

Appeal No. 200/2016
Said Malik vs Govt

03.1.2018

Counsel for the appellant and Mian Amir Qadar,
District Attorney for the respondents present.

The learned counsel for the appellant pressed into service judgment of this Tribunal dated 03.01.2017 in 5 service appeals including serving appeal No. 1159/2015 entitled "*Muhammad Sajid Vs. government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others*", wherein similar issue was decided in the said judgment. Learned counsel for the appellant requested that this appeal may also be decided in line with that very judgment.

The learned District Attorney has got no objection on disposal of this appeal as requested by the learned counsel for the appellant.

This Tribunal has gone through the judgment referred to above and has come to the conclusion that the issue in that judgment is similar to the present appeal. This Tribunal has already granted relief not only to appellants in that appeals but also to all other similarly placed employees.

In view thereof the present appeal is also disposed of in the terms mentioned in the said judgment dated 03.01.2017. Parties are left to bear their own cost. File be consigned to the record room.

2nd: Statement of Excess & Surrender for the year, 2017-18

Object	Budget estimates 2017-18	Addl: Grant 2017-18	Modified Grant 2017-18	Actual last year 7 months 2016-17	Actual current year 5 months 2017-18	Total Col: No 5 & 6	Anticipated Expenditure Remaining 7 months 2017-18	Anticipated Total Expenditure 2017-18 Col: 6 & 8 Revised Estimate	Excess	Surrender	Adopted by the Finance Deptt:
1	2	3	4	5	6	7	8	9	10	11	
03-Public Order & Safety Affairs											
031-Law Courts											
0311-Law Courts											
031101-Courts/Justice											
PR-4024-Service Tribunal											
A012-2-Other allowance	1,038,000	0	894,000	513,019	40,000	553,019	2,720,000	2,760,000	2,160,000	294,000	
A01271-Overtime allow	144,000		144,000	56,000	40,000	96,000	60,000	100,000 ✓		44,000 ✓	
A01274-Medical Charges	250,000		250,000	11,459	0	11,459		0 ✓		250,000	
A01278-Leave Salary	500,000		500,000	445,560	0	445,560	2,660,000	2,660,000 ✓	2,160,000		
A01288 Suspension Allow	144,000				0 ✓					144,000 ✓	
A03-Operating Charges	5,502,000	0	5,502,000	5,154,753	1,707,067	6,861,820	14,661,389	16,368,456	10,876,456	10,000	
A032-Total Communication ch:	700,000	0	700,000	501,434	182,889	684,323	592,111	775,000	75,000	0	
A03201-Postage Charges	300,000		300,000	283,000	75,000	358,000	300,000	375,000 ✓	75,000		
A03202-Telephone Charges	400,000		400,000	218,434	107,889	326,323	292,111	400,000 ✓			
A033-Utility Charges	550,000	0	550,000	92,863	40,265	133,128	509,735	550,000	0	0	
A03301-Gas Charges	50,000		50,000	32,690	4,230	36,920	45,770	50,000 ✓			
A03303-Electricity Charges	500,000		500,000	60,173	36,035	96,208	463,965	500,000 ✓			
A036 Total Motor Vehicles	0	0	0	0	0	0	0	0	0	0	
A03603 Registration			0	0	0	0	0	0			
A038-Transp: charges	3,868,000	0	3,868,000	4,279,779	1,371,939	5,651,718	12,506,061	13,878,000	10,020,000	10,000	
A03805-Travelling Allowance	2,000,000		2,000,000	3,772,379	999,634	4,772,013	11,000,366	12,000,000	10,000,000 ✓		
A03806-Transp: Charges	10,000		10,000	0	0	0	0	0	✓	10,000	
A03807-POL Charges	1,838,000		1,838,000	477,400	372,305	849,705	1,465,695	1,838,000 ✓			
A03808-Conyance Charges	20,000		20,000	30,000	0	30,000	40,000	40,000 ✓	20,000		

Appeal No. 200/2016
Said Malik vs Govt

03.1.2018

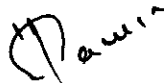
Counsel for the appellant and Mian Amir Qadar,
District Attorney for the respondents present.

The learned counsel for the appellant pressed into service judgment of this Tribunal dated 03.01.2017 in 5 service appeals including serving appeal No. 1159/2015 entitled "*Muhammad Sajid Vs. government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others*", wherein similar issue was decided in the said judgment. Learned counsel for the appellant requested that this appeal may also be decided in line with that very judgment.

The learned District Attorney has got no objection on disposal of this appeal as requested by the learned counsel for the appellant.

This Tribunal has gone through the judgment referred to above and has come to the conclusion that the issue in that judgment is similar to the present appeal. This Tribunal has already granted relief not only to appellants in that appeals but also to all other similarly placed employees.

In view thereof the present appeal is also disposed of in the terms mentioned in the said judgment dated 03.01.2017. Parties are left to bear their own cost. File be consigned to the record room.



Member


Chairman
Camp Court, Swat.

ANNOUNCED

03.1.2018

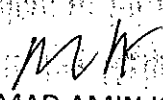
09.03.2017

Counsel for the appellant and Mr. Hussain Khan, Computer Operator alongwith Mian Amir Qadar, GP for the respondents present. Written reply not submitted despite cost of Rs. 1000/-. One more opportunity is granted subject to payment of further cost of Rs. 2000/- which shall be paid by the respondents from their own pockets. To come up for written reply/comments and total cost of Rs. 3000/- on 04.05.2017 before S.B at camp court, Swat.


Chairman
Camp Court, Swat

04.05.2017

Appellant in person present. Mr. Khurshid Khan, Computer Operator alongwith Mian Amir Qadar, Deputy Attorney for the respondents also present. Witten reply by respondents submitted. Costs of Rs. 3000/- also paid and receipt thereof obtained from the appellant. To come up for rejoinder and arguments on 04.10.2017 before D.B at Camp Court Swat.



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Camp Court Swat

04.10.2017

Appellant in person and Mr. Muhammad Zubair, District Attorney alongwith Khursheed Khan, Computer Operator for the respondents present. Appellant seeks adjournment. Adjourned. To come up for arguments on 03.1.2018 before D.B at camp court, Swat.


Member


Chairman
Camp court, Swat

2000/16


03.08.2016

Appellant in person and Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 10.11.2016 before S.B at camp court, Swat.


Chairman


10.11.2016

Appellant in person and Mian Amir Qadar, GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 05.01.2017 at camp court, Swat.


Chairman
Camp court, Swat

05.01.2017

Appellant in person and Mian Amir Qadar, GP for the respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 09.03.2017 before S.B at camp court, Swat.


Chairman
Camp court Swat.

29.03.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as Niab Qasid on 21.9.2001 and that on the basis of 20% reserved quota he was entitled to promotion as Junior Clerk which quota stood abolished and where-after one Ayub Khan, a similarly placed employee, preferred service appeal for promotion against the post of Secretary Union Council which was accepted by this Tribunal vide judgment dated 31.10.2007 and implemented by the department on 31.5.2008. That on the said analogy appellant was also entitled to promotion as Secretary Union Council and therefore preferred departmental appeal on 5.11.2015 which was not responded and hence the instant service appeal on 19.2.2016.

That the appellant is entitled to promotion by extending him alike treatment as extended to Ayub Khan on the strength of the judgment of this Tribunal.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 5.5.2016 before S.B at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division.

Appellant Deposited
Security & Process Fee


Chairman

05.05.2016

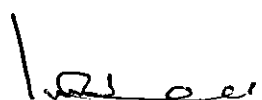


Counsel for the appellant and Mr. Bakht Sher, Asstt. alongwith Muhammad Zubair, SGP for the respondents present. Requested for adjournment. To come up for written reply/comments on 03.08.2016 before S.B at camp Court, Swat.


Chairman
Camp Court, Swat

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 200/2016

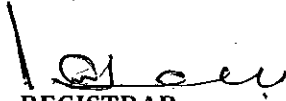
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	04.03.2016	<p>The appeal of Mr. Said Malik resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR -</p>
2	21.03.2016	<p>This case is entrusted to S. Bechh for preliminary hearing to be put up thereon <u>21-3-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Agent of counsel for the appellatant present. Seeks adjournment. Adjourned for preliminary hearing to 29.3.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Said Malik Naib Qasid office of the Assistant Director Local Govt. Department Malakand received to-day i.e. on 19.02.2016 is incomplete on the following score which is returned to the counsel for the appelliant for completion and resubmission within 15 days.

- 1- Copy of appointment order mentioned in para-1 of the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.

No. 280 /S.T,

Dt. 22-2/2016,



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

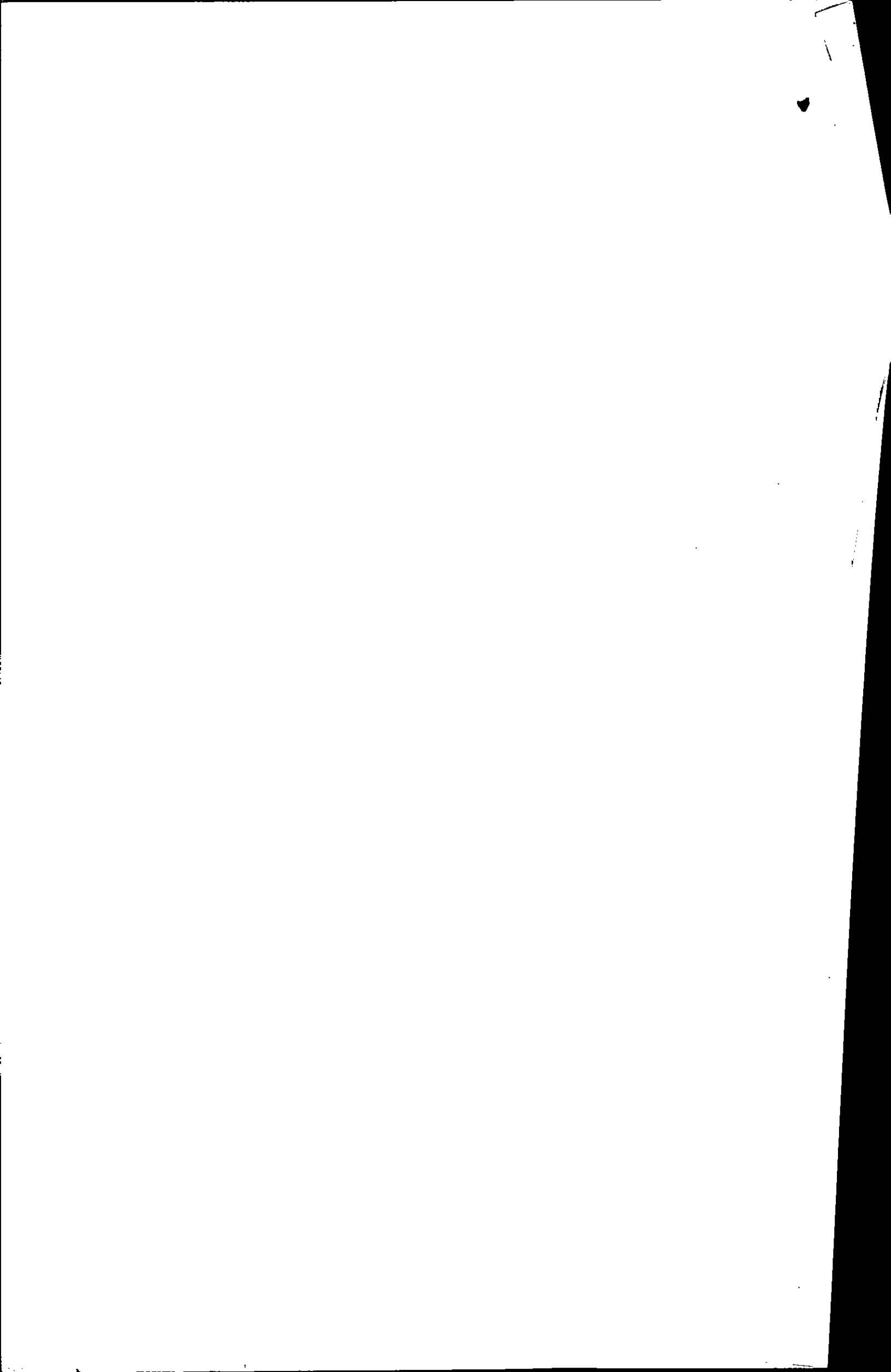
Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

Sir,

That the appointment order of the appelliant is not available and the objection no. 2 has been removed hence the appeal may be put up before the bench.


4/3/2016.



BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO 200 /2016

SAID MALIK

VS

Govt: of KPK

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	1- 4.
2.	Stay application	5.
3.	Domicile	A	6.
4.	Educational testimonials	B	7- 10.
5.	Appointment order	C	11- 13.
6.	Promotion order	D	14- 17.
7.	Rules	E	18- 18.
8.	Advertisements	F & G	19- 20.
9.	Departmental appeal	H	21.
10.	Vakalat nama	22.

APPELLANT

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 200 /2016

N.W.F. Province
Service Tribunal
Diary No. 122
Dated 19-2-2016

Mr. Said Malik, Naib Qasid (BPS-02),
O/O Assistant Director Local Government and Rural Development
Department Malakand, District Malakand.

..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director General Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Assistant Director Local Government and Rural Development Department Malakand, District Malakand

..... RESPONDENTS

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT 1974 AGAINST THE INACTION OF THE RESPONDENT No.4 BY NOT PROMOTING THE APPELLANT TO THE POST OF VILLAGE/ NEIGHBORHOOD COUNCIL SECRETARY (BPS-07) AND AGAINST THE SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED ON 26.1.1978 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal this appeal the impugned service Rules dated 26.1.1978 of the respondent Department may kindly be modify to the extent that promotion quota may very kindly be allocated for class-iv to the post of Secretary village Council and the respondent No.5 may further kindly be directed to consider the appellant for promotion to the post of Village/ neighborhood Council Secretary (BPS-07) in light of the order dated 31.5.2008. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to date

Registered

19/2/16

R/SHEWETH:
ON FACTS:

Re-submitted
4/3/16
to-day

- 1- That appellant is the bonafide resident of District Malakand and has been appointed as Class-IV (Naib Qasid) (BPS-02) in the respondent Department on the proper recommendations of Departmental Selection Committee vide order dated 21.9.2001. Copies of the Domicile, Educational testimonials and appointment order are attached as annexure **A, B and C.**
- 2- That after appointment the appellant started performing his duty as Naib Qasid's (BPS-02) quite efficiently and up to the entire satisfaction of his superiors.
- 3- That according to the service Rules of the respondent Department Notified on 26.1.1978 a promotion quota of 20% now 33% quota was allocated for class-iv employees to the post of Junior clerk (BPS-7). That as per devolution plan the District Council has been divided to that of Tehsil Councils, Union Councils and that of village Councils. That unfortunately the post of junior clerk has been abolished in Tehsil, union and village Councils level and due to that reason the prospects of promotion of appellant has been stopped and he has been deprived from his due right of promotion. Copy of the service Rules is attached as annexure **D.**
- 4- That after creation of village Councils many posts of Secretary (BPS-6) have been created and are lying vacant under the kind control of respondent No.5. That appellant as having eligible and senior most class-iv employee of the respondent Department applied for his promotion to the post of Secretary (BPS-7) in light of the 33% quota and on the analogy of his colleague namely Mr. Ayub Khan who has been promoted to the post of Secretary (BPS-6) now BPS-7 by the respondents on the directions of august service Tribunal vide order dated 31.5.2008. Copy of the promotion order is attached as annexure **E.**
- 5- That vide impugned advertisement dated 11/4/2015 and 27/6/2015 the respondents advertised the posts of Secretaries (BPS-7) for all the village/Neighborhood councils situated in District Malakand by ignoring and not considering the appellant for promotion to the post of Secretary (BPS-7). Copies of the advertisements are attached as annexure **F and G.**
- 6- That feeling aggrieved the appellant submitted Departmental appeal for promotion to the post of Secretary (BPS-7) in light of the respondent No.3 Notification dated 21/12/1982 and on the analogy of the above mentioned employee who was promoted in light of the said rules/notification. Copy of

the Departmental appeal is attached as annexure
..... H.

- 7- That no reply has been received so far on the Departmental appeal filed by the appellant for allocation of quota and promotion to the post of Secretary (BPS-7). Hence the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned advertisements dated 11/4/2015 and 27/6/2015 are against the law, facts and norms of natural justice hence not tenable and liable to be set aside.
- B- That the appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That according to Article 38 (e) of the Constitution of Pakistan 1973 the state is bound to reduce disparity in the income and earnings of individuals, including persons in the various classes of the service of Pakistan, therefore in light of the above quoted Article the appellant has the right to have prospects of promotion.
- D- That the respondent Department acted an arbitrary and malafide manner by not promoting the appellant to the posts of Secretary (BPS-7) despite of having eligibility and seniority.
- E- That according to the promotion orders already issued by the respondent Department the appellant is fully entitle to be promoted to the posts of Secretary (BPS-7) but the respondents discriminated the appellant and as such violated the principle of natural justice.
- F- That as per creation of village councils many posts of secretaries has been created and for the said posts the appellant has the requisite qualification and seniority to be promoted but inspite of that the respondents are not willing to do the same.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

APPELLANT

Said Malik

SAID MALIK

THROUGH:

N.M. Khattak

**NOOR MOHAMMAD KHATTAK
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO _____/2016

SAID MALIK

VS

Govt: of KPK

APPLICATION FOR SUSPENSION OF OPERATION
OF THE IMPUGNED ADVERTISEMENTS DATED 11-
4-2015 & 27.6.2015 TILL THE DISPOSAL OF THIS
APPEAL

R/SHEWETH:

- 1- That the appellant filed above mentioned appeal along with this application before this august service Tribunal in which no date has been fixed so for.
- 2- That all the three ingredients necessary for the stay is in favor of the appellant.
- 3- That the impugned advertisement dated 11.4.2015 and 27.6.2015 are against the Civil Servant Act 1973 as well as the appointment, promotion and transfer Rules 1989.
- 4- That the grounds of main appeal is also be considered as integral part of this application.

It is therefore humbly prayed that on acceptance of this application the impugned advertisements dated 11-4-2015 and 27.6.2015 may very kindly be suspended till disposal of this appeal.

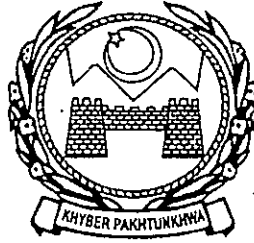
APPELLANT


SAID MALIK

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

DOMICILE CERTIFICATE



District Malakand

I declare that I was born of parents who are permanently domiciled in Khyber Pakhtunkhwa having belonged to it by birth/ settled in it, I belong by birth to village/Mohallah BAHG KALAY MAYAR P/O SAKHAKOT

Tehsil DARGAI Distict MALAKAND



Signature of Applicant Said Malik

Date: 23-12-2014

P ursuance to the declaration dated 23/12/2014

filed by SAID MALIK S/d/w of FAZLI MALIK

domiciled in the khyber Pakhtunkhwa it is hereby certified that the said SAID MALIK is born of parents who are permanent residents of the Khyber Pakhtukhwa Having belonged to it by birth, settled in it. I have satisfied myself ^{over} personally my knowledge verification that the above declaration is true and certify.

This 16th Day of Jan 20 15

COUNTERSIGNED

Said Malik
DEPUTY COMMISSIONER MALAKAND

Said Malik
ASSISTANT COMMISSIONER DARGAI

No 159
Assistant Commissioner
(Rev) Malakand at Dargai

16-1-2015

ATTESTED
Said Malik

16-1-2015

تصدیق

- (1) یہ کہ مستی اسماء مسسر مالک ولد ابنت ادرجہ ففعل مالک ساکن باغ گل صبار و اجی نہ کا کوٹ کھل داری ففعل مالک کا اصلی پیدائشی باشندہ ہے جو کہ میرے حلقہ نیابت اختیار حد و میں واقع ہے
- (2) یہ کہ مستی اسماء مذکورہ قوم افغان قبیلہ شاکان سے تعلق رکھتا رکھتی ہے۔
- (3) جو کہ مستی اسماء مذکورہ نے قبل ازیں کوئی ڈومیسائل سرٹیفکیٹ حاصل نہیں کیا ہے۔
- (4) یہ کہ مستی اسماء مذکورہ ڈومیسائل سرٹیفکیٹ کا حقدار ہے مذکورہ کو میری ذاتی ذمہ داری پر ڈومیسائل سرٹیفکیٹ دیا جائے۔

MOHAMMAD ZAHID ALI
G.H.S. No. 2, Bakhakot

دستخط
نام
عہدہ

قومی شناختی کارڈ نمبر 15401-0717676-3

رپورٹ پوسٹ کمانڈر۔ ضاب عالی۔ گزارش ہے کہ تقدیر کنڈرہ مالہ سے معلوم ہوا
مستی مسسر مالک ولد ففعل مالک ساکن باغ گل صبار سا کوٹ تحصیل درستی
ضلع ملاکنڈ کا اصل باشندہ ہے۔ اسکی قوم اصقان قبیلہ شاکان سے تعلق
رکھتی ہے۔ اسکی ذمہ داری قومی شناختی کارڈ نمبر 15401-0717676-3
کا حاصل کیا ہے۔ جس کا نمبر پوسٹ کمانڈر اور ضلعی سٹیٹ

Naib Tehsildar
Dargal M.K.D Agency

R. 16/1/015

کاپی 2/1/015
کتاب محل درستی ملاکنڈ

S.No X

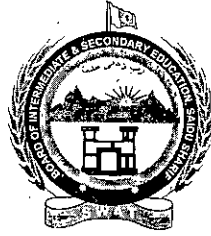
10317

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Roll No 22889

B-7

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif, Swat, N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1994 (ANNUAL/SUPPLEMENTARY)

THIS IS TO CERTIFY THAT

BAID MALIK

FAZLI MALIK

Son/Daughter of

and a student of

MALAKAND AGENCY

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in MARCH as a Regular/Private candidate. He/She obtained 395 Marks out of 850 and has been placed in Grade D Representing FAIR

The Candidate passed in the following subjects:

1. English
2. Urdu
3. Islamiyat
4. Pakistan Studies
5. MATHEMATICS
6. ISL:STUDIES
7. GEN:SCIENCE
8. PASHTO

Date of birth according to admission form is FIRST FEBRUARY one thousand nine hundred and SEVENTY-SEVEN (1/2/1977)

Asstt. Secretary

This certificate is issued without alteration or erasure.

Secretary

ATTESTED

Saidi Malik

S. No. 05020



Roll No. 205991

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif Swat N.W.F.P. Pakistan

INTERMEDIATE EXAMINATION

ARTS

SESSION 19 97 (ANNUAL / SUPPLEMENTARY)

THIS IS TO CERTIFY THAT SAID MALIK

Son / Daughter of FAZALI MALIK

and a student of MALAKAND AGENCY

Registered No. _____ has passed the Intermediate Examination of

the Board of Intermediate & Secondary Education, Saidu Sharif, Swat held in

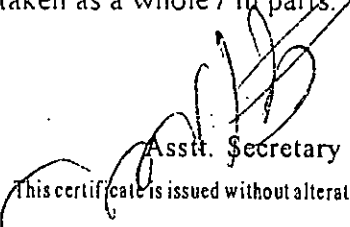
NOVEMBER, 1997 as a Regular/private candidate, He / She obtained 414

Marks out of 1100 and has been placed in Grade E Representing SATISFACT

Internal Grade XXXXXX

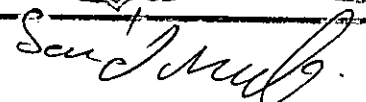
The Examination was taken as a whole / in parts.

 Asstt / supdt

 Asstt. Secretary

 Secretary

This certificate is issued without alteration or erasure.



Reg. No. SDC/NCA/138398

R.B. No. 008630-15

S. No. A- 28493

Skill Development Peshawar Council

Established Under National Training Ordinance 1980

Competency Based Certificate



This is to certify that

Mr/Mrs/Miss SAID MALIK Son/Daughter of FAZLI MALIK

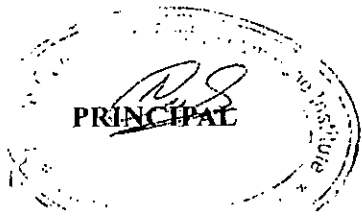
Has successfully completed a special training course organized by the SDC Peshawar
in the trade of MS.OFFICE

held at NOBLE COMPUTER & ENGLISH LANGUAGE ISTITUTE, SAKHAKOT

From 01-03-2014 To 30-09-2014

In recognition thereof this certificate is issued

On 28th day of APRIL 2015



ATTESTED

HAJI MUHAMMAD JAVED

CHAIRMAN
SDC PESHAWAR

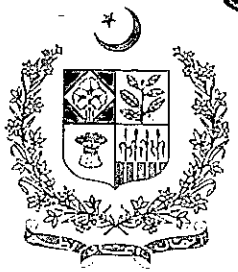
Said Malik

9

10

Certificate of Completion

PAI COMPUTER COLLEGE SAKHAKOT MALAKAND



Mr/Mrs/Miss Said Malik Son / Daughter of Fazli Malik

Successfully completed 01/03/2014 to 01/09/2014 Months Course in the trade of CIT

In the following subjects .

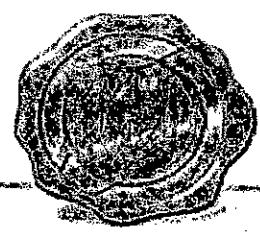
- 1, MS World 2, MS Excell 3, MS Windows 4, MS Power point 5, Internet 6, Inpage 7, Photoshop 8, Ulead

From PAI COMPUTER COLLEGE SAKHAKOT MALAKAND as prescribed syllabus in Grade A

In recognition thereof this Certificate of Achievement is awarded to him/her on 20 day of Jan, 2015.

Said Malik
DIRECTOR

Attested
[Signature]
Distt: Population Welfare
Office Malakand at Backhela



ATTESTED
Said Malik
PRINCIPAL

Annex-C-

(11)

Office of the
District Coordination Officer
Malakand
No. 1625-1727 /DCO(AC)
Dated 21/09/2001

ORDER.

As per devolution plan and the guide-lines issued by the Provincial Government, the following surplus staff is hereby adjusted/posted against the vacant posts in the under mentioned Departments/Offices of the District Government Malakand with immediate effect.

DGO Office Malakand.

S.No.	Name	Designation	BS
1.	Mr. Iqbal Hussain (PA Office)	Assistant	11 (in his own pay & scale)
2.	Mr. Amir Hamza (Comm:Office)	Assistant	11 (in his own pay & Scale)
3.	Mr. Muamber Khan (PA Office)	Assistant	11 (in his own pay & Scale)

FINANCE & PLANNING Malakand.

S.No.	Name	Designation	BS
1.	Mr. Iftikhar Badshah (PA Office)	Assistant	11 (in his own pay & Scale)
2.	Mr. Jehan Zeb (PA Office)	Assistant/DEO	11 (in his own pay & Scale)
3.	Mr. Gul-Shah Zada (Comm:Office)	Assistant	11 (in his own pay & Scale)
4.	Mr. Hazrat Muhammad (PA Office)	J/Clerk	5
5.	Mr. Sajad Hussain (PA Office)	J/Clerk	5
6.	Mr. Shaukat Ali (PA Office)	J/Clerk	5
7.	Mr. Noor ul Amin (Comm:Office)	J/Clerk	5
8.	Mr. Muhammad Rehman (PA Off:)	J/Clerk	5
9.	Mr. Zahid Hussain (Comm:Office)	Driver	4
10.	Mr. Fazal Sadiq (Health)	Driver	4
11.	Mr. Amir Hassan (PA Office)	N/Qasid	1
12.	Mr. Rehmanul Mulk (Comm:Office)	N/Qasid	1
13.	Mr. Saadat Khan (Comm:Office)	N/Qasid	1
14.	Mr. Muhammad Akbar (Education)	N/Qasid	1
15.	Mr. Muhammad Zahid (Prn:Press)	N/Qasid	1

ATTESTED

Sad Malik



S.No.	Name	Designation	BS
-------	------	-------------	----

U/C KOT

1. Mr. Ibrahim (LG & RDD) V/Secretary 6 (On Leave)

U/C DARGAI

1. Mr. Amir Gul (PA Office) V/Secretary 6 (in his own pay & Scale
 2. Mr. Gulim Shah (PA Office) N/Qasid 1

U/C KHERKAI

1. Mr. Gul Nabi (LG & RDD) V/Secretary 6
 2. Mr. Amir Nawaz (Agri: Engg) Naib Qasid 1

U/C WARTAIR

1. Mr. Muhammad Tariq (PA Office) V/Secretary 6 (in his own pay & Scale
 2. Mr. Shamsheer Ali (PA Office) N/Qasid 1

U/C G.U. KHEL

1. Mr. Salahud Din (DC Off: Swat) V/Secretary 6 (in his own pay & Scale)
 2. Mr. Fazal Subhan (Education) N/Qasid 1

U/C MEHERDAI

Mr. Muhammad Iqbal (LG & RDD) V/Secretary 6

U/C SAKHAKOT PROPER

1. Mr. Qasim Khan (LG & RDD) V/Secretary 6
 2. Mr. Said Malik (Education) N/Qasid 1

U/C SAKHAKOT JADEED

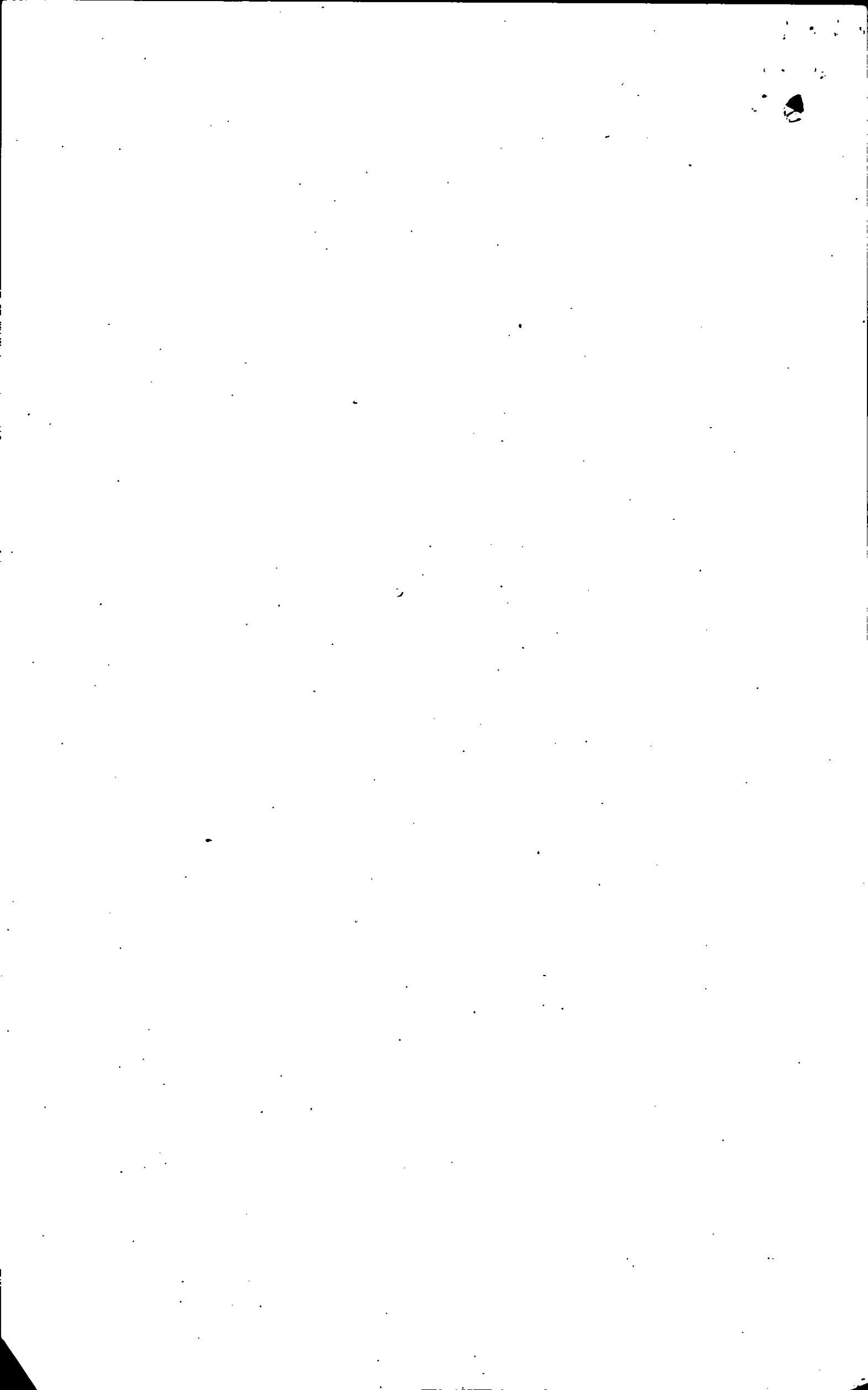
1. Mr. Muhammad Pervez V/Secretary 6

U/C SAKHAKOT BANDA JAT

1. Mr. Bakht Rawan (LG & RDD) V/Secretary 6

ATTESTED

Said Malik



S.No.	Name	Designation	BS
-------	------	-------------	----

- | | | | |
|----|--|-------------|----------------------------|
| 1. | <u>U/C KOPER</u>
Mr.Fazal Azim (Printing Press) | V/Secretary | 6 (in his own pay & Scale) |
| 1. | <u>U/C HEROSHAH</u>
Mr.Anwar Iqbal (C & W) | V/Secretary | 6 (in his own pay & Scale) |
| 1. | <u>U/C BADRAGA</u>
Mr.Ghani Akbar (C & W) | V/Secretary | 6 (in his own pay & Scale) |

Note:- Mr.Muhammad Rehman J/Clerk at S.No:8 (Finance Deptt:) will continue his duties in the office of EAC Dargai till further order.

— *Sid* —
DISTRICT COORDINATION OFFICER
MALAKAND

No. 1625-1727 /DCO/MKD/(AC)
COPY FORWARDED TO THE:

1. Secretary to Government of NWFP Establishment & Admin: Department Peshawar.
 2. Secretary to Government of NWFP Finance Department Peshawar.
 3. Secretary to Government of NWFP LG & RDD Peshawar.
 4. Secretary to Government of NWFP Board of Revenue Peshawar.
 5. Incharge Provincial Transition Wing Peshawar.
 6. Director Agriculture Engg: NWFP Peshawar.
- (FOR INFORMATION PLEASE)
7. District Coordination Officer Swat with reference to his Memo No.1766-71/06/DCO/Accountant dated 14.01.2001.
 - 8-15. All Executive District Officers in Malakand.
 16. Agency Accounts Officer Malakand.
 17. Tehsil Municipal Officer Batkhela and Dargai.
 18. Accounts Officer DCO Office Malakand.
 - 19-20. PS to DCO Malakand.
 - 21-102 All Official Concerned for compliance.

✓ *Sid*
ASSISTANT COORDINATING OFFICER
MALAKAND

ATTESTED

Sid

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
LOCAL GOVT: COOPERATION, SOCIAL WELFARE,
TOURISM AND RURAL DEVELOPMENT DEPARTMENT.
=0=0=0=0=0=0=0=0=0=0=0=0=0=0=0=0=

Dated Peshawar the 26th January, 1978.

NOTIFICATION.

No. DG(RWP)7(2)/73. In exercise of the powers conferred by Sub-Rule(2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, and in consultation with the Information, Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualifications and other conditions specified in column 3 to 6 of the Appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said Appendix.

Sd/- (ATTAUR REHMAN KHAN)
Secretary to Govt: of N.W.F.P.
Local Govt:, Cooperation,
Social Welfare, Tourism and R
Rural Development Department.

No. DG(RWP)7(2)/73.

Copy of the above forwarded to the:-

1. All Administrative Secretaries to Govt: of N.W.F.P.
2. All Divisional Commissioner in N.W.F.P.
3. Secretary to Governor, N.W.F.P.
4. Secretary, Public Service Commission, NWFP, Peshawar.
5. All Heads of Attached Departments in NWFP.
6. All Deputy Commissioner/Political Agents in NWFP.
7. All District and Session Judges in N.W.F.P.
8. Registrar, Peshawar High Court Peshawar.
9. Deputy Secretary-II, I S&GAD.
10. All Section Officers in S&GAD.
11. Section Officer(Legis) Government of NWFP, Law Deptt: with reference to his U.O. No. Reg: 1(4)76/452, dated 8th October, 1977.
12. Section Officer(Inform:) Govt: of NWFP, IS&GAD with ref: to his letter No.SOS-III(S&GAD)4-6/75, dated 21st July, 1978.
13. The Manager, Govt: Printing Press, Peshawar for publication in the next Govt: Gazette Notification. 30 copies of the Notification may be sent to this Deptt: Deputy Director(PWP), Rural Development, NWFP, Peshawar for information with reference to SO-Services-III, IS&GAD No.SOS-III(S&GAD)4-6/75, dated 21st January, 1978.

ATTESTED

ATTESTED.

Sd/-

ATTESTED
Sd/-

METHOD OF APPOINTMENT, QUALIFICATIONS AND AGE LIMITS
RURAL DEVELOPMENT DEPARTMENT.

Sl. No. of post.	Nomenclature	Qualification for initial recruitment.	Qualifications for promotion.	Age limit for initial recruitment.	Method of appointment.
1.	2.	3.	4.	5.	6.
1.	<u>DEPUTY DIRECTORS.</u>	a) 2nd Class Master's Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agril: Political Science, Public Admn: Geography or Social Psychology: and b) Five years experience in Agriculture, Animal Husbandry Education, Social Welfare, Planning & Dev: or Forest in Grade-16 or above.	-	Not less than 30 years and not more than 40 years.	i) 25% by initial recruitment, and 75% by sel on merit with due regard to seniority from amongst the holders of the posts of Assistant Directors, Rural Development (including the defunct Basic Democracies Deptt:.) Project Managers & Progress Officers, with at least years experience as such.
2.	<u>ASSISTANT DIRECTORS/PROJECT MANAGER/PROGRESS OFFICER.</u>	2nd Class Master's Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agriculture, Political Science, Public Administration, Geography or Social Psychology, Physics, Chemistry, Mathematics.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts Development Officers and Sub-Divisional Officers (Assistant Engineers).
3.	<u>ACCOUNTS OFFICER.</u>	2nd Class Master's Degree in Commerce/Business Administration, or C.A.S. qualified persons of Pakistan Audit Deptt: or Provincial Local Audit Department.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment, and ii) 50% by selection on merit with due regard to seniority holders of posts Superintendents the Deptt: with at least three years service such.
4.	<u>DEVELOPMENT OFFICER.</u>	2nd Class Master Degree from a recognised University in Economics, Statistics, Social Works/Sociology, Animal Husbandry, Agriculture, Public Admn: Political Science, Geography or Social Psychology.	-	Not less than 21 years and not more than 30 years.	i) 50% by initial recruitment, and ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Supervisors, RD in the Deptt: with at least ten years service. Service in defunct Vill: Aid Deptt: and in the purpose of service under this clause treated as service in the Department.

15

ATTESTED

[Signature]

ATTESTED

S. I. Malik

1.	2.	3.	4.	5.	6.
5.	<u>SUB-DIVISIONAL OFFICER/ASSTT: ENGINEER.</u>	Degree in Engineering or equivalent qualification from a recognised University.	-	Not less than 21 years and not more than 30 years.	i) 75% by initial recruitment and ii) 25% by selection on merit with due regard to seniority from amongst holders of the posts of Overseers.
6.	<u>SUPERINTENDENT.</u>		-		By selection on merit with due regard to seniority from amongst holders of the posts Asstts./Accountants/Senior Stenographers/Senior Auditors, with at least five years experience as such.
7.	<u>ASSISTANT/ACCOUNTANT.</u>	Degree from a recognised University.	-	Not less than 21 years and not more than 25 years.	i) 25% by initial recruitment and ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts of Senior Clerks, Junior Auditors in the Deptt. with at least five years service as such.
8.	<u>STENOGRAPHERS. (SENIOR SCALE).</u>	a) Matriculation or equivalent qualification from a recognised Board and b) Speed of 100 words per minute in Shorthand in English and 40 words per minute in typing.	-	Not less than 18 years and not more than 25 years.	i) 25% by initial recruitment; and ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts Stenographers (Junior Scale).
9.	<u>OVERSEER.</u>	Diploma in Engineering from a recognised Institutes.	-	Not less than 21 years and not more than 25 years.	By initial recruitment.
10.	<u>SUPERVISOR, RURAL DEV.</u>	Degree from a recognised University.	-	Not less than 21 years and not more than 25 years.	i) 25% by initial recruitment; and ii) 75% by selection on merit with due regard to seniority from amongst holders of the posts of Vill:Seoys: in the Deptt: with at least five years experience as such.
11.	<u>SENIOR AUDITOR.</u>	Degree from a recognised University. Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts.	-	Not less than 18 years and not more than 25 years.	i) 50% by initial recruitment; and ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts Junior Auditors/Senior Clerks in the Deptt: at least (3) years service as such.

ATTESTED

Contd: on p. 3
ATTESTED
Sundar

1. 2.

3.

4.

5.

6.

12. STENOGRAPHER (JUNIOR SCALE).

- a) Matriculation or equivalent qualification from a recognised Board; and
- b) Speed of 80 words per minute in Shorthand in English and 35 words per minute in typing.

Not less than 18 years and not more than 25 years.

- i) 50% by initial recruitment and
- ii) 50% by selection on merit with due regard to seniority from amongst holders of the posts of Steno-typists in the Department.

13. STENO-TYPISTS.

- a) Matriculation or equivalent qualification from a recognised Board; and
- b) Speed of 60 words per minute in Shorthand in English and 25 words per minute in typing.

Not less than 18 years and not more than 25 years.

- i) Not less than 50% by initial recruitment and
- ii) Not more than 50% by selection on merit from amongst the holders of the posts of Junior Clerks in the Deptt: with three years service such, who have the minimum qualifications prescribed for initial recruitment.

14. JUNIOR AUDITOR.

Matriculation or equivalent qualification from a recognised Board.

Not less than 18 years and not more than 25 years.

By selection on merit with due regard to seniority from amongst the holders of the posts of Junior Clerks in the Deptt: with at least three years service as such.

15. SENIOR CLERKS.

Intermediate from a recognised Board.

Not less than 18 years and not more than 25 years.

By initial recruitment.

16. VILLAGE SECRETARIES.

Matriculation or equivalent qualification from a recognised Board.

Not less than 18 years and not more than 25 years.

- i) Not less than 80% by initial recruitment; and
- ii) Not more than 20% by selection on merit with due regard to seniority from amongst Daftaries and peons in the Deptt: who have the minimum qualifications prescribed for initial recruitment.

17. JUNIOR CLERKS.

ATTESTED

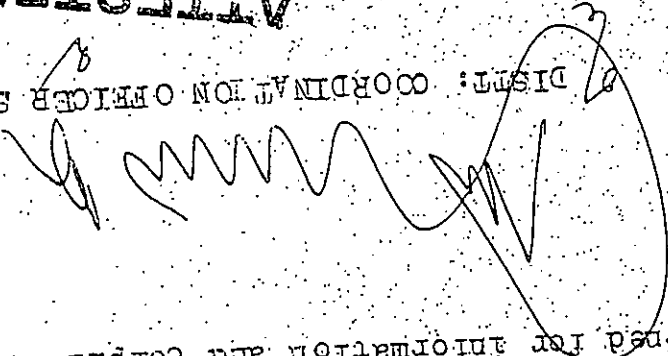
[Handwritten signature]

ATTESTED


[Handwritten signature]

Said Mulla
ATTESTED

DISTT: COORDINATION OFFICER SWAT



ATTESTED

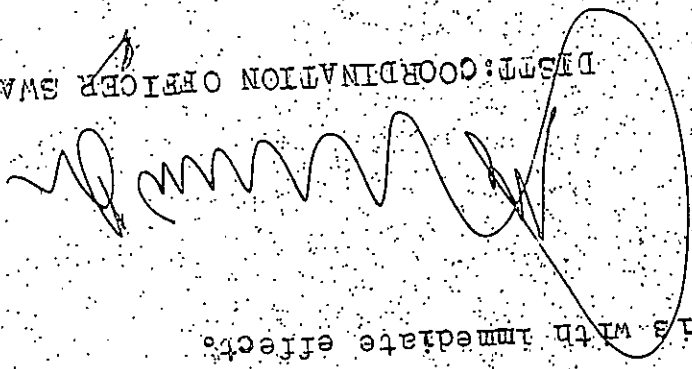


- 1- The Registrar NWP Services Tribunal, Peshawar, for information.
- 2- The District Accounts Officer, Swat.
- 3- Nazir (Local Office).
- 4- Official concerned for information and compliance.

Copy forwarded to:-

No. 5897-590/150/DCO/Estt.

DISTT: COORDINATION OFFICER SWAT



In pursuance of the judgement passed by the Hon'ble Services Tribunal N.W.F.P. dated 31/10/2007, and 29/4/2008, Mr. Ayub Khan, NWP (BPS-02) of Union Council is hereby selected/promoted as Secretary (B-06) against the vacant post at Union Council Pindodag, Swat on regular basis with immediate effect.


O R D E R

No. 5896 /150/DCO/Estt.

Dated the 31-5 /2008.

OFFICE OF THE DISTRICT COORDINATION OFFICER SWAT AL GUJKADA.

(18)

F - 
19

http://www.dailymashriq.com.pk

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

DAILY MASHRIQ PESHAWAR

پشاور روزنامہ
سیدنا میر شاہ
بہنو کے نان

مَشْرِیْق

سلسلہ اشاعت کے 48 سال

ABC CERTIFIED

جلد 48

شمارہ 231

26 جنوری 2015ء

روزنامہ مشرق
11-4-2015

آخری تاریخ
25/4/2015

استعداد اور صلاحیتوں کی جانچ

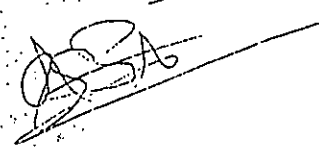
مگر ہذا کی طرف سے درج ذیل نالی آسامیوں کو برکنے کیلئے سہ ماہیہ امتحان کے ذریعہ ان کے اہلیت کے جانچ کے لئے
اہلکاروں سے درخواستیں طلب ہیں۔ جو اس استعداد کی اشاعت کے بعد (15) مہینوں کے اندر داخلہ حاصل کرنے
کیلئے اپنی تعلیم اور دیگر اہلیتوں کی جانچ کے لئے درخواستیں جمع کروانے اور ان میں تصدیق شدہ
دستاویزات جمع کروانی چاہئیں۔ تفصیلات کے لئے درخواستیں طلبہ اور اس ادارہ کی ویب سائٹ پر ملاحظہ فرمائی جائیں۔

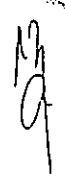
سلسلہ	مطلوبہ قابلیت	تعداد	امام سالی	محلہ	نمبر
18-25	انگریزی میں پروفیسر اور اس کے علاوہ ایس ایچ ایس کے سہ ماہیہ امتحان پاس کیا ہو۔ (II) تصدیق شدہ ادارے سے کیمپس ماف (16) کو پاس کیا ہو۔ MS-Word, Excel, Inpage (Urdu) and Internet/ Email (III)۔ اور انگریزی پر مہور ماسل ہو۔	07	دعوتی / پروفیسر / اسٹیل	سلفی	1


(1) حلقہ دعوتی امور پبلک کے باشندے کو ترجیح دی جائے گی۔ (2) اگر کوئی اہلکار حلقہ طلبہ کے نہیں ہے تو اس میں سرفورڈ (Surplus Staff) کے کل تعینات (Adjustment) کے بعد کل میں لائی جائے گی۔
مطلوبہ کی قابلیت اور دیگر شرائط پر پورا اترنے والے اہلکاروں سے درخواست ہے کہ وہ اس استعداد کی اشاعت کے بعد (15) مہینوں کے اندر داخلہ حاصل کرنے کے لئے درخواستیں جمع کروانے اور ان میں تصدیق شدہ دستاویزات جمع کروانی چاہئیں اور اس کے ساتھ ساتھ درخواستیں طلبہ اور اس ادارہ کی ویب سائٹ پر ملاحظہ فرمائی جائیں۔

استعداد اور صلاحیتوں کی جانچ

InfoKP Govt * @InfoKP Govt * Send: KP 16 8333 INP(P)2000

Search please


ATTESTED


ATTESTED


روز ہفتہ

یہ رقم ناقابل واپسی اور ناقابل منتقلی ہے۔

UAN +92-51-844-444-1

ایف اے / ایف ایس سی / ایف ایس سی ویلیج / نیبر ہڈ کونسل (BPS-07)

بجوالہ اشتہار نمبر INF(P)2000 ڈائریکٹریٹ جنرل محکمہ بلدیات و دیہی ترقی صوبہ خیبر پختونخوا
11-04-2015 کو مندرجہ بالا بھرتی کے لیے اشتہار دیا گیا تھا۔ امیدواروں کے تحریری ٹیسٹ کے لیے نیشنل ٹیسٹنگ
سروس کو مندرجہ ذیل معلومات درکار ہیں۔

نمبر شمار	ضلع	نام آسامی	بنیادی سکیل	مطلوبہ قابلیت	عمر کی حد
1	متعلقہ	ویلیج سیکرٹری برائے ویلیج نیبر ہڈ کونسل	07	(i) تصدیق شدہ بورڈ سے ایف اے / ایف ایس سی یا اس کے مساوی امتحان پاس کیا ہو۔ (ii) تصدیق شدہ ادارے سے کمپیوٹر سافٹ ویئر 6 ماہ کا کورس پاس کیا ہو۔ MS-Word, Excel, Internet/Email Inpage (Urdu) (iii) ان پیج (Inpage) اور انٹرنیٹ پر عبور حاصل ہو۔	18-30

بنیادی شرائط:

- (1) متعلقہ ویلیج / نیبر ہڈ کونسل کے باشندے کو ترجیح دی جائے گی۔
- (2) مذکورہ بالا بھرتی متعلقہ ضلع کے سرپلس پول میں موجود عملہ (Surplus Staff) کے مکمل تعیناتی (Adjustment) کے بعد عمل میں لائی جائے گی۔

مندرجہ بالا معلومات جمع کرنے کا طریقہ کار:

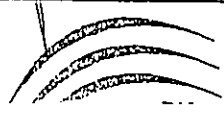
- فائز اور آن لائن ڈیپازٹ سلیپ نیشنل ٹیسٹنگ سروس کی ویب سائٹ www.nts.org.pk پر موجود ہیں اور 06-07-2015 تک این ٹی ایس ہیڈ کوارٹرز (1-E, Street No.46, I-8/2, Islamabad) کو موصول ہونی چاہئیں۔
- بذریعہ ڈاک تاخیر سے موصول ہونے کی صورت میں این ٹی ایس ذمہ دار نہ ہوگا۔
- براہ کرم اپنی مجوزہ ڈیپازٹ سلیپ کے ذریعے ٹیسٹ فیس مبلغ -/400 روپے، HBL, ABL, UBL, MCB کی کسی بھی آن لائن برانچ میں جمع کرائیں۔

ATTESTED

NTS

استحانی مراکز میں موبائل فون لانے کی اجازت نہیں۔ روزنامہ 'آج'، 27 جون 2015ء
جمع شدہ رقم ناقابل واپسی اور ناقابل منتقلی ہے۔
روز ہفتہ

UAN +92-51-844-444-1 LISTED



Signature

طغیور خیاب رشت ڈاکٹر میر ظہیر احمد بھٹی | ایڈمنسٹریٹو یونین ٹیچرز ضلع ڈاکٹر (سما) ڈیپارٹمنٹ

21

عنوان: - 20% posts for promotion as
 cleric from amongst
 Matriculate - class - iv - Employees.

ضلع ڈاکٹر | حکومت آرڈر نمبر 4(4)/89 (SOS-IV(CSE&AD))
 Vol-II-dt 13/5/1990.

حکومت صوبہ سندھ - سیکرٹری اعلیٰ - ملازمین کیلئے بڑھ کر ڈاکٹر لکھنے
 پر دوپہن ضروری ہے - نقل لکھنے - جبکہ درخواست کنندہ کی ملازمت
 کی تفصیل کے ساتھ یوں ہے :-

نمبر 01:- میں مورف $10\frac{2}{98}$ کو طبیعت نائب قاضی تعلیم میں تعینات ہو چکا ہے۔ چونکہ
 (Devolution plan) میں کمی ہے اس لیے (Sample) ہوا - اور میرا
 (Adjustment) DCO صاحب ملازمت نے یونین کو نقل سنا کر اس میں اضافہ
 21/9/2001 کو طبیعت نائب قاضی تعینات کیا۔ نقل لکھنے -

نمبر 02:- میں تعلیم میں $10\frac{2}{98}$ سے $20\frac{9}{2001}$ تا طبیعت نائب قاضی مدت ملازمت 3-7-10
 سرانجام دیا۔ جبکہ یونین کو نقل سنا کر اس میں کمی نائب قاضی $21\frac{9}{2001}$ سے تا حال
 تقریباً 4-15 تا ملازمت سرانجام دی - کل مجموعی مدت ملازمت 3-7-10
 تک ہے -

نمبر 03:- میرا تاریخ پیدائش مورف 1977/21/01 ہے - جبکہ جنوری 2015 تک میرا عمر
 45 سال ہے کم ہے - (38) سال ہے

نمبر 04:- میں دوران ملازمت طبیعت نائب قاضی یونین کو نقل سنا کر اس میں کمی اور
 پر عبور حاصل کیا ہے - جبکہ کیپورٹ پر عمل آو - یونین کو نقل از خود جبران کا صورت
 رکھتا ہوں - جبکہ آج تک وہ میرا اپنا فرانسس نفسی سرانجام دے رہا ہوں -

ATTESTED
 P.O. [Signature]

۵۵۔۔۔ نمبر ۵۵۔۔۔ A۔۔۔ تعلیم خلیل کی ہے۔۔۔ نقل لفظ قابل ملازمت ہے

نمبر ۵۶۔۔۔ نمبر لوکل آڈی ہے۔۔۔ اور موضع عرب دکنڈا نکاوٹ۔۔۔ ڈاکوئی ہے
نکاوٹ۔۔۔ محفل درگ۔۔۔ نقل ملائکہ کا اصل بانٹوڑ ہوا۔۔۔ نقل
ڈاکوئی لفظ ہے۔۔۔

لہذا بندہ بھی تم پر ہمارے فرائض و التبتی جاتی ہے۔۔۔ کہ نمبر ۵۵ کی
مجلد خدات اور حویل ملازمت محبت نائب قاسد کو نہ نظر آئے کہ
نمبر ۵۶ کو پوچھ کے وقت نائب قاسد کے پوسٹ سے پروفیسر کے
سکرٹری یونین کو نقل کے عہدے پر تعیناتی کے اخطاوات جاری کر کے
شکوہ فرمادیں تو عین نوازش ہوگی بقول زیادہ آداب

المرقہ ۱۱/۵

العارف

سید ماسک نائب قاسد دفتر یونین کو نقل نکاوٹ قلعہ

VAKALATNAMA

IN THE COURT OF Khyber Pakhtunkhwa

Service Tribunal OF 2016

Said Malik

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

LG&RD Department

(RESPONDENT)
(DEFENDANT)

I/We Said Malik

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ___/___/2016



CLIENT



ACCEPTED
NOOR MOHAMMAD KHATTAK
(ADVOCATE)

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141



Service Tribunal Khyber Pakhtun Khwa
Swat.

Appeal No. 200/2016

Said Malik Naib Qasid → Appellant

vs

AD LABR DO Malakand & others

Respondent

(LABR DO) 04-05
میس 23. 05-04-2017

30000 (30000) ...

(Appellant) ...

...

Said Malik

Signature

AD LABR DO

4.5.2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Re:

Writ Petition No 200/2016

Mr. Said Malik, Naib Qasid LG&RDD, District Malakand

_____ (appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary to Govt. of Khyber

Pakhtunkhwa LG&RDD & Others .

_____ (Respondents)

INDEX

S NO	DESCRIPTION	ANNEX	PAGE
1.	Para Wise Comments	-	01 to 02
2.	Affidavit	-	03

①

OFFICE OF THE ASSISTANT DIRECTOR LG&RDD MALAKAND
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 200/2016

MR. SAID MALIK -----APPELLANT

Versus

Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa Peshawar and
others ----- respondents

WRITTEN STATEMENT ON BEHALF OF RESPONDENTS NO. (1 TO 5)

RESPECTFULLY

Preliminary Objections:

- A. That the appellant has got no cause of action
- B. That the instant appeal is barred by law
- C. That the instant appeal is not maintainable
- D. That the appellant has got no locus standai

FACTS:

1. Pertain to record need no comments.
2. Correct to the extent that the government has allocated 33% promotion quota for the class- IV employees only for their promotion from the post of Naib Qasid/class- IV to the erstwhile post of junior clerk (BPS-5) and there exist no rules in the Local Government & RDD, Khyber Pakhtunkhwa, under which the Naib Qasids can be promoted to the post of secretary village/Neighborhood council. It is pointed out that the present post of Juniouir Clerk is in BPS-11 has now been created most recently in this year supplementary Financial Budget.
3. Correct to the extent that the post of secretaries of village / Neighborhood councils are lying vacant posts in the office of Respondents No.5 After the publication of an advertisement from LG&RDD Khyber Pakhtunkhwa in the leading news papers, candidates (other than appellant) for such posts have qualified the NTS and the recruitment process have already been completed but the appointment orders have been issued due to successful candidates.
4. Incorrect As regards the promotion of Mr. Ayub khan Naib Qasid (BPS-02), the post of Secretary UC (BPS-06) new in BPS-07 this official was serving as Naib Qasid in the office of the then DC Swat, after devolution, he applied to the DCO Swat for his promotion to the post of Junior Clerk at that time his request was not acceded to because the post of junior Clerk did not exist in the office of the DCO Swat. Aggrieved from the refuse, he approached the service tribunal for the purpose of redressal. After considering his appeal an order was passed for his adjustment, promotion against the post of Junior Clerk later on the then DCO Swat requested the honorable tribunal presently a post of Secretary UC BPS-6 vacant against which he can be adjusted. The Service Tribunal later on passed an order Dated 31/10/2007 whereby the then DCO Swat selected/promoted Mr. Ayub Khan as Secretary UC in BPS-06 in the capacity of Administrator Union Councils.
5. Correct to the extent that advertisement 11-04-2015 was published in the newspapers for the post of Secretary in BPS-07 for Village/Neighbourhood Councils by the provincial Govt. of Khyber

Pakhtunkhwa in LGE&RDD but nothing regarding the promotion quota in respect of the Naib Qasids to the post of Secretary Village/Neighbourhood Council was mentioned therein because the service rules in Local Govt.& RDD, Khyber Pakhtunkhwa does not permit promotion of Class-iv employees of LGE&RDD to the post of Village Secretary/Neighbourhood Council.

- 6. Correct to the extent that the appellant had filed Departmental Appeal before the respondent NO. 5 but the promotion of appellants was beyond the jurisdiction of respondent No.5, because the advertisement had been pushed by the LGE&RDD Govt. of Khyber Pakhtunkhwa, Peshawar in the leading Newspapers and on the other hand, no service rules of this department exist for the promotion of the appellants to the post of Secretary (BPS-07) village/Neighbourhood Council e in LGE&RDD, Khyber Pakhtunkhwa.
- 7. As explained in the Para No. 6 above.

Ground:

- A. In-correct. Both the Advertisements are pushed by the Provincial Govt. in LGE&RDD; whereby, it was ordered that all the candidates will face NTS for the purpose.
- B. In-Correct. Article (4) and (25) of the constitution of the Islamic Republic of Pakistan have not been violated in this regard.
- C. As explained in above paras.
- D. In-Correct. No. malafide has been committed in this regard.
- E. The view point of view of parent department has been explained in Para No. 6 above
- F. Correct to the extent that the post of Secretaries in Village/Neighbourhood Council have been created but no service rules for the promotion of Naib Qasid to the post of Secretary of Village/Neighbourhood Council exist in LG&RDD govt. of Khyber Pakhtunkhwa
- G. The respondents seek promotion through additional grounds at the time of arguments

Prays:

The instant appeal of the appellants is not based on facts and not maintainable; therefore, it is humbly requested that the instant appeal of the appellants may kindly be dismissed with cost, please.

Respondents No. 1

the Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar

Ali Iqbal
20/10/2011

Respondents No. 2

the Secretary LGE&RDD, Govt. of Khyber Pakhtunkhwa Peshawar

Respondents No. 3

the Secretary Establishment Deptt: Govt. of Khyber Pakhtunkhwa, Peshawar

Respondents No. 4

the Director General LG&RDD, Khyber Pakhtunkhwa, Peshawar

Respondents No. 5

the Assistant Director LG&RDD, Malakand

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Re:

Writ Petition No 200/ 2016

Mr. Said Malik District Malakand

_____ (Petitioner)

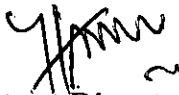
VERSUS

The Government of KPK through Chief Secretary to Govt. of Khyber
Pakhtunkhwa & Other.

_____ (Respondents)

AFFIDAVIT

I, **Waheed Ur Rahman** Assistant director LG&RD Department Malakand at Batkhela, do hereby solemnly affirm and declare on Oath that all the contents of accompanied comments are true and correct to the best of my knowledge and belief and nothing has been concealed **OR** with-held from this Honourable Court.


Assistant Director
LG&RDD, Malakand

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2016

Mr. Said Malik, Naib Qasid (BPS-02),
O/O Assistant Director Local Government and Rural Development
Department Malakand, District Malakand.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director General Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Assistant Director Local Government and Rural Development Department Malakand, District Malakand

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT 1974 AGAINST THE INACTION OF THE RESPONDENT No.4 BY NOT PROMOTING THE APPELLANT TO THE POST OF VILLAGE/ NEIGHBORHOOD COUNCIL SECRETARY (BPS-07) AND AGAINST THE SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED ON 26.1.1978 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal this appeal the impugned service Rules dated 26.1.1978 of the respondent Department may kindly be modify to the extent that promotion quota may very kindly be allocated for class-iv to the post of Secretary village Council and the respondent No.5 may further kindly be directed to consider the appellant for promotion to the post of Village/ neighborhood Council Secretary (BPS-07) in light of the order dated 31.5.2008. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:
ON FACTS:

- 1- That appellant is the bonafide resident of District Malakand and has been appointed as Class-IV (Naib Qasid) (BPS-02) in the respondent Department on the proper recommendations of Departmental Selection Committee vide order dated 21.9.2001. Copies of the Domicile, Educational testimonials and appointment order are attached as annexure **A, B and C.**
- 2- That after appointment the appellant started performing his duty as Naib Qasid's (BPS-02) quite efficiently and up to the entire satisfaction of his superiors.
- 3- That according to the service Rules of the respondent Department Notified on 26.1.1978 a promotion quota of 20% now 33% quota was allocated for class-iv employees to the post of Junior clerk (BPS-7). That as per devolution plan the District Council has been divided to that of Tehsil Councils, Union Councils and that of village Councils. That unfortunately the post of junior clerk has been abolished in Tehsil, union and village Councils level and due to that reason the prospects of promotion of appellant has been stopped and he has been deprived from his due right of promotion. Copy of the service Rules is attached as annexure **D.**
- 4- That after creation of village Councils many posts of Secretary (BPS-6) have been created and are lying vacant under the kind control of respondent No.5. That appellant as having eligible and senior most class-iv employee of the respondent Department applied for his promotion to the post of Secretary (BPS-7) in light of the 33% quota and on the analogy of his colleague namely Mr. Ayub Khan who has been promoted to the post of Secretary (BPS-6) now BPS-7 by the respondents on the directions of august service Tribunal vide order dated 31.5.2008. Copy of the promotion order is attached as annexure **E.**
- 5- That vide impugned advertisement dated 11/4/2015 and 27/6/2015 the respondents advertised the posts of Secretaries (BPS-7) for all the village/Neighborhood councils situated in District Malakand by ignoring and not considering the appellant for promotion to the post of Secretary (BPS-7). Copies of the advertisements are attached as annexure **F and G.**
- 6- That feeling aggrieved the appellant submitted Departmental appeal for promotion to the post of Secretary (BPS-7) in light of the respondent No.3 Notification dated 21/12/1982 and on the analogy of the above mentioned employee who was promoted in light of the said rules/notification. Copy of

the Departmental appeal is attached as annexure
..... H.

- 7- That no reply has been received so far on the Departmental appeal filed by the appellant for allocation of quota and promotion to the post of Secretary (BPS-7). Hence the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned advertisements dated 11/4/2015 and 27/6/2015 are against the law, facts and norms of natural justice hence not tenable and liable to be set aside.
- B- That the appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That according to Article 38 (e) of the Constitution of Pakistan 1973 the state is bound to reduce disparity in the *income and earnings of individuals, including persons in the various classes of the service of Pakistan, therefore in light of the above quoted Article the appellant has the right to have prospects of promotion.*
- D- That the respondent Department acted an arbitrary and malafide manner by not promoting the appellant to the posts of Secretary (BPS-7) despite of having eligibility and seniority.
- E- That according to the promotion orders already issued by the respondent Department the appellant is fully entitle to be promoted to the posts of Secretary (BPS-7) but the respondents discriminated the appellant and as such violated the principle of natural justice.
- F- That as per creation of village councils many posts of secretaries has been created and for the said posts the appellant has the requisite qualification and seniority to be promoted but inspite of that the respondents are not willing to do the same.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

APPELLANT

Said Malik

SAID MALIK

THROUGH:

N.M. Khattak

**NOOR MOHAMMAD KHATTAK
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1159 /2015

Mr. Mohammad Sajid, Naib Qasid (BPS-02),
O/O Assistant Director Local Government and Rural Development
Department Malakand, District Malakand.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director General Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Assistant Director Local Government and Rural Development Department Malakand, District Malakand

..... **RESPONDENTS**

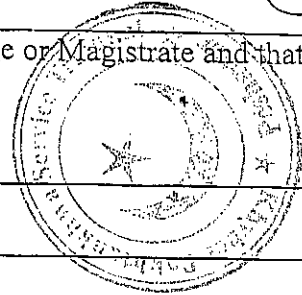
APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT 1974 AGAINST THE INACTION OF THE RESPONDENT No.4 BY NOT PROMOTING THE APPELLANT TO THE POST OF VILLAGE/ NEIGHBORHOOD COUNCIL SECRETARY (BPS-07) AND AGAINST THE SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED ON 26.1.1978 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal this appeal the impugned service Rules dated 26.1.1978 of the respondent Department may kindly be modify to the extent that promotion quota may very kindly be allocated for class-iv to the post of Secretary village Council and the respondent No.5 may further kindly be directed to consider the appellant for promotion to the post of Village/ neighborhood Council Secretary (BPS-07) in light of the order dated 31.5.2008. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:
ON FACTS.

5

Sl. No.	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	03.01.2017	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, CAMP COURT SWAT</u></p> <p>1. Service appeal No. 1157/2015, Zahiqa Hussain, 2. Service appeal No. 1158/2015, Shamsheer Ali, 3. Service appeal No. 1159/2015, Muhammad Sajid, 4. Service appeal No. 1160/2015, Shahab Hussain, & 5. Service appeal No. 1161/2015, Zahid Akram Vs. the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others.</p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u></p> <p>Counsel for the appellants and Mr. Muhammad Zubair, Senior Government Pleader alongwith Mr. Khursheed, Computer Operator for respondents present.</p> <p>2. This judgment shall dispose of the instant service appeal No. 1157/2015, titled "Zahiqa Hussain Versus the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others" as well as service appeals No. 1158/2015, titled "Shamsheer Ali Versus the Government of Khyber Pakhtunkhwa through Chief Secretary Peshawar and 4 others", No. 1159/2015, titled "Muhammad Sajid Versus the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others", No. 1160/2015 titled "Shahab Hussain Versus the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others" and No. 1161/2015, titled "Zahid Akram Versus the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others" as identical questions of facts and law are involved therein.</p>



ATTESTED

EXAMINED
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

6

3. Brief facts of the case of the appellants are that they are serving as Class-IV employees in the establishment of Local Government & Rural Development Department District Malakand. In the rules in vogue till 2002, the appellants and similarly other employee were entitled to promotion as Junior Clerks subject to fulfilling the pre-requisites which provision of promotion was done away with in the year 2002 leaving no prospects for career/promotion of the appellants and similarly other placed employees.

4. We have heard arguments of learned counsel for the parties and perused the record.

5. Though appellants are seeking promotion to the post of Secretary Village Council and neighborhood Council Secretary however no such provision for promotion is available in the rules and therefore this court is in a position to entertain the appeals of the appellants.

6. It is an established principle of law that every person in the service of Pakistan has a right to career/progression/promotion including the appellants keeping in view the provisions of fundamental rights read with the judgments of the august Supreme Court of Pakistan including the case laws reported as 1991-SCMR-1041, 2010 PLC (C.S)68, 2010 PLC (C.S) 1075, 2011-PLC (C.S) 1130.

7. We therefore direct that keeping in view the said rights of the appellants and similarly placed employees the respondents shall consider suitable amendments in the rules. Such an exercise shall be conducted and concluded within a period of 6 months from the date of receipt of this judgment and where-after appellants and other similarly placed employees may be considered for promotion in the mode and manners prescribed by rules. The appeals are disposed of in the above terms. Parties are left to

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

7

bear their own costs. File be consigned to the record room.

Answered
03.01.2017

Sd/- M. Azim Khan Abidi,
Chairman
Conf Court Sudd

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Sd/- Ahmad Hassan,
Member

Date of Presentation 11-01-2017
Number of Words 1600
Copying Fee 10/-
Urgent 20
Total 12/-
Name of Copy Sudd
Date of Completion 11-01-2017
Date of Delivery 11-01-2017