

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT D.I.KHAN

SERVICE APPEAL NO. 1315/2015

Date of institution ... 05.11.2015

Date of judgment ... 28.12.2017

Amir Muaawia S/O Nazar Muhammad
 R/O Tank City
 (Presently Chowkidar Office of the C&W Tank)

... (Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary, C&W KPK Peshawar.
2. Chief Engineer C&W K.P.K Peshawar.
3. Executive Engineer C&W Tank.
4. Muhammad Zulqarnain Shah, Junior Clerk Officer of Chief Engineer FATA W&S Department Peshawar.
5. Badshah Wazir, Junior Clerk Officer of Chief Engineer FATA W&S Department Peshawar.
6. Aziz Khan, Junior Clerk Officer of Chief Engineer FATA W&S Department Peshawar.
7. Shahid Ali, Junior Clerk Officer of Chief Engineer FATA W&S Department Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF K.K.P SERVICE TRIBUNAL ACT,
1974

Mr. Sarwar Khan Kundi, Advocate.
 Mr. Farhaj Sikandar, District Attorney.

.. For appellant.
 ..For official respondents No. 1 to 3.

Mr. MUHAMMAD AMIN KHAN KUNDI
 MR. MUHAMMAD HAMID MUGHAL

.. MEMBER (JUDICIAL)
 .. MEMBER (JUDICIAL)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the appellant.

Mr. Farhaj Sikandar, District Attorney for the official respondents No. 1 to 3 also present.

Arguments heard and record perused.

M. Amin
 28.12.2018

2. Brief facts of the present service appeal are that the appellant is serving as Chowkidar in C&W Department, Office of the Executive Engineer C&W Tank since 1995. That in order to promote the Class-IV employees (NaibQasids, Chowkidars, Daftriesetc) the department prepared seniority list of the employees wherein the appellant has been placed at serial No. 15 and private respondent No. 4 to 7 were placed junior to the appellant but the respondent-department promoted the private respondents to the post of Junior Clerk vide order dated 26.05.2014 and the appellant was ignored from promotion as Junior Clerk. The appellant filed departmental appeal on 26.11.2014 but the same was not responded hence, the present service appeal on 05.11.2015.

3. Learned counsel for the appellant contended that the appellant is serving as Chowkidar in C&W Department. It was further contended that the department has prepared seniority list of Class-IV employees. It was further contended that according to seniority list the appellant is at serial No. 15 whereas the private respondents are junior to the appellant but the department has promoted the private respondents to the post of Junior Clerk and has ignored the appellant from promotion therefore, the impugned order dated 26.05.2014 is illegal and liable to be rectified.

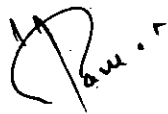
4. On the other hand, learned District Attorney for the official respondents opposed the contention of learned counsel for the appellant and contended that as per Recruitment Rules 2010, 20% quota was reserved for Class-IV employees i.e. Daftaries, Record Lifters, NaibQasids and Chowkidars by promotion on seniority-cum-fitness to the next tier post i.e. Junior Clerk who has passed the Secondary School Certificate from a recognized board and under 45 years of age and have at least two years service as such in the department but date of birth of the appellant is recorded in the official document as 16.01.1967, therefore, he was above 45 years of age at that time. As such he was not eligible for promotion. It was further contended that the impugned promotion notification was issued on 26.05.2014 and the appellant filed the departmental appeal on 26.11.2014 and filed the present service appeal on 05.11.2015 therefore, the departmental appeal as

M. Anwar
28.12.2018

well as service appeal of the appellant are time barred and prayed for dismissal of the appeal.

5. Perusal of the record reveals that according to seniority list pertaining to the year 2012 available on record, the appellant has been shown at serial No. 15 whereas the private respondents have been shown junior to the appellant. However, the age of the appellant has been mentioned as 16.01.1967 in column five of seniority list and the promotion order of the private respondents was issued on 26.05.2014 meaning thereby that the age of the appellant at the time of promotion was above 45 years whereas the minimum qualification prescribed in the rules was Matriculation certificate and below the age of 45 years etc. Furthermore, the promotion order was passed by the official respondents on 26.05.2014 and the appellant has filed departmental appeal on 26.11.2014 while service appeal has been filed on 05.11.2015 therefore, the appeal of the appellant is also time barred. As such the appeal has no force which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
28.12.2017



(MUHAMMAD HAMID MUGHAL)
MEMBER
CAMP COURT D.I.KHAN



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT D.I.KHAN

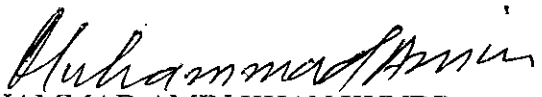
Service Appeal No. 1315/2015


28.12.2017 Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Noman Bashir, XEN for official respondents No. 1 to 3 also present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of three pages placed on file, the appeal has no force which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED


28.12.2017


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT D.I.KHAN


(MUHAMMAD HAMID MUGHAL)
MEMBER
CAMP COURT D.I.KHAN

26.07.2017


Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents also present. Learned counsel for the appellant submitted rejoinder and copy handed over to learned District Attorney for arguments. Adjourned. To come up for arguments on 27.11.2017 before D.B. at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

27.11.2017


Appellant in person present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Inamullah Khan, SDO for the respondents also present. Due to general strike of the Bar learned counsel for the appellant is not in attendance today. Adjourned. To come up for arguments on 26.12.2017 before D.B at Camp Court D.I.Khan.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

26.12.2017

Bench is incomplete. To come up for arguments on 28.12.2017.


(Muhammad Hamid Mughal)
Member
Camp Court D.I.Khan

1315/2015

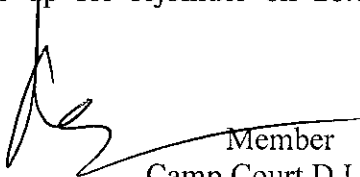
24.05.2016

Appellant in person and Mr. Ghulam Qadir, SDO
alongwith Mr. Farkhaj Sikandar, GP for respondents present.
Written reply submitted. To come up for rejoinder on 25.10.2016
at camp court D.I. Khan.


Member
Camp Court D.I.Khan

25.10.2016

Appellant in person and Mr. Ghulam Qadar, SDO alongwith Mr.
Farhaj Sikandar, Government Pleader for the respondents present.
Rejoinder not submitted. Appellant requested for further time for filing of
rejoinder. Request accepted. To come up for rejoinder on 28.03.2017
before S.B at Camp Court D.I.Khan.


Member
Camp Court D.I.Khan

28.03.2017

Since tour is hereby cancelled, therefore, the case is adjourned
for the same on 26.07.2017.


Member

26.01.2016

Counsel for the appellant present. Arguments partly heard in the light of which it was deemed proper to give notice to the respondents. Therefore, pre-admission notice be issued to the respondents for preliminary hearing on 23.2.16 at camp court, D.I.Khan.

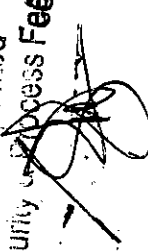


MEMBER
Camp court, D.I.Khan

23.2.2016

Counsel for the appellant present. He submitted that class-IV employees had to be promoted to the post of Junior Clerk in the department per rules and practice and the appellant being one of them was not promoted vide impugned order dated 26.05.2014 despite the fact that his juniors were promoted. He contended that he has been discriminated and his rights injured. He further submitted that the respondent department has yet not responded departmental appeal of the appellant dated 30.7.2015. He also argued that his appeal is within time.

Appellant Deposited
Security & Process Fee



Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. Case to come up for written reply at camp court, D.I.Khan on

24.5.16.



MEMBER
Camp court, D.I.Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1315/2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25.11.2015	<p>The appeal of Mr. Amir Muaawia resubmitted today by Mr. Sarwar Khan Kundi Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR -</p>
2	27-11-15	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up thereon <u>29-12-15</u>.</p> <p style="text-align: center;">Since tour to D.I.Khan for the month of December, 2015 has been cancelled, therefore, case is adjourned to _____ for the same.</p> <p style="text-align: center;">CHAIRMAN</p>
	29.12.2015	<p>Since tour to D.I.Khan for the month of December, 2015 has been cancelled, therefore, case is adjourned to <u>26-1-2016</u> for the same.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>

The appeal of Mr. Amir Maaawia son of Nazar Muhammad Chowkidar office of the C&W department Tank received to-day i.e. on 5.11.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of respondent No.1 is incorrect.
- 2- Heading of the appeal is incomplete which may be completed.
- 3- Nine more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal in file covers.

No. 17/8 /S.T,

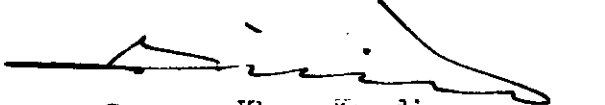
Dt. 6/11 /2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Sarwar Khan Kundi Adv.
High Court Dera Ismail Khan.

Objection raised have been removed.

1. Memo of Address attached.
2. Heading of Appeal corrected.
3. Copies attached in separate files.


Sarwar Khan Kundi
Advocate High Court.

*Resubmitted after doing the
Need full. The Registry No 760 is received
to me on 16-11-2015. So the case is submitted
with in time. photocopy of Registry receipt is attached*


24/11/2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

S.T.A No. 1315 / 2015

Amir Muzawia V/S Govt of K.P.K etc.

Index.

S.No.	Particulars of documents	Annexure	Pages.
1.	Memorandum and grounds of the Appeal along with Condonation of Delay Application .		1-6
2.	Copy of Pay Roll, Copy of Matric Certificate, Skill and Typing Certificate.	A	7-11
3.	Copy of Seniority List.	B	12-15
4.	Copy of Impugned Promotion orders No.177-E/225/GE/C&WD dated.25.5.2014	C	16-
5.	Copy of Application/Departmental Appeal forwarded to Chief Engineer	D	17-18
6.	Wakalatnama.		19

Your Humble Appellant.


Amir Muzawia

through Counsel.


(Sarwar Khan Kundi)
Advocate High Court.

Dated.04.11.2015.

0311-03469497321

(11)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

S.T.A No. 1315 / 2015 PESHAWAR.
/ 2015

G.W.F. Province
Service Tribunal
Diary No. 1382
dated 05-11-2015

Amir Musawia S/O Nazar Muhammad
R/O Tank City
(Presently Chowkidar Office of the
C & W Tank)
CNIC 12201-1869543-1 - POS NO 0345984681
Appellant.

Versus.

1. Govt of Khyber Pakhtunkhwa through
 - (1) Secretary , C & W KPK Peshawar.
 - (2) Chief Engineer C&W K.P.K Peshawar.
2. Executive Engineer C & W Tank.
3. Muhammad Zulfahmian Shah , Jr. Clerk Office of Chief Engineer FATA W&S Department Peshawar
4. Badshah Wazir Junior Clerk Office of the Chief Engineer FATA W&S Department Peshawar.
5. Aziz Khan Junior Clerk Office of the Chief Engineer FATA W & S Department Peshawar.
6. Shahid Ali , Junior Clerk office of the Chief Engineer North Peshawar.

Respondents.

Service Appeal Under Section 4 of K.P.K
Service Tribunal Act , 1974 :

Prayer . On acceptance of the instant appeal the impugned promotion order bearing No. 177-E/225/GE/C&W dated. 26.5.2014 of Respondent 1 to Respondent No. 6 may be set aside and the Appellant being Senior to the Respondent No. 6 to be promoted as Junior Clerk .

Re-submitted to-Gen
and filed.

6/11/15.
Registrar,
25/11/15.

Respectfully Sheweth,

1. That the Appellant is a Chowkidar in the C.W Department, Officer of the Executive Engineer, C&W Tank since 1995 and having qualification of Matriculate. Copy of the Pay Roll and Certificate of Matric, Skill Certificate and Typing Certificate is enclosed as Annexure A.

2. That in order to promote the Class-iv employee (Naib Qasid, Chowkidar, Daftri etc) the Department prepared Seriority list of the employee, wherein the Appellant have been placed at Serial No.15 and the Respondent No.3 to 7 were placed (Respondent No.4) Mr. Zulqarnain Shah at Serial No.20, Respondent No.5 Badshah Wazir at Serial No. 21, Respondent No.6 Aziz Khan at Serial No. 22, and Respondent No.7 Shahid Ali at Serial No.23) Copy of the Seniority list is enclosed as Annexure -B

3. Thereafter the Respondent authorities issued Promotion order of the Private Respondents No.4 to 7 as Junior Clerk, but the Appellant have been ignored. Copy of the Promotion order is enclosed as Annexure -C

4. That the Appellant feeling aggrieved submitted Department Appeal which was forwarded to Chief Engineer Peshawar vide memo No.339/2-E dated.26.11.2014 which was not respondent by the Department. Copy enclosed as Annexure D

5. That the Appellant having no other adequate /appropriate remedy now humbly approach this Hon'ble Tribunal inter alia on the following grounds.

Grounds.

1. That the act and omission of the Respondent

3

-3-

are illegal , unlawfull and without lawfull authority.

2. That the Appellant is Senior Most from the Respondent No. 5 to 7 but he has been ignored and Junior in Service to the Appellant have been promoted as Junior Clerk. Which is illegal , unlawfull and without lawfull authority and is liable to be set aside .

3. That the Performance of the Appellant is upto the Standard and no adverse remarks are available in his throughtout 20/21 years Services in the Deptt:

4. That the Respondent authorities have violated the rules regulation and promotion policy of the Government by not promoting the Appellant as Junior Clerk.

5. That According Seniority list prepared by the Department , the Appellant is senior most than those Respondent No. 4 to 7 who have been promoted as Junior Clerk , thus the Appellant has legalne right for promotion as Junior Clerk.

6. That the Counsel of the Appellant may also be allowed to raise additional grounds during course of hearing.

In wake of submissions made above it is humbly prayed that by accepting the instant Appeal , the Appellant may kindly be promoted as Junior Clerk being senior most .

Your Humble Appellant.

Amir Masawia

through Counsel.

(Sarwar Khan Kundi)
Advocate High Court.

Dated. 04.11.2015.

(4)

BEFORE THE KHYBER PAKHTUNKHWA - SERVICE TRIBUNAL
PESHAWAR.

Application. No. /2015

Amir Muawia V/S Govt of K.P.K etc.

Affidavit.

I, Amir Muawia S/O Nazar Muhammad R/O Tank do hereby solemnly affirm and declare on oath that the contents of the Application is true and correct to the best of my knowledge and belief and that nothing has been kept Secret.


Deponent.



5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Application No. _____ 2015

Amir Muaawia V/S Govt of K.P.K etc

Application for Condonation of
Delay in submitting of Appeal.

Respectfully Sheweth,


That the titled appeal is being submitted alongwith the instant Condonation Application which may kindly be treated as part and parcel of each other.

That the Appellant had submitted application Departmental Appeal immediately after receipt of knowledge which was forwarded to Chief Engineer C&W Peshawar and the Appellant was in view that his Appeal will be decided and the decision/response will be received . When he came to know that the Department is not responding the Appeal /Application . Thus the Appellant feel that the Appeal is within time , if this Hon'ble feel that the Departmental appeal is not within time . Thus the Condonation of Delay may kindly be condoned .

Your Humble Appellant.


Amir Muaawia

through Counsel.


(Sarwar Khan Kundi)
Advocate High Court.

Dated. 04.11.2015.

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

S.T.A No. _____ 2015

Amir Muaawia V/S Govt of K.P.K etc

Affidavit

I, Amir Muaavia S/O Nazar Muhammad R/O Tank City
do hereby solemnly affirm and declare on oath that
the contents of the application is true and correct to
the best of my knowledge and belief and that
nothing has been kept secret.

[Handwritten Signature]
Deponent.

Dated, 04.11.2015.

[Handwritten Signature]
Commissioner District

6/1

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

S.T.No. /2015

Amir Muavia V/S Govt of K.P.K.

Means of Addressess.

1. Secretary , C&W Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Chief Engineer, Khyber Pakhtunkhwa Civil Secretariat Peshawar.
3. Executive Engineer C & W Tank Distt:Tank.
4. Muhammad Zulqarnain Shah , Jr.Clerk Office of Chief Engineer FATA W&S Department Peshawar.
5. Badshah Wazir , Jr.Clerk , Office of the Chief Engineer FATA W&S Department Peshawar.
6. Aziz Khan Junior Clerk Office of the Chief Engineer FATA W&S Department Peshawar.
7. Shahid Ali , Jr.Clerk Office of the Chief Engineer North Peshawar

Sarwar Khan Kundi
Advocate High Court.

DOB : TK7013 Executive Engineer C & U Tank
2174 Adhoc Relief Allow-2 1,102.00
2199 Adhoc Relief Allow 2 1,395.00

Payroll Section : 001 Payroll 1

ANNEX A
7

PAYMENTS 25,317.00
Branch Code:

DEDUCTIONS 493.00-
Payment through DDO

NET PAY 24,824.00 01.09.2015 30.09.2015
Acct. No:

00290009	AMOUNT	CHIC: 1220175100605	DESIG: HATE	AMOUNT	(80311839)	Grade: 03 WTN:	Buckle No.:	Gazetted/Non-Gazetted:
PAYMENTS						LOAN/FUND	PRINCIPAL	REPAID BALANCE
0001 Basic Pay	14,335.00			403.00-				33,110.00-
0046 Personal Pay(Maxim 6	400.00			120.00-				
1000 House Rent Allowance	942.00							
1210 Convey Allowance 20	1,785.00							
1300 Medical Allowance	1,560.00							
1940 Adhoc Allowance 2010	3,310.00							
2148 15% Adhoc Relief All	1,717.00							
2174 Adhoc Relief Allow-2	1,145.00							
2199 Adhoc Relief Allow 2	1,473.00							
PAYMENTS	26,607.00			523.00-				26,084.00
Branch Code:				Payment through DDO				01.09.2015 30.09.2015 Acct. No:

00290010	AMOUNT	CHIC: 15092037049	DESIG: HATE	AMOUNT	(80311840)	Grade: 03 WTN:	Buckle No.:	Gazetted/Non-Gazetted:
PAYMENTS						LOAN/FUND	PRINCIPAL	REPAID BALANCE
0001 Basic Pay	14,335.00			403.00-				137,938.00
1000 House Rent Allowance	942.00			3,000.00-				3,000.00
1210 Convey Allowance 20	1,785.00			120.00-				
1300 Medical Allowance	1,500.00							
1943 Adhoc Allowance 2010	3,070.00							
2148 15% Adhoc Relief All	1,657.00							
2174 Adhoc Relief Allow-2	1,105.00							
2199 Adhoc Relief Allow 2	1,433.00							
PAYMENTS	25,827.00			3,523.00-				22,304.00
Branch Code:				Payment through DDO				01.09.2015 30.09.2015 Acct. No:

00290012	AMOUNT	CHIC: 15018703052	DESIG: CHOWKIDAR	AMOUNT	(80311841)	Grade: 02 WTN:	Buckle No.:	Gazetted/Non-Gazetted:
PAYMENTS						LOAN/FUND	PRINCIPAL	REPAID BALANCE
0001 Basic Pay	10,955.00			373.00-				30,610.00
1000 House Rent Allowance	910.00			120.00-				
1210 Convey Allowance 20	1,785.00							
1300 Medical Allowance	1,500.00							
1516 Dress/ Uniform Allow	100.00							
1567 Washing Allowance	100.00							
1948 Adhoc Allowance 2010	2,367.00							
2148 15% Adhoc Relief All	1,270.00							
2174 Adhoc Relief Allow-2	847.00							
2199 Adhoc Relief Allow 2	1,095.00							
PAYMENTS	20,929.00			493.00-				20,436.00
Branch Code:				Payment through DDO				01.09.2015 30.09.2015 Acct. No:

Attested

00290014	AMOUNT	CHIC: 15090113178	DESIG: NIRE NAM	AMOUNT	(80311842)	Grade: 02 WTN:	Buckle No.:	Gazetted/Non-Gazetted:
PAYMENTS						LOAN/FUND	PRINCIPAL	REPAID BALANCE

S. No. 494692

Roll No. 51596

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

Session 19 86 (Annual)

ADDITIONAL SUBJECT

THIS IS TO CERTIFY THAT Amir Maaawia
Son/Daughter of Nazar Muhammad
and a resident of D.I.Khan District.

has passed the *Secondary School Certificate Examination*
of the Board of Intermediate and Secondary Education, Peshawar held in Apr, 1986
He/She obtained 52 Marks out of 150

The candidate passed in the following *Additional Subjects*

1. English.
2. Nil.
3. Nil.

Rauf
Assit. Secretary
Chas.

Attested
amir
MUTUKHAN
Govt. Degree College
TARE

amir
Secretary

This certificate is issued without alteration or erasure.

sN: 0435855

Roll No. 5507

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1983 (ANNUAL)

THIS IS TO CERTIFY THAT AMIR MUAVIA

Son/Daughter of NAZAR MUHAMMAD

and a student of GOVT HIGH SCHOOL, No.1 TANK D.I.KHAN

has passed the *Secondary School Certificate Examination* of the Board of Intermediate and Secondary Education, Peshawar held in April 1983 as a *Regular candidate*. He/She obtained 290 Marks out of 850 and has been placed in Grade E Representing SATISFACTORY

The Candidate passed in the following subjects:

- | | | | |
|-----------------------|---------------|----------------|--------------------|
| 1. English | 3. Islamiyat. | 5. PAK:STUDIES | 7. GEN:SCIENCE |
| 2. Urdu | 4. ART | 6. ARABIC | 8. GEN:MATHEMATICS |

He/She has been awarded Grade E on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form is SIXTEENTH JANUARY,
one thousand nine hundred and SIXTY SEVEN (16-1-1967)

Asstt. Secretary

10th August 1983

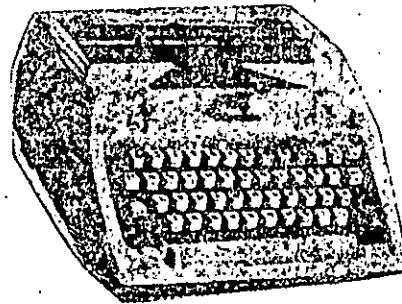
Attested

Secretary

This certificate is issued without alteration or erasure

Iqbal Typewriter Training Centre Tank

Disstt: DERA ISMAIL KHAN



No. TNK-1472-1/86

Dated 1/4/1986

CERTIFICATE

(FOR PRACTICAL TRAINING IN TYPEWRITING)

Certified that Mr. Mrs. AMTR MUAAMTA
Son/daughter of MAULVI NAZAR MUHAMMAD
and resident of VILLAGE: TANK (MOHALLAH CIVIL LINE) TEB: TANK DISTT: DLKHA
has successfully completed the PRACTICAL TRAINING IN TYPEWRITING For this
Training Centre w. e. f. 2/1/1986 to 31/3/1986
He/She acquired the speed of 40 (Forty only) words per minute

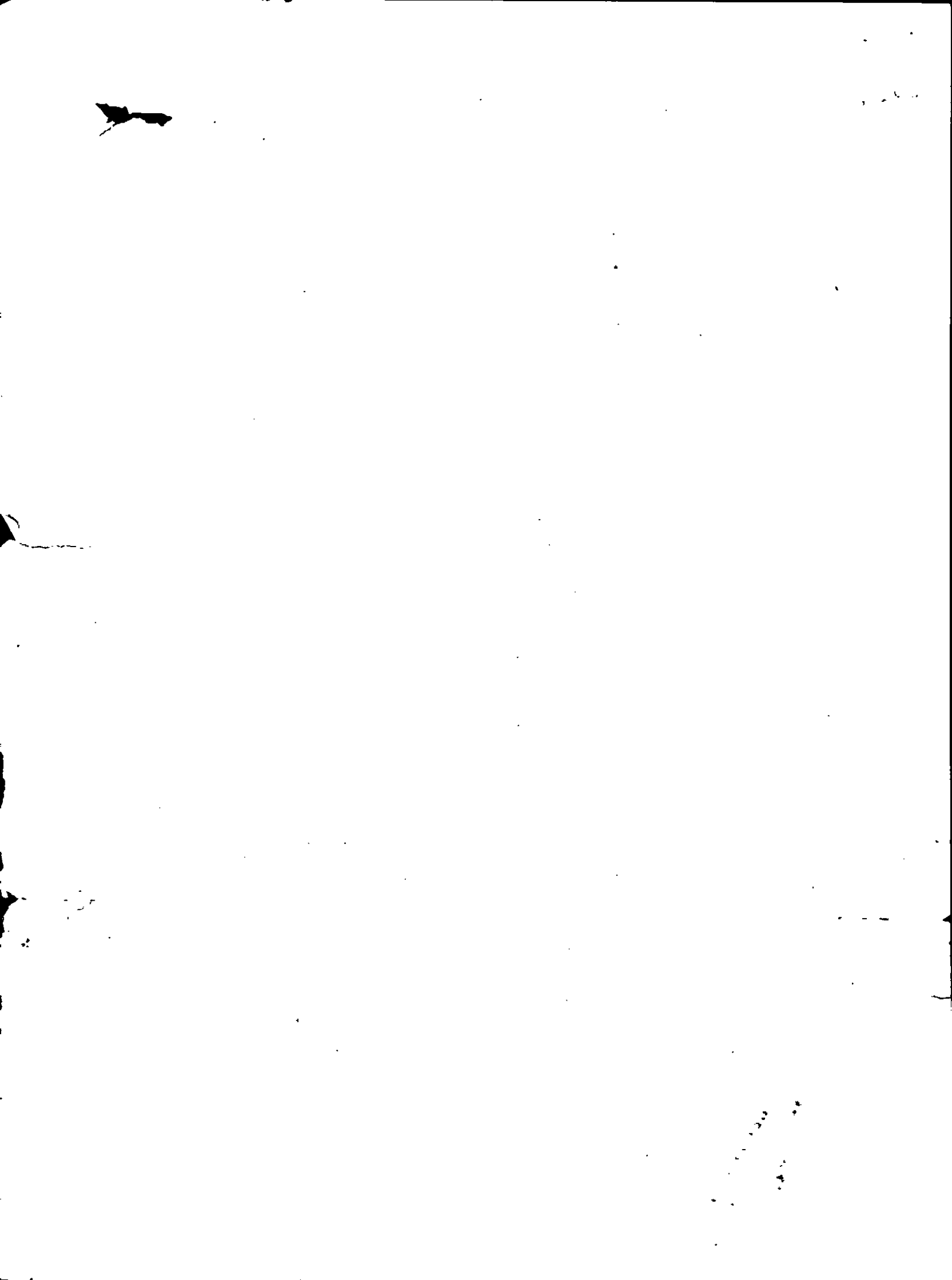
Signature of
Trainee [Signature]

Note :- The stability of speed is
subject to continuous practice
in Typewriting

[Signature]
R. M. KHAN
Incharge,
of the Centre

ISHRAT ART PRESS D. I. KHAN

[Signature]
LECTURER
Govt. Degree College
TANK



Reg. No. SDC/FCW/13250

S. No. 320706

SKILL DEVELOPMENT COUNCIL N.W.F.P PESHAWAR

A Joint Project of National Training Bureau
Govt. of Pakistan, ILO, World Bank & EFP.



This is to certify that
Mr/Mrs/Miss AMIR MUAAWIA Son/Daughter of NAZAR MUHAMMAD

successfully completed a special training Course organized by the SDC Peshawar in the trade of
WINDOWS 98, TYPING(35WPM), MS WORD, MS EXCEL, MS POWER POINT, MS ACCESS, INPAGE & INTERNET

held at FUTURE COMPUTER WORLD TANK.

from 02-07-2006 to 03-10-2006

In recognition thereof this certificate is issued

On 24TH day of JULY 2007

PESHAWAR

[Signature]
Principal

PRINCIPAL
Future Computer World
Tank



[Signature]
LECTURER
Govt. Degree College
TANK

[Signature]
HAJI MUHAMMAD JAVED
CHAIRMAN
SDC PESHAWAR

PREPARED BY *R. Khalil*
CHECKED BY *AK*
REGISTER NO. 25771

S. P. Khan
Director
Skill Development Council
N.W.F.P. Peshawar.



ANNEX B

(12)

OFFICE OF THE CHIEF ENGINEER (FATA)
WORKS & SERVICES DEPARTMENT
PESHAWAR

No. 346 1217-E
Dated Peshawar the, 8 /05/2012

To

All Executive Engineers,
Building/Highway/W&S
Divisions in FATA.

S.W.P

Subject:

SENIORITY LIST OF DAFTARIES/RECORD LIFTER/NAIB QASIDS/CHOWKIDARS.

I am directed to enclose herewith a copy of Administrative Officer C&W Department Peshawar letter No.80-E/554/CE/C&WD dated 6-3-2012 for necessary action.

22/33-E

Encl: As Above

9/5/12

Copy to Administrative Officer C&W Department Peshawar for information with reference to his No. quoted above.

ADMINISTRATIVE OFFICER

Seen

17/5/2012

Attended

ADMINISTRATIVE OFFICER

NOTIFICATION

Attended
[Signature]
(13)

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA, PESHAWAR.
No. 80-E / 554 / CE / C&WD
Dated Peshawar the 6 / 03 / 2012

In pursuance to Notification No. SOE/C&WD/8-12/2009 dated 25-03-2010, the Final Seniority of Daftaries/Record Lifters/Naib Qasids/Chowkidar's (as stood on 29-02-2012) is hereby notified as under:-

SL. No	Name with Designation	Father Name	Domicile	D/O/Birth	Date of Appointment In C&W	Date of passing Matric with Session	Present place of posting	Remarks
1	2	3	4	5	6	7	8	9
1.	Sardaraz Khan (Record Lifter)	Abdullah Khan	Bannu	01/06/1958	20/02/1979	Matric (1976)	XEN C&W Division Bannu	Above 45-years of age
2.	S. Noor Hussain (Daftari)	Haq Nawaz Shah	Tank	20/04/1962	02/05/1981	Matric (1979)	C&W Circle D.I.Khan	Above 45-years of age
3.	Nazar Muhammad (Naib Qasid)	Abdul Qadar	Peshawar	11/02/1962	16/01/1982	Matric (1980)	XEN Building Division Khyber Agency	Above 45-years of age
4.	Noor Jan Ali (Naib Qasid)	Lal Jan Ali	Kurram Agency	22/05/1958	06/07/1976	Matric (1985)	XEN Building Division Kurram Agency	Above 45-years of age
5.	Zarbaz Khan (Naib Qasid)	Said Abbas	Swat	14/04/1963	15/10/1986	Matric (1982)	XEN C&W Division, Swat	Above 45-years of age
6.	Altaf Din (Naib Qasid)	Muhammad Hanif	Mardan	15/02/1965	20/03/1988	Matric (1982)	XEN C&W Division Mardan.	Above 45-years of age
7.	Muhammad Tahir Shah (Naib Qasid)	Muhammad Saleem	Bannu	15/03/1968	14/11/1988	Matric (1982)	XEN C&W Division Bannu	Not willing to get promotion, exercised OPTION on Judicial Bond
8.	Amir Sardar Khan (Record Lifter)	Durana Khan	Bannu	14/03/1962	05/05/1985	Matric (1987)	Xen Highway Division Kurram Agency.	Above 45-years of age
9.	Muhammad Hamid (Daftari)	Muhammad Rashid	Bannu	12/02/1968	15/12/1988	Matric (1987)	XEN C&W Division Bannu	Not willing to get promotion, exercised OPTION on Judicial Bond
10.	Sher Nawaz (Naib Qasid)	Abdullah Khan	Bannu	06/12/1962	01/01/1985	Matric (1990)	XEN C&W Division Bannu.	Above 45-years of age
11.	Zahid Iqbal (Naib Qasid)	Karam Khan	Abbottabad	12/03/1970	04/11/1990	Matric (1989)	XEN C&W Division Abbottabad	DE FATA
12.	Sajjad Nazar (Naib Qasid)	Shah Nazar	Mardan	19/04/1968	10/09/1989	Matric (1994)	XEN C&W Bldg: Divn: Mardan	DE FATA
13.	Akhtar Ali Gul (Naib Qasid)	Zara Gul	Bannu	16/09/1972	31/10/1994	Matric (1990)	XEN C&W Division Bannu.	Case No.
14.	Qaisar Iqbal (Daftari)	Taj Muhammad	Kohat	06/05/1973	24/01/1995	Matric (1989)	XEN C&W Division Hangu	DE W&S
15.	Amir Muaawia (Chowkidar)	Nazar Muhammad	Tank	16/01/1967	28/03/1995	Matric (1983)	XEN C&W Division Tank	Above 45-years of age
16.	Ali Rehman (Daftari)	Patak Khan	Peshawar	10/04/1970	28/03/1995	Matric (1987)	XEN Highway Division Khyber Agency	DE HQ
17.	Iftekhar Ali (Daftari)	Nawab Ali Khan	Swabi	17/03/1972	02/04/1995	Matric (1989)	XEN C&W Division FR Peshawar/Kohat	DE (R)
18.	Kamran Javed (Daftari)	Gul Sher Ali	D.I.Khan	06/09/1975	16/04/1995	Matric (1991)	XEN W&S Divin: FR Tank/D.I.Khan	DE (R)
19.	Hafeez Ahmed Tareen (Daftari)	Abdul Hameed Tareen	D.I.Khan	06/10/1976	16/04/1995	Matric (1992)	XEN Building Division SWA at Tank.	DE (R)
20.	Muhammad Zulqarnain Shah (Naib Qasid)	Ghulam Abbas	D.I.Khan	11/03/1970	23/04/1995	Matric (1990)	XEN Bldg: Divn: SWA Tank	DE (Water Supply)
21.	Badshah Wazir (Daftari)	Muhammad Afzal	Bajaur Agency	03/01/1972	01/06/1995	Matric (1992)	XEN Building Division Bajaur Agency.	AG
22.	Aziz Khan (Naib Qasid)	Syed Gul	Khyber Agency	01/01/1974	07/08/1995	Matric (1991)	XEN H/Way Divn: Khyber Agency	BBMO
23.	Srahid Ali (Naib Qasid)	Maid Ali	Nowshera	05/02/1974	13/09/1995	Matric (1992)	XEN C&W Division Nowshera	
24.	Khan Zeb (Chowkidar)	Mehmood Khan	Khyber Agency	16/03/1970	01/10/1995	Matric (1989)	XEN H/Way Divn: Khyber Agency	

1	Name with Designation	Father Name	Domicile	D/O/Birth	Date of Appointment: In C&W	Date of passing Matric with Session	Present place of posting	Remarks
2	3	4	5	6	7	8	9	
25.	M. Hanzeb Khan (Naib Qasid)	Umar Zada	Dir (Upper)	08/05/1977	01/10/1995	Matric (1995)	XEN C&W Division Dir Upper	
26.	Fakhar Zaman (Naib Qasid)	Muhammad Ishaq	D.I.Khan	10/04/1975	15/02/1996	Matric (1992)	XEN C&W Building Divin: D.I.Khan	
27.	Aliq-ur-Rehman (Record Lifter)	Ali Bahadur	Abbottabad	10/04/1973	01/07/1996	Matric (1991)	XEN C&W Division, A/Atad.	
28.	Tahir Saifi-ud-Din (Chowkidar)	Saifi-ud-Din	Abbottabad	09/09/1977	01/07/1996	Matric (1988)	XEN C&W Division Haripur	
29.	Aftab Gul (Record Lifter)	Pasta Gul	Karak	01/03/1973	13/09/1997	Matric (1989)	XEN C&W Division, Karak	
30.	Hikmat Hussain (Chowkidar)	Muhammad Hussain	Tank	20/02/1982	18/12/2000	Matric (2000)	XEN H.Way Division SWA Tank.	
31.	Muhammad Naeem (Naib Qasid)	Fazal Rehman	D.I.Khan	20/12/1983	08/04/2004	Matric (2002)	XEN C&W Division DIKhan	
32.	Inamullah Khan (Chowkidar)	Nabat Khan	Bannu	10/03/1981	01/06/2004	Matric (1999)	XEN C&W Division FR Bannu/Lakki.	
33.	Aamir Khan	Zarin Khan	Nowshera	12/05/1987	01/11/2005	Matric (2006)	XEN C&W Division, Nowshera	
34.	Syed Nawaz Khan (Chowkidar)	Gul Sardar	Bannu	10/04/1969	18/01/2006	Matric (1992)	XEN C&W Division Bannu	
35.	Muhammad Faisal (Naib Qasid)	Muhammad Afsar	Abbottabad	12/01/1987	10/05/2006	Matric (1979)	XEN C&W Division, Mansehra.	
36.	Muhammad Ihsan (Naib Qasid)	Muhammad Yousaf	Peshawar	01/10/1979	01/07/2006	Matric (1996)	XEN PBMC Peshawar	
37.	Ibrar Hussain (Naib Qasid)	Muhammad Hayat	Khyber Agency	01/03/1982	01/07/2006	Matric (2000)	XEN H.Way Divn: Khyber Agency	
38.	Aman Ullah (Chowkidar)	Gul Zarin	Bajaur	01/06/1982	05/07/2006	Matric (1998)	XEN C&W Divn: Bajaur	
39.	Muhammad Adil (Chowkidar)	Faqir Muhammad	Peshawar	03/01/1988	10/08/2006	Matric (2006)	XEN PBMC, Peshawar	
40.	Anwar Shaid Khan (Record Lifter)	Khan Shaid Khan	Dir Lower	01/07/1986	05/09/2006	Matric (2003)	XEN C&W Division Dir Lower	
41.	Lal Rehman (Naib Qasid)	Said Rehman	Karak	08/07/1982	01/03/2007	Matric (1999)	XEN C&W Division Karak	
42.	Intikhab Hussain (Chowkidar)	Ali Madad	Kurram Agency	01/07/1984	23/06/2007	Matric (2007)	XEN Building Division Kurram Agency	
43.	Seeedullah Shah (Naib Qasid)	Aman Ullah Khan	Bannu	15/03/1983	12/11/2007	Matric (1999)	XEN C&W Highway Division Bannu	
44.	S. Nighah Aji Shah (Chowkidar)	S. Sasiri Alam Shah	Chitral	08/07/1981	01/09/2008	Matric (2000)	XEN C&W Division, Chitral	
45.	Shaidur Rehmat (Chowkidar)	Abdul Azim Khan	Chitral	15/01/1994	01/09/2008	Matric (2007)	XEN C&W Division, Chitral	
46.	Niaz Ali Khan (Chowkidar)	Mukaram Khan	Peshawar	01/06/1976	05/09/2008	Matric (1996)	XEN Provl. Bldg.(Const.) Divin: Peshawar.	
47.	Farman Ullah (Chowkidar)	Fazal Rehman	Charsadda	03/04/1986	13/09/2008	Matric (2003)	XEN Provl. Bldg (Const) Division-II, Peshawar.	
48.	Zulfiqar Khan (Chowkidar)	Masal Khan	Peshawar	14/10/1981	20/11/2008	Matric (1998)	XEN Building Division-2 Peshawar.	
49.	Amir Nawaz (Chowkidar)	Mir Hassan	Peshawar	21/02/1977	11/01/2009	Matric (1994)	XEN PBMC, Peshawar	
50.	Nazir Muhammad (Chowkidar)	Fazal Muhammad	Peshawar	15/04/1979	19/01/2009	Matric (1993)	XEN PBMC, Peshawar	
51.	Idrees Khan (Chowkidar)	Haji Hassan Khan	Peshawar	16/04/1981	22/01/2009	Matric (1997)	SE C&W Circle Peshawar	
52.	Muzahir Hussain (Daftari)	Nazir Hussain	Kurram Agency	28/04/1988	14/04/2009	Matric (2007)	XEN Building Division Kurram Agency	
53.	Hamidullah (Naib Qasid)	Abdul Chaffar	Khyber Agency	04/04/1988	15/05/2009	Matric (2007)	XEN H.Way Divn: Khyber Agency	
54.	Dilawar Khan (Chowkidar)	Samei Khan	Hangu	02/03/1987	01/07/2009	Matric (2005)	XEN C&W Division Orakzai at Hangu	
55.	Shakir Ullah (Chowkidar)	Dil Muhammad	Bajaur Agency	15-06-1987	19-08-2009	Matric (2005)	XEN Building Division Bajaur at Khar	
56.	Asif Mehmood (Naib Qasid)	Muhammad Amin	Tank	17/03/1991	31/10/2009	Matric (2009)	XEN C&W Divin: FR Tank/D.I.Khan	
57.	Muhammad Tariq (Naib Qasid)	Fateh Muhammad	Charsadda	01/01/1975	01/02/2010	Matric (1992)	XEN PBMC, Peshawar	
58.	Inamullah (Naib Qasid)	Akbar Khan	Mardan	20/02/1969	01/02/2010	Matric (2006)	XEN PBMC, Peshawar	

1	2	3	4	5	6	7	8	9
Name with Designation	Father Name	Domicile	DOB/Birth	Appointment In C&W	Date of passing Matric with Session	Present place of posting	Remarks	
59.	Raheel Ahmad (Naib Qasid)	Sian Muhammad	Abbottabad	15/03/1990	01/03/2010	Matric (1988)	Superintending Engineer C&W Circle, A/Abad.	
60.	Nazim Hussain (Naib Qasid)	Asghar Hussain	Mansehra	12/02/1980	10/04/2010	Matric (1997)	XEN C&W Division, Mansehra.	
61.	Muhammad Arif (Naib Qasid)	Mahman Ali	Hangu	29/03/1989	15/04/2010	Matric (2005)	XEN C&W Division Hangu	
62.	Mustafa Kamal Khan (Naib Qasid)	Mir Qabat Khan	Bannu	05/06/1984	28/05/2010	Matric (2000)	XEN, C&W Highway Division Bannu	
63.	Shafiq Hussain (Naib Qasid)	Noor Zaman	Kurram Agency	10/01/1988	02/02/2006	Matric (2010)	Xen Highway Kurram Agency.	
64.	Arif Khan (Daftari)	Bajour Khan	Haripur	18/04/1982	24/03/2010	Matric (1999) + B.A.	XEN C&W Division, Haripur.	
65.	Adnan Afridi	Shah Jehan Afridi	Peshawar	13/07/1979	16/08/2010	Matric (1997)	Executive Engineer Highway Division Peshawar	
66.	Muhammad Yousaf (Chowkidar)	Bashir Khan	Peshawar	02/04/1985	16/08/2010	Matric (2003) + B.A.	XEN Highway Division, Peshawar.	
67.	Saif-ur-Rahman (Naib Qasid)	Mir Abbas Khan	Lakki Marwat	03/03/1981	01/11/2010	Matric (2002)	Chief Engineer (North) C&WD Peshawar.	
68.	Muhammad Arif (Daftari)	Ikram Ullah	Peshawar	01/01/1980	15/01/2011	Matric (1995) + M.A.	Chief Engineer (Centre) C&WD Peshawar.	
69.	Aftab Amin (Naib Qasid)	Mian Khan	Peshawar	02/11/1988	15/01/2011	Matric (2011)	Chief Engineer (Centre) C&WD Peshawar.	
70.	Ahmad Faraz (Naib Qasid)	Aurangzeb	Peshawar	11/10/1980	17/01/2011	Matric (2005)	Chief Engineer (Centre) C&WD Peshawar.	
71.	Saddiq-ur-Rahman (Naib Qasid)	Liaqat Khan	Peshawar	17/09/1992	17/01/2011	Matric (2010)	Chief Engineer (Centre) C&WD Peshawar.	
72.	Alamgir Khan (Daftari)	Jehangir Khan	Peshawar	01/01/1989	18/01/2011	Matric (2009)	Chief Engineer (CDO) C&WD Peshawar	
73.	Parvaiz Khan (Daftari)	Said-ur-Rahman	Lakki Marwat	11/09/1976	20/01/2011	Matric (1993) + M.A.	XEN Building Division No-1 Peshawar	
74.	Qadeer Ahmad (Daftari)	Nazir Ahmad	Peshawar	12/05/1990	10/08/2011	Matric (2007)	Principal Consulting Architect Peshawar.	
75.	Syed Zubair Ali (Naib Qasid)	Syed Saifdar Ali Bacha	Mardan	02/02/1978	11/08/2011	Matric (1997)	Chief Engineer (North) C&WD Peshawar.	
76.	Munif Khan (Daftari)	Raza Khan	Peshawar	04/01/1981	11/08/2011	Matric (2001)	Chief Engineer (CDO) C&WD Peshawar.	
77.	Hamid Ullah (Daftari)	Saif-ur-Rehman	Swabi	10/03/1987	11/08/2011	Matric (2006)	Chief Engineer (Centre) C&WD Peshawar.	
78.	Adnan Khan (Daftari)	Noshad Khan	Charsadda	24/03/1990	11/08/2011	Matric (2007)	Chief Engineer (Centre) C&WD Peshawar.	
79.	Muhammad Ilyas (Naib Qasid)	Yar Muhammad	Mardan	07/03/1991	11/08/2011	Matric (2008)	PR&MT Laboratory Peshawar.	
80.	Noor Wahid Jan (Daftari)	Paında Muhammad	Charsadda	03/04/1988	15/08/2011	Matric (2005)	Chief Engineer (North) C&WD Peshawar.	
81.	Mahmood Shah (Naib Qasid)	Said Wali Shah	Peshawar	18/04/1990	23/08/2011	Matric (2007)	Chief Engineer (FATA) W&SD Peshawar.	
82.	Syed Adil Shah (Daftari)	Syed Jalal Shah	Peshawar	19/04/1992	05/01/2012	Matric (2011)	Chief Engineer (Centre) C&WD Peshawar.	
83.	Atta Ullah (Naib Qasid)	Nafi Ullah	Peshawar	15/06/1977	26/01/2012	Matric (1996)	Chief Engineer (FATA) W&SD Peshawar.	

Copy forwarded to the :-

- 1) Secretary to Govt. of Khyber Pakhtunkhwa C&W Department Peshawar.
- 2) All Chief Engineer's in C&W Department i/c FATA/EQAA & PERRA.
- 3) All Superintending Engineer's in C&W Department.
- 4) All Executive Engineers in C&W Department i/c FATA.

Serial 2 to 4: Please got noted from the respective officials. If found any discrepancies in the Names/ Parentage/Date of Birth/Qualifications & Date of Appointments, documentary proof shall be supplied otherwise oral or incompetent documents will not entertained.

178 cm 15
(ENGR. HIDAYATULLAH KHAN)
CHIEF ENGINEER (CENTRE)

(AMINULLAH KHAN)
ADMINISTRATIVE OFFICER

ANNEX
16

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.
No. 177-E/ 225 / CE / C&WD
Dated Peshawar the 26 / 05 / 2014

OFFICE ORDER

On the recommendations of the Departmental Promotion Committee in its meeting held on 29-04-2014, the following Daftaries, Record Lifters, Naib Qasids & Chowkidars (who have passed SSC and are under 45-years of age) have been cleared for promotion to the cadre post of Junior Clerk (B-07) on regular basis, with immediate effect :-

1.	Muhammad Zulqarnain Shah (Naib Qasid)
2.	Badshah Wazir (Daftari)
3.	Aziz Khan (Naib Qasid)
4.	Shahid Ali (Naib Qasid)

On regular promotion of the said officials, they will be on probation for a period of one year in terms of Section-6(2) of Civil Servants Act, 1973 read with Rule-15(1) of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

Consequent upon their promotion as Junior Clerks, their further postings / transfers are also hereby ordered, with immediate effect:-

Sl: No.	Name of Official	From	To	Remarks
1.	Muhammad Zulqarnain Shah.	Naib Qasid O/O the XEN Building FATA Division SWA Tank	Junior Clerk, services placed at the disposal of Chief Engineer (FATA) W&S Department Peshawar.	Against the existing vacancy.
2.	Badshah Wazir.	Daftari O/O the XEN Building FATA Division - <i>Bojowal</i>	Junior Clerk, services placed at the disposal of Chief Engineer (FATA) W&S Department Peshawar.	Against the existing vacancy
3.	Aziz Khan.	Naib Qasid O/O the XEN Highway FATA Division Khyber Agency.	Junior Clerk, services placed at the disposal of Chief Engineer (FATA) W&S Department Peshawar.	Against the existing vacancy
4.	Shahid Ali.	Naib Qasid O/O the XEN C&W Division Nowshera.	Junior Clerk O/O the Chief Engineer (North) C&W Deptt: Peshawar.	Existing vacancy (Muhammad Ishaque promoted as S.C)

CHIEF ENGINEER (CENTRE)

Copy forwarded to the :-

- 1) Secretary to Govt. of Khyber Pakhtunkhwa, C&W Department Peshawar.
- 2) Accountant General Khyber Pakhtunkhwa Peshawar.
- 3) All Chief Engineers in C&W Department (i/c FATA & EQAA).
- 4) Superintending Engineers C&W Circles (Concerned).
- 5) Executive Engineers C&W Divisions (Concerned).
- 6) District / Agency Accounts Officers (Concerned).
- 7) Officials Concerned.

*New Building
FATA Divn.
SWA at Tank*

B

*Attached to 2
True copy*

CHIEF ENGINEER (CENTRE)

No: 339 / 19E
To:

Dated the 26/11/2014.

ANNEX D

The Chief Engineer,
(Center) C&W Department,
Peshawar.

17

SUBJECT: PROMOTION / APPOINTMENT AS JUNIOR CLERK.

As application in respect of Mr; Amir Muaawia working as Chowkidar in this Division and requesting for promotion or appointment as Junior Clerk is forwarded for sympatric consideration please.

Dem
EXECUTIVE ENGINEER,
C&W Division Tank

Attached to be

True copy

[Signature]

To,

The Chief Engineer,
(Center) C&W Department
Khyber Pakhtunkhwa Peshawar.

18

SUBJECT:- REQUEST FOR PROMOTION AS JUNIOR CLERK

THROUGH:- PROPER CHANNEL

Respected Sir,

It is brought to your kind notice that I am appointed in C&W Division Tank as chowkidar in 1995 by the kind Executive Engineer C&W Division Tank vide his office order No. 1398 / 2-E dated 09/03/1995 and have regular service of 20-year As per Govt; Policy every class IV Govt; employee who is qualified upto Matriculation, there his name is considered in seniority list for promotion to Junior Clerk according to prescribed qota, in this connection I several time meet with the concerned Officer's and also applied for to enter my name in the seniority list mentioned in your office and requested to promote me on turn to the post of Junior clerk but no action is taken, nor I am unformed.

It is learnt and confirmed that many class IV employees who are Junior to me have been promoted and I am ignored from the benefits which I have the right.

Your good self is requested kindly to see the matter and gave me the right of promotion from the date which I have deserve for promotion.

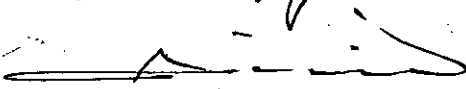
In case my application is not considered than there it seems no other way except to knock the door of court for taking justice

Your Sincerely


Nazir Muhammad

S/O Nazir Muhammad
Chowkidar C&W Division Tank.

Attested to be
True copy


A/20

original copy

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP AT DIKHAN

SERVICE APPEAL NO. 1315 OF 2015

Amir Muaawia S/O Nazar Muhammad
R/O Tank City
(Presently Chowkidar) O/O XEN C&W Divn. Tank.....**Appellant**

VERSUS

- 1- Govt. of Khyber Pakhtunkhwa through
 - i) Secretary C&W Peshawar.
 - ii) Chief Engineer C&W Peshawar.
 - 2- Executive Engineer C&W Division Tank.
 - 3- Muhammad Zulqarnain Shah, Jr. Clerk office of the Chief Engineer (FATA) W&S Department Peshawar (Private Respondent)
 - 4- Badshah Wazir Junior Clerk office of the Chief Engineer (FATA) W&S Department Peshawar (Private Respondent)
 - 5- Aziz Khan Junior Clerk office of the Chief Engineer (FATA) W&S Department Peshawar (Private Respondent)
 - 6- Shahid Ali Junior Clerk office of the Chief Engineer (North) C&W Department Peshawar (Private Respondent)
-**Respondents**

COMMENTS OF OFFICIAL RESONDENTS NO.1 (i), (ii) & 2

RESPECTFULLY SHEWETH
PRELIMINARY OBJECTION

- i) The instant Appeal is not maintainable in its present form.
- ii) The contents of the Appeal are misconceiving and the material facts has been concealed from this Hon'ble Tribunal.
- iii) The Appellant is estopped by his own conduct to prefer the instant Appeal before this Hon'ble Court.
- iv) The Appeal is bad for non-joinder and miss-joinder of necessary parties.
- v) The Appellant has no locus standi and cause of action.
- vi) The Appellant has not come to this Hon'ble Tribunal with clean hands.
- vii) The Appellant mis-stated that his Departmental Appeal (as narrated at Para-4 of the Appeal) as per Executive Engineer C&W Divn. Tank memo dated 26-11-2014 was not responded by the Department is false. Proper reply/intimation was issued vide Official Respondent-1 (ii) Memo No. 80-E/04/CE/C&WD, dated 28-11-2014 (Annexure-I) and as such the instant Service Appeal is badly time barred.

FOR PRAYER

The case of appellant is in-competent, due to the fact that as per the Appointment/Recruitment Rules, 2010 and of late 1996 (Annexure-II & III) 20% quota is reserved to Class-IVs viz. Daftaries, Record Lifters, Naib Qasids and Chowkidars by promotion on seniority-cum-fitness to the next tier post i.e. Junior Clerk, who have passed the Secondary School Certificate from a Recognized Board and a speed of 30 words in English & are under 45-years of age and have at-least 2-years service as such in the Department, the appellant by the way of his Date of Birth as recorded in official documents is 16-01-1967 and as such he was above of 45-years of age, thus the prayer as sought, for his promotion as Junior Clerk is not entertainable.

FACTS

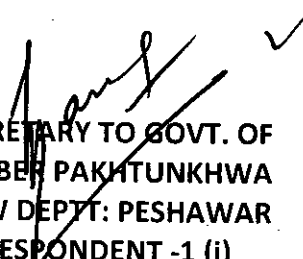
1. Correct, pertains to the official record.
2. Correct, pertains to the official record.
3. Correct, as the Private Respondents 3 to 6 were fulfilling the prescribed criteria and age factor (less 45-years) had been promoted, whereas the appellant's case was not meeting with the prescribed criteria, hence not promoted.
4. The Departmental Appeal as received through official Respondent-2 (XEN Tank), vide memo dated 26-11-2014, was responded under Memo No. 80-E/04/CE/C&WD dated 28-11-2004 (Since Annexed at I).
5. As explained in the preceding paras, there is no merit in the instant appeal, to be admitted or entertained, on the following grounds.


GROUND

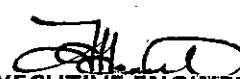
- 1- In-correct, the calculation / presumption of appellant is not valid. No illegality, un-lawful or treatment is excersied with the appellant.
- 2- In-correct. The mere position, senior in the class does not constitute its valid right until the appellant should have meet the age factor of 45-years age, as per the Appointment/Recruitment Rules of the Department.
- 3- In the instant case, mere performance as Chowkidar have no weightage rather to fulfill other pre-requisites first under the prevailing Rules / Regulations of the Government.
- 4- In-correct and Mis-statement. The facts and nature of the Appellant's Status is fully described in the Preceding Paras. No violation of Rules is exercised.
- 5- In-correct and not entertainable under the Rules / Regulations of the Government.

6. The official Respondents also seek to advance other matters at the time of arguing the case.

In the wake of above submissions, it is prayed that the instant appeal may kindly be dismissed with cost, having no merit on the one and the case is badly time barred on this score alone on the other.


SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
C&W DEPTT: PESHAWAR
RESPONDENT -1 (i)


CHIEF ENGINEER (CENTER)
COMMUNICATION & WORKS DEPTT:
KHYBER PAKHTUNKHWA PESHAWAR
RESPONDENT-1 (ii)


EXECUTIVE ENGINEER
C&W DIVISION TANK
(RESPONDENT-2)

It is further prayed that the application and request moved by the appellant for Condonation of Delay in the instant appeal, may please not be admitted, being badly time barred due to his own conduct.


CHIEF ENGINEER (CENTER)
COMMUNICATION & WORKS DEPTT:

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP AT DIKHAN

SERVICE APPEAL NO. 1315 OF 2015

Amir Muaawia S/O Nazar Muhammad

R/O Tank City

(Presently Chowkidar) O/O XEN C&W Divn. Tank.....**Appellant**

VERSUS

1- Govt. of Khyber Pakhtunkhwa through

- i) Secretary C&W Peshawar.
- ii) Chief Engineer C&W Peshawar.

2- Executive Engineer C&W Division Tank.

3- Muhammad Zulqarnain Shah, Jr. Clerk office of the
Chief Engineer (FATA) W&S Department Peshawar (Private Respondent)

4- Badshah Wazir Junior Clerk office of the Chief Engineer (FATA)
W&S Department Peshawar (Private Respondent)


5- Aziz Khan Junior Clerk office of the Chief Engineer (FATA)
W&S Department Peshawar (Private Respondent)

6- Shahid Ali Junior Clerk office of the Chief Engineer (North)
C&W Department Peshawar (Private Respondent)

.....**Respondents**

AFFIDAVIT

I, Abdur Rashid Tareen Administrative Officer, Office of the Chief Engineer
Centre C&W Department, Peshawar, do hereby solemnly affirm and declare on oath that the
content of accompanying Parawise comments on behalf of Respondents No.1 (i), (ii) & 2 are
true and correct to the best of my knowledge and belief that nothing has been concealed
from this Honorable Court.


DEPONENT
Administrative Officer (Centre)
Communication & Works Deptt:
Khyber Pakhtunkhwa Peshawar.

ANNEX - I

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR
No. 80-E / 04 / CE / C&WD
Dated Peshawar the 28 / 11 / 2014

To

The Executive Engineer
C&W Division Tank.

Subject: PROMOTION/APPOINTMENT AS JUNIOR CLERK.

Reference: Your letter No. 339/2-E dated 26-11-2014.

I am directed to refer to your letter quoted above it is stated that 20% promotion quota is reserved to the Class-IVs (Daftari, Record Lifter, Naib Qasid and Chowkidars) for promotion as Junior Clerk (under the Appointment/Recruitment Rules 2010 of C&WD), who are matriculate and are under the age of 45-years. The request of the official can not be acceded to, as his age is above than 45-years.

Please inform the official accordingly.


o/g (ABDUR RASHID TAREEN)
ADMINISTRATIVE OFFICER

GOVERNMENT OF NWFP
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the March 25, 2010

NOTIFICATION:

No. SOE/C&WD/8-12/2009: In pursuance of the provisions contained in sub rule (2) of Rule-3 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules, issued in this behalf, the Communication & Works Department in consultation with Establishment Department and Finance Department hereby lays down, the method of recruitment, qualification and other conditions specified in columns 3 to 5 of the **Appendix** to this Notification which shall be applicable to posts in column 2 of the said Appendix.

(Engr Habib Ali)

Secretary to Govt of NWFP
Communication & Works DepartmentEnds of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries to the Govt of NWFP
2. Secretary to Governor NWFP
3. Principal Secretary to Chief Minister NWFP, Peshawar
4. PS to Chief Secretary NWFP, Peshawar
5. PS to Addl: Chief Secretary NWFP, Peshawar
6. PS to Addl: Chief Secretary Home NWFP, Peshawar
7. PS to Addl: Chief Secretary FATA, Peshawar
8. Accountant General NWFP, Peshawar
9. Additional Accountant General (PR) sub office Peshawar
10. All Chief Engineers in C&W Department
11. All Commissioners in NWFP
12. Secretary Public Service Commission, Peshawar
13. Registrar Peshawar High Court, Peshawar
14. Registrar NWFP Service Tribunal Peshawar
15. All District Coordination Officers in NWFP
16. All Superintending Engineers in C&W Department
17. All Executive Engineers in C&W Department
18. PS to Secretary, C&W Department Peshawar.
19. Office order File
20. Manager Govt Printing Press NWFP, Peshawar. He is requested to supply 200 copies of the printed gazette for further distributions

(Signature)
(RAHIM BADSHAH)
SECTION OFFICER (ESTT)

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
23.	Accounts Clerk/Senior Clerk	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks, with at least three years service as such.
24.	Junior Clerk	i. Secondary School Certificate from a recognized Board; and ii. A speed of 30 words per minute in English typing	18 - 28 ³⁰ years	a. Eighty percent (80%) by Initial Recruitment; AND b. Twenty percent (20%) by promotion, from amongst the Daftaries, Record Lifters, Naib Qasids, Chowkidars, and other equivalent posts who have passed Secondary School Examination and are under 45 years of age and have at least two years service as such in the Department Note: For the purpose of promotion, there shall be maintained a joint seniority list of Daftaries, Record Lifters, Naib Qasids, Chowkidars, with reference, to the date of regular appointment to the post or that of acquiring the Secondary School Certificates, whichever is later; provided that if two dates are the same, the person older in age or having longer service, whichever is more beneficial to him, shall rank senior.
25.	Driver	Possessing a valid LTV/HTV Driving License with five years experience, having Primary/Middle Standard qualifications	21 - 35 years	By Initial Recruitment
26.	Daftary /Record Lifter/Dafadar	Literate/Middle, preference will be given to Ex-Service Man	18 - 35 years	By promotion, from amongst the Naib Qasids/Chowkidars, having Middle Standard qualification Note: If no suitable candidates are available for promotion, then by Initial Recruitment.
27.	Naib Qasid	Middle Standard qualification	18 - 35 years	By Initial Recruitment
28.	Chowkidar	Literate/Primary Standard qualification	18 - 35 years	By Initial Recruitment

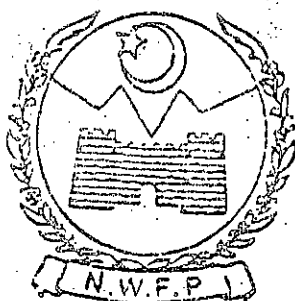
[Handwritten Signature]

Superseded vide Noti:
No. SOE/C&W/8-12/2008 0/25-03-2010
ANNEX - III

EXTRAORDINARY

REGISTERED NO. P. III

GOVERNMENT



GAZETTE

North-West Frontier Province

Published by Authority

PESHAWAR, WEDNESDAY, 5TH NOVEMBER, 1997.

GOVERNMENT OF N.-W.F.P.
[COMMUNICATION & WORKS DEPARTMENT.] Works & Services Department

NOTIFICATION.

26th March, 1996.

No. SOG/C&W/4-12/95.—In pursuance of the provisions contained in sub-rule (2) of rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules issued in this behalf, the [Communication and Works] Department in consultation with the Services and General Administration Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in column-3 to 6 of the Appendix to this Notification which shall be applicable to the posts in column-2 of the said Appendix.

MUHAMMAD IHTESHAM KHAN,
Secretary,
Government of N.-W.F.P.,
Communication and Works Department.

Price: Rs. 16.00

313

[] substituted with "works & services dept" vide notification No. SOE/W&S/23-5/98 08-08-2006

Printed and published by the Manager,
Stationery and Printing Department, Government of NWFP.

1	2	3	4	5	6
6.	Junior Clerk.	(i) Secondary School Certificate or equivalent qualifications from a recognized Board; and (ii) a speed of 30 words per minute in English Typing.	—	18 to 25 years.	(i) Eighty percent by Initial recruitment; and (ii) Twenty percent by promotion from amongst the Daftaries, Gestetner Operators, Record Lifters, Naib Qasids, Chowkidars and other equivalent posts who have passed Secondary School Examination and are under 45-years of age and have at least two years service as such in the Department. <i>Note:—</i> For the purpose of promotion, there shall be maintained Common seniority list of Daftaries, Gestetner Operators, Record Lifters, Naib Qasids, Chowkidars etc. with reference to the date of their acquiring the Secondary School Certificate provided that:— (i) If two or more official have acquired the Secondary School Certificate in the same session, the officials having longer service shall rank senior to other officials. (ii) Where a senior official does not possess the requisite experience at the time of filling up a vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials.
7.	Senior Scale Stenographer.	(i) Bachelor's Degree or equivalent qualification from a recognized University; and (ii) a speed of 100 words per minute in Shorthand in English and 40 words per minute in typing.	—	18 to 25 years.	By promotion on the basis of seniority-cum-fitness from amongst the Stenographers (B-12) with at least 5-years service as such, provided that if no suitable candidate is available for promotion, then by Initial recruitment.