


FORM OF ORDER SHEET

Court of _____

Appeal No. 157/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	18/01/2024	<p>The appeal of Mr. Muhammad Ishaq resubmitted today by Amina Rafiq Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Pareha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

The appeal of Engineer Muhammad Ishaq received today i.e on 21.12.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Address of appellant and respondent no. 3, 7 & 11 are incomplete be completed according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ✓ 2- Memorandum of appeal is unsigned be signed by appellant and his counsel.
- ✓ 3- Check list attached with the appeal is blank and signed.
- ✓ 4- Copy of appointment order mentioned in memo of appeal (Annexure-A) is not attached with the appeal be placed on it.
- ✓ 5- Annexures of the appeal are not in sequence be annexed serial wise as mentioned in the memo of appeal.

No. 3918 /S.T.

Dt. 22/12 /2023.



REGISTRAR.
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Amin Rafiq Adv.
High Court Peshawar.

R/sir,

objection no. 1 - ~~Address completed.~~

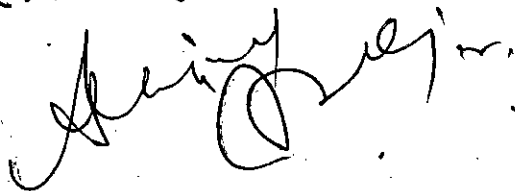
objection no 2, appeal signed.

objection no 3, check list filled and signed.

objection 4, appointment order is attached.

objection 5. Annexes in sequence.

Re-submitted.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Appeal No 157/2024

Engineer Muhammad Ishaq.....(Appellant)

VERSUS

The Secretary Public Health Engineering Department and
others.....(Respondents)

INDEX

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal		1-7
2.	Affidavit		8
3.	Addresses of the parties		9-10
4.	Appointment letter	A	
5.	Copies of promotion order is and DPC	B & C	
6.	Both Sonority Lists dated 04/10/2021 and 22/12/2021	D & E	
7.	Copies of Tentative Seniority list & appeal	F & G	
8.	Copies of Final seniority list & appeal	H & I	
9.	Wakalat Nama & Power of attorney.		

Appellant

Through

Dated: 21/12/2023

Amina Rafiq

Advocate High Court,
Peshawar.

Cell No. 0346-9005502

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Service Appeal No. 157/2024

Engineer Muhammad Ishaq, Planning Officer II, Public Health Engineering, Department. Peshawar.....(Appellant)

VERSUS

1. The Secretary Public Health Engineering Department.
2. Section Officer Establishment Public Health Engineering Department.
3. Section Officer Finance Public Health Engineering Department.
4. Chief Engineer (Center) Public Health Engineering Department.
5. Chief Engineer (South) Public Health Engineering Department.
6. Syed Azam Shah, S.D.O, P.H.E, Department, Takht Bhai, Mardan.
7. Shehzad Khan, SDO, Batkhela, Malakand.
8. Attaullah, S.D.O, Public Health Engineering Department, Matta-II, Sawat-II.
9. Mazhar Khan S.D.O, Public Health Engineering Department, Miran Shah, North Wazistan.
10. Zia-urRehman, S.D.O, Public Health Engineering Department, Sub Division No. 2, Nowshera.
11. Wisal Khan, Assistant Director (Technical) Public Health Engineering Department.
12. Tariq Mehmood Ahmad, S.D.O, Public Health Engineering Department, Sub Division Jamrud, Khyber.
13. Muhammad Zubair Khan, S.D.O, Public Health Engineering Department, Sub Division Lachi Kohat.

14. Atta ur Rehman, S.D.O, Public Health Engineering Department, Sub Division, Chakdara, Dir Lower.
15. Shahab Khan, S.D.O, Public Health Engineering Department, Sub Division, Khar Bajaur.....(Respondents)

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE FINAL SENIORITY LIST OF ASSISTANT/ SUB DIVISIONAL OFFICERS (BPS-17) OF PUBLIC HEALTH ENGINEERING DEPARTMENT, KHYBER PAKHTUNKHWA, STOOD ON 11/01/2023, WHEREAS, NOTIFIED/ ISSUED THROUGH S.O. (ESTT)/ PHE/ B-77/2021, DATED 24/07/2023 AND AGAINST NOT CONSIDERING DEPARTMENTAL REPRESENTATION OF THE APPELLANT DATED 22/08/2023.

Respectfully Sheweth:

1. That appellant was initially inducted in the department in year 2013 as Sub-Engineer (BPS-12). (Appointment letter is attached as annexure "A").
2. That after completion of his B.Sc, Civil Engineering Degree, appellant's name was included in his seniority list of in service graduate Sub Engineers List, while, according to prevailing rules of P.H.E

Department, the due time of promotion of applicant was July 2020 there were also seats available under 5% quota of in service graduate Sub Engineers but inspite of availability of reserved post and various request of appellant, the department remained reluctant and delayed the matter of appellant's promotion to one years.

3. That above mentioned delay in the just and legal promotion of appellant without specification of cogent and just cause, was tantamount to omission of the part of department for which the appellant should not be suffered.
4. That after delay of one year, the department arranged D.P.C meeting on 26/05/2021 thus, the appellant was promoted as Assistant Engineer/ Sub Divisional Officer (B.P.S-17) vide notification No. S.O. (Estt:) PHED/ 4-53-B/2021, dated 13/07/2021. (Copies of promotion order is and DPC are attached as annexure "B" & "C").
5. That, thereafter the department prepared a Combined Seniority List of Assistant Engineer/

Sub-Divisional Officer on 04/10/2021, followed by subsequent tentative seniority list dated 24/12/2021 wherein applicant's name was placed at correct and most appropriate position. (Both Sonority Lists dated 04/10/2021 and 22/12/2021 are attached as annexure "D" & "E" respectively).

6. That astonishingly, later on, again impugned Tentative Seniority List vide S.O. (Estt)/ PHED/ 13-77/ 2022/ Vol-X dated 11/01/2023 was issued, which was totally unjust and in contradiction of previously maintained seniority lists by the department, because the sequence of names as followed in previous seniority list was totally changed and disturbed and falsely appointees of the same year were being kept senior to promotee's of department of the same year, who were serving department for several years most efficiently, hence appellant filed an objection/ appeal on 23/01/2023 against the same but in vain/ not responded/ considered till date. (Copies are annexed as annexure "F" & "G").

7. That on 24/07/2023 the department issued final seniority list in which again direct recruits of the department were kept senior to appellant who was a regular promote of the department as per recommendation of D.P.C in year 2021 but was illegal un justfidly placed at Serial No. 13, which is against the law and rules, feeling aggrieved of the same appellant preferred to file a department appeal on 22/08/2023 which is also not responded within the statutory period of three months. (Copies are annexed as "H" & "I").

Hence, this appeal, inter-alia, on the following grounds:

GROUND:

A. That direct recruitees has no right to be kept senior to appellant who is serving departmental from several years prior to them, hence keeping them senior to appellant is not only unjust but is also against the law, and provisions of ESFA CODE. (Edition 2021).

- B. That appellant has every right to be placed at appropriate position at seniority list i.e. above to direct recruits of the same year.
- C. That the respondents department and its officials are illegally bound to draw seniority list according to law and rules on the subject.
- D. That by drawing wrong seniority list of the incumbents of the department the respondents trying to deprive the appellant from further promotion which is right of the appellant according to law and rules.
- E. That initially appointed recruits of the same year has no right to be kept senior to promotes of the same year.
- F. That Superior Courts have held in its verdicts that promotes of the department shall be deemed senior in comparison with an direct recruits of the same year.

G. That other grounds will be raised with permission of this Hon'ble Tribunal during the arguments.

It is, therefore, humbly prayed that on acceptance of the instant Service Appeal, the impugned Seniority List dated 24/07/2023 may kindly be rectified by placing the appellant as senior to direct recruitees and thereafter the appellant may also be promoted from the date when he become eligible for promotion with all back benefits, as per law and policy.

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

Appellant

Through

Dated: 21/12/2023

Amina Rafiq
Advocate High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Engineer Muhammad Ishaq.....(Appellant)

VERSUS

The Secretary Public Health Engineering Department and
others.....(Respondents)

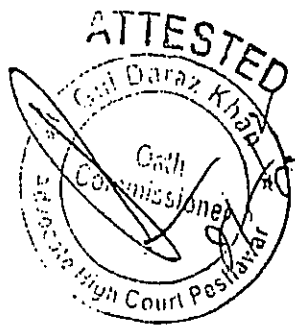
AFFIDAVIT

I, Engineer Muhammad Ishaq, Planning Officer-II, Public Health Engineering, Department, do hereby solemnly affirm and declare on oath that all the contents of the accompanying **Writ Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal

Through attorney


DEPONENT

Through power of Attorney



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Engineer Muhammad Ishaq.....(Appellant)

VERSUS

The Secretary Public Health Engineering Department and
others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Engineer Muhammad Ishaq, Planning Officer-I Public Health
Engineering, Department.

RESPONDENTS:

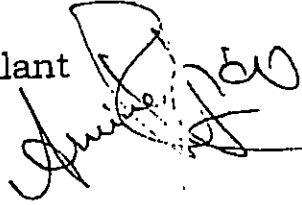
1. The Secretary Public Health Engineering Department.
2. Section Officer Establishment Public Health Engineering
Department.
3. Section Officer Finance Public Health Public Health
Engineering Department.
4. Chief Engineer (Center) Public Health Engineering
Department.
5. Chief Engineer (South) Public Health Engineering Department.
6. Syed Azam Shah, S.D.O, P.H.E, Department Takht Bhai,
Mardan.
7. Shehzad Khan, SDO, Batkhela, Malakand.
8. Attaullah, S.D.O, Public Health Engineering Department,
Matta-II, Sawat-II.
9. Mazhar Khan S.D.O, Public Health Engineering Department,
Miran Shah, North Wazistan.

10. Zia-urRehman, S.D.O, Public Health Engineering Department,
Sub Division No. 2, Nowshera.
11. Wisal Khan, Assistant Director (Technical) Public Health
Engineering Department.
12. Tariq Mehmood Ahmad, S.D.O, Public Health Engineering
Department, Sub Division Jamrud, Khyber.
13. Muhammad Zubair Khan, S.D.O, Public Health Engineering
Department, Sub Division Lachi Kohat.
14. Atta ur Rehman, S.D.O, Public Health Engineering
Department, Sub Division, Chakdara, Dir Lower.
15. Shahab Khan, S.D.O, Public Health Engineering Department,
Sub Division, Khar Bajaur.

Appellant

Through

Dated: 21/12/2023


Amina Rafiq
Advocate High Court,
Peshawar.

GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG. DEPARTMENT

Dated Peshawar, the December 22, 2021

TENTATIVE SENIORITY LIST OF CHIEF ENGINEERS (BPS-20)
PUBLIC HEALTH ENGINEERING DEPARTMENT
KHYBER PAKHTUNKHWA, AS IT STOOD ON 22-12-2021

Seniority No	Name	Academic Qualification	Date of birth	Domicile	Date of 1 st Entry in Govt. Service	Date of Appointment/Promotion in Present Grade	Present Posting	Remarks
1.	Sahramand Khan	B.E (Civil)/M.Sc (Civil Engg.)	11-03-1962	Peshawar	01-06-1987	02-11-2016	On deputation to the KP Mobilizing Authority.	
2.	Abdus Sami	B.E (Civil) /M.Sc (P.H.Engg.)	02-02-1962	Peshawar	24-04-1988	26-01-2021	C.E (North) PHED	
3.	Abdul Latif	B.E (Civil)	10-04-1962	Mardan	26-04-1988	26-01-2021	C.E (South) PHED	

SECTION OFFICER (ESTT)

22-12-2021

GOVERNMENT OF KHYBER PAKHTUNKHWA

No	Name	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in Govt. Service	Date of appointment/promotion in present grade	Remarks
29.	Salim Javed	B.Sc (Civil)	01-04-1965	Malakand	22-11-1988	05-08-2021	
30.	Ifkhar Ahmad	B.Sc/M.S (Civil)	04-02-1966	Peshawar	29-12-1985	05-08-2021	
31.	Hafizullah	B.Sc (Civil)	13-12-1989	Bannu	21-04-2014	05-08-2021	
32.	Noor Ullah	B.Sc (Civil)	06-06-1987	Mohmand	21-04-2014	05-08-2021	
33.	Muhammad Ilyas	B.Sc (Civil)	06-05-1988	Swat	21-04-2014	05-08-2021	
34.	Atif Rauf Niazy	B.Sc (Civil)	04-04-1988	Bannu	21-04-2014	05-08-2021	
35.	Ijaz Ul Haq	B.Sc (Civil)	25-02-1989	Hangu	21-04-2014	05-08-2021	
36.	Sardar Sameer Asmat Gandapur	B.Sc (Civil)	14-02-1989	Abbottabad	04-07-2014	05-08-2021	
37.	Faisal Numan	B.Sc (Civil)	05-05-1985	Charsadda	21-04-2014	05-08-2021	
38.	Arshad Iqbal	B.Sc (Civil)	11-01-1986	Swabi	21-04-2014	05-08-2021	
39.	Rizwan Ullah	B.Sc (Civil)	09-03-1986	Dir Lower	21-04-2014	05-08-2021	
40.	Arsalan Khan	B.Sc (Civil)/ M.Sc (Urban Infra)	17-06-1988	Tank	21-04-2014	05-08-2021	
41.	Nasir Zaman Khan	B.Sc (Civil)/M:Sc (Urban Infra)	01-01-1987	Dir Lower	21-04-2014	05-08-2021	
42.	Kamran Khan	B.Sc (Civil)	15-02-1989	Khyber	21-04-2014	05-08-2021	
43.	Fawad Ahmad	B.Sc (Civil)	27-03-1988	Nowshera	21-04-2014	05-08-2021	
44.	Abrar Hussain	B.Sc (Civil)	16-03-1990	Kurrum	21-04-2014	05-08-2021	

SECTION OFFICER (ESTT)

2-2-2021

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GOVERNMENT OF KHYBER PAKHUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

No.SO(Estt)/PHED/4-53-B/2019-20
Dated Peshawar, the January 11, 2021

To

The Chief Engineer (South),
Public Health Engg: Department, Peshawar

Subject: **PROMOTION TO THE POSTS OF ASSISTANT ENGINEER/SDO
(BPS-17) IN PHE DEPARTMENT.**

I am directed to refer to the subject noted above and to state that as per detail (attached), certain posts of the Assistant Engineers/SDOs (BPS-17) are lying vacant for want of promotion of Sub Engineers.

2. It is, therefore, requested to kindly submit the working paper alongwith all relevant documents i.e. synopsis of ACRs, non-involvement certificates etc for promotion of Sub Engineers to the posts of Assistant Engineers/SDOs (BPS-17) within a week time positively for consideration of Departmental Promotion Committee under the chairmanship of Secretary Public Health Engg: Department.

ENDST: OF EVEN NO. & DATE

Copy forwarded to the:-

1. Chief Engineer (North) PHE Department Peshawar.
2. PS to Secretary PHE Department Peshawar for Information.

SECTION OFFICER (ESTT)

11.1.2021

SECTION OFFICER (ESTT)

Received by
AO South

[Signature]
11/01/2021
DVO 325

DETAIL/SUMMARY OF THE POSTS OF SDOs (BPS-17)

Existing	=	74
Newly created	=	19

Total	=	93

S.No	Category	Reserved Quota	No of working SDOs	Shortfall	Remarks
1.	By Initial Recruitment through Public Service Commission @ 67%	62	28	34	Requisitions have already been sent to the Public Service Commission. PSC has recommended 12-Candidates recently, however, issuance of their appointment orders is awaited.
2.	By promotion of Diploma Holder Sub Engineers @ 20%	19	14	05	4-Nos due to retirement of Alam Zeb, Salim Khan, Allah Nawaz & Asif FARooq. 1-No due to death of Aziz-u-Rehman. To be filled through DPC.
3.	By Promotion of Direct Graduate Sub Engineers @ 5%	05	01	04	Muhammad Siddiq is available. Eligible Direct Graduate Sub Engineers not available in the Department.
4.	By Promotion of In-service Graduate Sub Engineers @ 5%	04	02	02	Salim Javed and Ifikhar Ahmad available. Remaining to be filled through DPC.
5.	By promotion of B.Tech (Hons) Degree holder Sub Engineers @ 7%	03	03	-	Zahid Kazmi and Yaqoob Khan available To be filled through DPC
	Total	93	48	45	



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Subject: **MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 26-05-2021 AT 1100 HOURS IN THE OFFICE OF SECRETARY PUBLIC HEALTH ENGG: DEPARTMENT.**

A meeting of the Departmental Promotion Committee (DPC) was held on 26-05-2021 at 1100 hours under the chairmanship of Secretary Public Health Engineering Department in his office. The following attended the meeting:-

- | | | |
|----|---|--------|
| 1) | Engr. Ishrat Ali,
Chief Engineer (Center) PHE Peshawar | Member |
| 2) | Mr. Said Nawab,
Deputy Secretary (Admn) PHED | Member |
| 3) | Mr. Ahmad Kamal,
Deputy Secretary (Regulation-I),
Establishment Department Peshawar | Member |
| 4) | Mr. Muhammad Ilyas Khattak,
Section Officer (SR-II),
Finance Department Peshawar | Member |

2. The DPC considered the following agenda items of the meeting and decisions taken are recorded as under:-

1) **Agenda Item No.1**

Promotion of Diploma Holder Sub Engineers/Acting charge SDOs to the posts of SDOs (BPS-17) on regular basis in PHED.

3. The forum was informed that against the total 100-sanctioned posts of Assistant Engineers/Sub Divisional Officers (BPS-17), the share of promotion for Diploma Holder Sub Engineers (BPS-16) is 20% as per Service Rules of PHED. Total posts meant for Diploma Holder Sub Engineers (BPS-16) come to 20, against which, 12-SDOs/Assistant Engineers (BPS-17) are presently working and hence, 08-posts of Diploma holder SDOs/Assistant Engineers (BPS-17) are lying vacant due to retirement or death of the following Diploma holder SDOs on the date as noted against each:-

S.No	Name	Date of Retirement/Death	Remarks
1.	Mr. Allah Nawaz	04-12-2019	Retired on superannuation
2.	Mr. Sallm Khan	10-12-2019	-do-
3.	Mr. Asif Farooq	01-01-2020	-do-
4.	Mr. Khurshid Anwar	03-03-2020	-do-
5.	Mr. Alam Zeb	23-08-2020	-do-
6.	Mr. Karamat Ullah	14-03-2021	-do-
7.	Mr. Fazle Mabood	09-04-2021	-do-
8.	Mr. Aziz-ur-Rehman	29-11-2020	Died during service

4. After perusal of material on record and threadbare discussion, the DPC considered the case for promotion of the following Diploma holder Sub Engineers (BPS-16) to the posts of SDOs/Assistant Engineers (BPS-17) on regular basis and made recommendations as noted against each:-

S. NO	NAME OF DIPLOMA HOLDER SUB ENGINEER	RECOMMENDATION OF DPC
1.	Syed Abid Hussain Shah	The DPC recommended to defer the promotion of official concerned due to his involvement in an inquiry regarding irregularities committed in PHE Division Abbottabad.
2.	Mr. Bashir Ahmad	The DPC recommended to defer the promotion of official concerned due to non-qualifying the mandatory Departmental Professional Examination.
3.	Mr. Mekail Khan ✓	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.
4.	Mr. Najeeb-ur-Rehman ✓	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.
5.	Mr. Khubz-ur-Rehman ✓	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.
6.	Mr. Abbas Khan	The DPC recommended to defer the promotion of official concerned due to his involvement in an inquiry regarding irregularities committed in PHE Division Abbottabad.
7.	Muhammad Shafiq Shah ✓	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.
8.	Mr. Abdur Rehman ✓	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.

ii) **Agenda Item No. 2**

Promotion of In-service Graduate Sub Engineers to the posts of Assistant Engineers/SDOs (BPS-17) on regular basis in PHED.

5. The DPC was informed that against the total 100-sanctioned posts of Assistant Engineers/Sub Divisional Officers (BPS-17), the share of promotion for In-service Graduate Sub Engineers is 5% as per Service Rules of PHED. Total posts meant for In-service Graduate Sub Engineers comes to 05-posts, against which, 02-SDOs (i.e. Sallim Javid and Ifikhar Ahmad) are presently working in the Department on regular basis and hence 03-posts of In-service Graduate Assistant Engineers/SDOs (BPS-17) are lying vacant.

6. After detailed discussion, the DPC considered the case for promotion of In-service Graduate Sub Engineers to the posts of SDOs/Assistant Engineers (BPS-17) on regular basis and made recommendations as noted against each:-

S. NO	NAME OF IN-SERVICE GRADUATE SUB ENGINEER	RECOMMENDATION OF DPC
1.	Mr. Jehan Zeb	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.
2.	Mr. Muhammad Ishaq	The DPC recommended the official concerned for promotion to the post of SDO/Assistant Engineer (BPS-17) on regular basis.

iii) Agenda Item No. 3:

Promotion of Assistants/Senior Scale Stenographers (BPS-16) to the posts of Superintendents (BPS-17) on regular/acting charge basis:

7. The DPC was informed that out of the total 17-sanctioned posts, 08-posts of Superintendents (BPS-17) are lying vacant, due to the following reasons:-

S #	Reasons of Vacancies	No of Posts
1.	Due to retirement of Syed Rashid Ali Shah, Mukaram Khan, Kallm Khan and Said Nawaz.	04
2.	Newly created posts one each in the Office of Chief Engineer (Center), Chief Engineer (Merged Areas), Superintending Engineer PHE Southern Merged Areas and Superintending Engineer PHE Circle Mansehra	04
	Number of Total Vacancies	08

8. The forum was further informed that according to existing Service Rules of the Department, the posts of Superintendents (BPS-17) are required to be filled-in by promotion, on the basis of seniority-cum-fitness basis from amongst the existing Assistants/Senior Scale Stenographers in the Department with five years service, as such.

9. After detailed discussion and perusal of relevant record, the DPC considered the case for promotion of Assistants/Senior Scale Stenographers (BPS-16) to the posts of Superintendents (BPS-17) on regular/acting charge basis and made recommendations as noted against each:-

S. NO	NAME	RECOMMENDATION OF DPC
1.	Kalsoom Begum	The DPC recommended the official concerned for promotion to the post of Superintendent (BPS-17) on regular basis.
2.	Abdul Saboor	The DPC recommended the official for appointment to the post of Superintendent (BPS-17) on acting charge basis as he has not completed the required length of service.
3.	Afsar Khan	The DPC recommended the official for appointment to the post of Superintendent (BPS-17) on acting charge basis as he has not completed the required length of service.
4.	Sufi Sardar	The DPC recommended to defer the promotion of official concerned due to his involvement in an inquiry regarding irregularities committed in PHE Division Lakki Marwat.
5.	Mukhtiar Hussain	The DPC recommended the official for appointment to the post of Superintendent (BPS-17) on acting charge basis as he has not completed the required length of service.
6.	Nawab-ur-Rehman	The DPC recommended to defer the promotion of official concerned due to non-availability of his PERs.
7.	Farid Ayaz	The DPC recommended to defer the promotion of official concerned due to non-availability of his PERs.
8.	Muhib Shah	The DPC recommended to defer the promotion of official concerned due to non-availability of his PERs.

iv) Agenda Item No. 4:

Promotion of Superintendents (BPS-17) to the posts of Administrative Officers/Budget & Accounts Officers (BPS-17) on regular basis:

10. While discussing the case, the DPC was informed that out of the total 07-Nos sanctioned posts, 05-posts of Administrative Officers/Budget & Accounts Officers (BPS-17) are lying vacant as the following two Administrative Officers/Budget & Accounts Officers (BPS-17) are presently working in the Department:-

- i. Mr. Muhammad Yaseen, Budget & Accounts Officer (South) PHED
- ii. Mr. Zahid Hussain, Administrative Officer (Merged Areas) PHED

11. The forum was further informed that as per existing service rules, the vacant posts of Administrative Officers/Budget & Accounts Officers (BPS-17) are required to be filled-in by promotion on the basis of seniority-cum-fitness from amongst the Superintendents (BPs-17) with three years' service as such.

12. After perusal of material on record and threadbare discussion, the DPC considered the case for promotion of Superintendents (BPS-17) to the posts of Administrative Officers/Budget & Accounts Officers (BPS-17) as mentioned in the working paper and made recommendations as noted against each:-

S. NO	NAME OF SUPERINTENDENT	RECOMMENDATION OF DPC
1.	Mr. Jchan Shah	The DPC recommended the officer concerned for promotion to the post of Administrative Officer/Budget & Accounts Officer (BPS-17) on regular basis.
2.	Mr. Said Ghanl	The DPC recommended the officer concerned for promotion to the post of Administrative Officer/Budget & Accounts Officer (BPS-17) on regular basis.
3.	Mr. Shahab-ud-Din	The DPC recommended to defer the promotion of official for want of PERs.
4.	Mr. Saleem-ur-Rehman	The DPC recommended the officer concerned for promotion to the post of Administrative Officer/Budget & Accounts Officer (BPS-17) on regular basis.
5.	Mr. Abid-ur-Rehman	The DPC recommended the officer concerned for promotion to the post of Administrative Officer/Budget & Accounts Officer (BPS-17) on regular basis.

v) Agenda Item No. 5:

Promotion of Circle Head Draftsman (BPS-16) to the post of Chief Draftsman (BPS-17) on regular basis:


13. The DPC was informed that out of the total 04-sanctioned posts, one post of the Chief Draftsman (BPS-17) is lying vacant as the following 03-Chief Draftsman (BPS-17) are presently working in the Department:-

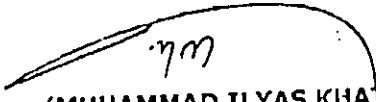
- i. Mr. Rizaz-ul-Haq, Chief Draftsman (Merged Areas) PHED
- ii. Mr. Mehar Ali, Chief Draftsman (North) PHED
- iii. Mr. Zahir Shah, Chief Draftsman (South) PHED

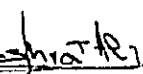
14. The Committee was further informed that as per existing service rules, the vacant post of Chief Draftsman (BPS-17) is required to be filled-in by promotion on the basis of seniority-cum-fitness basis from amongst the Circle Head Draftsman (BPS-16) with five years' service, as such.


15. After detailed discussion and perusal of relevant record, the DPC considered the case for promotion of Circle Head Draftsman (BPS-16) to the post of Chief Draftsman (BPS-17) as mentioned in the Working Paper and recommended Mr. Ahmad Sher, Circle Head Draftsman (BPS-16) to the post of Chief Draftsman (BPS-17) on regular basis.

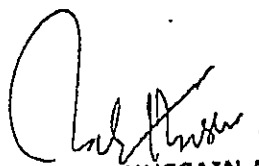
16. The meeting ended with mutual vote of thanks from and to the chair.


(AHMAD KAMAL)
DEPUTY SECRETARY (R-I)
ESTABLISHMENT DEPARTMENT
(MEMBER)


(MUHAMMAD ILYAS KHATTAK)
SECTION OFFICER (SR-II)
FINANCE DEPARTMENT
(MEMBER)


(ENGR. ISHRAT ALI)
CHIEF ENGINEER (SOUTH)
PHED PESHAWAR
(MEMBER)


(SAID NAWAB)
DEPUTY SECRETARY (ADMN)
PHE DEPARTMENT
(MEMBER)


(ZAKIR HUSSAIN AFRIDI)
SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
PHE DEPARTMENT
(CHAIRMAN)



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Dated Peshawar, the July 13, 2021

NOTIFICATION

No.SO(Estt)/PHED/4-53-B/2021: The competent authority, on recommendations of the Departmental Promotion Committee, is pleased to promote the following In-service Graduate Sub Engineers of the Public Health Engg Department to the posts of Assistant Engineers/Assistant Design Engineers/Sub Divisional Officers (BPS-17) on regular basis, with immediate effect:-

- i. Mr. Jehan Zeb
- ii. Mr. Muhammad Ishaq

2. The officers, on promotion, will remain on probation for a period of one year in terms of Rule-15 of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. In order to actualize their promotion, the following postings/transfers/adjustments are made henceforth:-

S.No	Name	From	To	Remarks
1.	Mr. Jehan Zeb, BPS-16	SDO (OPS) PHE Sub Division No.2 Mohmand	SDO (BPS-17) PHE Sub Division No.2 Mohmand on regular basis	Against the existing vacancy
2.	Mr. Muhammad Ishaq, BPS-12	Assistant Design Engineer (OPS) O/O the C.E (South) PHED Peshawar	Assistant Design Engineer (BPS-17) O/O the C.E (South) PHED Peshawar on regular basis	Against the existing vacancy

SECRETARY
PHE DEPARTMENT

Endst: No.SO(Estt)/PHED/4-53-B/2021

Dated Peshawar, the July 13, 2021

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Chief Engineer (Center) PHE Khyber Pakhtunkhwa Peshawar.
3. Chief Engineer (South) PHE Khyber Pakhtunkhwa Peshawar.
4. Chief Engineer (Merged Areas) PHE Khyber Pakhtunkhwa Peshawar.
5. Superintending Engineers PHE Circle Merged Areas at Peshawar.
6. Executive Engineer PHE Division Mohmand.
7. District Accounts Officer Mohmand.
8. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
9. PS to Secretary PHE Department Khyber Pakhtunkhwa.
9. Officers concerned.
10. Office Order / Personal Files.

SECTION OFFICER (ESTT)

13.7.2021



**GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGINEERING DEPARTMENT**

Dated: Peshawar, the 22nd day of 04, 2021

**FRESH SENIORITY LIST OF ASSISTANT ENGINEERS (SUB-DIVISIONAL OFFICER) (PS-17)
PUBLIC HEALTH ENGINEERING DEPARTMENT KHYBER PAKHTUNKHWA
AS ST 09/01/04-10-2021**

Seniority No	Name	Academic Qualification	Date of Birth	Penible	Date of 1 st Entry in the Govt. Service	Date of Appointment/ Promotion in present grade	Remarks
1	Imdad Ahmad	B.Sc (Gen)	01-10-1964	Non-Penible	29-09-2016	23-09-2011	
2	Imdad Ahmed	B.Sc (Gen)	17-08-1918	Abolished	19-04-2013	19-04-2013	
3	Syed Zaid Hussain Akhbari	B.Tech (Hons)	11-10-1971	Abolished	26-02-1998	19-10-2013	
4	Muhammad Yaseen	B.Tech (Hons)	10-04-1963	Barred	22-03-1995	25-10-2013	
5	Muhammad Afaq	D.A.E (Gen)	25-10-1961	Abolished	18-03-1983	18-03-2014	
6	Muhammad Afaq	B.Sc (Gen)	15-02-1989	Non-Penible	21-04-2014	21-04-2014	
7	Imdad Hussain Bhattani	B.Sc (Gen)	14-01-1989	Non-Penible	21-04-2014	21-04-2014	
8	Syed Saad Ullah	B.Sc (Gen)	05-02-1989	Abolished	21-04-2014	21-04-2014	
9	Shah Nawaz	B.Sc (Gen)	22-03-1988	Abolished	21-04-2014	21-04-2014	
10	Imdad Asim	B.Sc (Gen)	07-04-1989	Barred	21-04-2014	21-04-2014	
11	Sardar Raafiq Aslam	B.Sc (Gen)	23-01-1988	Abolished	04-07-2014	04-07-2014	
12	Ganapur Mohammad Abbas	B.Sc (Gen)	01-01-1990	Abolished	21-04-2014	21-04-2014	
13	Mam Gul Khan	B.Sc (Gen)	12-01-1986	S.V.A.	21-04-2014	21-04-2014	
14	Sajid Ali	D.A.E (Gen)	01-03-1962	Barred	08-09-1981	13-03-2015	
15	Muhammad Saad	B.Sc (Gen)	15-08-1962	Barred	26-11-1980	14-07-2016	Direct Graduate

Seniority No	Name	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in the Govt Service	Date of appointment/promotion in present grade	Remarks
17.	Isam-ul-Haq	D.A.E (Civil)	18-03-1963	Katara	06-04-1983	07-04-2017	
18.	Hassan Khan	D.A.E (Civil)	08-02-1963	Malakand	23-11-1984	04-01-2018	
19.	Umar Hayat	D.A.E (Mech)	18-04-1964	Mardan	20-11-1984	25-04-2019	
20.	Muhammad Yousaf	D.A.E (Civil)	20-05-1964	D.I. Katara	06-04-1983	25-04-2019	
21.	Muhammad Ali	D.A.E (Civil)	25-03-1962	Bannu	24-11-1984	15-12-2020	
22.	Muhammad Riaz	D.A.E (Civil)	21-04-1964	Swat	26-12-1985	15-12-2020	
23.	Shahid Saeed	D.A.E (Civil)	01-01-1965	Malakand	30-12-1985	15-12-2020	
24.	Anwar Khan	D.A.E (Civil)	26-08-1965	Manshera	23-12-1985	15-12-2020	
25.	Hazrat Muhammad	B.Tech (Hons)	06-04-1963	Manshera	19-02-1986	15-12-2020	
26.	Mekail Khan	D.A.E (Civil)	01-05-1965	Dir Lower	29-08-1989	15-12-2020	
27.	Najeeb-ur-Rehman	D.A.E (Civil)	09-10-1961	Bannu	27-12-1982	13-07-2021	
28.	Khuzb-ur-Rehman	D.A.E (Civil)	02-02-1963	Karak	09-02-1983	13-07-2021	
29.	Muhammad Shafiq Shah	D.A.E (Civil)	10-03-1964	Bannu	18-05-1987	13-07-2021	
30.	Abdur Rehman	D.A.E (Civil)	01-05-1963	South Waziristan	20-10-1984	13-07-2021	
31.	Jehan Zeb	D.A.E (Civil)/B.Sc (Electronics)	06-09-1963	Tank	11-10-1987	13-07-2021	In-service Graduate
32.	Muhammad Ishaq	D.A.E (Civil)/B.Sc (Civil)	01-04-1971	North Waziristan	27-02-1996	13-07-2021	In-service Graduate

The Department could not finalize seniority of the above officers being sub-judice.



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

No.SO(Estt)/PHED/13-77/2019-20
Dated Peshawar, the December 24, 2021

MOST IMMEDIATE

To

1. The Chief Engineer (South),
PHE Khyber Pakhtunkhwa Peshawar
2. The Chief Engineer (North),
PHE Khyber Pakhtunkhwa Peshawar
3. The Chief Engineer (Center),
PHE Khyber Pakhtunkhwa Peshawar
4. The Chief Engineer (East),
PHE Khyber Pakhtunkhwa Peshawar
5. The Director (Technical),
Public Health Engg: Department Peshawar
6. All Superintending Engineers,
PHE Department, Khyber Pakhtunkhwa
7. All Executive Engineers,
PHE Department Khyber Pakhtunkhwa
8. The Deputy Secretary (Tech),
PHE Department Peshawar
9. All Assistant Engineers/SDOs,
PHE Department Khyber Pakhtunkhwa

Chief Engg: East, PHE Department
Duty No. 423
Date 29/12/21
Case No E-1
CD
Supdt:

Subject: **TENTATIVE SENIORITY LISTS OF BPS-20, BPS-19, BPS-18 & BPS-17 OFFICERS OF THE PHE DEPARTMENT.**

I am directed to refer to the subject noted above and to enclose herewith tentative seniority lists of Chief Engineers (BPS-20), Superintending Engineers (BPS-19), Executive Engineers (BPS-18) and Assistant Engineers/SDOs (BPS-17) of the Public Health Engineering Department Khyber Pakhtunkhwa for information and circulation amongst the concerned officers with the request to offer objections & omissions, if any, within one month for subsequent correction before issuance of the final seniority list.

Encls: As above.


SECTION OFFICER (ESTT)

24.12.2021

ENDST: NO & DATE AS ABOVE:

Copy forwarded to PS to Secretary PHE Department, Peshawar

SECTION OFFICER (ESTT)

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GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

No.SO(Estt)/PHED/13-77/2022/Vol-X
Dated Peshawar, the January 11, 2023


To

1. The All Chief Engineers,
Public Health Engg: Department Peshawar.
2. The Director Technical,
PHE Department Khyber Pakhtunkhwa.

Subject: TENTATIVE SENIORITY LISTS OF ASSISTANT ENGINEERS / SDO (BPS-17) AND B.TECH (HONS) / DIPLOMA HOLDER ASSISTANT ENGINEERS / SDO (BPS-17) OF THE PHE DEPARTMENT.

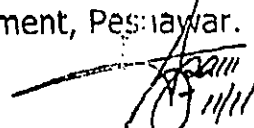
I am directed to refer to the subject noted above and to enclose herewith tentative seniority list of Sub Divisional Officers (BPS-17) of the Public Health Engineering Department Khyber Pakhtunkhwa for information and circulation amongst the concerned officers with the request to offer objections & omissions, if any, alongwith documentary proof duly attested which may be furnished within 15 days from the date of issuance the Tentative Seniority List. If any appeal is not received within the stipulated time, it will be presumed as correct.

Encl: As above.


(SHER AZAM KHAN)
SECTION OFFICER (ESTT)

ENDST: NO & DATE AS ABOVE:

Copy forwarded to PS to Secretary PHE Department, Peshawar.


(SHER AZAM KHAN)
SECTION OFFICER (ESTT)



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Dated Peshawar, the January 11, 2023

TENTATIVE SENIORITY LIST OF ASSISTANT ENGINEERS/SUB DIVISIONAL OFFICER (BPS-17) PUBLIC HEALTH ENGINEERING DEPARTMENT KHYBER PAKHTUNKHWA AS STOOD ON 11 -01-2023

Seniority No	Name	Academic Qualification	Date of Birth	Domicile	Date of 1 st Entry in the Govt. Service	Date of appointment/promotion in present grade	Remarks
1.	Muhammad Abid	B.Sc (Civil)	15-02-1989	Nowshera	21-04-2014	21-04-2014	
2.	Syed Azam Shah	B.Sc (Civil)	18-04-1994	Mardan	19-02-2021	19-02-2021	
3.	Sheh Zad Khan	B.Sc (Civil)	20-09-1992	Dir Lower	19-02-2021	19-02-2021	
4.	Attaullah	B.Sc (Civil)	09-07-1994	Malakand	19-02-2021	19-02-2021	
5.	Mazhar Khan	B.Sc (Civil)	30-08-1994	FR Bannu	15-09-2021	15-09-2021	
6.	Zia-ur-Rehman	B.Sc (Civil)	15-03-1989	Mardan	05-03-2021	05-03-2021	
7.	Wisal Khan	B.Sc (Civil)	26-03-1992	Mardan	05-03-2021	05-03-2021	
8.	Tariq Mahmood Ahmad	B.Sc (Civil)	07-04-1989	Lakki Marwat	05-03-2021	05-03-2021	
9.	Muhammad Zubair Khan	B.Sc (Civil)	18-03-1988	Khyber Agency	05-03-2021	05-03-2021	
10.	Altaur Rahman	B.Sc (Civil)	14-02-1992	Dir Lower	05-03-2021	05-03-2021	
11.	Shahab Khan	B.Sc (Civil)	24-08-1989	Swabi	05-03-2021	05-03-2021	
12.	Jehan Zeb	D.A.E (Civil)/ B.Sc (Electronics)	01-04-1971	North Waziristan	27-02-1996	13-07-2021	In-service Graduate
13.	Muhammad Ishaq	D.A.E (Civil)/ B.Sc (Civil)	04-04-1990	Malakand	1-04-2013	13-07-2021	In-service Graduate
14.	Hasib-ur-Rehman	B.Sc (Civil)	16-02-1993	Mansehra	09-11-2021	09-11-2021	
15.	Musaab Habib Bangash	B.Sc (Civil)	20-09-1995	Kohat	21-10-2021	21-10-2021	
16.	Usama Habib Bangash	B.Sc (Civil)	05-01-1993	Kohat	21-10-2021	21-10-2021	

Seniority No	Name	Academic Qualification	Date of Birth	Domicile	Date of 1st Entry in the Govt. Service	Date of appointment/promotion in present grade	Remarks
17.	Muhammad Duraiz Khan	B.Sc (Civil)	02-02-1994	Malakand	21-10-2021	21-10-2021	
18.	Muhammad Khalil-ur-Rehman	B.Sc (Civil)	02-02-1990	Swat	21-10-2021	21-10-2021	
19.	Muhammad Anees	B.Sc (Civil)	11-10-1991	Peshawar	21-10-2021	21-10-2021	
19.	Muhammad Iqbal	B.Sc (Civil)	01-03-1996	South Waziristan	21-10-2021	21-10-2021	
20.	Muhammad Abdullah Ilyas	B.Sc (Civil)	17-09-1997	Haripur	21-10-2021	21-10-2021	

15/19
21/11/23
21/12/23
Dated: 23-01-2023

To

The Secretary to the Government of Khyber Pakhtunkhwa,
Public Health Engineering Department Peshawar.

Subject: **APPEAL FOR PLACEMENT OF NAME AT APPROPRIATE POSITION
IN THE TENTATIVE SENIORITY LIST OF ASSISTANT
ENGINEERS/SUB DIVISIONAL OFFICERS (BPS-17) OF PUBLIC
HEALTH ENGINEERING DEPARTMENT KHYBER PAKHTUNKHWA
STOOD ON 11-01-2023.**


Respected Sir,

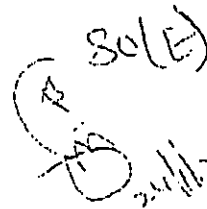
This appeal is submitted with great veneration to your sublime office that the undersigned serving as assistant Engineer/SDO BPS-17, presently posted as Planning officer in this department under your kind Administrative Exarchates. Initially I was appointed as sub engineer in this department. I got B.Sc. Civil Engineering degree from UET Peshawar and PHE Department included my name in the seniority list of in-service Graduate Sub-Engineer. According to prevailing rules of PHE Department, my due time for promotion was July 2020, however my request was not considered under 5% quota of In-service Graduate Sub-Engineers, for promotion and seniority, in spite of availability of posts in the PHE Department reserved quota for In-service Graduate. After long one year delay, PHED arranged the Departmental Promotion Committee (DPC) meeting which was held on **26-05-2021**, wherein the undersigned was considered for promotion to Assistant Engineer/Sub Divisional Officer and was subsequently appointed as Assistant Engineer/Sub Divisional Officer (BPS-17) vide notification No. SO(Estt:)/PHED/4-53-B/2021, Dated **13-07-2021**.

2. Furthermore, after latest DPC, the department prepared a combined seniority list of Assistant Engineer/Sub Divisional Officer on **04-10-2021** and being junior most on that time, my name was placed at bottom at Serial No. 32 (**Annexure-I**) which was the correct and most appropriate position. Subsequently, this department also issued an another tentative seniority list vide No. SO(Estt:)/PHED/13-77/2019-20 Dated **24-12-2021** and being junior most on that time as well, my name was again placed at bottom (Serial No. 13, **Annexure-II**) which was also the correct and most appropriate position. Presently, a tentative seniority list issued vide No. SO(Estt:)/PHED/13-

1/3

AS


24/1/2023

SO(E)

24/1/2023

Dated: 23-01-2023

77/2022/Vol-X Dated **11-01-2023**, which not followed the sequence for my name as in previous seniority lists quoted above and my name is not placed on appropriate position (Serial No. 2 or 3, **Annexure-III**). It is also pertinent to mention it here, being delaying of my promotion case, the undersigned suffered severely in respect of financing of upper and lower BPS salaries and misplacement in seniority list.

3. As per ESTACODE (Edition 2021), Pakistan Public Administration Research Centre (PPARC) Establishment Division Cabinet Secretariat Islamabad 2021.

i. "Pakistan Customs Service

Seniority-8(ii) *Grade 17.— The inter se seniority of direct recruits to **Grade 17 will be determined on the basis of order of merit, of probationers determined at the time of final passing out from the Academy for Administrative Training. The inter se seniority of the promoted officers to *Grade 17 shall be determined according to the date of their regular continuous officiation in *Grade 17. Direct recruits of a particular year, however, shall as a batch be placed junior to the officers promoted to *Grade 17 in that year".

ii. Economists and Planners Group

Seniority (13). **Grade 17.— All officers of *grade 17 will be borne on a combined seniority list of the "Economists and Planners Group". The *inter-se-seniority* of the direct recruits to *grade 17 will be determined on the basis of the order of merit of the probationers determined on the conclusion of training. The inter se seniority of officers promoted to *grade 17 will be determined with reference to the dates of their regular appointment in *grade 17 provided that officers who are selected for promotion to that grade in one batch shall, on their promotion, retain their *inter-se-seniority* in the lower grade as for seniority of direct recruits *vis-a-vis* promoted officers, the direct recruits appointed in a particular year will, as a class, rank junior to the officers appointed by promotion on regular basis in that year".

iii. Information Group

"Seniority. (9) (b). "BPS 17.— All officers of BPS 17 will be borne on a combined seniority list of the "Information Group". The *inter-se-seniority* of the direct recruits to BPS 17 will be determined on the basis of the order of merit of the probationers determined on the conclusion of training. The *inter-se-seniority* of officers promoted to BPS 17 will be

Dated: 23-01-2023

determined with reference to the dates of their regular appointment in BPS 17 provided that officers who are selected for promotion to that Grade in one batch shall, on their promotion retain their *inter-se-seniority* in the lower BPS. As for seniority of direct recruits *viz-a-viz* promoted officers, the direct recruits appointed in a particular year will, as a class, rank junior to the officers appointed by promotion on regular basis in that year.

Prayers:

(a). *My seniority may kindly be considered from the due date of promotion (July, 2020).* OR

(b). *If possible, my case may kindly be treated as according to the above quoted rules from ESTACODE (Edition 2021) of PPRAC.*

In light of the above prayers, it is requested that my name may be placed at the correct position i.e serial no. 02 or 03, in the **tentative seniority list** issued vide No. SO(Estt:)/PHED/13-77/2022/Vol-X Dated 11-01-2023 of Assistant Engineer/Sub Divisional Officer (BPS-17) as the same has not been placed at right serial No./position, please.

DA/as above.

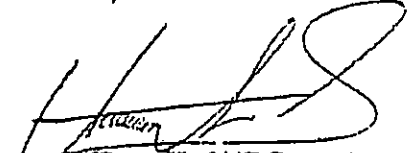
Your's Faithfully,

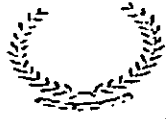

(Engr. Muhammad Ishaq)

Planning Officer-II, PHE Department

Copy of the above forwarded for information to:

1. The Section Officer (Estt.) Public Health Engineering Department Peshawar, KPK.
2. PS to Additional Secretary PHE Department Peshawar, KPK.


Planning Officer-II, PHE Department



NOTIFICATION

GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Dated Peshawar, the July 24, 2023

No.SO(Estt)/PHE/13-77/2021: In pursuance of Section 8 (5) of the Khyber Pakhtunkhwa Civil Servants Act 1973, the final Seniority of B.E/B.Sc Degree holder Assistant Engineers/Assistant Design Engineers/Sub Divisional Officers/Assistant Directors (Tech)/Assistant Technical Officers/Assistant Directors (M&E)/Assistant Director (Labs)/Assistant Director (Projects) (BPS-17) of the Public Health Engg: Department, as it stood on 11-01-2023, is notified as detailed below:

S.#	Name of Officer	Academic Qualification	Date of birth and Domicile	Date of 1st Entry in Govt. Service	Date of appointment/ promotion/absorption to present Post			Present Posting
					Date	BPS	Method of Recruitment	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	Muhammad Abid	B.Sc (Civil)	15-02-1989 Nowshera	21-04-2014	21-04-2014	17	Initial Recruitment	SDO PHE Pura Shargla
2.	Syed Azam Shah	B.Sc (Civil)	18-04-1994 Mardan	19-02-2021	19-02-2021	17	Initial Recruitment	SDO PHE Takht Bhai Mardan
3.	Sheh Zad Khan	B.Sc (Civil)	20-09-1992 Dir Lower	19-02-2021	19-02-2021	17	Initial Recruitment	SDO PHE Badkela Malakand
4.	Attaullah	B.Sc (Civil)	09-07-1994 Malakand	19-02-2021	19-02-2021	17	Initial Recruitment	SDO PHE Mata-II Swat-II
5.	Mazhar Khan	B.Sc (Civil)	30-08-1994 FR Bannu	08-11-2019	15-09-2021	17	Initial Recruitment	SDO PHE Miranshah North Waziristan
6.	Zia-ur-Rehman	B.Sc (Civil)	15-03-1989 Mardan	05-03-2021	05-03-2021	17	Initial Recruitment	SDO PHE Sub Division No.2 Nowshera
7.	Wisal Khan	B.Sc (Civil)	26-03-1992 Mardan	05-03-2021	05-03-2021	17	Initial Recruitment	Assistant Director (Technical) PHED
8.	Tariq Mahmood Ahmad	B.Sc (Civil)	07-04-1989 Lakki Marwat	05-03-2021	05-03-2021	17	Initial Recruitment	SDO PHE Sub Division, Jamrud Khyber
9.	Muhammad Zubair Khan	B.Sc (Civil)	18-03-1988 Khyber Agency	05-03-2021	05-03-2021	17	Initial Recruitment	SDO PHE Sub Division Lachi Kohat
10.	Attaur Rahman	B.Sc (Civil)	14-02-1992 Dir Lower	05-03-2021	05-03-2021	17	Initial Recruitment	SDO PHE Sub Division, Chakdara Dir Lower

S.#	Name of Officer	Academic Qualification	Date of birth and Domicile	Date of 1st Entry in Govt. Service	Date of appointment/ promotion/absorption to present Post			Present Posting
					Date	BPS	Method of Recruitment	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
11.	Shahab Khan	B.Sc (Civil)	24-08-1989 Swabi	05-03-2021	05-03-2021	17	Initial Recruitment	SDO PHE Sub Division Khar Bajaur
12.	Jehan Zeb	D.A.E (Civil)/ B.Sc (Electronics)	01-04-1971 North Waziristan	27-02-1996	13-07-2021	17	By promotion	SDO PHE Sub Division, Yakaghund Mohmand
13.	Muhammad Ishaq	D.A.E (Civil)/ B.Sc (Civil)	04-04-1990 Malakand	1-04-2013	13-07-2021	17	By Promotion	Planning Officer-II PHED
14.	Hasib-ur-Rehman	B.Sc (Civil)	16-02-1993 Mansehra	09-11-2021	09-11-2021	17	Initial Recruitment	SDO PHE Sub Division, Tor Ghar
15.	Musaab Habib Bangash	B.Sc (Civil)	20-09-1995 Kohat	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division, Mardan
16.	Usama Habib Bangash	B.Sc (Civil)	05-01-1993 Kohat	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division, Kohat
17.	Muhammad Duraiz Khan	B.Sc (Civil)	02-02-1994 Malakand	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division, Pishtakhara Peshawar-II
18.	Muhammad Khalil- ur-Rehman	B.Sc (Civil)	02-02-1990 Swat	21-10-2021	21-10-2021	17	Initial Recruitment	ADE O/o Chief Engineer (North) PHED
19.	Muhammad Anees	B.Sc (Civil)	11-10-1991 Peshawar	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division No.1 Peshawar-I
20.	Muhammad Ishaq	B.Sc (Civil)	01-03-1996 South Waziristan	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division, Lower Kurram
21.	Muhammad Abdullah Ilyas	B.Sc (Civil)	17-09-1997 Haripur	21-10-2021	21-10-2021	17	Initial Recruitment	SDO PHE Sub Division Ghazi Haripur

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

No.SO(Estt)/PHED/13-77/2021

Dated Peshawar, the July 24, 2023

Copy forwarded for information to the:

1. All Chief Engineers Public Health Engg: Department Khyber Pakhtunkhwa
2. All Superintending Engineers Public Health Engg: Department Khyber Pakhtunkhwa
3. All Executive Engineers Public Health Engineering Department Khyber Pakhtunkhwa
4. PS to Chief Secretary Khyber Pakhtunkhwa
5. PS to Secretary Public Health Engineering Department Khyber Pakhtunkhwa
6. PS to Minister for Public Health Engg: Khyber Pakhtunkhwa Peshawar
7. Manager Government Printing & Press for publication in the next issue of official gazette
8. Officers concerned
9. Office Order / Personal Files.


24/7/23
(SHER AZAM KHAN)
SECTION OFFICER (ESTT)

To

The Secretary,
Public and Health Engineering Department,
Govt. of Khyber Pakhtunkhwa, Peshawar.

SI (PHE)
No. 55-B (W.E)
Date 22/08/23

Subject: DEPARTMENTAL APPEAL AGAINST IMPUGNED SENIORITY LIST OF ASSISTANT ENGINEER/ SUB DIVISIONAL OFFICERS (BPS-17), DATED:24/07/2023.

Respected Sir,

It is most humbly submitted as under: -

1. That applicant has been rendering his services in your prestigious Department since 2013, with full devotion and hard work. Whereas, this entire era of his services remained spotless.
2. That recently, while performing his duties efficiently as Assistant Engineer/Sub-Divisional Officer/Planning Officer II, the PHE Department has been issued above mentioned impugned seniority list which is unjust in nature and not maintained in a legally prescribed manner.
3. That prior to the above-mentioned seniority list, a tentative list has also been issued by this Department, against which a departmental appeal has also been filed by the applicant (Copy annexed), a reply of which is still awaited.
4. That instead of addressing the applicant's grievance above mentioned impugned seniority list has been finalized and issued with the same illegality, which has hardly affected the precious rights of the applicant for the following reasons: -
 - A. That in July 2020, the applicant was eligible for his promotion as an in-service graduate sub-engineer under the 5% quota and the posts were also available but despite various written requests of the applicant for said promotion, the department unnecessarily delayed the matter for one year without any just cause and cogent reason. Thus, this omission on the part of the department caused physical stress and pecuniary loss to the applicant for which the applicant should not be held responsible.
 - B. That later on, the applicant was promoted to the post of Assistant Engineer/ Sub Divisional Officer (BPS-17) on 13/07/2021, in the meanwhile, from time to time seniority lists were being maintained and issued by departments that were correctly bearing the applicant's name in the appropriate position and serial number.
 - C. That applicant was astonished to find a misplacement of his position and name in the tentative seniority list dated:11/01/2023 followed by above mentioned impugned final seniority list and the initially recruited cadre was given seniority instead of the promoted cadre, who were serving the department from several years.
 - D. That depriving the applicant of his deserving appropriate position in the list mentioned above is not only unjust but also unlawful and tantamount to exploitation, unwarranted by law as well as in derogation with Article 4 of the

As
C
22/8/23

P.T.O

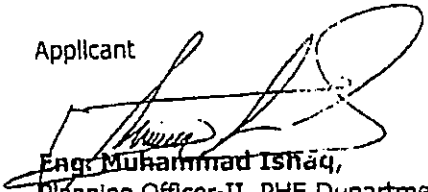
constitution of Islamic Republic of Pakistan 1973, which clearly provides that a state shall ensure elimination of all kinds of exploitation.

- E. That as per the settled Principle of law, the promoted cadre of the department shall be deemed senior in comparison with an initially recruited cadre of the same year. Similarly, the Impugned seniority list is also hit by the principles laid down in the various verdicts of the Apex Court of the country in which such seniority lists having legal errors are declared to be unlawful and unconstitutional. Thus, the applicant is not treated in accordance with the law and constitution as ensured in Article 4 of the prevailing constitution. *Je*
- F. That applicant has performed all his duties to the entire satisfaction of his superiors without any complaint from any quarter till date and has cogent reasons and eligibility to be placed at the appropriate position in the seniority list of the department as per law, on the contrary, applicant reserves his right to approach competent forum of law for redressal of his grievance.

It is therefore very humbly requested that by keeping in view above mentioned circumstances and facts the Impugned seniority list dated: 24/17/2023, may kindly be rectified and the applicant may kindly be placed at the appropriate position in the same list i.e., at serial No:02 as per law and policy, please.

Dated:18-08-2023

Applicant


Eng. Muhammad Ishaq,
Planning Officer-II, PHE Department

بعدالت

جناب جج سرورس ٹریبونل پشاور

2023ء پنجاب اپیلانٹ
بنام

موزخہ 21/12/23 -
مقدمہ
دعویٰ
جرم

باعث تحریر آئینکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آرڈر نوٹیفکیشن اور نوٹیفکیشن کے تحت BC-11-1554 کے تحت
آن مقام سماجر کیلئے آرڈر نوٹیفکیشن اور نوٹیفکیشن کے تحت آرڈر نوٹیفکیشن اور نوٹیفکیشن کے تحت آرڈر نوٹیفکیشن اور نوٹیفکیشن کے تحت
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلاف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو فرچہ درجہ جانا التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

الرقوم 21
ماہ 21 ستمبر 2023ء

العبد _____ واہ العبد _____

attested

accepted
J. J. J.

کے لئے منظور ہے۔

پشاور

بمقام