

FORM OF ORDER SHEET

Case No. 331/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3

1 28/02/2024

The appeal of Mr. Shaheed Ullah resubmitted today by Mr. Shahid Qayum Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 01.03.2024. Parcha Peshi is given to counsel for the appellant.


By the order of Chairman


REGISTRAR

Respected Sir,

It is submitted that the present appeal was received on 24.01.2024, which was returned to the counsel for the appellant for removing objection (Flag-A). Today i.e. 06.02.2024 the learned counsel re-filed the appeal without removing the objection.

The appeal is now submitted to your honor under rules 7 (c) of the Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.


REGISTRAR

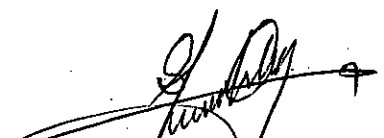
Worthy Chairman

70% be removed w/i
7 days

No. 291
13-2-24

13/2/24

The instant case was re-submitted after removal of objection. Previously too the address were corrected and has been submitted the case on 01/02. But the same has not been found satisfactory. Regarding the case the undersigned time & again asked but could not communicate by the officer regarding the objections again raised and lastly on 26/02/2024 the file has been returned with the objection, the same has not been complied with. put up for further n/a & order please


28/02/2024

The appeal of Mr. Shaheed Ullah received today i.e on 24.01.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Addresses of respondent nos. 5 to 33 are incomplete be completed according to rule-6 of the Khyber-Pakhtunkhwa Service Tribunal rules 1974.

No. 191 /S.T,

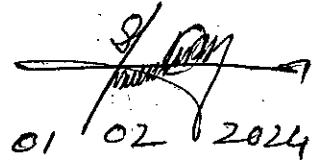
Dt. 25/1 /2024.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Shahid Qayyum Khattak Adv.
High Court at Peshawar.

objection completed with. p/np for further n/a & order please.



01/02/2024

**BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR**

Service Appeal No. 331 /2024

Shaheed UllahAppellant

Versus

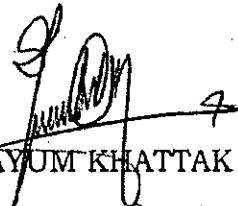
Government of Khyber Pakhtunkhwa etc.....Respondents

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Appellant

Through


SHAHID QAYUM KHATTAK
Advocate Supreme Court
of Pakistan

Dated: /01/2024

Off: 105-A Town Tower, Jahangir Abad
University Road, Peshawar
Mobile No. 0333-9195776

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 331 /2024.

Shaheed Ullah S/o Taj Ali Khan, Naib Qasid, Office of the District Public
Prosecutor, District KarakAppellant

Versus

1. Government of Khyber Pakhtunkhwa, Home & Tribal Affairs
Department, Peshawar through its Secretary
2. Director General (Prosecution) Home & Tribal Affairs Department,
Peshawar as Chairman Departmental Selection Committee
3. Muhammad Sikandar Khan, Deputy Director *Administration
Directorate of Prosecution, Peshawar as Member Departmental
Selection Committee
4. Muhammad Israr, Section Officer (Prosecution) Home Department,
Peshawar as Member Departmental Selection Committee
5. Ashraf Ali, Chowkidar Prosecution Department
6. Anwar Said, Naib Qasid Prosecution Department
7. Muhammad Younas, Chowkidar Prosecution Department
8. Asif Ur Rehman, Chowkidar Prosecution Department
9. Bakht Biiland Shah, Sweeper Prosecution Department
10. Akhtar Hussain Shah, Chowkidar Prosecution Department
11. Quraish Khan, Naib Qasid Prosecution Department
12. Naseer Uddin Saddique, Sweeper Prosecution Department
13. Afzal Hussain, Sweeper Prosecution Department
14. Barkatullah, Naib Qasid Prosecution Department
15. Adnan, Naib Qasid Prosecution Department
16. Abdul Rehman, Naib Qasid Prosecution Department
17. Sajjad Ali, Naib Qasid Prosecution Department
18. Sajjad Ahmad, Chowkidar Prosecution Department
19. Muhammad Iqrar Ullah, Naib Qasid Prosecution Department
20. Muhammad Ibrahim Khan, Naib Qasid Prosecution Department
21. Haseen Ur Rehman, Naib Qasid Prosecution Department
22. Sartaj Khan, Naib Qasid Prosecution Department
23. Muhammad Minhas, Chowkidar Prosecution Department
24. Sabir Shah, Naib Qasid Prosecution Department

(2)

25. Zamrud Khan, Chowkidar Prosecution Department.
26. Muhammad Sharif, Naib Qasid Prosecution Department
27. Ikhtlaq Khan, Naib Qasid Prosecution Department
28. Sajid Ullah, Naib Qasid Prosecution Department
29. Muhammad Irfan, Chwkidar Prosecution Department
30. Shabeer Hussain, Naib Qasid Prosecution Department
31. Junaid Ahmad, Chowkidar Prosecution Department
32. Zia Ullah, Naib Qasid Prosecution Department
33. Zakir Khan, Naib Qasid Prosecution Department
Respondents No 5-33, through, DG, Prosecution, Peshawar.
..... Respondents

APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST THE ILLEGAL, UNVALID, UNFAIR, UNLAWFUL AND AGAINST RULES, REGULATION AND AGAISNT SENIORITY POLICY, THE DPC MEETING DATED 17/11/2023 AND PROMOTION ORDER NO. DP/E & A/(100)14227-57 DATED 21/11/2023, WHEREBY THE APPELLANT HAS ILLEGALLY AND UNFAILRY BEEN DEPRIVED OF HIS PROMOTION AND MOST JUNIOR OFFICIALS RESPONDENT NO. 5-33 HAVE BEEN PROMOTED AGAINST PROMOTION AND SENOIRTY RULES AND REGULATIONS, AND AGAINST THE ORDER DATED 11/12/2023 (COMUNICATED ON 30/12/2023) PASSED BY RESPONDENT NO. 2 VIDE WHICH THE DEPARTMENTAL REPRESENTATION/ APPEAL FILED BY APPELLANT HAS BEEN FILED

Respectfully Submitted:

The Appellant humbly submits as under;

1. That appellant was appointed as Niab Qasid in the Department of Prosecution in 1994 and having the qualification of Matric and being senior is entitled for promotion as Junior Clerk (BPS- 11).
2. That appellant earlier filed an application for correction in the seniority list and accordingly has application was accepted and his name was placed at serial No. 2 of the seniority list issued on 17/02/2023 but latter on the name of appellant has been placed at serial No. 86 in the seniority list issued on 09/08/2023. Appellant filed departmental Appeal against the same but the same

(3)

has also been filed and thus the appellant filed an Appeal before this Hon'ble Tribunal, which is still pending (the same may please be considered as an integral part of this appeal)

3. That on 17/11/2023 respondent No. 3 tabled the above noted impugned seniority list before DPC and the DPC made its recommendation and promoted respondent No. 5 to 33 being junior to appellant as junior Clerk (BPS-11) against the rules and regulation. (Copy of the Minutes of the meeting is attached as Annexure "A")
4. That on the basis of the DPC recommendation respondent No. 2 vide impugned order dated 21.11.2023 issued a promotion orders of respondent No. 5-33. (Copy of the Promotion order is attached as Annexure "B")
5. That being aggrieved from the above orders the appellant filed departmental appeal/ representation on 30/11/2023 against the impugned order before respondent No. 2, who vide order dated 11/12/2023 filed the same without complying the procedure envisages in the rules and regulation and without informing appellant but received the copy of th same on 30/12/2023. (Copy of the Appeal and order are attached as Annexure "C" & "D")
6. That now appellant feeling aggrieved from the above orders hence, filling this appeal on the following amongst other grounds inter alia

GROUND S:

- A) That the impugned actions and inactions violate the mandate provided under Article 4 of the Constitution of Pakistan.
- B) That respondent are legally bound to treat the appellant in accordance to law but here her vested and accrued rights has been taken in a very novel way by brush aside the rule and regulation and procedure envisages in the rule and regulation, hence the same are liable to be set aside.
- C) That appellant being senior most Niab Qasid as evident from the seniority list issued on 17/02/2023 the appellant is entitled and eligible to promotion but he has illegally and unlawfully been deprived of his promotion.
- D) That respondents have no authority and power to ignore and

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violate civil servant act and seniority rules.

- E) That the impugned order is very much clear that most junior to the appellant has been promoted. The respondents has no justification to promote junior class-IV officials appointed in the year 2012 and ignored the most senior official appointed in the year 1994.
- F) That as per rule and regulation the appellant is fully entitled for promotion but his due and vested right has been taken away without assigning any justified reasons.
- G) That the impugned seniority list issued on 09/08/2023 and subsequent impugned promotion order dated 21/11/2023 are illegal, incorrect and unlawful thus neither tenable nor sustainable in the eyes of law and rules.
- H) That the impugned promotion order is outcome & result of incorrect and illegal seniority list, hence the same is void ab-initio, void order and liable to be set aside.
- I) That appellant is prime facie batch wise and year wise senior to those who have been appointed after 1994. However appellant has illegally and unlawfully been placed in lower in seniority from those who has been appointed in the year 2012, so the entire process of seniority, recommendation of Departmental Promotion Committee (DPC) and impugned promotion order are contrary to Act, Rules and regulations and thus liable to be declare null and void.
- J) That because the impugned actions and inactions are against the principles ordained under Article 25 of the Constitution of Islamic Republic of Pakistan.
- K) That because the impugned actions and inactions are blatantly against all norms of justice and principles of reasonability based on victimizations and discrimination.
- K) That respondent No. 2 has not decided the departmental appeal / representation in accordance to the rules and regulation which clearly shows mala fide intention thus, has no sanctity in the eyes of law thus the act of respondents are totally based on male fide intention which clearly shows discrimination and undue victimization.

It is, therefore, most humbly prayed that on accepting this


(5)

service appeal, the impugned orders dated 17/11/2023 and 21/11/2023 and order dated 11/12/2023 may graciously be set aside by declaring it illegal, unlawful, without authority, based on mala fide, void abinitio, against the seniority and promotion rules , regulation and policy and thus not sustainable in the eyes of law and appellant is entitled for promotion from the date when his juniors were promoted to the post of junior clerk by placing him on the due place seniority list with all consequential benefits of pay and service.

Any other relief not specifically prayed for but deems appropriate in the circumstances of the case may also be granted.


Appellant

Through


SHAHID QAYUM KHATTAK
Advocate Supreme Court
Of Pakistan

Dated: /01/2024

AFFIDAVIT

I, Shaheed Ullah S/o Taj Ali Khan, Naib Qasid, Office of the District Public Prosecutor, District Karak, do hereby solemnly affirm and declare that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal .


DEPONENT



BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2024

Shaheed UllahAppellant

Versus

Government of Khyber Pakhtunkhwa etc.....Respondents

ADDRESSES OF THE PARTIES

ADDRESS OF APPELLANT

Shaheed Ullah S/o Taj Ali Khan , Naib Qasid, Office of the District Public Prosecutor, District Karak

ADDRESS OF THE RESPONDENTS

1. Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, Peshawar through its Secretary
2. Director General (Prosecution) Home & Tribal Affairs Department, Peshawar as Chairman Departmental Selection Committee
3. Muhammad Sikandar Khan, Deputy Director Administration Directorate of Prosecution, Peshawar as Member Departmental Selection Committee
4. Muhammad Israr, Section Officer (Prosecution) Home Department, Peshawar as Member Departmental Selection Committee
5. Ashraf Ali, Chowkidar Prosecution Department, Peshawar.
6. Anwar Said, Naib Qasid Prosecution Department, Peshawar.
7. Muhammad Younas, Chowkidar Prosecution Department, Peshawar.
8. Asif Ur Rehman, Chowkidar Prosecution Department, Peshawar.
9. Bakht Biiland Shah, Sweeper Prosecution Department, Peshawar.
10. Akhtar Hussain Shah, Chowkidar Prosecution Department, Peshawar.
11. Quraish Khan, Naib Qasid Prosecution Department, Peshawar,
12. Naseer Uddin Saddique, Sweeper Prosecution Department, Peshawar,
13. Afzal Hussain, Sweeper Prosecution Department, Peshawar.
14. Barkatullah, Naib Qasid Prosecution Department, Peshawar.
15. Adnan , Naib Qasid Prosecution Department, Peshawar.

(7)

16. Abdul Rehman, Naib Qasid Prosecution Department, Peshawar.
 17. Sajjad Ali, Naib Qasid Prosecution Department, Peshawar.
 18. Sajjad Ahmad, Chowkidar Prosecution Department, Peshawar.
 19. Muhammad Iqrar Ullah, Naib Qasid Prosecution Department, Peshawar.
 20. Muhammad Ibrahim Khan, Naib Qasid Prosecution Department, Peshawar.
 21. Haseen Ur Rehman, Naib Qasid Prosecution Department, Peshawar.
 22. Sartaj Khan, Naib Qasid Prosecution Department, Peshawar.
 23. Muhammad Minhas, Chowkidar Prosecution Department, Peshawar.
 24. Sabir Shah, Naib Qasid Prosecution Department, Peshawar.
 25. Zamrud Khan, Chowkidar Prosecution Department, Peshawar.
 26. Muhammad Sharif, Naib Qasid Prosecution Department, Peshawar.
 27. Ikhlaq Khan, Naib Qasid Prosecution Department, Peshawar.
 28. Sajid Ullah, Naib Qasid Prosecution Department, Peshawar.
 29. Muhammad Irfan, Chowkidar Prosecution Department, Peshawar.
 30. Shabeer Hussain, Naib Qasid Prosecution Department, Peshawar.
 31. Junaid Ahmad, Chowkidar Prosecution Department, Peshawar.
 32. Zia Ullah, Naib Qasid Prosecution Department, Peshawar.
 33. Zakir Khan, Naib Qasid Prosecution Department, Peshawar.
- Respondents No 5-33 through DG prosecution, Peshawar*

Muhammad
Appellant

Through

Shahid Qayum Khattak
SHAHID QAYUM KHATTAK
Advocate Supreme Court
Of Pakistan

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE FOR PROMOTION OF CLASS-IV OFFICIALS TO THE POST OF JUNIOR CLERK (BPS-11) HELD ON 17-11-2023.

Meeting of the Departmental Promotion Committee (D.P.C) was held on 17-11-2023 at 10:00 am under the chairmanship of Director General Prosecution, Khyber Pakhtunkhwa in his office, wherein promotion cases of 29 Class-IV officials to the post of Junior Clerk (BPS-11) of the Directorate of Prosecution Khyber Pakhtunkhwa were discussed thoroughly one by one.

The following officers attended the meeting: -

- i. Mian Muhammad, (Chairman)
Director General Prosecution,
Khyber Pakhtunkhwa.
- ii. Muhammad Sikandar Khan, (Member)
Deputy Director Administration
Directorate of Prosecution
- iii. Muhammad Israr, (Member)
Section Officer (Prosecution),
Home Department.

The meeting commenced with the recitation from the Holy Quran. The Chair welcomed the participants. Deputy Director Administration, Directorate of Prosecution apprised the committee that there are 88 sanctioned posts of Junior Clerk (BPS-11) in the Directorate as well as District offices in Khyber Pakhtunkhwa out of which, 29 posts fall to the share of promotion quota at the rate of 33% under the KP Prosecution Service Rules, 2010. 29 posts of Junior Clerk (BPS-11) in the promotion quota occurred for regular promotion due to promotion of Acting Charge Senior Clerk (BPS-14) on regular basis vide order dated: 07-11-2023. Thus, 29 posts of Junior Clerk (BPS-11) needs to be filled under the Khyber Pakhtunkhwa Prosecution Service Rules, 2010 as amended up till 2020. The DPC examined each individual case of the official on agenda and decisions made as reflected below against each:

S. No.	Name of Official	Education Qualification	Date of Entry into Service on regular basis with Designation and Basic Pay Scale	Regular Appointment/Promotion to present post			Whether eligible for appointment on acting/charge basis/Regular basis
				Date	BPS	Method of Recruitment	
1.	Ashraf Ali	Matric	7-11-2012 Chowkidar (BPS-01)	7-11-2012	03	Initial	Eligible for Promotion on regular basis
2.	Anwar Said	B.A.	7-11-2012 Naib Qasid (BPS-01)	7-11-2012	-do-	-do-	-do-
3.	Muhammad Younas	BA	7-11-2012 Chowkidar (BPS-01)	7-11-2012	-do-	-do-	-do-
4.	Asif ur Rehman	Matric	7-11-2012 Chowkidar (BPS-01)	7-11-2012	-do-	-do-	-do-
5.	Bakht Biland Shah	F.A.	17-06-2014 Sweeper (BPS-01)	17-06-2014	-do-	-do-	-do-

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No	Name of Official	Education Qualification	Date of First Entry into Service on regular basis with Designation and Basic Pay Scale.	Regular Appointment/Promotion to present post			Whether eligible for appointment on regular basis/Regular basis
				Date	BPS	Method of Recruitment	
6.	Akhtar Hussain Shah	Matric	25-07-2014 Chowkidar (BPS-01)	25-07-2014	03	Initial	Eligible for Promotion on regular basis
7.	Quraish Khan	BA	25-07-2014 Naib Qasid (BPS-01)	25-07-2014	-do-	-do-	-do-
8.	Naseer Uddin Saddique	FA	25-07-2014 Sweeper (BPS-01)	25-07-2014	-do-	-do-	-do-
9.	Afzal Hussain	F.Sc	27-07-2014 Sweeper (BPS-01)	27-07-2014	-do-	-do-	-do-
10.	Barkatullah	Matric	13-11-2014 Naib Qasid (BPS-01)	13-11-2014	-do-	-do-	-do-
11.	Adnan	FA	6-03-2015 Naib Qasid (BPS-01)	6-03-2015	-do-	-do-	-do-
12.	Abdur Rehman	F.A	14-04-2015 Naib Qasid (BPS-01)	14-04-2015	-do-	-do-	-do-
13.	Sajjad Ali	BBA	14-04-2015 Naib Qasid (BPS-01)	14-04-2015	-do-	-do-	-do-
14.	Sajjad Ahmad	Matric	28-07-2006 Chowkidar (BPS-01)	28-07-2006	-do-	-do-	-do-
15.	Muhammad Iqbal Ullah	Matric	05-12-2017 Naib Qasid (BPS-01)	05-12-2017	-do-	-do-	-do-
16.	Muhammad Ibrahim Khan	BTE(HONS)	05-12-2017 Naib Qasid (BPS-01)	05-12-2017	-do-	-do-	-do-
17.	Hascen Ur Rehman	BA	05-12-2017 Naib Qasid (BPS-01)	05-12-2017	-do-	-do-	-do-
18.	Sartaj Khan	F.A	16-10-1995 Naib Qasid (BPS-01)	16-10-1995	1	-do-	-do-
19.	Muhammad Minhas	FA	02-05-2014 Chowkidar (BPS-02)	02-05-2014	2	-do-	-do-
20.	Sabir Shah	F.A	08-10-2004 Naib Qasid (BPS-01)	09-12-2020	1	Surplus employees adjusted against vacant posts in Khyber.	-do-
21.	Zamrud Khan	Matric	08-10-2004 Chowkidar (BPS-01)	09-12-2020	-do-	-do-	-do-
22.	Muhammad Sharif	Matric	08-10-2004 Naib Qasid (BPS-01)	09-12-2020	-do-	-do-	-do-
23.	Ishaq Khan	BA	31-03-2007 Naib Qasid (BPS-01)	09-12-2020	-do-	-do-	-do-
24.	Sajid Ullah	Matric	08-10-2004 Naib Qasid (BPS-01)	-do-	-do-	-do-	-do-
25.	Muhammad Irfan	Matric	18-09-2012 (Chowkidar)	18-09-2012	-do-	-do-	-do-

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No.	Name of Official	Education Qualification	Date of First Entry into Service on regular basis with Designation and Basic Pay Scale.	Regular Appointment/Promotion to present post.			Whether Eligible for appointment on acting charge basis/Regular basis
				Date	BPS	Method of Recruitment	
26.	Tariq Ali	BA	20-01-2020 (Naib Qasid)	20-01-2020	03	Initial	Passed Away
27.	Shabeer Hussain	Matric	20-01-2020 (Naib Qasid)	20-01-2020	-do-	-do-	Eligible for Promotion on regular basis
28.	Junaid Ahmad	FA	20-01-2020 (Chowkidar)	20-01-2020	-do-	-do-	-do-
29.	Zia Ullah	MA	11-03-2020 (Naib Qasid)	11-03-2020	-do-	-do-	-do-
30.	Zakir Khan	FA	11-03-2020 (Naib Qasid)	11-03-2020	-do-	-do-	-do-

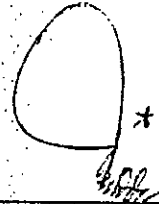
Recommendation:

The Departmental Promotion Committee (DPC) has determined the suitability of 29 officials from Serial No.01 to 30 for promotion to the post of Junior Clerk (BPS-11) on regular basis except Sr. No. 26 who passed away on 27-04-2023.

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


Muhammad Sikandar Khan,
 Deputy Director Administration
 Directorate of Prosecution
 (Member)


Muhammad Israr
 Section Officer (Prosecution)
 Home Department.
 (Member)


Mian Muhammad
 Director General Prosecution
 Khyber Pakhtunkhwa
 (Chairman)





Ammer-2

(111)
DIRECTORATE OF PROSECUTION
GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

No. DP/ _____

Dated Peshawar the 21/11/2023

Office Landline#091-9212559

www.gp.gov.pk

<https://prosecution.kp.gov.pk/>

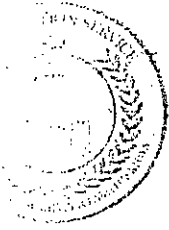
<https://www.facebook.com/kpprosecution>

<https://twitter.com/kpprosecution>

ORDER:

No. DP/E&A/1(100)14227-57 On recommendation of the Departmental Promotion Committee (DPC) meeting held on 17-11-2023, the Competent Authority has been pleased to promote the following Class-IV officials to the post of Junior Clerk (BPS-11) on regular basis, with immediate effect:

S. No.	Name of Official
1.	Ashraf Ali
2.	Anwar Said
3.	Muhammad Younas
4.	Asif ur Rehman
5.	Bakht Biland Shah
6.	Akhtar Hussain Shah
7.	Quraish Khan
8.	Naseer Uddin saddique
9.	Afzal Hussain
10.	Barkatullah
11.	Adnan
12.	Abdur Rehman
13.	Sajjad Ali
14.	Sajjad Ahmad
15.	Muhammad Iqrar Ullah
16.	Muhammad Ibrahim Khan
17.	Haseen Ur Rehman
18.	Sartaj Khan
19.	Muhammad Minhas
20.	Sabir shah
21.	Zamrud khan
22.	Muhammad Sharif
23.	Ikhlaq Khan
24.	Sajid Ullah



(12) **DIRECTORATE OF PROSECUTION**
GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

No. DP/ESA/1(100)14227-57

Dated Peshawar the 21/11/2023

Office Landline#091-9212559

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<https://prosecution.kp.gov.pk/>

<https://www.facebook.com/kp prosecution>

<https://twitter.com/kpprosecution>

25.	Muhammad Irfan
26.	Shabeer Hussain
27.	Junaid Ahmad
28.	Zia Ullah
29.	Zakir Khan

The above officials will be on Probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

-Sd-

Director General Prosecution
Khyber Pakhtunkhwa.

Endst : Even No & dated:

Copy forwarded for information to the:

1. RDS/DPPs Offices concerned.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. District Account Offices concerned.
4. Assistant Director (I.T) HR Data Incharge, Directorate of Prosecution.
5. PA to Director General Prosecution, Khyber Pakhtunkhwa.
6. All Officials concerned.

Assistant Director Administration

(13)
DISTRICT PUBLIC PROSECUTOR, KARAK
No. DPP/KK/ 1219
Dated Karak 30 /11 /2023
Phone & Fax # 0927-290668
E-mail: dppkrk2022@gmail.com

Amended - C

To

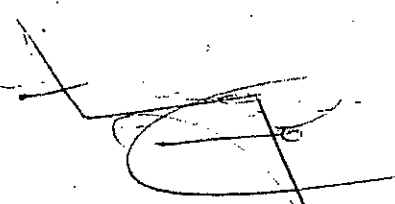
The Worthy Director General Prosecution,
Government of Khyber Pakhtunkhwa,
Peshawar.


Subject: DEPARTMENTAL APPEAL AGAINST DPC ORDER NO.
DP/E&A(100)14227-57, DATED 21.11.2023.

R/Sir,

Please find herewith the enclosed application submitted by Mr.
Shaheed Ullah Naib Qasid, which is self-explanatory sent for your kind
consideration. please.

11842
04/12/2023


District Public Prosecutor,
Karak



(14)

بخدمت جناب ڈائریکٹر جنرل پراسیکیوشن خیبر پختونخوا

Through Proper Channel:

ڈیپارٹمنٹل اپیل برخلاف حکمانہ ترقی حکم نامہ نمبر 57-14227(100) DP/E&A، مورخہ 21.11.2023 جس کے روئے سائل / درخواست گزار / ایپلانٹ کو خلاف قواعد، خلاف قانون، خلاف سیناریو رولز اپنے حق ترقی سے محروم کر کے جو تیسرے ملازمین کو ترقی دے دی گئی ہے۔

جناب عالی اسائل / ایپلانٹ ذیل غرض رساں ہے۔

- (1) یہ کہ ایپلانٹ مورخہ 20.01.1994 سے محکمہ پراسیکیوشن میں نائب قاصد کی حیثیت سے خدمات سرانجام دے رہا ہے اور عرصہ 29 سال بے داغ اور شاندار ملازمت کا حامل کلاس-IV ملازم ہے۔
- (2) یہ کہ حکومت نے کلاس-IV ملازمین کیلئے جو تیسرے کلاس-11 BPS کی آسامیوں پر ترقی کا کوئی مختص کیا ہے۔ جو کہ کلاس-IV ملازمین کی سیناریو کی بنیاد پر پر کیا جائے گا۔
- (3) یہ کہ اب ڈائریکٹر جنرل پراسیکیوشن کے دفتر سے غلط اور خلاف ضابطہ، خلاف قواعد مرتب کردہ سیناریو لسٹ کی بنیاد پر ایپلانٹ سے انتہائی جو تیسرے ملازمین کو جو تیسرے کلاس کی 29 آسامیوں پر ترقی دے دی گئی ہے۔ جو کہ سائل سے انتہائی جو تیسرے درجہ چہارم ملازمین ہیں اور اس طرح سائل کو غیر قانونی، غیر اخلاقی اور خلاف قواعد طور پر اپنے جائز حق سے محروم رکھا گیا ہے اور سائل کو سینئر ہونے کے باوجود جو تیسرے ظاہر کر کے غیر قانونی طور پر ترقی جاری کردہ مورخہ 21.11.2023 کو ایٹو کیا گیا ہے جو کہ سراسر ناانصافی پر مبنی اور صریحاً خلاف قانون و قواعد ہے۔

لہذا استدعا ہے کہ بمنظوری حکمانہ اپیل مذکورہ عنوان بالا حکم نامہ ترقی درجہ چہارم برآسی جو تیسرے کلاس کا عدم قرار دیکر سائل کو جو تیسرے کلاس کی پوسٹ پر ترقی دینے کا حکم صادر فرمایا جاوے۔

ریضے

قاصد دفتر ڈسٹرکٹ پبلک پراسیکیوٹر (DPP) ضلع کرک

مورخہ 30.11.2023

کاپی برائے اطلاع: ایڈیشنل چیف سیکرٹری محکمہ داخلہ خیبر پختونخوا



(15)

Amman - D³

DIRECTORATE OF PROSECUTION
GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT
No. DP/ E & A / 1 (100) 14227-57 DATED: 21-11-2023
Dated Peshawar the 11/12/2023
Office Landline#091-9212559

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To

**The District Public Prosecutor,
Karak.**

Subject: **DEPARTMENTAL APPEAL AGAINST DPC ORDER NO.
DP/E&A/1(100)14227-57 DATED: 21-11-2023.**

Dear Sir,

I am directed to refer to your letter No. DPP/KK/1219 Dated: 30-11-2023 on the subject and to state that the request of Mr. Shaheed Ullah, Naib Qasid of your office is not covered under the Khyber Pakhtunkhwa, Prosecution Service Rules as amended upto 2020, therefore, the same has been filed by the Competent Authority, please.

Yours faithfully,

Assistant Director Administration

Copy forwarded to the:

1. PA to Director General Prosecution, Khyber Pakhtunkhwa.
2. Official concerned.

Handed over to
Mr. Shahid Ullah
for information

Assistant Director Administration

30/12/23

**FINAL SENIORITY LIST OF MATRICULATE-NAIB QASID, CHOWKIDAR AND SWEEPER IN
DIRECTORATE OF PROSECUTION, KHYBER PAKHTUNKHWA AS STOOD ON 09-08-2023**

S. No.	Name	Qualification	Domicile	Date of Birth	Date of 1 st Entry in to the service with designation and BPS	Regular appointed / promotion to present post			Place of Posting
						Date	BPS	Method of recruitment	
1.	Ashraf Ali	Matric	Swat	4-02-1988	7-11-2012 Chowkidar (BPS-01)	7-11-2012	01	Initial	Office of District Public Prosecutor, Swat
2.	Anwar Said	BA	Swat	1-01-1989	7-11-2012 Naib Qasid (BPS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Swat
3.	Muhammad Younas	BA	Swat	19-02-1989	7-11-2012 Chowkidar (BPS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Swat
4.	Asif ur Rehman	Matric	Lower Chitral	5-03-1992	7-11-2012 Chowkidar (BPS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Lower Chitral
5.	Bakht Biland Shah	FA	Buner	20-03-1991	17-06-2014 Sweeper (BPS-01)	17-06-2014	-do-	-do-	Office of District Public Prosecutor, Buner
6.	Akhtar Hussain Shah	Matric	Battagram	15-12-1990	25-07-2014 Chowkidar (BPS-01)	25-07-2014	-do-	-do-	Office of District Public Prosecutor, Battagram
7.	Quraish Khan	BA	Torghar	19-03-1994	25-07-2014 Naib Qasid (BPS-01)	25-07-2014	-do-	-do-	Office of District Public Prosecutor, Torghar

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S. No	Name	Qualification	Domicile	Date of Birth	Date of 1 st Entry in to the service with designation and BPS	Regular appointed / promotion to present post			Place of Posting
						Date	BPS	Method of recruitment	
82.	Murtaza Khan	B. Com	Mardan	16-03-1985	14-09-2021 as Naib Qasid BPS-03	14-09-2021	03	Initial	Office of Regional Director Prosecution, Mardan
83.	Muhammad Shabeer	F. Sc	Mardan	02-01-2000	22-09-2021 as Naib Qasid BPS-03	22-09-2021	-do-	-do-	Office of District Public Prosecutor, Mohmand
84.	Phool Nawaz Khan	FA	Mansehra	11-01-1992	23-09-2021 as Naib Qasid BPS-03	23-09-2021	-do-	-do-	Office of District Public Prosecutor, Mansehra
85.	Naz Mir Khan	Matric 28-09-2021	Bannu	01-07-1981	01-08-2012 Chowkidar (BPS-01)	01-08-2012	01	-do-	Office of District Public Prosecutor, Bannu
86.	Shaheed Ullah	Matric 08-03-2022	Karak	15-07-1975	20-01-1994 Naib Qasid (BPS-01)	20-01-1994	-do-	-do-	Office of District Public Prosecutor, Karak
87.	Jamshed	FA	Lakki Marwat	20-08-1996	28-09-2021 Sweeper (BPS-03)	28-09-2021	03	-do-	Office of District Public Prosecutor, Lakki Marwat
88.	Saeed Khan	Matric	Nowshera	20-05-2001	13-12-2021 Naib Qasid (BPS-03)	13-12-2021	-do-	-do-	Office of District Public Prosecutor, Nowshera
89.	Taimoor Babar	Matric	Peshawar	03-06-1999	23-02-2022 Naib Qasid (BPS-03)	23-02-2022	-do-	-do-	Office of District Public Prosecutor, Peshawar
90.	Muhammad Ukasha	Matric	Charsadda	23-03-2002	22-02-2022 Naib Qasid (BPS-03)	24-02-2022	-do-	-do-	Office of District Public Prosecutor, Charsadda
91.	Umair Ali	BA/DAE	Mardan	18-02-1987	29-03-2022 Naib Qasid (BPS-03)	29-03-2022	-do-	-do-	Directorate of Prosecution

Annex - B
2022

TENTATIVE SENIORITY LIST OF NAIB QASID, CHOWKIDAR, SWEEPER AND IN
DIRECTORATE OF PROSECUTION, LOWER PAKHISTANWA STOOD ON 17-02-2023

Name	Qualification	Domicile	Date of Birth	Date of 1 st Entry in to the service with designation and BS	Regular appointed / promotion in present post			Place of Posting
					Date	BS	Method of recruitment	
Anwar Said	B.A.	Swat	1-01-1989	7-11-2012 Naib Qasid (BS-01)	7-11-2012	03	Initial	Office of District Public Prosecutor, Swat
Mr. Shaheed Ullah	Matric	Karak	15-07-1975	20-01-1994 (Naib Qasid) ✓	20-01-1994	-do-	-do-	District Public Prosecutor, Karak
Asif ur Rehman	Matric	Lower Chitral	5-03-1992	7-11-2012 Chowkidar (BS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Lower Chitral
Muhammad Younas	BA	Swat	19-02-1989	7-11-2012 Chowkidar (BS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Swat
Ashraf Ali	Matric	Swat	4-02-1988	7-11-2012 Chowkidar (BS-01)	7-11-2012	-do-	-do-	Office of District Public Prosecutor, Swat
Bakht Biland Shah	F.A.	Buner	20-03-1991	17-06-2014 Sweeper (BS-01)	17-06-2014	-do-	-do-	Office of District Public Prosecutor, Swat
Akhtar Hussain Shah	Matric	Battagram	15-12-1990	25-07-2014 Chowkidar (BS-01)	25-07-2014	-do-	-do-	Office of District Public Prosecutor, Buner
Quraish Khan	BA	Torghar	19-03-1994	25-07-2014 Naib Qasid (BS-01)	25-07-2014	-do-	-do-	Office of District Public Prosecutor, Battagram
Naseer uddin saddique	FA	Torghar	06-01-1994	25-07-2014 sweeper (BS-01)	25-07-2014	-do-	-do-	Office of District Public Prosecutor, Torghar
Afzal Hussain	FSc	Malakand	20-04-1995	27-07-2014 Sweeper (BS-01)	27-07-2014	-do-	-do-	Office of District Public Prosecutor, Torghar
Barkatullah	Matric	Lower Chitral	10-03-1993	13-11-2014 Naib Qasid (BS-01)	13-11-2014	-do-	-do-	Office of District Public Prosecutor, Malakand
Adnan	FA	Swat	14-05-1996	6-03-2015 Naib Qasid (BS-01)	6-03-2015	-do-	-do-	Office of District Public Prosecutor, Lower Chitral
								Office of District Public Prosecutor, Shangia

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بعد التماس سے درخواستیں قبول کی گئی ہیں

Appeal no. /2024

مقدمہ: ...

باعت تحریر آئنگے MCMC-1420-1319333-3 be-10-7677

مقدمہ مندرجہ عدالت بالا میں اپنی طرف سے واسطے پیردی اور جواب دیں اور کس کارروائی متعلقہ ...

الفرقہ 23، 2024

مقدمہ لکھا اور ... MR NO 0333-9195 776