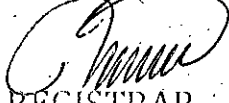


FORM OF ORDER SHEET

Court of _____

Review Petition No. 144/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	15/02/2024	<p>The Review Petition of Engineer Nasir Khan and 70 others submitted today by Mr. Fazal Shah Mohmand Advocate. It is fixed for hearing before Division Bench at Peshawar on _____. Original file be requisitioned. Parcha peshi is given to the counsel for the petitioners.</p> <p>By the order of Chairman  REGISTRAR</p>

The Joint review petition in appeal no. 1282/2022 received today i.e. on 07.02.2024 is incomplete on the following scores which is returned to the counsel for the applicant for completion and resubmission within 15 days.

- 1- Addresses of Petitioners are incomplete be completed according to rule 6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Annexure-J of the petition is illegible be replaced by legible/better one.

No. 305 /S.T.

Dt. 14/02 /2023

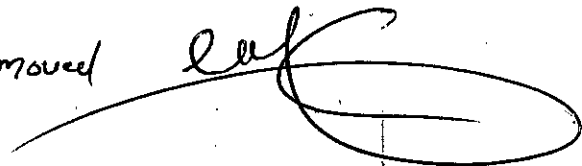


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fazal Shah Mohmand Adv.
High Court Peshawar.

① Sir,
Re submitted with of the necessary completion with request that being Review Petition, the addresses has been mentioned as per the memo of appeal, hence the case may please be placed before the honorable Tribunal.

② objection no #2 removed



15-2-23

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Review Petition No 144 /2024
In
Service Appeal No 1282/2022

Engineer Nasir Khan & others.....**PETITIONERS**

V E R S U S

Govt. and Others.....**RESPONDENTS**

I N D E X

S. No	Description of documents	Annexure	Pages
1.	Review Petition with Affidavit		1-9
2.	Application for Interim Relief with Affidavit		10-11
3.	Copy of Judgment and Order dated 13-11-2023	A	12-23
4.	Copy of Judgment dated 01-02-2022 passed in Review Petition No 444/2019	B	24-33
5.	Copies of Letters dated 21-02-2018 & Letter dated 03-09-2018	C, D	34-35
6.	Copy of KP Employees (Regularization of Services) Act, 2018	E	36-38
7.	Copies of Gazette Notifications dated 07-03-2018, 08-06-2018 and 6-07-2018	F, G & H	39-43
8.	Notifications dated 09-01-2020 & Notification dated 21-03-2019	I, J	44-49
9.	Vakalat Nama		50

Through

Dated: 07.02.2024

Petitioners

FAZAL SHAH MOHMAND

Advocate Supreme Court

Off: Cantonment Plaza Flat 3/B Khyber Bazar Peshawar

Cell# 0301 8804841

Email:- fazalshahmohmand@gmail.com

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Review Petition No. 144 /2024
In
Service Appeal No 1282/2022

1. Engineer Nasir Khan (BSc) Civil),
2. Faaiz Arbab (MBA),
3. Engineer Naveed Ishtiaq (BS Civil Engineering, BA, LAW/Political Science.
4. Ejaz Ahmad (MSc. Hons, Agriculture, MS Sociology),
5. Pir Muhammad Raza Shah (MSC. Hons Agriculture, P.G. D. Project Management UK),
6. Miss Shaista Qaisar (M. Sc. Hons Agriculture),
7. Mr. Kamran Ali Khan (MBA Marketing),
8. Mr Changez Alam Durrani (MBA HRM),
9. Mr. Khurshed Alam (MSc. Hons. Agriculture, MBA HR).
10. Engineer Arif Ullah Shah (MSc. Electrical Engineering),
11. Mr. Ijaz Ali Shah (MSc. Computer Science),
12. Engineer Muhammad Tariq (BS Civil Engineering),
13. Syed Shoaib Ali Shah (MBA, HRM/MA),
14. Miss Zainab Khatoon (MSc. Economics, EMBA),
15. Mr. Asim Javed (MBA),
16. Mr. Tahir Aman (MBA),
17. Muhammad Irfan (MBA),
18. Mr. Ali Hussain (M. Com/MBA),
19. Bilal Muhammad (BS IT),
20. Mr. Waqas Ghaus (MBA HR),
21. Mian Ayub Gul (MBA),
22. Arbab Muhammad Taimoor (MS),
23. Muhammad Shoaib (MBA HR),
24. Mr, Shahbaz Khan (MBA),
25. Engineer Yasir Adnan (BS Electrical Engineering),
26. Mr. Junaid (BS Psychology),
27. Mr. Mukhtar Ahmad (MSc, Hons Agriculture),
28. Muhammad Tariq (MBA),
29. Engineer Qazi Muhammad Zohaib (BSc Electrical Engineering, MS Electrical Engineering, MA IR/MBA),
30. Muhammad Khanan (BSc Civil Engineering),
31. Mr Asrar Ahmad (BE Civil Engineering),

32. Mr. Aftab Alam (MS GOE Technical Engineering, BSc Civil Engineering),
33. Muhammad Adeel Khan (BSC Civil Engineering),
34. Muhammad Yasir Mehsud (BSc. Civil Engineering),
35. Mr. Naveed Ullah (BSc Civil Engineering),
36. Mr. Hisb Ullah Khan (MBA),
37. Mr. Pir Tariq Shah (MBA Marketing),
38. Mr. Amjad Ali Shah (MS/IT Networking),
39. Mr. Tariq Ikram (MS Environmental Sciences),
40. Mr. Abdul Wadood Shah (MA Political Science),
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43. Mr. Khan Muhammad (MSC Statistics, MBA Finance & Accounting, MSc. Economics),
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48. Mr. Arbab Wajid Khan (MBA),
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51. Mr. Umar Hussain Khattak (MBA, Project Management/MCS Communication Engineering),
52. Muhammad Shah Khan (MS Management Sciences, MPA),
53. Dr. Sardar Ahmad (PhD Sociology),
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57. Mr Zahid Gul (BSc Civil Engineering),
58. Mr. Babar Naseem (MSc GEO Technical Engineering, BE Hons Civil Engineering),
59. Muhammad Amar Rafiq (BSc./MSc Civil Engineering),
60. Dr. Tahir Hassan (MBA Hons/M. Phill/PhD in Management Science HR),
61. Mr. Ubaid Ur Rehman (MPA/MPA Project Management),
62. Mr. Taj Muhammad Khan (Bachelor in Civil Technology),
63. Mr. Jamshed Akram (BSC Civil Engineering),
64. Mr. Mubashar Muzaffar (BSc Civil Engineering),
65. Mr. Kifayat Ullah Khan (MS Civil),
66. Mr. Safi Ullah (BSc Civil Engineering),
67. Mr. Jalal Ahmad (MBA/MS Finance),

68. Muhammad Ismail Mohmand (MBA/MS HRM),
69. Mr. Alamgir Khan (BS Economics, MBA HRM),
70. Mr. Haseeb Ullah Khan (MSc Economics/M. Phill Economics, PhD Development Economics),
71. Muhammad Kamran (MBA Finance, MS Project Management), All PPS (BPS-17) Officers of the Planning & Development Department, Government of Khyber Pakhtunkhwa, Peshawar.

..... PETITIONERS

V E R S U S

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. The Establishment Department, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Planning & Development Department, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Mr. Furqan Shafi (PPS BS-17), Planning Officer, ST & IT Department, Khyber Pakhtunkhwa, Peshawar.

..... RESPONDENTS

REVIEW PETITION AGAINST THE JUDGMENT AND ORDER DATED 13-11-2023 OF THIS HONORABLE TRIBUNAL PASSED IN THE ABOVE SERVICE APPEAL.

Respectfully Submitted:-

1. That the respondent No 4 earlier filed the mentioned Service Appeal before this honorable Tribunal which was accepted vide Judgment and Order dated 13-11-2023. (Copy of Judgment and Order dated 13-11-2023 is enclosed as Annexure A)

2. That this honorable Tribunal is very much vested with powers to review its Judgment as this honorable Tribunal has accepted Review Petition No 444/2019 in Service Appeal No 939/2015 vide Judgment dated 01-02-2022, which was even not challenged by the respondents, thus attained finality, hence instant Review Petition. **(Copy of Judgment dated 01-02-2022 passed in Review Petition No 444/2019 is enclosed as Annexure B)**
3. That the impugned Judgment and order dated 13.11.2023, is against the law, facts and principles of justice and liable to review on grounds inter-alia as follows:-

GROUND S:

- A. That the impugned Judgment and Order is illegal, void against the law and record.
- B. That the vide impugned Judgment dated 13-11-2023 it has been held that respondent No 4 is senior to the present petitioners, while in fact he is not senior to the present petitioners on any count, thus the same is coram non judice and as such liable to be reviewed on this score alone.
- C. That it is worth to note that in para 6 of the impugned Judgment Khyber Pakhtunkhwa Provincial Planning Service Rules 2018 has been referred and held that the same provide only two

methods of recruitment, it has further been mentioned that Sections 3, 4, 5 and 6 of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act 2018 enacted/notified on 7th March 2018 (herein after referred to as Act of 2018), regulate the method of regularization and seniority of the employees and general conditions mentioned in Section 5 have also been discussed and the conclusion has been drawn not in line with mentioned law, and same is the case of other paras of the impugned Judgment while only the issue of seniority has been brought before this honorable Tribunal. **(Copies of Letters dated 21-02-2018 & Letter dated 03-09-2018 are enclosed as Annexure C & D)**

D. That so far the issue of Seniority is concerned which has been incorporated in Section 5 and 6 of the Act *ibid*, Section 6 provide for seniority to those employees who are either in service on the enactment date or who have been recommended on the said date while respondent No 4 was neither in service nor was recommended on 7th March 2018, thus respondent No 4 cannot be placed senior to the petitioners. **(Copy of KP Employees (Regularization of Services) Act, 2018 is enclosed as Annexure E)**

E. That so far the issue of publication of Notification in Official Gazette is concerned, on this count too the respondent No 4 cannot be placed senior, as firstly the publication of Notification in Official Gazette is a

procedural requirement and secondly even in that Notification seniority has been assigned to the petitioners from the date of enactment of the Act *ibid* and even the same Notification assigning seniority to the petitioners from 7th march 2018, has not been impugned, thus on this score alone the impugned Judgment and Order is liable to review.

F. That it is worth to note that the petitioners were regularized vide Notification dated 07-03-2018 and subsequently the same was sent for its publication in the Official Gazette. It is worth to mention that even the Gazette Notification of some of the petitioners was published in the Official Gazette prior to the appointment of respondent No 4, i.e on 24-04-2018, 29-06-2018 & 17-07-2018, thus by no count even with reference to the date of publication of Notification in the Official Gazette, respondent No 4 is senior to such petitioners. Furthermore the petitioners could not be punished for delay in publication of Notification in Official Gazette by the respondents, being their sole domain and there is no fault of the petitioners in this respect. **(Copies of Gazette Notifications dated 07-03-2018, 08-06-2018 and 6-07-2018, are enclosed as Annexure F, G & H)**

G. That the Notification dated 09-01-2020 whereby as per the Cabinet decision, the planning oriented posts were included in the department has never

been challenged so the Judgment reported as 2013 SCMR 1752 is not relevant in the instant case, thus by not challenging the Notification dated 09-01-2020 and Notification dated 21-03-2019 whereby the petitioners have been regularized with effect from 07-03-2018, respondent No 4 is estopped to challenge the seniority as on one hand he admits the seniority of petitioners and on the other hand challenges the same, and on this count the impugned Judgment is liable to be reviewed. **(Copies of Notifications dated 09-01-2020 & Notification dated 21-03-2019 are enclosed as Annexure I & J)**

H. That it is worth to mention that KP Employees (Regularization of Services) Act 2018 has been given overriding effect as per its Section 8, thus too the impugned Judgment is liable to review.

I. That the impugned order is liable to be reviewed as the accrued rights of the petitioner have been snatched and that too for no fault on their part.

J. That the impugned Judgment and order has been passed in violation of record, facts besides principles of natural justice.

K. That the petitioners seek the permission of this honorable Court to rely upon additional grounds at the time of arguments.

It is therefore prayed that by accepting this Review Petition, the impugned Judgment and Order dated 13-11-2023 passed by this honorable Tribunal in the above mentioned Service Appeal, may kindly be reviewed, and the Service Appeal of respondent No 4 may kindly be dismissed with heavy costs:

Through

[Handwritten Signature]
Petitioners

[Handwritten Signature]
FAZAL SHAH MOHMAND
Advocate Supreme Court

Dated: 07.02.2024

CERTIFICATE:

Certified that as per instructions of my clients, no Review Petition on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal.

[Handwritten Signature]
ADVOCATE

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Review Petition No _____/2024

In

Service Appeal No 1282/2022

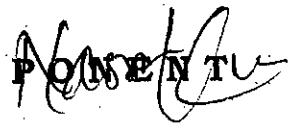
Engineer Nasir Khan & others.....**PETITIONERS**

VERSUS

Govt. and Others.....**RESPONDENTS**

AFFIDAVIT

I, **Engineer Nasir Khan**, Provincial Planning Service, Officer (BPS-17), Planning & Development Department, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Review Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

DEPONENT 

Identified by


FAZAL SHAH MOHMAND
Advocate Supreme Court.



10

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Review Petition No _____/2024

In

Service Appeal No 1282/2022

Engineer Nasir Khan & others.....**PETITIONERS**

V E R S U S

Govt. and Others.....**RESPONDENTS**

**APPLICATION FOR THE SUSPENSION OF THE
OPERATION OF THE IMPUGNED ORDER AND
JUDGMENT DATED 13-11-2023, TILL THE FINAL
DISPOSAL OF THIS REVIEW PETITION.**

Respectfully Submitted:

1. That the above titled Review Petition is being filed today; in which no date of hearing has been fixed so far.
2. That the facts and grounds of Review Petition may kindly be considered as integral part of this application.
3. That the applicants/Petitioners have got good prima facie case and are sanguine of its success.
4. That the balance of convenience also lies in favor of the applicants/petitioners.

5. That in the given circumstances if the impugned Judgment and order is not suspended the applicants/petitioners would suffer irreparable loss.

It is therefore prayed that on acceptance of this application, the impugned Judgment and Order dated 13-11-2023, may kindly be suspended till the final disposal of the titled Review Petition.

Nasir Khan
Petitioners

Through

Fazal Shah Mohmand
FAZAL SHAH MOHMAND
Advocate Supreme Court

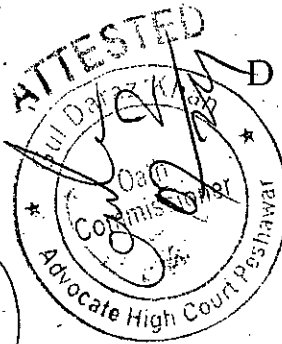
Dated: 07.02.2024

A F F I D A V I T

I, Engineer Nasir Khan, Provincial Planning Service, Officer (BPS-17), Planning & Development Department, Khyber Pakhtunkhwa, Peshawar, (the petitioner), do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

Fazal Shah Mohmand
FAZAL SHAH MOHMAND
Advocate Supreme Court.



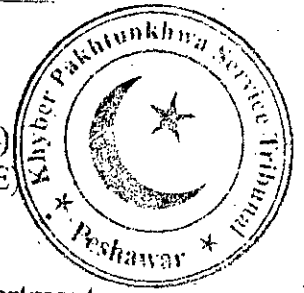
Nasir Khan
DEPONENT

(12) A

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1282/2022

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)
MR. MUHAMMAD AKBAR KHAN ... MEMBER (E)



Mr. Furqan Shafi (PPS-BS-17), Planning Officer, ST & IT Department,
Khyber Pakhtunkhwa, Peshawar.

.... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. The Establishment Department, Government of Khyber Pakhtunkhwa, through Secretary Establishment, Civil Secretariat, Peshawar.
3. The Planning & Development Department, Government of Khyber Pakhtunkhwa, through Secretary P & D, Civil Secretariat, Peshawar.
4. Engineer Nasir Khan (BSC Civil)
5. Mr. Faaiz Arbab (MBA)
6. Engineer Naveed Ishtiaq (BS Civil Engineering, BA Law/Political Science)
7. Mr. Ejaz Ahmad (Msc. Hons Agriculture, MA Sociology)
8. Pir Muhammad Raza Shah (Msc. Hons Agriculture, P.G.D Project Management UK)
9. Ms. Shaista Qaiser (Msc Hons Agriculture)
10. Mr. Kamran Ali Khan (MBA Marketing)
11. Mr. Changcz Alam Durrani (MBA HRM)
12. Mr. Khurshid Alam (MSc Hons Agriculture, MBA HR)
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14. Mr. Ijaz Ali Shah (Msc Computer Science)
15. Engineer Muhammad Tariq (BS Civil Engineering)
16. Syed Shoaib Ali Shah (MBA HRM/MA)
17. Ms. Zainab Khatoon (Msc Economics, EMBA)
18. Mr. Asim Javed (MBA)
19. Mr. Tahir Aman (MBA)
20. Muhammad Irfan (MBA)
21. Mr. Ali Hussain (M.Com/MBA)
22. Pir Bilal Muhammad (BS IT)
23. Mr. Waqas Ghaus (MBA HR)
24. Mian Ayub Gul (MBA)
25. Arbab Muhammad Taimur (MS)
26. Muhammad Shoaib (MBA HR)
27. Mr. Shahbaz Khan (MBA)
28. Engineer Yasir Adnan (BS Electrical Engineering)
29. Mr. Junaid (BS Psychology)
30. Mr. Mukhtar Ahmad (Msc Hons Agriculture)
31. Muhammad Tariq (MBA)
32. Engineering Qazi Muhammad Zohaib (BSc Electrical Engineering, MS Electrical Engineering, MA IR/MBA)
33. Muhammad Khanan (BSc Civil Engineering)

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

34. Mr. Asrar Ahmad (BE Civil Engineering)
 35. Mr. Aftab Alam (MS GOE Technical Engineering, BSc Civil Engineering)
 36. Muhammad Adeel Khan (BSc Civil Engineering)
 37. Muhammad Yasir Mehsud (BSc Civil Engineering)
 38. Mr. Naveed Ullah (BSc Civil Engineering)
 39. Mr. Hisbullah Khan (MBA)
 40. Mr. Pir Tariq Shah (MBA Marketing)
 41. Mr. Amjad Ali Shah (MS/IT Networking)
 42. Mr. Tariq Ikram (MS Environment Sciences)
 43. Mr. Abdul Wadood Shah (MA Political Science)
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 46. Mr. Khan Muhammad (MSc Statistics, MBA Finance & Accounting, MSc Economics)
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 53. Mr. Sami ullah (MA Environmental Sciences)
 54. Mr. Umar Hussain Khattak (MBA, Project Management/MCS Communication Engineering).
 55. Muhammad Shah Khan (MS Management Science, MPA)
 56. 22Dr. Sardar Ahmad (PhD Sociology)
 57. En2gineer Ubaid Khan (BSc Civil Engineering)
 58. Mr. 22Ijaz Ahmad Khan (BSc Civil Engineering)
 59. Mr. Mujahid Naseer (MSc Construction Engineering, BSc Civil Engineering)
 60. Mr. Zahid Gul (BSc Civil Engineering)
 61. Mr. Babar Nascem (Msc GEO Technical Engineering, BE Hons Civil Engineering)
 62. Muhammad Aamar Rafiq (BSc/ MSc Civil Engineering)
 63. Dr. Tahir Hassan (MBA Hons/ M.Phil/PhD in Management Science HR)
 64. Mr. Ubaid Ur Rehman (MPA/ MPA Project Management)
 65. Mr. Taj Muhammad Khan (Bachelors in Civil Technology Hons)
 66. Mr. Jamshed Akram (BSc Civil Engineering)
 67. Mr. Mubashar Muzaffar (BSc Civil Engineering)
 68. Mr. Kifayat Ullah Khan (MS Civil)
 69. Mr. Safi Ullah (BSc Civil Engineering)
 70. Mr. Jalal Ahmad (MBA/ MS Finance)
 71. Muhammad Ismail Mohmand (MBA/MS HRM)
 72. Mr. Alamgir Khan (BS Economics, MBA HRM)
 73. Mr. Haseebullah Khan (MSc Economics/ M.Phil Economics, PhD Development Economics)
 74. Muhammad Kamran (MBA Finance, MS Project Management)
- Respondents 4-74 are PPS BS-17 Officers of the planning & Development Department to the Government of Khyber Pakhtunkhwa.

.... (Respondents)

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Mr. Ali Gohar Durrani
Advocate ... For appellant

Mr. Haris Iqbal
Advocate ... For private respondents

Mr. Asad Ali Khan
Assistant Advocate General ... For official respondents

Date of Institution.....18.07.2022
Date of Hearing.....13.11.2023
Date of Decision.....13.11.2023

JUDGMENT

RASHIDA BANO, MEMBER (J): The instant service appeal has been instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 with the prayer copied as below:

“In view of the above, it is humbly prayed that this honorable Court may graciously be pleased to:

- a) Declare the final seniority list No.SO(E)P&D/3-4/PPS/SL/2020 dated 25-05-2022 to be arbitrary, illegal, unlawful and without any authority and that the Appellant be placed at seniority list above the respondents who were regularized into service as against regular appointment into service.
- b) Direct the respondents that the judgment of the Honorable Supreme Court reported in 2013 SCMR 1752 be implemented in letter and spirit in respect of the Khyber Pakhtunkhwa Provincial Planning Service Cadre and violation of the said judgment be strike down.
- c) Direct that the appellant be treated in accordance with the law and that all actions in negation of the law are to be strike down.
- d) Any other relief deemed appropriate in the circumstance of the case may also be granted.”

R

ATTESTED

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

2. Brief facts of the case, as given in the memorandum of appeal, are that appellant are part of the planning Service Cadre of the Government of Khyber Pakhtunkhwa who after getting the appointment in BES-17 in the said cadre on 03.09.2018. The Government of Khyber Pakhtunkhwa Planning Service Rules 2018 was promulgated which provides to regulate the Planning service cadre and the service structure. The ibid rules were published in through Notification No.SO(E)P&D/6-1/SR/PPD/2018 dated 22.02.2018. Subsequently, the Khyber Pakhtunkhwa (Regularization of Services Act, 2018 was passed and after receiving assent of the Governor in the March, 2018 was promulgated. The said Act resulted in regularization of services of employees working against project post under the P&D Department of Government of Khyber Pakhtunkhwa. The department issued a tentative seniority list, wherein, the appellant already holding the post in regular service of the Planning Cadre and those other officers whose services were regularized on the strength of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, were dealt with by the department in the common seniority list. In the tentative seniority list, so issued on 20.02.2020, the appellant was shown at Serial No.23 which according to him is not a proper place and he filed representation against the said seniority list on 04.03.2020. Subsequently, the respondents issued another seniority list on 23.10.2020 and the appellant, who was initially shown at serial No. 23 of the tentative seniority dated 20.02.2020 for employees in BPS-17, was suddenly sent to Serial No.105 of the subsequent seniority list. The appellant also filed representation against the subsequent seniority list on 29.10.2020 but no response was given from the department. Similarly another tentative seniority was also issued on 11.04.2020 with the similar placement of the appellant at serial No.105. Final seniority list was issued on 25.05.2022 whereby appellant was placed at serial No.101 in negation of the law and rules

ATTESTED

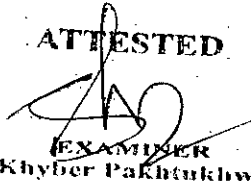
K. KAMRAN
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

on the subject. Appellant filed representation against the said final seniority on 08.06.2022, which was regretted on 04.07.2022. He believes that his seniority was disturbed due to encadrement of the outsiders. The appellant concluded factual part of his appeal with the submission in respect of the illegality committed by issuance of the final seniority list dated 25.05.2022 and encadrement of employees notified vide notification dated 09.01.2020 by including them in the Provincial Planning Service Cadre. The appellant has approached this Tribunal for the solicited relief described under the prayer part of his memorandum of appeal at its end.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant, learned counsel for private respondents as well as the learned Assistant Advocate General and perused the case file with connected documents in detail.

4. Learned counsel for the appellant argued that appellant has not been treated in accordance with law and respondents violated Article 4, 8, 9, 18 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. He further argued that appellant under the law is required to be placed at serial No. 23 of the seniority list instead of serial No. 105 and private respondents have wrongly placed senior to the appellant and the appellant has been discriminated against by going in negation of the Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018 and the said deviation and negation is unwarranted and not recognized by the law. He submitted that seniority of the appellant issued by the respondents are substantially against the Regularization of Employees Act, 2018 but also in violation of the Appointment, Promotion and Transfer Rules, 1989.

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

5. Conversely, learned counsel for private respondents assisted by learned Assistant Advocate General contended that the appellant has been treated in accordance with law and rules and no fundamental rights of the appellant have been violated and no illegal and unjust acts have been done by the respondents. He further contended that respondents by taking into account the PPS Service Rules and in light of the Provincial Cabinet decision made in its meeting held on 09.05.2019, all planning oriented posts in BPS-17 and above of newly regularized components/units of P&D Department and Planning Cells of Administration Departments, Civil Secretariat alongwith incumbents as well as left over posts were included in the Schedule-I of the PPS Service Rules vide Notification dated 09.01.2020. Since the regularized employees were included in the Schedule-I of the PPS Service Rules alongwith posts, therefore, they did not affect promotion quota of the appellant rather inclusion of posts widen/enhanced the promotion prospects of the PPS Officers.

6. Perusal of record reveals that appellant applied for the post of Planning Officer ST & IT Department in response of advertisement of Khyber Public Service Commission dated 29.12.2016, to which after recommendation by Public Service commission was appointed on 03.09.2018, The Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018 provide method of initial recruitment, promotion and training of planning service cadre and entire service structure of Khyber Pakhtunkhwa Province. Beside these two no other mode and method of recruitment to a post is available/mention in these rules. Khyber Pakhtunkhwa Assembly passed Khyber Pakhtunkhwa Employees (Regularization of Service Act) 2018 which was accented by Governor on 7th March 2018. Section 3 and 4 of the Act provides for regularization of the adhoc and project employees which will take effect from the date of commencement of the Act both section are reproduce here for ready reference;

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3. Regularization of Service of Adhoc Employees:--

Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (c) of sub-section (1) of section 2 of this Act, appointed on Adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of Service of Project Employees:--

Notwithstanding anything contained in any law or rules, the employees at sub-clause (c) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department:

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No.XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No.XV of 2012)."

Protection is given to the service structure and seniority of in service civil

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servant in section 6 which deals with the seniority which read as;

Seniority.--(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed in the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre.

8. In accordance with section 6 civil servant whose services are regulated under this act shall rank junior to all civil servants belonging to same service or cadre. The matter of inter-se-seniority of the civil servants whose services were regularized as result of Act, 2018 is also dealt with in section 6 and which will be determined on the basis of their continuous officiation in such service or cadre. The most important factor is general condition for regularization of services of project/contract/adhoc employees which are prerequisite for regularization and are given in section 6 of the Act which are:

"5. General conditions for regularization:---For the purpose of regularization of the employees under this Act, the following general

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conditions shall be observed:

- i) The service promotion quota of all service cadres shall not be affected;
- ii) The employees shall possess the same qualification and experience as required for a regular post;
- iii) The employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- iv) The services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

9. Respondent after promulgation of this Act of 2018 issued notification dated 09.01.2020 whereby newly regularized components/units of Planning & Development Department and Planning Cell of Administrative Department were encadred in planning cadre of BPS-17 and above through addition to schedule 1 of Provincial Service Rules of 2018. The Government of Khyber Pakhtunkhwa vide letter dated 17.05.2019 issue direction to all Administrative Secretaries to the Government for provision of planning related post/officers in BPS-17 and above for assessment/suitability for its inclusion in schedule data of PPS cadre. Respondent after absorption of all the cadres issued seniority list dated 20.02.2020 wherein appellant was shown at serial No.23 of the seniority list upon which appellant filed his objection but instead of answering objection of the petitioner respondent again issued another seniority list on 23.10.2022 which is totally in negation of settled service rules and judgment of apex court reported in 2013 SCMR 1752 which was duly sent to Administrative Department by government of Khyber Pakhtunkhwa vide letter dated 31.01.2014. Appellant was placed at serial 105 from Serial No.23 in the

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seniority list of BPS-17 issued on 23.10.2020 without any justification. Appellant also filed objection upon this tentative seniority list which was rejected in violation of law and rules which was not responded and final seniority list of BPS-17 was issued on 25.05.2022 upon which appellant filed objection 08.06.2022 which was regretted on 04.07.2022 without giving any reason.

10. For determination of controversy in issue there are three provisions i.e. section 3, 4 and 5 in the Khyber Pakhtunkhwa Employees (Regularization of Service, Act) 2018. Section 3 and 4 of the Act 2018 deals with considering the appointments of all the adhoc and project employees as validly appointed on regular post from the date of commencement of this Act which means post of project employee who hold it under project will be deem to have been regular post and its incumbent will be consider validly appointed on regular basis after commencement of the Act, 2018.

11. For regularization of a employees there are general conditions which will haveto be fulfilled before regularization of service of a project or adhoc employee out of which condition No.4 is;

(iv) The services of such employees shall be deemed to have been regularized only on the publication of their names in the official gazette.

So publication of names of the regularized employees is condition pre-requisite for giving effect of regularization to the service of adhoc/project employees, until and unless names of the regularized employees are not published in official gazette, therefore, they will not be considered regularized in accordance with above mentioned condition. This condition is embodied in the statute which will have to be given preference upon all others decision or policy if any on the subject. Respondent names were published in the official gazette on 29th Junc, 2022 even after issuance of final seniority list on

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal

25.05.2022. At the time of issuance of seniority list service of the project and adhoc employees were not considered as regularized, keeping in view condition No 4 mentioned in general condition of section 5 of the Act 2018, therefore in our humble view respondent are not senior to the appellant who came through passing competitive exam in year 2018 who in accordance with judgment of apex court will rank senior to the regularized employees.

12. It is also pertinent to mention here that appellant was appointed upon recommendation of Public Service Commission as a consequence of requisition of the same by the government in year 2016 because posts of the appellant were advertised vide advertisement No.6 of 2016 dated 29.12.2016 which means that government has sent requisition much earlier than promulgation of Khyber Pakhtunkhwa Employees Regularization of Service Act, 2018 which was promulgated on 07.03.2018. So in accordance with Rules 17 of (AP) Rules of 1989 appellant is senior from the respondents because process of their recruitment/appointment was initiated on 29.12.2016 and Act on the strength of which services of the respondent were regularized was promulgated on 07.03.2018.

13. For what has been discussed above, it is held that appellant is senior from private respondent No. 4 to 74 and final seniority list dated 25.05.2022 is not in accordance with rules on the subject, hence respondents are directed to place appellant at due and proper place in the seniority. Costs shall follow the event. Consign.

14. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 13th day of November, 2023.*

(MUHAMMAD AKBAR KHAN)

Member (E)

(RASHIDA BANO)

Member (J)

*Kaleemullah

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar


ORDER

13.11.2023 1 Learned counsel for the appellant present. Mr. Mohammad Jan learned Asad Ali Khan learned Assistant Advocate General alongwith Mr. Asad Khan, S.O for the respondents present..

2. Vide our detailed judgement of today placed on file, the appeal in hand is allowed as prayed for. Costs shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 13th day of November, 2023.*


(MUHAMMAD AKBAR KHAN)
Member (I)


(RASHIDA BANO)
Member (J)

(24)

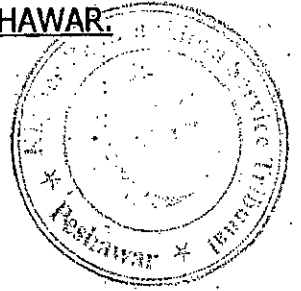
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Review Petition No. 444/2019

Date of Institution ... 25.11.2019

Date of Decision ... 01.02.2022



Muhammad Sohail, Ex-Deputy Secretary (BPS-18), Industries, Commerce and Technical Education Department Khyber Pakhtunkhwa Peshawar. R/O House No. 31, Street No. 9-A Gulbahar Colony No. 2, Peshawar City.

... (Petitioner)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and two others.

...(Respondents)

Present.

Mr. Fazal Shah Mohmand,
Advocate

... For Petitioner.

Mr. Muhammad Adeel Butt,
Addl. Advocate General,

... For respondents.

MR AHMAD SULTAN TAREEN
MR. ATIQ-UR-REHMAN WAZIR,

... CHAIRMAN
... MEMBER(E)

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN:- Through the Review Petition described above in the heading, the petitioner has prayed for the relief as copied below:-

"1. Upon acceptance of this leave to file review appeal, the appellant pray as below:-

1.1. The decision/order announced dated 13.06.2016 may please be reviewed and set aside on humanitarian ground.

1.2. The appellant appeal/case may please be transferred to the Establishment Department to conduct re-inquiry/hearing."

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2. The facts stated in the Review Petition precisely include that the petitioner was proceeded against under the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 and penalty of removal from service was imposed upon him vide order dated 19.05.2015. He filed departmental appeal which was rejected vide order dated 05.08.2015. Consequently, Service Appeal No. 939/2015 was preferred before this Tribunal. The service appeal was adjudicated upon by the Tribunal under due course and vide judgment dated 13.04.2016, the penalty of removal from service was converted into that of compulsory retirement.

3. The grounds urged in the Review Petition include that no original documents were presented by the respondents before the departmental enquiry committee, and before this Tribunal; that the episodes of departmental enquiry, review petition and proceedings before this Tribunal were misguided by presenting a photocopy of fabricated, concocted, false and baseless letter provided by the Establishment Department, having no legal status under the *Qanun-e-Shahadat* Ordinance, 1984; that no relevant and specific documentary proofs were presented; that the evidence presented by the respondents was based on mere verbal statements specifically the statement of Mr. Naeem Khan which was used to build ground to initiate departmental proceedings; that the appellant was not treated in accordance with the basic principles of law and his rights guaranteed under the law were violated; that no legal proceedings were adopted to conduct departmental enquiry and awarded major penalty of removal from service; that the charges leveled against the appellant were never proved in the enquiry; and that the appellant never committed any act or omission which should be termed as misconduct.

A. Qureshi

4. Arguments advanced on behalf of the petitioner and by learned AAG on behalf of the respondents have been heard. Copies of the record comprising

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judgment dated 13.04.2016 of this Tribunal, charge sheet/statement of allegations and reply, enquiry report and proceedings, show cause notice and reply, among others as annexed with the Review Petition have been perused.

5. The maintainability of this review petition is the first point for determination before embarking upon reviewability of the impugned judgment. Needless to say that this Tribunal has been established under the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with defined jurisdiction by the same statute. According to sub section (2) of Section 3 of the said Act, the Tribunal has been vested with exclusive jurisdiction in respect of matters relating to terms and conditions of service of civil servant including disciplinary matters. Section 4 of the Act ibid provides that any civil servant aggrieved by any final order, whether original or appellate made by departmental authority in respect of any of the terms and conditions of his service may prefer an appeal to the Tribunal having jurisdiction in the matter. However, Section 4 ibid does not provide right of appeal for civil servant in disciplinary matters. The right of appeal in disciplinary matter has been provided specially under Rule 19 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 which is copied below for ready reference:-

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"19. Appeal before Khyber Pakhtunkhwa Services Tribunal-

(1) Notwithstanding anything contained in any other law or rules for the time being in force, any Government servant aggrieved by any final order passed under rule 17 may, within thirty days from the date of communication of the order, prefer an appeal to the Khyber Pakhtunkhwa Service Tribunal established under the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974(Khyber Pakhtunkhwa Act No. 1 of 1974)

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Service Tribunal
Peshawar

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6. In view of the above legal position, a civil servant has been given right of appeal generally in respect of any of the terms and conditions of his service under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 while specially under Rule 19 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 in respect of disciplinary matters.

7. The Khyber Pakhtunkhwa Service Tribunal Act does not specifically provide for right to file a review petition before the Service Tribunal against its decision made in pursuance to the appeal preferred under Section 4 of the Act or Rule 19 of the Government Servants (E&D) Rules, 2011. Khyber Pakhtunkhwa Service Tribunal Rules, 1974 have been framed in pursuance to Section 11 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 for carrying out the purpose of the said Act. However, the said rules are also silent about review petition. In general sense, the purpose of review petition is to make a request/submission for reconsideration of a decision already made by a Court/Tribunal for the purpose of making changes or making of fresh decision. In the strict legal sense, a court or Tribunal having given a final decision become *functus officio* and review of the decision thereafter is subject to the jurisdiction expressly provided by law or derived impliedly. In the present case, this Tribunal has got no express jurisdiction provided under the Act or Rules discussed above to embark upon review of its own decision. However, Federal Service Tribunal (FST) established under the federal legislation i.e. Service Tribunals Act, 1973 (LXX of 1973) has been vested with review jurisdiction under section 4A of the said Act. The same is copied herein below:-

"4A. Review.—(1) A Tribunal shall have the power to review its final order on a review petition filed by an aggrieved party within thirty days of the order on the following grounds, namely:-

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- (i) *discovery of new and important matter or evidence which, after exercise of due diligence, was not within knowledge of the petitioner or could not be produced by him at the time when the order was passed;*
 - (ii) *on account of some mistake or error apparent on the face of record; or*
 - (iii) *for any other sufficient cause."*
- (2) *The Tribunal shall decide the review petition within thirty days.*
- (3) *The Tribunal may confirm, set aside, vary or modify the judgment or order under review."*

8. FST and all provincial service tribunals including Khyber Pakhtunkhwa Service Tribunal have been established in pursuance to Article 212(1)(a) of the Constitution of Islamic Republic of Pakistan obviously with different territorial jurisdictions. Adjudicatory jurisdiction, which refers to the power of a tribunal to hear an appeal, is common for all the said tribunals as provided under section 4 of respective Service Tribunal Acts. However, unlike Provincial Service Tribunals, FST has been vested with express powers of review under section 4A copied above in addition to its basic adjudicatory jurisdiction under section 4 of Service Tribunal Act, 1973. Article 240 of the Constitution of Pakistan relates to appointment to Service of Pakistan and conditions of service. The Service of Pakistan as defined by Article 260 of the Constitution means any service, post or office in connection with the affairs of the Federation or a Province. Needless to say that FST exercises jurisdiction in connection with appeals of Federal Civil Servants who make part of the Service of Pakistan and the power of review has been expressly given to FST under Section 4A of the Service Tribunal Act, 1973 in the cases of such civil servants which the Provincial Service Tribunals lack in absence of appropriate legislation

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for the sake of bringing conformity in the adjudicatory jurisdiction as the Provincial Civil Servants also make part of Service of Pakistan like the Federal Civil Servants. Therefore, if a civil servant in the province seeks review of the judgment of this Tribunal, he being part of the Service of Pakistan like Federal Civil Servants cannot be compelled to avoid seeking review when there is no specific prohibition in this respect in the Khyber Pakhtunkhwa Service Tribunal Act, 1974. On the other hand, having regard to general conformity of jurisdiction of FST and Khyber Pakhtunkhwa Service Tribunal, borrowing of review jurisdiction by the latter from the former is best suited to the purposes of Article 4 read with Article 25 of the Constitution of Pakistan. Hence, the review petition at hand is held as maintainable.

9. Coming to reviewability of the judgment passed by this Tribunal against the petitioner, it is apt to reproduce herein below the concluding part of the impugned judgment:-

"We have carefully perused the record and have come to the conclusion that all codal formalities for disciplinary action against the appellant have been fulfilled by the respondent department. He has been given full opportunity of defense and hearing. Since charge No. 2 and No. 3 stands proved against the appellant, therefore, he has been punished. The major punishment awarded to the appellant is that of removal from service however it was observed that the appellant has rendered about thirteen years of service. Presently he was in grade-18 which shows that he was promoted from grade-17. Since Section-19 of the Civil Servant Act, 1973 provides for compassionate allowance not exceeding two-third of the pension or gratuity to dismissal/removed Government Servant on compassionate ground, therefore, the Tribunal is inclined to form the opinion that though penalty of removal from

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 KHYBER PAKHTUNKHWA
 SERVICE TRIBUNAL
 PESHAWAR

service and that of compulsory retirement both falls in the domain of major punishment yet the latter is lesser harsh. We therefore, deem it appropriate to convert the appellant punishment of removal from service into that of compulsory retirement."

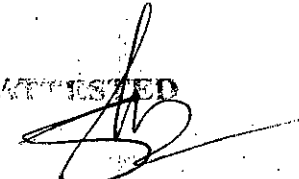
10. The conditions which work for review of a judgment are as follow:-

- (i) discovery of new and important matter or evidence which, after exercise of due diligence, was not within knowledge of the petitioner or could not be produced by him at the time when the order was passed;
- (ii) on account of some mistake or error apparent on the face of record; or
- (iii) for any other sufficient cause.

11. In order to see whether any of the above conditions is instrumental to make the review of impugned judgment possible, we have to have recourse to the charge sheet served upon the petitioner for formal inquiry. The said charge sheet includes three heads of charge as copied below:-

- i) **You issued the fake Environment Protection Agency approval to 780 BTS sites for Pakistan Communication Limited (Mobilink).**
- ii) **You, yourself delivered the fake Environmental Protection Agency approval to 780 BTS sites for Pakistan Mobile Communication Limited (Mobilink) to the office of Chief Secretary, Khyber Pakhtunkhwa and Secretary Environment.**

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 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

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iii) **You had no official relation being a Deputy Secretary Industry with the EPA Environmental Approval but got yourself involved in it.**

12. According to inquiry report, first charge was not proved. The second charge as per Findings of Inquiry Committee was proved. The said charge relates to delivery of EPA approval in office of the Chief Secretary. The said committee as per its observation was concerned that a letter which was neither addressed nor endorsed to the Chief Secretary Khyber Pakhtunkhwa had been registered under Diary No. 10269 on 25th September, 2013 by Mr. Zafrullah, Junior Clerk, Chief Secretary Office. His statement that he received it with "positive intention" was noted with a question by the Committee that what could have been that "positive intention"? The Inquiry Committee itself answered that this was a lapse on part of him (Zafrullah). The Committee then embarked upon discussion of statements of other persons having no relevancy at all to proof of second charge but there seems no effort on part of the inquiry committee to dig out that who actually delivered the EPA approval to Mr. Zafarullah, Junior Clerk, Chief Secretary Office. When no evidence was brought on record to prove the charge that the petitioner had delivered the EPA approval in Chief Secretary's office, it was not warranted for the Inquiry Committee to give findings as to proof of said charge against the accused/petitioner. The third charge was itself inconsequential and it could work when there was no second opinion as to proof of the second charge. As already noted that first charge was not proved against the petitioner even during the departmental proceedings while second charge was held as proved quite imaginatively just to show something against the accused let it be with findings highly irrational and farfetched.

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CHIEF SECRETARY
KHYBER PAKHTUNKHWA
ISLAMABAD

13. The concluding part of the judgment of this Tribunal impugned for review has already been reproduced herein above. Accordingly, it was concluded that all codal formalities for disciplinary action against the appellant (present petitioner) have been fulfilled by the respondent department. He has been given full opportunity of defense and hearing. Since charge No. 2 and No. 3 stand proved against the appellant, therefore, he has been punished. As far as fulfillment of codal formalities for disciplinary action is concerned, it is a matter relating to due process which the departmental authorities are bound to ensure in the proceedings but it also makes part of due process that evidence collected during inquiry is appraised impartially having regard to its probative value. Prior to initiation of disciplinary proceedings, there were only verbal allegations against the accused/petitioner which culminated into three heads of charges already discussed above. The inquiry report if read as a whole is mostly imaginative and unsupported by any tangible material. The factual details followed by pro and contra arguments were summed up in paragraph 10 of impugned judgment of this Tribunal which includes the findings that it is established on record that NOC in question was a fake document. Charge No. 2 pertains to the delivery of this fake document about which the inquiry committee reached on the conclusion that the document had been delivered by appellant himself to Muhammad Naeem, PS of the Secretary Environment. The finding is based on statement of Muhammad Naeem. May be there would have been a case of an allegation against the petitioner at the stage of facts finding that he delivered fake NOC to afore-named Mr. Muhammad Naeem but this allegation did not make part of the charge sheet or statement of allegations served upon accused/petitioner in the course of formal disciplinary proceedings. The findings in the impugned judgment of this Tribunal in this respect and believing the proof of second charge are beyond the scope of

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Interview Call Letter



Phone : 091-0213780, 0213883
EXT : 400
Website : www.kppsc.gov.pk

KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION
2-Fort Road, Peshawar Cantt.

No: PSC/SR-III 040/0
Dated: 21/2/2018

Post paid Booked
Peshawar G.P.O

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FURQAN SHAFI S/O MOHAMMAD SHAFI
231 A, KHADIM HUSSAIN ROAD, CHARLALA CANTT, RAWALPINDI

Subject: RECRUITMENT TO TWO (02) POST(S) OF PLANNING OFFICER
(BPS-17) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
(ADVT: NO. 06/2016, S.NO. 6)

In response to your application for the subject cited post(s), you are provisionally called for interview in the Commission's Office at 2-Fort Road, Peshawar Cantt. (Near Governor House) at 08:30 A.M on Thursday, 01 March, 2018 for Oral Test (interview). Please bring original certificates, degrees and testimonials which will be returned to you on conclusion of your interview.

2. You should rectify the following ticked deficiencies if any, Three (03) days before the interview positively, failing which the Commission will reject your application and shall not interview you for the above post:-
Attested copy of:-

1	Original and provisional certificates of SSC / FA / FSC.
2	Original and provisional degree of Bachelor / Master / B.Ed / M.Ed / M.Phil / PhD.
3	Character certificate(s) from two responsible persons and also from the institution last attended.
4	Your / Husband's Domicile Certificate.
5	CNIC / three photographs.
6	Departmental Permission Certificate from the competent authority.
7	Column No.s of the application form unfilled.
8	All Detail Marks Certificate (s).
9	
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(Superintendent)

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GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

No. SO(E)P&D/8-1/Req/2018/Vol-IV
Dated Peshawar, September 03, 2018



To

Mr. Furgan Shafi S/O Muhammad Shafi,
Resident of H. No. 231-A, Khadim Hussain Road,
Chakhtla Rawalpindi.

Subject: **RECRUITMENT AGAINST THE POST OF PPS BS-17.**

I am directed to refer to the subject noted above and to state that Public Service Commission, Khyber Pakhtunkhwa has recommended you for your appointment to the post of Provincial Planning Service (PPS BS-17), subject to the medical fitness and verification of your testimonials.

You are therefore directed to furnish medical fitness certificate, character certificate duly attested/ signed by two gazetted officers as well as verified testimonials (Matric to M.A/M.Sc).

(WAQAS GHOUS)
Section Officer (Estt.)

Endst. Of even Number & Date.

Copy forwarded to the PS to Secretary, P&D Department.

Section Officer (Estt.)

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5. **Overriding effect.**— Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules to the extent of inconsistency to this Act shall cease to have effect.

Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018

Khyber Pakhtunkhwa Act No. X of 2018

AN ACT to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of Khyber Pakhtunkhwa

2nd Mar 2018

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of Khyber Pakhtunkhwa;

It is hereby enacted as follows:

1. Short title, application and commencement. — (1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions. — (1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means the appointment of a duly qualified person, for a specific period, made against project posts, in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) "Government" means the Government of Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified, -

(i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis

against civil posts w.e.f. 4th July, 2017 and holding such civil posts till the commencement of this Act; and

(ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;

(f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;

(g) "law or rule" means law or rule, for the time being in force governing the selection and appointment of civil servants;

(h) "project" means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery duly identified by the Departments and reflected in the Schedule;

(i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;

(j) "project post" means a post in the project; and

(k) "Schedule" means a Schedule appended to this Act.

(2) The expression "adhoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of adhoc employees.—

Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.—

Notwithstanding anything contained in any law or rules, the employees of sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

Provided that the terms and conditions of services of employees reflected at S. No. 5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act XXIV of 2010) and Regularization made thereunder, and the terms and conditions of services of employees reflected at S. No. 6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.— For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the service of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. Seniority. – (1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act; and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. Removal of difficulties. – If any difficulty arise in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. Overriding effect. – Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

Schedule
See section 2(1)(h)(k)

1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.

5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 112) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DG Health Service, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.
15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College, Mardan.
17. Integrated HIV, Hepatitis and Thalasemia Control Program.
18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.
23. Development of Common Application for Government Departments.
24. ICT Infrastructure for Government of Khyber Pakhtunkhwa.
- 24A. IT Support for improvement of Health Service Delivery, Khyber Pakhtunkhwa.
- 24B. IT Professional Training Centre.
25. Strengthening of Planning Cell at elementary & Secondary Education Department.
26. Provision of free text book at all students of Khyber Pakhtunkhwa. Upto Intermediate level (Phase-XIV).
27. Strengthening of Planning Cell at Industries Department.

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556 Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018

28. Establishment of Special Media Cell in the Directorate of Information.
29. Strengthening of Information Department.
30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
31. Establishment of Planning Cell at Local Government and Rural Development Department.
32. Retirement Benefit and Death Compensation Cell.
33. Automation of Pension Payment System (APPS).
34. Energy Monitoring Unit.
35. Establishment of Planning Cell in Food Department.
36. Automation of Food Department.
37. Operationalization of Redesigned Energy and Power Department.
38. Establishment of Planning Cell in Energy and Power Department.
39. Computerization of Land Record.
40. Creation of MRS Cell in C&W Department.
41. Enhancement of existing facilities in MIS /GIS for C&W Department.
42. Strengthening of Planning Cell and Monitoring of Development Projects of Agriculture Department.
43. Project Coordination Unit (PCU) for implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
44. Afghan Management and Repatriation Cell at Home Department.
45. Traffic Control Management System and FM Radio 693120173.
46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.
47. Establishment of 100 Family Welfare Centers.
48. Establishment of Population and Research Training Institute and Social Mobilization.
49. Value Addition / Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
50. Establishment of Model Coal Mine at Shahkot District Nowshera.
51. Establishment of Zoo for Peshawar Division.

Employees of Transport and Mass Transit Department (Regularization of Services) Act, 2019 557

52. Development and Management of National Park in Khyber Pakhtunkhwa.
53. Conservation and Management of Wildlife in Central and Northern Division.
54. Establishment of monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and museums Department.

**Khyber Pakhtunkhwa
Employees of Transport and Mass Transit Department
(Regularization of Services) Act, 2019**

Khyber Pakhtunkhwa Act No. XXVI of 2019

An Act to provide for appointment and regularization of services of Motor Vehicle Examiners, appointed on adhoc basis and certain employees of Vehicular Emission Testing Stations appointed on fixed pay basis in the Directorate of Transport and Mass Transit, Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for appointment and regularization of services of Motor Vehicle Examiners, appointed on adhoc basis and certain employees of Vehicular Emission Testing Stations appointed on fixed pay basis in the Directorate of Transport and Mass Transit, Khyber Pakhtunkhwa, in the public interest;

It is hereby enacted as follows:

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Employees of Transport and Mass Transit Department (Regularization of Services) Act, 2019.

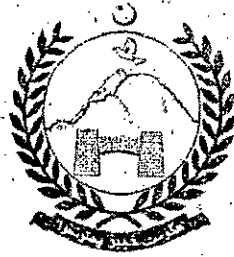
(2) It shall be applied to the employees, mentioned in clause (f) of subsection (1) of section 2 of this Act.

(2) It shall come into force at once.

2. Definitions.---(1) In this Act, unless the context otherwise requires,-

(a) "appointment" means the appointment of a duly qualified person, for a specific period, made against posts on adhoc basis or fixed pay basis, in the prescribed manner;

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REGISTERED NO. PIII
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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24th APRIL, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA ENERGY & POWER DEPARTMENT

NOTIFICATION

Dated: 7th March, 2018.

NO. 50(G)/E&P/2-2/2018:-- In pursuance of Section 2(1)(h)(k) of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 26th February, 2018 and assented to by the Governor of the Khyber Pakhtunkhwa on 2nd March, 2018 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa vide Notification dated 7th March, 2018. Services of the following Officers/Officials appointed on Contract basis in ADP Project "Operationalization of Re-Designed Energy & Power Department" and "Establishment of Planning Cell in Energy & Power Department" placed at Serial No. 37 & 38 respectively of the bill and holding the posts at the time of commencement of Act ibid shall stand Regularized against the following posts in Energy & Power Department from the date of commencement of the aforementioned Act:-

(Operationalization of Redesigned Energy & Power Department) Staff List at Serial#37 of the Act

S#	Name of Officers/Officials	Designation/BPS
1.	Muhammad Luqman Hakeem Khan S/O Abdul Hakeem Khan	Assistant Manager Policy Hydel / BPS-17
2.	Waqas Ahmad S/O Qamar Zaman	Assistant Manager Regulation Hydel / BPS-17
3.	Pir Aimal S/O Pir Waheed	Assistant Manager Renewable Energy (Wind) / BPS-17
4.	Khurram Shahzad Durrani S/O Mahfooz Jan Durrani	Assistant Manager Renewable Energy (Solar) / BPS-17

(Establishment of Planning Cell in Energy & Power Department) Staff List at Serial#38 of the Act

S#	Name of Officers/Officials	Designation/BPS
1.	Syed Zain Ullah Shah S/O Syed Fazil Shah	Chief Planning Officer / BPS-19
2.	Arif Ullah Shah S/O Fazil Shah	Planning Officer (Power) / BPS-17
3.	Ijaz Ali Shah S/O Syed Lal Shah	Planning Officer (IT) / BPS-17
4.	Muhammad Tariq S/O Jamroz Khan	Computer Operator / BPS-16
5.	Fayyaz Ali S/O Mashal Khan	Computer Operator / BPS-16
6.	Muhammad Ibrahim S/O Faisihuddin	Driver / BPS-04
7.	Khadim Shah S/O Mastan Shah	Driver / BPS-04
8.	Malang Jan S/O Khan Muhammad	Peon / BPS-01

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REGISTERED NO. PIII
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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 29th JUNE, 2018.

GOVERNMENT OF KHYBER PAKHTUNKHWA PLANNING & DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated Peshawar, the 08th June, 2018.

NO 30(E)P&D/3-1/Reg:/Projects/2018: In compliance of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify regularization of services of the following (87) employees of the project titled "Capacity Building of Planning & Development" with effect from 02.03.2018 as provided under Section-4 of the Act ibid, subject to the condition that it shall not affect the service promotion quota of all service cadres:-

S#	Name of Officer	BPS	Designation
1.	Engr. Asif Shahab	18	Assistant Chief
2.	Amin Khan Bangash	18	Assistant Chief
3.	Miss. Palwasha Rehman	18	Assistant Chief
4.	Dr. Kashif Nazir	18	Assistant Chief
5.	Mr. Rafiq Jan	18	Assistant Chief
6.	Mr. Tehsil Zaman	18	Assistant Chief
7.	Mr. Muhammad Ayaz	18	Assistant Chief
8.	Mr. Abdul Aziz Abbasi	18	Assistant Chief
9.	Mr. Faaz Arbab	17	Research Officer
10.	Engr. Najir Khan	17	Research Officer
11.	Engr. Naveed Ishtiaq	17	Research Officer
12.	Mr. Ali Hussain	17	Research Officer
13.	Mr. Waqas Ghaus	17	Research Officer
14.	Engr. Muhammad Tariq	17	Research Officer
15.	Mr. Shahbaz Khan	17	Research Officer
16.	Mr. Juaid	17	Research Officer
17.	Muhammad Irfan	17	Research Officer

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18	Mr. Tahir Amal	17	Research Officer
19	Pir Bilal Muhammad	17	Research Officer
20	Mian Ayub Gul	17	Research Officer
21	Mr. Asim Javed	17	Research Officer
22	Mr. Tahir Arbab	17	Research Officer
23	Eng. Ijaz Adnan	17	Research Officer
24	Eng. Qazi Muhammad Zohaib	17	Research Officer
25	Mr. Zameer Khan	17	Research Officer
26	Mr. Shoaib Ali Shariq	17	Research Officer
27	Mr. Shoaib Shariq	17	Research Officer
28	Mr. Muhammad Akhtar	17	Research Officer
29	Mr. Muhammad Tahir	17	Research Officer
30	Mr. Haseeb Khan	17	Research Officer
31	Mr. Ozair Rahim	17	Research Officer
32	Mr. Arbab Waheed Khan	17	Research Officer
33	Mr. Ijaz Ali	16	Computer Operator
34	M. Shahab	16	Computer Operator
35	Mr. Sajid Ali	16	Computer Operator
36	Mr. Farhad Ali	16	Computer Operator
37	Muhammad Rehan	16	Computer Operator
38	Mr. Sohail Khan	16	Computer Operator
39	Mr. Irfan Alam	16	Assistant
40	Mr. Asad Kamran	16	Assistant
41	Muhammad Kashif	16	Assistant
42	Mr. Nek Abaz	16	Assistant
43	Mr. Akhter Ali	7	Telephone Operator
44	Mr. Asif Khan	6	Driver
45	Mr. Niaz Ali	6	Driver
46	Mr. Ajmal Khan	6	Driver
47	Mr. Khan Ghalib	6	Driver
48	Mr. Irshad	6	Driver
49	Muhammad Siyar	6	Driver
50	Muhammad Kamran	6	Driver
51	Muhammad Ismail	6	Driver
52	Mr. Mukamil Shah	6	Driver
53	Mr. Amjad Ali	6	Driver
54	Mr. Noor Hassan	6	Driver
55	Mr. Naik Mali Khan	6	Driver

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56	Mr. Ghulam Akhtar	6	Driver
57	Mr. Abdul Basir Khan	6	Driver
58	Mr. Abbas Ahmad	5	Electrician
59	Mr. Shafiq Khan	7	Generator Operator
60	Mr. Nisar Ahmad	3	N/Q
61	Mr. Shafiq Ahmad	3	N/Q
62	Mr. Nisar Ahmad	3	N/Q
63	Mr. Nisar Ahmad	3	N/Q
64	Mr. Nisar Ahmad	3	N/Q
65	Mr. Nisar Ahmad	3	N/Q
66	Mr. Nisar Ahmad	3	N/Q
67	Mr. Nisar Ahmad	3	N/Q
68	Mr. Nisar Ahmad	3	N/Q
69	Mr. Nisar Ahmad	3	N/Q
70	Mr. Nisar Ahmad	3	N/Q
71	Mr. Nisar Ahmad	3	N/Q
72	Mr. Nisar Ahmad	3	N/Q
73	Mr. Nisar Ahmad	3	N/Q
74	Mr. Nisar Ahmad	3	N/Q
75	Mr. Nisar Ahmad	3	N/Q
76	Mr. Nisar Ahmad	3	N/Q
77	Mr. Nisar Ahmad	3	N/Q
78	Mr. Nisar Ahmad	3	N/Q
79	Ms. Farhada	3	N/Q
80	Mr. Salman Khan	3	N/Q
81	Mr. Mehrah Hussain	3	N/Q
82	Mr. Ijaz Ahmad	3	Chowkidar
83	Mr. Zahoor Khan	3	Chowkidar
84	Mr. Ifikhar Khan	3	Chowkidar
85	Mr. Zar Shah	3	Chowkidar
86	Mr. Fazle Elahi	3	Chowkidar
87	Mr. Sharoon	3	Sweeper

ADDITIONAL CHIEF SECRETARY
P&D DEPARTMENT

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GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 17th JULY, 2018.

GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD DEPARTMENT

NOTIFICATION

Dated Peshawar, the 06th July, 2018.

NO.SOG/FD/1-44 (A)/2017-18/025 In compliance of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify regularization of services of the following (14) employees of the project "Establishment of Planning Cell in Food Department" with effect from 02.03.2018, as provided under Section-4 of the Act ibid:-

S#	Name of Employee	Father Name	DPS	Designation
1	Muhammad Khanan	Gul Khanan	17	Civil Engineer
2	Muhammad Kamran	Muhammad Farooq	17	Planning Officer
3	Haseebullah Khan	Shafiqullah Khan	17	Economist
4	Muhammad Ayyas Luqman	Luqman Khan	16	Computer Operator
5	Saifullah	Aurangzeb	16	Computer Operator
6	Waseem Khan	Sheraz Khan	16	Computer Operator
7	Zeeshan Ahmad Adil	Ahmad Jan	16	Assistant
8	Muhammad Arif	Mir Afzal Khan	14	Accountant
9	Faridullah	Muhammad Nazir	06	Driver
10	Muhammad Ibrahim	Riaz Khan	03	Naib Qasid
11	Saqibullah	Shahidullah	03	Naib Qasid
12	Altaf Hussain	Sharif Khan	03	Naib Qasid
13	Adnan Khan	Hazrat Amin	03	Chowkidar
14	Kashif Muzafar	Muzafar Masih	03	Sweeper


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SECRETARY FOOD
KHYBER PAKHTUNKHWA



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

Dated Peshawar, January 09, 2020.

NOTIFICATION:

No. SO(E)P&D/071/19-39/2019: In pursuance of the decision of the Provincial Cabinet dated 09.05.2019 and the establishment of Provincial Planning Cadre, the competent authority is pleased to include all planning oriented posts in BPS-17 and above of newly regularized components/units of Planning & Development Department and Planning Cells of Administrative Departments, Civil Secretariat along-with incumbents as well as left over posts as per appendix in the Schedule-I of The Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018.

2. The competent authority is further pleased to exclude the following posts of Rescue-1122 from the schedule-I of The Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018:

- | | | |
|------|-----------------------------------|------------|
| i. | Director Planning (BS-19). | (1 post). |
| ii. | Deputy Director Planning (BS-18). | (1 post). |
| iii. | AD Planning (BS-17). | (2 posts). |

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Endst: of even No. & Date.

Copy forwarded to the:

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries in Khyber Pakhtunkhwa.
4. Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. Director General, Sustainable Development Unit, P&D Department.
6. Executive Director, UPU, P&D Department.
7. Director General, M&E, P&D Department.
8. Director General, Rescue-1122, Peshawar.
9. PSO to Chief Secretary, Khyber Pakhtunkhwa.
10. Director Information, Khyber Pakhtunkhwa.
11. Deputy Secretary (Admn.), P&D Department, Merged Areas.
12. Assistant Chief (B&A), P&D Department.
13. Accounts Officer, CBP, P&D Department.
14. PS to Additional Chief Secretary, P&D Department.
15. PS to Secretary, P&D Department.
16. PAs to Additional Secretary/Chief Economist, P&D Department.
17. PA to Deputy Secretary (Admn.), P&D Department.

ATTES

(SONA KHAN)
Section Officer (Estt.)

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APPENDIX

S.NO.	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DESIGNATION	BPS	DEPARTMENT
1.	Engr. Asif Shahab	Assistant Chief	18	CBP, P&D Department
2.	Amin Khan Bangash	Assistant Chief	18	CBP, P&D Department
3.	Ms. Palwasha Rehman	Assistant Chief	18	CBP, P&D Department
4.	Dr. Kashif Nazir	Assistant Chief	18	CBP, P&D Department
5.	Rafiq Jan	Assistant Chief	18	CBP, P&D Department
6.	Tehsil Zaman	Assistant Chief	18	CBP, P&D Department
7.	Muhammad Ayaz	Assistant Chief	18	CBP, P&D Department
8.	Abdul Aziz Abbasi	Assistant Chief	18	CBP, P&D Department
9.	Faaiz Arbab	Research Officer	17	CBP, P&D Department
10.	Engr. Nasir Khan	Research Officer	17	CBP, P&D Department
11.	Engr. Naveed Ishtiaq	Research Officer	17	CBP, P&D Department
12.	Ali Hussain	Research Officer	17	CBP, P&D Department
13.	Waqas Ghous	Research Officer	17	CBP, P&D Department
14.	Engr. Muhammad Tariq	Research Officer	17	CBP, P&D Department
15.	Shahbaz Khan	Research Officer	17	CBP, P&D Department
16.	Junaid	Research Officer	17	CBP, P&D Department
17.	Muhammad Irfan	Research Officer	17	CBP, P&D Department
18.	Tahir Aman	Research Officer	17	CBP, P&D Department
19.	Pir Bilal Muhammad	Research Officer	17	CBP, P&D Department
20.	Mian Ayub Gul	Research Officer	17	CBP, P&D Department
21.	Asim Javed	Research Officer	17	CBP, P&D Department
22.	Taimur Arbab	Research Officer	17	CBP, P&D Department
23.	Engr. Yasir Adnan	Research Officer	17	CBP, P&D Department
24.	Engr. Qazi Muhammad Zohaib	Research Officer	17	CBP, P&D Department
25.	Zainab Khatoon	Research Officer	17	CBP, P&D Department
26.	Syed Shoaib Ali Shah	Research Officer	17	CBP, P&D Department
27.	Muhammad Shoaib	Research Officer	17	CBP, P&D Department
28.	Mukhtar Ahmad	Research Officer	17	CBP, P&D Department
29.	Muhammad Tariq	Research Officer	17	CBP, P&D Department
30.	Hizbullah Khan	Research Officer	17	CBP, P&D Department
31.	Ozair Rahim	Research Officer	17	CBP, P&D Department
32.	Arbab Wajid Khan	Research Officer	17	CBP, P&D Department
33.	Shér Azam Khan	Director Technical	19	M&E, P&D Department
34.	Waheed Afzal	Director Technical	19	M&E, P&D Department
35.	Muhammad Ayaz	Director Evaluation	19	M&E, P&D Department

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36.	Akhtar Shahzad Bangash	Deputy Director	18	M&E, P&D Department
37.	Saleem Shah	Deputy Director	18	M&E, P&D Department
38.	Asim Riaz Muhammad Ali	Deputy Director	18	M&E, P&D Department
39.	Hidayat Ullah	Deputy Director	18	M&E, P&D Department
40.	Muhammad Imran Khan	Deputy Director	18	M&E, P&D Department
41.	Sikandar Khan	Deputy Director	18	M&E, P&D Department
42.	Aftab Haider	Deputy Director	18	M&E, P&D Department
43.	Muhammad Shoalb	Deputy Director (Evaluation)	18	M&E, P&D Department
44.	Shahzad Khan	Deputy Director	18	M&E, P&D Department
45.	Ashfaq Khan	Deputy Director	18	M&E, P&D Department
46.	Afrasiyab Khattak	Deputy Director	18	M&E, P&D Department
47.	Alam Zeb	Deputy Director	18	M&E, P&D Department
48.	Changaz Alam Durrani	Assistant Director	17	M&E, P&D Department
49.	Kamran Ali Khan	Assistant Director (Evaluation)	17	M&E, P&D Department
50.	Ejaz Hamid	Assistant Director	17	M&E, P&D Department
51.	Pir Muhammad Raza Shah	Assistant Director	17	M&E, P&D Department
52.	Ms. Shaista Qaiser	Assistant Director	17	M&E, P&D Department
53.	Amjad Ali Shah	Assistant Director	17	M&E, P&D Department
54.	Khurshid Alam	Assistant Director	17	M&E, P&D Department
55.	Asrar Ahmad	Assistant Director	17	M&E, P&D Department
56.	Aftab Alam	Assistant Director	17	M&E, P&D Department
57.	Muhammad Adeel Khan	Assistant Director	17	M&E, P&D Department
58.	Muhammad Yasir Mahsud	Assistant Director	17	M&E, P&D Department
59.	Naveed Ullah	Assistant Director	17	M&E, P&D Department
60.	Pir Tariq Shah	Assistant Director	17	M&E, P&D Department
61.	Tariq Ikram	Assistant Director	17	M&E, P&D Department
62.	Muhammad Awais	Assistant Director	17	M&E, P&D Department
63.	Fahad Noor	Assistant Director	17	M&E, P&D Department
64.	Wajid Anwar	Assistant Director	17	M&E, P&D Department
65.	Hizbullah Khan	Assistant Director	17	M&E, P&D Department
66.	Abdul Wadood Shah	Assistant Director	17	M&E, P&D Department
67.	Babar Naseem	Assistant Director	17	M&E, P&D Department
68.	Mujahid Naseer	Assistant Director	17	M&E, P&D Department
69.	Muhammad Amar Rafiq	Assistant Director	17	M&E, P&D Department
70.	Ejaz Ahmad	Assistant Director	17	M&E, P&D Department
71.	Zahid Gul	Assistant Director	17	M&E, P&D Department
72.	Obaid Ur Rehman	Assistant Director	17	M&E, P&D Department

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73.	Tahir Hassan	Assistant Director	17	M&E, P&D Department
74.	Vacant	Assistant Director	17	M&E, P&D Department
75.	Syed Nasir Jamil	Senior Geographic Information System Specialist	18	UPU, P&D Department
76.	Hamayun Khan	Communication Specialist	18	UPU, P&D Department
77.	Ms. Hina Gul	Monitoring & Evaluation Specialist	18	UPU, P&D Department
78.	Sohail Ahmad	Transport Specialist	18	UPU, P&D Department
79.	Adnan Salim Khan	Urban Planner	18	UPU, P&D Department
80.	Riaz Noor	Urban Economist	18	UPU, P&D Department
81.	Vacant	Chief of Section	19	P&DD Merged Areas
82.	Abdur Rehman	Assistant Chief	18	P&DD Merged Areas
83.	Amir Bashir	Research Officer	17	P&DD Merged Areas
84.	Vacant	Research Officer	17	P&DD Merged Areas
85.	Rizwan Javed	Agri Business Officer-I	17	Agriculture Department
86.	Syed Ishfaq Ahmad	AD Planning cum Agri Business Officer-II	17	Agriculture Department
87.	Vacant	Chief M&E Officer	19	E&SE Department
88.	Jamshed Akram	M&E Officer (Tech)	17	E&SE Department
89.	Mubashar Muzaffar	M&E Officer (Tech)	17	E&SE Department
90.	Taj Muhammad Khan	M&E Officer (Tech)	17	E&SE Department
91.	Kifayat Ullah Khan	M&E Officer (Tech)	17	E&SE Department
92.	Safi Ullah	M&E Officer (Tech)	17	E&SE Department
93.	Syed Zain Ullah Shah	Chief Planning Officer	19	Energy & Power Deptt.
94.	Khurram Shahzad Durrani	Planning Officer	17	Energy & Power Deptt.
95.	Arif Ullah Shah	Planning Officer	17	Energy & Power Deptt.
96.	Pir Aimal	Planning Officer	17	Energy & Power Deptt.
97.	Waqas Ahmad	Planning Officer	17	Energy & Power Deptt.
98.	Ijaz Ali Shah	Planning Officer	17	Energy & Power Deptt.
99.	Muhammad Luqman Hakeem Khan	Planning Officer	17	Energy & Power Deptt.
100.	Muhammad Kamran	Planning Officer	17	Food Department
101.	Muhammad Khanan	Civil Engineer	17	Food Department
102.	Haseeb Ullah Khan	Economist	17	Food Department
103.	Vacant	Chief Planning Officer	19	LG&RD Department
104.	Vacant	Senior Planning Officer	18	LG&RD Department
105.	Muhammad Shah Khan	Planning Officer	17	LG&RD Department
106.	Sardar Ahmad	Planning Officer	17	LG&RD Department
107.	Engr. Ubaid Khan	Planning Officer	17	LG&RD Department
108.	Vacant	Planning Officer	17	LG&RD Department

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109.	Vacant	Director Technical	19	Irrigation Department
110.	Vacant	Economist	18	Irrigation Department
111.	Engr. Nadir Iqbal	Senior Planning Officer	18	Irrigation Department
112.	Syed Qamar Abbas	Environmentalist	18	Irrigation Department
113.	Vacant	Monitoring Officer	17	Irrigation Department
114.	Vacant	Planning Officer	17	Irrigation Department
115.	Khan Muhammad	Planning Officer	17	Home Department
116.	Jalal Ahmad	Planning Officer	17	Home Department
117.	Muhammad Ismail Mohmand	Planning Officer	17	Home Department
118.	Vacant	Director Planning & Monitoring	19	PHE Department
119.	Vacant	Planning Officer	17	PHE Department
120.	Vacant	Planning Officer	17	PHE Department
121.	Vacant	Chief Planning Officer	19	Sports Department
122.	Vacant	Senior Planning Officer	18	Sports Department
123.	Aamgir Khan	Monitoring Officer	17	Sports Department

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 21st MARCH, 2019.

GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated Peshawar the 14th March, 2019.

NO.SO(E)P&D/3-1/Reg./Projects/2019: --- In compliance with the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify the regularization of services of the following thirty-three (33) employees of the project titled "Urban Policy Unit" P&D Department with effect from 07/03/2018 as provided under Section-4 of the Act and subject to the condition that the employees shall not be eligible for service promotion quota of all service categories.

S#	Name of Incumbent	Age	Designation
1	Syed Nasir Jan	16	...
2	Mr Hamayun Khan	16	...
3	Ms Hina Gul	16	...
4	Mr Soha Ahmed	16	...
5	Mr Adnan Saif Khan	16	...
6	Mr Riaz Noor	16	...
7	Mr Ahmad Ferooz	16	...
8	Mr Samiullah	16	...
9	Mr Umair Hussain Khattak	16	...
10	Mr Subh Sarder	16	...
11	Mr Sami-Ur-Rahman	16	...
12	Mr Anwar Syed	16	...
13	Mr Zaka Sabir	16	...
14	Mr ...	16	...
15	Mr ...	16	...
16	Mr ...	16	...
17	Mr ...	16	...
18	Mr ...	16	...
19	Mr ...	16	...
20	Mr ...	16	...
21	Mr ...	16	...
22	Mr ...	16	...
23	Mr ...	16	...
24	Mr ...	16	...
25	Mr ...	16	...
26	Mr ...	16	...
27	Mr ...	16	...
28	Mr ...	16	...
29	Mr ...	16	...
30	Mr ...	16	...
31	Mr ...	16	...
32	Mr ...	16	...
33	Mr ...	16	...

KHYBER PAKHTUNKHWAPublished by AuthorityPeshawar, Thursday, 21 March 2019

GOVERNMENT OF KHYBER PAKHTUNKHWA

PLANNING & DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated Peshawar the 14 March 2019

NO. SO(E)P&D/3-1/Reg:/Projects/2019:--- In compliance with the Khyber Pakhtunkhwa Employees (Regularization of Services) Act 2018, the Provincial Government is pleased to notify the regularization of services of the following thirty-three (33) employees of the project titled "Urban Policy Unit " P & D Department with effect from 07.03.2028 as provided under Section-4 of the Act ibid, subject to the condition that it shall not affect the service promotion quota of all service cadres:-

S#	Name of incumbent	BPS	Designation
1.	Syed Nasir jamil	18	Senior Geographic information system Specialist
2.	Mr. Hamayun Khan	18	Communication Specialist
3.	Ms. Hina gul	18	Monitoring & Evaluation Specialist
4.	Mr. Sohail Ahmad	18	Transport Specialist
5.	Mr. Adnan salim Khan	18	Urban Planner
6.	Mr. Riyaz Noor	18	Urban Economist
7.	Mr.Ahmad Farooq	17	Assistant IT Manager
8.	Mr.Samiullah	17	Research Analyst
9.	Mr.Umair Hussain Khattak	17	Research Associate
10.	Mr.Sahib Sardar	16	Research assistant
11.	Mr.Sami-Ur-Rahman	16	Research Assistant
12.	Mr.Asghar Sayed	16	Office Assistant
13.	Mr.Zakir Ayub	16	Office Assistant
14.	Mr.Nadeem Ahmad	16	Office Assistant
15.	Mr.Zakir Khan	16	Office Assistant
16.	Mr.Muhammad Altaf	16	Office Assistant
17.	Mr.waqas	07	Photocopier Assistant
18.	Mr.Sarat Khan	07	Photocopier Assistant
19.	Mr.Muhammad Faheem	06	Driver
20.	Mr.Muhammad Usman	06	Driver
21.	Mr.Muhammad Ijaz	06	Driver

سرور ٹریڈونل چیمبر حکومت کو الیٹا

2 منجانب

انجینئر نادر خان وغیرہ بنام حکومت وغیرہ

Review Petition

BC-NO-10-5543

باعث تظریا تکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دی گئی کارروائی متعلقہ
آلہ مقام لسٹ اور
سیاے فضل شاہ عہدیدار لیسٹ شاہ عبدالرحمان

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب مقدمہ کو مقدمہ کی نقل کارروائی کا کمال اختیار ہوگا۔ نیز
یکل صاحب کو راضی نامہ کرنے کے اقرار حاصل کرنے پر حلف دینے سے جواب دہی اور اقبال وغیرہ اور
بصورت ڈگری کرنے اجراء اور ہسولی چیک بروپینے اور عرضی وغیرہ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت ہرم پی وی یا ڈگری یکاشرف یا اپیل کی برائگی
اور منسوخی نیز واغیر کرنے اپیل نگرائی وغیرہ بانی رہی وی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقدمہ پر شروع کر گئی وہی جملہ مذکورہ اختیارات حاصل ہوں گے
اور اس کا سامنے پر دائرہ منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ اتوائے مقدمہ ہوں گے
سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا مدت باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ یہ وہی مذکور کریں۔ لہذا اوکالت تہہ لکھو یا کہ سند ہے۔

المقررہ 07 ماہ فروری 2024

Handwritten notes and signatures on the left margin, including names like 'P. Ali', 'Tashkani', 'Khusht Alam', 'Y. Malyad', and 'Khusht Alam'.

Handwritten notes and signatures on the right margin, including names like 'Khusht Alam' and other illegible signatures.

Handwritten signatures and names at the bottom of the page, including 'Khusht Alam' and 'Khusht Alam'.

