

BEFORE THE HONORABLE SERVICE TRIBUNAL, PESHAWAR

In Service Appeal No.1483/2023

Saddam Hussain

.... Petitioners


VS

Government of Khyber Pakhtunkhwa, & Others

.... Respondents

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Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No. 1483/2023.

Saddam Hussain Sub Inspector VS Govt: of Khyber Pakhtunkhwa & Others.

PARAWISE COMMENTS OF BEHALF OF RESPONDENTS.

Respectfully submitted,

Khyber Pakhtunkhwa
Service Tribunal

Preliminary objections:

Date: 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.

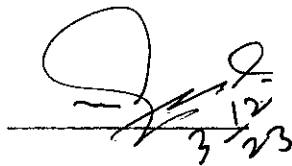
6. Incorrect. The appellant was an employee of the directorate of tourist services which is no longer in existence after the approval of the provincial cabinet in its meeting held on 24.06.2023. All of the posts in the directorate of Tourist services were abolished by the finance department on 07.09.2023(**Annex-F**). 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 sub-inspector on 27.01.2020. The departmental Promotion Committee meeting was held on 07.11.2022, the promotion case of the appellant was not on the agenda as the appellant had not completed the required length of three years of service. (**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-16.
- 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 replied above.
- I. Incorrect. As replied in above paras.
- J. The respondents seek leave to raise additional grounds at the time of arguments.

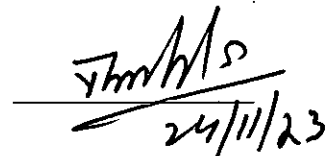
It is, therefore, humbly prayed that the appeal may kindly be dismissed with Costs.

Respondent No. 2



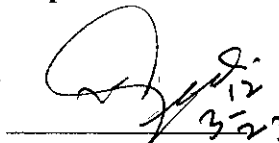
Secretary
Establishment Department
M-SHAHID ULLAH

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- 581/2023/ Saddam Hussain
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. 1483/2023 titled "Saddam Hussain 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.1483/2023

Saddam Hussain & Others

.... Petitioner

VS

Government of Khyber Pakhtunkhwa & Others

.... Respondents

Affidavit

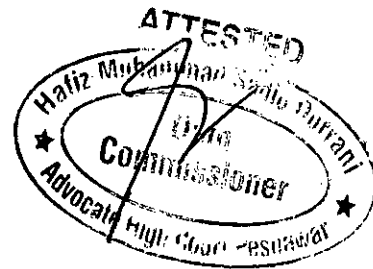
I, Mutahir Zeb Secretary, Culture & Tourism Department Khyber Pakhtunkhwa, do hereby solemnly affirm and declare an oath that the contents of Parawise Comments in the above Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court. *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**

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

10 JAN 2024



1 | Page

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.

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

Accepted
\$H

4

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.5 (a).

Attested

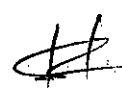
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- (a) Where an appeal, review or representation to a departmental authority is provided under the [Khyber Pakhtunkhwa] Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant 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




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

(6)

Dated Peshawar 25th July, 2022

NOTIFICATION:

No. SO(Tourism)/5-92(A)/Ac/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:

- 25/7/22*
- (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 57 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

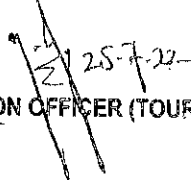
Attested
[Signature]


Encls. 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.


 SECTION OFFICER (TOURISM)

Attested




Annex C

8

**MINISTRY 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 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), Tourists 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-metric report shall be shared with this Department on regular basis, till the creation of surplus pool for these employees.

-Sd-

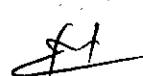
**Secretary to Government of Khyber Pakhtunkhwa
Tourism, Culture Archaeology & Museums Department**

Ends: 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)

Attested




GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(CABINET WING)
No.SOC(E&AD)9-8/CT/2023
Dated Peshawar the 10th 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.

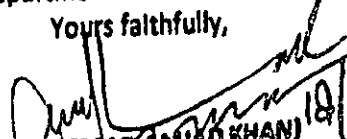
DECISION:

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

10

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)

Attested

E



Annex: E
 GOVERNMENT OF KHYBER PAKHTUNKHWA,
 TOURISM, CULTURE, ARCHAEOLOGY & MUSEUMS
 DEPARTMENT.
 13-A, KHYBER ROAD, PESHAWAR CANTT.

2/11

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.

Ahmad
 24/08/2023
 (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.

Ahmad
 24/08/2023
 SECTION OFFICER (TOURISM)

Attested

St

Muhammad Amjad Khan
 (MUHAMMAD AMJAD KHAN)
 SECTION OFFICER (CABINET)

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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.	Oasim Khan	Constable	05
54.	Naseer Khan	Constable	05
55.	Umar Farooq	Constable	05
56.	Salman Khan	Constable	05
57.	Lugman 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 Khel, District Lakki Marwat	0334-5360997	29/07/2015	---
6.	Mazhar Ali	Accounts Officer (BPS-17)	BBA (Hons)	Mardan	Village Sajan 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	05/02/2019
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, Bhatta 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 GPC, 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 Nasrullah 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 Arda 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 Dandiyan, 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 Nabi, 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 Kehl, 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 Ganj, P.O Charbagh, Tehsil & District Swat	0333-9197768	13/06/1996	---
48.	Faqir Hussain	Mechanical Heiper (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	Tenkal 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	Lala Kalay, P.O Tarnab Farm, 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	Kchat 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 Narawal	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

Finance Department, Civil Secretariat, Peshawar

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

Dated Peshawar the 07-09-2023

To,

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

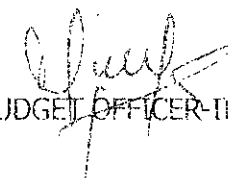
Subject: - **MINUTES OF THE 08TH MEETING OF THE CARETAKER
PROVINCIAL CABINET HELD ON 09 AUGUST, 2023 REGARDING
CREATION OF SURPLUS POOL FOR DIRECTORATE OF CULTURE
AND DIRECTORATE OF TOURIST SERVICES**

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


BUDGET OFFICER-III

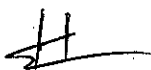
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- Secretary Establishment Department, Khyber Pakhtunkhwa.
- Accountant General, Khyber Pakhtunkhwa.
- Directorate of Culture Department.
- Directorate of Tourist Services Department.
- Budget Officer-IV, Finance Department, is requested to initiate 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.


BUDGET OFFICER-III

Attested



AS
OC II
OC IV
SO (I)
SO (II)
SO (Coord)

(21)

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 JUL - OCT 2023
	2022-2023	2023-2024	2022-2023	2022-2023	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>

Attested

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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 Nishtar 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		37			<u>3,519,000</u>
A01151 Total Basic Pay Other Staff		37			<u>3,519,000</u>
S655 Stage Supervisor (BPS-14)		1			214,000
T097 Technical Assistant (BPS-12)		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

Altered

504

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					
PR8507 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		39			<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
A515 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)		8			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		96			<u>10,399,000</u>

Attested

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10/11

NC21135 (066)
TOURISM DEPARTMENT

047202 TOURISM

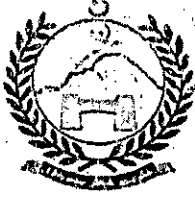
FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	AUTHORIZED EXPENDITURE
	2022-2023	2023-2024	2022-2023	2022-2023	JUL - OCT 2023
			Rs	Rs	Rs
04 ECONOMIC AFFAIRS					
047 OTHER INDUSTRIES					
0472 SUBSIDIES					
047202 TOURISM					
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					<u>7,308,000</u>
A012-1 TOTAL REGULAR ALLOWANCES					<u>7,296,000</u>
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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Annex 6

26



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.	Aimal 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.	Ajuri Khan	Junior Clerk	11
19.	Rizwan Javed	Junior Clerk	11
20.	Sajjad Khan	Generator Operator	08
21.	Yasir Khayam	Driver	06
22.	Atta 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.	Guizar 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.	Alta Ullah	Chowkidar	03
76.	Risalat Khan	Chowkidar	03
77.	Emanuelle	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

Attested

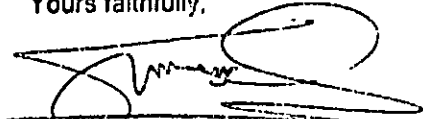
90.	Muhammad Riaz Khan	Computer Operator	16
91.	Muhammad Anjad	Computer Operator	16
92.	Shaharyar Khan	Computer Operator	16
93.	Israr Ahmad Khan	Computer Operator	16
94.	Asif Shahzad	Inspector	16
95.	Muhammad Bilal	Inspector	16
96.	Hisham Khan	Inspector	16
97.	Imran Khan	Inspector	16
98.	Muhammad Fahim	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.	Anjad 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.	Luqman 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.	Mushatmi 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

Accepted

148.	Muhammad Nawaz	Naib Qasid	03
149.	Kamran Khan	Naib Qasid	03
150.	Hammad Raza	Naib Qasid	03
151.	Muhammad Naqom	Naib Qasid	03
152.	Ibne Ali	Naib Qasid	03
153.	Mohsin Jan	Naib Qasid	03
154.	Umar Zada	Naib Qasid	03
155.	Sajjad Ullah	Naib Qasid	03
156.	Muhammad Umar	Naib 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)

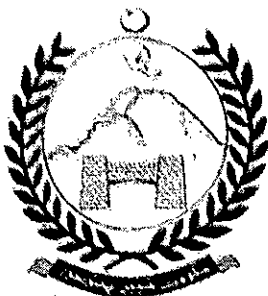
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Copy forwarded to

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


 SECTION OFFICER (E-III)

Attested




**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.A. Ishtay
16/11/22
SECTION OFFICER (TOURISM-I)

Endst ; number & date even.

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.

M.A. Ishtay
16/11/22
SECTION OFFICER (TOURISM-I)

Attested
[Signature]

[Signature]
1/12/22

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.

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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. Shaher Yar Khan	Computer Operator (BS-16)	

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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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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 DFC 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 Director-cum-Assistant Controller (BS-17) on acting charge basis, due to non-completion of required service length as per Service Rules of DTS.
4	Mr. Hisham Khan	Inspector (BS-16)	
5	Mr. Asif Shahzad	Inspector (BS-16)	

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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.

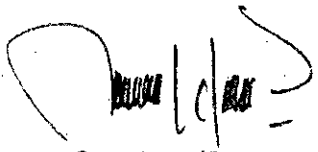
14. The meeting ended with the vote of thanks from the Chair.


Signatures


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


Signature UP
 Director General,
 Directorate of Tourist Services,
 Khyber Pakhtunkhwa

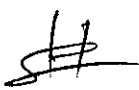
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Signature


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

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

DPC MEETING ATTENDANCE SHEET

Date: 07/11/2022

Name	Designation & Department	Contact	Signature
Yaseer Ali Khan	AS (Sports & Tourism)	0300-5959407	
Syed Habib ul Hassan Gillani	DS (Reg-I) Establishment	091-9210904 033-9201642	
Muhammad Saleem	DS (Reg-I) F.D		
Afsar Ali Shah	DC. D.T. S	03339179123	
FAYAL WAHEDI	SO (T)		

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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 hearing: 26.01.2023

Petitioner (by): Mr. Ali Gohar Durrani, Advocate

Respondents (by): M/s. Mubashir Manzoor, AAG and
Farmanullah Khattak, Advocate along with
Sazaulah, Deputy Director (L) and
Muhammad Jayed, 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 Amlad 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

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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

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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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during the transition period, is the petitioners' own interpretation of law. The taking over of functions of DTS 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

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Tourism Authority under S. 6 after certification and notification of the government, ceasing of Directorate 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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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.

8. Now, the brief question as 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.

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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. Moreso, the learned counsel

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for the petitioners has 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

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... (20) ...

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...
04 FEB 2023

Presentation of Appl. filed on

15/1/2023

Preparation of Copy

Delivery of Copy

68/109
30/1/2023
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06/12/2023
06/12/2023

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