | Nab Qasid | 03 |
| 157. | Bismillah Jan | Chowkidar | 03 |
| 158. | Imdad Ullah | Chowkidar | 03 |
| 159. | Nouman Amjad | Chowkidar | 03 |
| 160. | Noor-ul-Amin | Chowkidar | 03 |
| 161. | Muhammad Zubair | Chowkidar | 03 |
| 162. | Shahid Ullah | Chowkidar | 03 |
| 163. | Mehmood ul Hassan | Chowkidar | 03 |
| 164. | Yousaf Masih | Chowkidar | 03 |

2. Consequent upon the above, all the mentioned Surplus Employees are directed to report to office of the Deputy Secretary (Establishment), Establishment Department along with their service record, for further necessary action, please.

Yours faithfully,


 (SHER BAZ KHAN)
 SECTION OFFICER (E-III)

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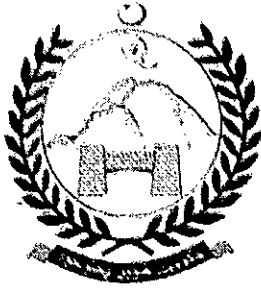
1. Secretary to Govt. of Khyber Pakhtunkhwa, Tourism Department.
2. PS to Special Secretary (Estt.), Establishment Department.


 SECTION OFFICER (E-III)

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Annex: H

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GOVERNMENT OF KHYBER PAKHTUNKHWA,
TOURISM, CULTURE, ARCHAEOLOGY & MUSEUMS
DEPARTMENT.

13-A, KHYBER ROAD, PESHAWAR CANTT:

No. SO (DTS)6-13/2022 / 4476-81
Dated Peshawar, the 16th November, 2022

To

1. The Director General,
Tourist Services, Khyber Pakhtunkhwa.
2. The Deputy Secretary (Regulation-I),
Establishment Department,
Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Secretary (Regulation-I),
Finance Department,
Khyber Pakhtunkhwa, Peshawar.

Subject: MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE (DPC) HELD ON 07-11-2022 UNDER THE CHAIRMANSHIP OF SECRETARY CULTURE & TOURISM DEPARTMENT

Dear Sir(s),

I am directed to refer to the subject noted above and to enclose herewith a copy of minutes of the meeting of Departmental Promotion Committee held on 07.11.2022 under the Chairmanship of Secretary, Culture & Tourism Department for information and further necessary action, please.

Encl: as above.

M. J. Ishtiaq
16/11/22

SECTION OFFICER (TOURISM-I)

Endst ; number & date even.

o/c

Copy forwarded to:

1. PS to Secretary Culture & Tourism Department, Khyber Pakhtunkhwa.
2. PA to Additional Secretary-I, Culture & Tourism Department.
3. PA to DS (Tourism), Culture & Tourism Department.
4. Master file.

o/c

M. J. Ishtiaq
16/11/22

SECTION OFFICER (TOURISM-I)

Amir
1/12/22
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(31)

Subject:- MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE (DPC) HELD ON 07-11-2022 UNDER THE CHAIRMANSHIP OF SECRETARY SPORTS & TOURISM DEPARTMENT

A meeting of the Departmental Promotion Committee of the Directorate of Tourist Services Khyber Pakhtunkhwa, Peshawar was held on 07.11.2022 at 11.00 AM under the Chairmanship of Secretary Sports, Tourism, Archaeology, Museum & Youth Affairs Department regarding the promotion of the following employees of the Directorate of Tourist Services, Khyber Pakhtunkhwa.

- I. Promotion to the post of Assistant Director IT (BS-17) and Assistant Director Planning (BS-17) on regular basis.
- II. Appointment to the post of Law Officer (BS-17) on acting charge basis.
- III. Promotion / appointment to the post of Assistant Director / Assistant Controller / Assistant Director-cum-Assistant Controller (BS-17) on regular basis / acting charge basis.

2. The following Officers attended the meeting:

- | | |
|--|-----------------|
| i. Mr. Muhammad Tahir Orakzai, Secretary Sports & Tourism Deptt: | Chairman |
| ii. Mr. Yasir Ali Khan, Additional Secretary, Sports & Tourism Deptt: | Member |
| iii. Mr. Afsar Ali Shah Director General, Directorate of Tourists Services, Peshawar | Member |
| iv. Syed Habib-ul-Hassan Gillani, DS (Regulation-I), Establishment Department | Member |
| v. Mr. Muhammad Saleem, DS (Regulation-I), Finance Department | Member |
| vi. Mr. Fazal Wahid, Section Officer (Tourism-I), Sports & Tourism Department | Member |

I. Promotion to the post of Assistant Director IT (BS-17) and Assistant Director Planning (BS-17) on regular basis.

3. The meeting commenced with the recitation from the Holy Quran. The Chair welcomed the participants. The Director General Directorate of Tourist Services, Khyber Pakhtunkhwa informed the forum that there are two (02) sanctioned posts of Assistant Director (IT/Planning) (BS-17) in the Directorate of Tourist Services, Khyber Pakhtunkhwa. 100% quota comes under the share of promotion as per Amended Services Rules of Directorate of Tourist Services KP, duly notified vide Sports & Tourism Department Notification dated 25.04.2022.

4. Accordingly, all working papers and seniority lists of Computer Operators (BS-16) have been prepared by the Directorate of Tourist Services, Khyber Pakhtunkhwa. The seniority list of said cadre is final and free from all sort of litigations. The proposed official i.e. Mr. Muhammad Amajd and Mr. Shaheer Yar Khan, Computer Operators (BS-16) have completed their required length of services and there are no adverse remarks recorded in the ACRs of the officials.

Address
[Signature]

5. The Representative of Finance Department has raised some observations on the Services Rules of DTS, which have been duly vetted by Law Department and approved by the Establishment Department being the approving authority. Representative of Finance Department is of the view that both Computer Operators (BS-16) are proposed for promotion, but one is being proposed as AD-IT (BS-17) while other is being proposed to be promoted as AD-Planning (BS-17), to the extent of promotion of Computer Operators to AD-IT (BS-17) seems justified but how can a Computer Operator (BS-16) be promoted to the AD-Planning (BS-17) being different cadre.

6. After detailed discussion, the Departmental Promotion Committee made the following recommendation:-

| S.No | Name of Official | From the post | Recommendation |
|------|----------------------|---------------------------|--|
| 1. | Mr. Muhammad Amjad | Computer Operator (BS-16) | The DPC deferred the promotion of said officials due to objections raised on the Service Rules of DTS by Representative of Finance Department and DG DTS was directed to rectify the Service Rules of DTS. |
| 2. | Mr. Shaheer Yar Khan | Computer Operator (BS-16) | |

II. Appointment to the post of Law Officer (BS-17) on acting charge basis:

7. The Director General, Directorate of Tourist Services, Khyber Pakhtunkhwa informed the forum that there is one (01) sanctioned post of Law Officer (BS-17) in the Directorate of Tourist Services, Khyber Pakhtunkhwa. 50% quota comes under the share of promotion and 50% quota comes under the share for initial appointment as per Service Rules of Directorate of Tourist Services, KP duly notified vide Sports & Tourism Department Notification dated 31.10.2017.

8. Accordingly, working paper and seniority list of Legal Assistant (BS-16) has been prepared by the Directorate of Tourist Services, Khyber Pakhtunkhwa. The seniority list of said cadre is final and free from all sort of litigations. The proposed official i.e. Mr. Muhammad Waqar Khan, Legal Assistant (BS-16) has not completed the required length of services, which is short by 03 months as required under the Service Rules of DTS.

9. After detailed discussion, the Departmental Promotion Committee made the following recommendation:

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to

| S.No | Name of Official | From the post | Recommendation |
|------|-------------------------|-------------------------|--|
| 1. | Mr. Muhammad Waqar Khan | Legal Assistant (BS-16) | The DPC deferred the appointment of the said official to the post of Law Officer (BS-17) due to non-completion of required service length. |

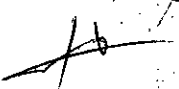
III. Promotion / appointment to the post of Assistant Director / Assistant Controller / Assistant Director-cum-Assistant Controller (BS-17) on regular basis / acting charge basis:

10. The Director General Directorate of Tourist Services, Khyber Pakhtunkhwa informed the forum that there are six (06) sanctioned posts of Assistant Director / Assistant Controller / Assistant Director-cum-Assistant Controller (BS-17) in the Directorate of Tourist Services, Khyber Pakhtunkhwa. 80% quota comes under the share of promotion and 20% quota comes under the share for initial appointment as per amended Services Rules of Directorate of Tourist Services, KP duly notified vide Sports & Tourism Department Notification dated 25.04.2022.

11. Accordingly, all working papers and seniority lists of Assistants (BS-16) & Inspectors (BS-16) have been prepared by the Directorate of Tourist Services, Khyber Pakhtunkhwa. The seniority list is final and free from all sort of litigations. Two of the proposed official i.e. (i) Mr. Raza Khan and (ii) Mr. Rafiq Ahmad have completed their required length of services and three of the officials i.e. (i) Mr. Muhammad Bilal (ii) Mr. Hisham Khan and (iii) Mr. Asif Shehzad (Inspectors BS-16), are short of service length. Further there are no adverse remarks recorded in the ACRs of the officials.

12. After detailed discussion, the Departmental Promotion Committee made the following recommendation:-

| S.No | Name of Official | From the post | Recommendation |
|------|------------------|------------------------------|---|
| 1. | Mr. Raza Khan | Superintendent (ACB) (BS-17) | The said official has already been promoted to the post of Superintendent (BS-17) on ACB in light of Service Rules of DTS duly notified on 31.10.2017 and there is no provision for promotion of said official to the post of Assistant Director / Assistant Controller / Assistant |

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|---|--------------------|-------------------|---|
| | | | Director-cum-Assistant Controller in the Amended Service Rules of DTS notified on 25.04.2022. Hence the Committee deferred the promotion of said incumbent. |
| 2 | Mr. Rafiq Ahmad | Assistant (BS-16) | The DPC deferred the promotion of said official due to objections raised on the Service Rules of DTS by Representative of Establishment & Finance Department and DG DTS was directed to rectify the Service Rules of DTS. |
| 3 | Mr. Muhammad Bilal | Inspector (BS-16) | The DPC deferred the appointment to the post of Assistant Director / Assistant Controller / Assistant |
| 4 | Mr. Hisham Khan | Inspector (BS-16) | Director-cum-Assistant Controller (BS-17) on acting charge basis, due to non-completion of required service length as per Service Rules of DTS. |
| 5 | Mr. Asif Shahzad | Inspector (BS-16) | |

stated

13. DG, DTS apprised the forum that objections on Service Rules are not the mandate of DPC as the Service Rules are already approved by the concerned committee (SSRC). Furthermore, as per Promotion Policy, 2009, promotion cases cannot be deferred due to the said reason.

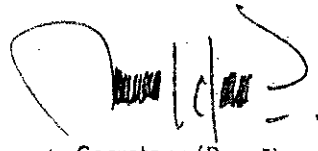
14. The meeting ended with the vote of thanks from the Chair.

Signatures

Amir
 Additional Secretary,
 Sports Tourism Arch:
 Museums & Youth Affairs

Asif
 Director General,
 Directorate of Tourist Services,
 Khyber Pakhtunkhwa

Asif
Asif



Deputy Secretary (Reg-I)
Establishment
Department



Deputy Secretary (Reg-I)
Finance
Department



Section Officer (Tourism-I)
Sports & Tourism
Department



SECRETARY/CHAIRMAN
Government of Khyber Pakhtunkhwa
Sports, Culture, Tourism, Archaeology, Museums &
Youth Affairs, Department





GOVERNMENT OF KHYBER PAKHTUNKHWA
SPORTS, TOURISM, CULTURE, YOUTH AFFAIRS,
ARCHEOLOGY & MUSEUMS DEPARTMENT

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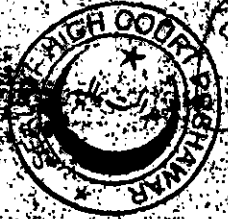
DPC MEETING ATTENDANCE SHEET

Date: 07/11/2022

| Name | Designation & Department | Contact | Signature |
|------------------------------|-----------------------------|-----------------------------|-----------|
| Yasir Ali Khan | AS (Sports & Tourism) | 0300-5959627 | |
| Syed Habib ul Hassan Gillani | DS (Reg-I) Establishment | 091-9210904 0331-9201642 | |
| Muhammad Saleem | DS (Reg-I) F.D | | |
| Afsar Ali Shah | DG. D.T. S | 03339179123 | |
| FARAZ WAHED | SO (T) | | |
| | | | |
| | | | |

Attended
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WP No. 2772-P/2022



Muhammad Ilyas and 23 others

Versus

Govt of Khyber Pakhtunkhwa through Chief Secretary
and 4 others

JUDGMENT

Date of bearing 26.01.2023

Petitioner (by) Mr. Ali Gohar Durrani, Advocate

Respondents (by) M/s. Mubashir Manzoor, AAG and
Farmanullah Khattak, Advocates along with
Sanaullah, Deputy Director (L) and
Muhammad Javed, SO (Litigation)

ABDUL SHAKOOR, J: - As the instant writ petition and
the following two connected writ petitions involve
common question of law and facts, therefore, we intend to
decide the same through this single judgment:

- i. WP 2773-P/2022
Muhammad Amjad and 7 others vs. Govt of KP
through Chief Secretary and 4 others,
- ii. WP 4119-P/2022
Israr Ahmad Khan and another vs. Govt of KP
through Chief Secretary and 6 others,

2. The petitioners of all the three writ petitions are
serving in the Directorate of Tourist Services "DTS",
Khyber Pakhtunkhwa against their respective positions,

mentioned in the memo of the petitions. Under S. 8 of

ATTESTED
Baahir Khan B/C 09 2953
ADVOCATE
High Court, Peshawar

ATTESTED
EXAMINER
Peshawar High Court

APR 2023

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newly promulgated Khyber Pakhtunkhwa Tourism Act, 2019 "Act", the said Directorate is ceased and merged into the Khyber Pakhtunkhwa Culture and Tourism Authority "CTA" established under S. 6 of the Act and for its employees, a surplus pool is created. In this regard, the respondents issued impugned Notification dated 25.5.2022 qua abolition of DTS and impugned letters dated 30.8.2022 qua physical and formal handing / taking over of all the assets, projects etc as well as letter dated 04.10.2022 qua delay so occurred in handing / taking over.

3. In the instant and the connected WP-2773-P/2022, the grievances of the petitioners are non-calling of Departmental Selection Committee "DSC" by the respondents to determine the suitability of their promotion despite the fact that similar relief has already been extended to alike employee of DTS by the Provincial Selection Board. As such, they seek issuance of direction to the respondents to call the DSC to consider their cases for promotion before they are sent to surplus pool.

4. The petitioners are also aggrieved of issuance of impugned notification dated 25.5.2022 of the respondents qua abolition of DTS with averments that before the completion of adjustment period as provided under the

ATTESTED
Eashir Khayyat B/C 09.2053
ADJUDGE
High Court Peshawar

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EXAMINER
Peshawar High Court

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Act, the respondents cannot issue the same. The notification alongwith the impugned letters dated 30.8.2022 and 04.10.2022 qua handing / taking over of assets, projects and record etc of DTS, and its delay have also been impugned by the petitioners of WP 4119-P/2022 before this Court; and seek direction to declare the same to be illegal, unlawful and violative of the provisions of the Act.

5. Pursuant to notice, the respondents filed their joint Para-wise comments, wherein they strongly resisted the issuance of the desired writ by stating that the petitioners did not exhaust the legal remedies available to them under the law prior to invoking the writ jurisdiction of this Court; that the petitioners themselves have admitted in the relevant Para of their petitions that guidance have been solicited in case of their promotion, and once the advice is rendered, the respondents will proceed in accordance with the law. In respect of objection so raised by the petitioners qua adjustment period, the respondents stated that S-33 read with S. 57 of the Act is more relevant to operators of tourist products and subsequent repeal of the laws under which these products are being regulated. Thus, the objection that nothing can be done in respect of DTS

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Bashir Khan WAZIR
ADVOCATE
High Court Peshawar
C-09-2053

ATTESTED
EXAMINER
Peshawar High Court

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during the transition period, is the petitioners' own interpretation of law. The taking over of functions of QTS is a gradual process as elaborated in Sections 8, 9 read with S. 33 and 57 of the Act. So far as, the impugned notification dated 25.5.2022 coupled with impugned letters of handing/taking over of all assets etc are concerned, the respondents commented that S. 9(3) of the Act provides that the administrative and financial transition be completed in one year after the commencement of the Act thus, in line with the provisions of the Act, the impugned notification and letters have rightly been issued.

6. Arguments heard and record carefully gone through.

7. A perusal of the record would suggest that on 30.9.2019, the provincial assembly of Khyber Pakhtunkhwa passed the Khyber Pakhtunkhwa Tourism Act, 2019, which was assented to by the Governor of the Khyber Pakhtunkhwa on 04.10.2019. The aim and purpose of the Act is to provide for a legal framework to promote culture and tourism in the province of the Khyber Pakhtunkhwa. The Act provides for establishment of an Authority known as the Khyber Pakhtunkhwa Culture and

ATTESTED
Bashir Khan
Advocate
High Court Peshawar
B/C 09-2053

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EXAMINER
Peshawar High Court

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Tourism Authority under S. 6 and notification and
notification of the government, ceasing of Directors of
Culture and Directorate of Tourist Services (attached
department of Sports, Culture, Tourism, Youth Affairs,
Archaeology and Museums Department) and its merging

in to the said Authority under the provisions of S. 8(i)(b).

The Act has also provided for creation of Surplus Pool for
the employees of DTS under S. 8(iv)(a) i.e. that the
Government shall create Surplus Pool in the Establishment
Department till the retirement of the last incumbent. There
is no second opinion that main purpose behind the creation
of Surplus Pool for the employees of DTS as is evident
from the provisions of the S. 8 is to properly utilize their
services in such offices as controlled by the Government,
absorb their services at the discretion of Government in
various Government Departments or to retain them in the
Authority or otherwise after examining by Scrutiny
Committee to be constituted in the prescribed manner and
recommend to the Board. It is also specifically provided in
the ibid section of law that in case of absorption of the
employees of DTS, the right of promotion shall be in
accordance with rules and regulations and terms and
conditions of the cadres into which they are absorbed. It is
also pertinent to mention here that the employees of DTS

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Bashir Khan Wazir B/C 09-2053
AD/OCATE
High Court Feshawar

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EXAMINER
Peshawar High Court

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with respect to certain amendment in Section 8 of the Act and advertising 54 posts ranging from Class-IV to BPS-19. However, this Court, while disposing of the said petitions, directed the respondents to strictly follow the law and to decide their cases in terms of Section 8 of the Act within a period of three months positively. Afterwards, the petitioners moved the respondents for convening the meeting of the departmental selection committee to determine their cases for promotion.

6. Now, the brief question is to whether an attached department which is no more in existence and merged in to an Authority, while its employees who would be in Surplus Pool, and their fate either absorption, retention or utilization has not so far been decided, how come the respondents would convene a meeting of the Departmental Selection or Promotion Committee for their promotion for the simple reason that on which post and in which department they will be given promotion. When confronted with the situation, neither learned counsel for the petitioners wriggle out of the same nor this Court has found any law or judgments of the superior Courts backing the petitioners' prayer for issuing a writ to the respondents.

ATTESTED
 Bashir Khan Wazir, DC 09-2053
 ADJ. CLERK
 High Court Peshawar

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 EXAMINER
 Peshawar High Court

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to call the desired meeting of the Committee in exercise of Constitutional Jurisdiction of this Court.

9. So far as issuance of the impugned notification and letters of the respondents are concerned, needless to mention that under sub-section (3) of Section 9 of the Act, all actions required for giving effect to the provisions of the Act including administrative and financial transition shall be completed within one year of the commencement of this Act. Besides, this Court in its earlier judgment rendered in the *ibid* writ petitions directed the respondents to strictly follow the law; therefore, the respondents being administrative authority were bound to play positive role while complying with the provisions of the law and judgment of this Court. Further, the abolition of DTS and its merging in to the Authority was requirement of the law and undeniably when a department is going to abolish there must be some handing/taking over of its assets etc for proper management or otherwise, which cannot be termed an inaction or illegality in eye of law. Thus, the respondents while issuing the impugned notification and letters have not committed any illegality or irregularity, which could be questioned before this Court under its Constitutional Jurisdiction. Moreover, the learned counsel

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Bashir Khan Wazir BIC 09-2057
ADVOCATE
High Court Peshawar

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EXAMINER
Peshawar High Court

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for the petitioners but also miserably failed to point out any infringement of right of the petitioners by the respondents while issuing the impugned notification and letters in line with the provisions of law and direction of this Court in the ibid judgment. Being so, the petitioners could not make out a case for issuance of the desired writ.

10. In view thereof, the instant and the connected WP 2773-P/2022 and WP 4119-P/2022 are dismissed being meritless.

Announced:
26.01.2023

(Signature)

JUDGE

(Signature)

JUDGE

Wazir (00) *(Signature)* *(Signature)*

CERTIFIED TO BE TRUE COPY

Examined
Peshawar High Court Peshawar
Authorized Under Article 7 of
The Courts (Shahdadi) Ord.

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Presentation of Application

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Preparation of Copy

Delivery of Copy

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Bashir Khan Wazir
ADVOCATE
High Court Peshawar

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