


FORM OF ORDER SHEET

Court of _____

Appeal No. 534/2024

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 09/04/2024 | <p>The appeal of Mr. Awais ur Rehman presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <i>17-04-2024</i>. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p> |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 534 /2024

Mr. Awais-ur-Rehman Appellant

Versus

The Govt. of KPK and another.....Respondents

INDEX

| S.No. | Description of Documents | Date | Annex | Pages |
|-------|--|------------|-------|-------|
| 1. | Memo of Service Appeal with Affidavit | | | 1-5 |
| 2. | Notification whereby Provincial Government reserved 10% quota for promotion to the post of Assistant Engineer from amongst Sub-Engineers | 13.01.1980 | A | 6-8 |
| 3. | Notification whereby 10% separate promotion quota was reserved for those Sub-Engineers who had acquired Degree irrespective of the fact that the Degree has been acquired before or during service | 18.10.1986 | B | 9 |
| 4. | Notification whereby 05% separate quota was reserved for promotion of those Sub-Engineers who acquired degrees before joining the service and 05% for those who acquired the requisite degree during service | 12.04.1992 | C | 10 |
| 5. | Notification whereby the same ratio of 05% promotion quota was repeated for both categories | 12.01.1999 | D | 11 |
| 6. | Notification regarding reservation of 20% promotion quota for promotion of Sub-Engineers holding Diploma (Civil/Mechanical/Electrical) and 08% promotion quota for those holding Degree of B.E/B.Sc. Engineering (Civil/Mechanical/Electrical) at the time of joining service and 07% quota for those who had acquired the Degree during service | 16.12.2011 | E | 12 |
| 7. | Notification regarding reservation of a combined 3.5% promotion quota for both categories of Sub-Engineers i.e. those who acquired the B.Tech. (Hons) Degree before service and during service for promotion to the post of Assistant Engineer (BPS-17) | 14.10.2014 | F | 13 |
| 8. | Notification of enhancement of above promotion quota to 10% | 26.03.2018 | G | 14 |
| 9. | Judgment of the Tribunal | 07.10.2021 | H | 15-26 |
| 10. | Notification regarding amendment in Rules and allocation of separate promotion quota to the category of the appellant | 20.01.2023 | I | 27-28 |

| S.No. | Description of Documents | Date | Annex | Pages |
|-------|--|--|-------|-------|
| 11. | Notification of appellant's promotion to the post of Assistant Engineer/SDO (BPS-17) with immediate effect | 28.11.2023 | J | 29 |
| 12. | Notifications of promotion of numerous Sub-Engineers after the judgment of the Tribunal | 26.08.2019 07.10.2019 21.04.2020 01.04.2022 03.06.2021 20.01.2022 | K | 30-51 |
| 13. | Notification of direct appointment of 37 Assistant Engineers (BPS-17) through Public Service Commission | 25.05.2023 | L | 52-56 |
| 14. | Departmental Representation | 20.12.2023 | M | 57-59 |
| 15. | Minutes/letter | | N | 60 |
| 16. | Wakalat Nama | | | |

Through

Appellant

Khaled Rahman
ASC

&

Muhammad Ghazanfar Ali
Advocate, High Court
4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458
Cell # 0345-9337312

Dated: 08/04/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No: 534 /2024

Mr. Awais-ur-Rehman

Assistant Engineer/ SDO C&W Departments
Presently Assistant Director (Works),
Directorate of Works and Implementation
Near Qayyum Stadium, Peshawar Cantt :.....

Appellant

VERSUS

1. **The Govt. of Khyber Pakhtunkhwa**
through Chief Secretary,
Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

2. **The Secretary**
Govt. of Khyber Pakhtunkhwa
Communication & Works Department,
Civil Secretariat, Peshawar

Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 28.11.2023 WHEREBY THE APPELLANT HAS BEEN PROMOTED TO THE POST OF ASSISTANT ENGINEER/SDO (BPS-17) ON REGULAR BASIS BUT WITH IMMEDIATE EFFECT INSTEAD THE DATE OF JUDGMENT OF THIS HON'BLE TRIBUNAL DATED 07.10.2021 FOR WHICH APPELLANT PREFERRED DEPARTMENTAL REPRESENTATION TO RESPONDENT NO. 1 ON 20.12.2023 WHICH WAS NOT DISPOSED WITH IN THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned Notification dated 28.11.2023 may graciously be modified and appellant may kindly be promoted to the post of Assistant Engineer/SDO (BPS-17) with effect from the date of the judgment of this Hon'ble Tribunal dated 07.10.2021 with all consequential with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. **That** appellant was initially appointed as Sub-Engineer in the Communication & Works Department way back on 01.09.2014. Throughout his career appellant has rendered unblemished and spotless Service for the Department.

2. **That** the Provincial Government vide Notification dated 13.01.1980 (*Annex:-A*) had reserved 10% quota for promotion to the post of Assistant Engineer from amongst Sub-Engineers. Likewise vide Notification dated 18.10.1986 (*Annex:-B*) for the very first time through amendment 10% separate promotion quota was reserved for those Sub-Engineers who had acquired Degree irrespective of the fact that the Degree has been acquired before or during service.
3. **That** subsequently vide Notification dated 12.04.1992 (*Annex:-C*), 05% separate quota was reserved for promotion of those Sub-Engineers who acquired degrees before joining the service and 05% for those who acquired the requisite degree during service. Later on, by means of Notification dated 12.01.1999 (*Annex:-D*), the same ratio of 05% promotion quota was repeated for both categories.
4. **That** another Notification dated 16.12.2011 (*Annex:-E*) was issued whereby 20% promotion quota was reserved for promotion of Sub-Engineers holding Diploma (Civil/Mechanical/Electrical) and 8% promotion quota was reserved for those holding Degree of B.E/B.Sc. Engineering (Civil/Mechanical/ Electrical) at the time of joining service and 07% quota for those who had acquired the Degree during service
5. **That** for the first time vide Notification dated 14.10.2014 (*Annex:-F*) for the category of the appellant i.e. B.Tech. (Hons) Degree holders, a combined 3.5% promotion quota was reserved for both categories of Sub-Engineers i.e. those who acquired the B.Tech. (Hons) Degree before service and during service for promotion to the post of Assistant Engineer (BPS-17) vide Clause-(e) thereof. Later on, the quota was enhanced to 10% vide Notification dated 26.03.2018 (*Annex:-G*).
6. **That** while on the other hand, vide the same Notification dated 26.03.2018 *ibid*, a different yardstick has been used for promotion quota in respect of Sub Engineers who acquired B.Tech. (Hons) Degree during service or before joining their service and reserved 10% joint quota for their promotion to the post of SDO/ Assistant Engineer. Thus the Sub-Engineers who acquired Degree of B-Tech (Hons) before their joining service have been discriminated by merging their seniority/promotion quota with those who acquired the same qualification during service.
7. **That** being aggrieved appellant called in question the Notification dated 26.03.2018 before the KP Service Tribunal by filing Service Appeal which was allowed vide Judgment dated 07.10.2021 (*Annex:-H*) in the following terms:-

“10. For what has gone above, all the appeals enumerated above at the outset are accepted as prayed for. Consequently, the Respondents are directed to proceed under due course of substitution of clause (e) of the Appendix against Serial No.4 in Column N.5 to provide for separation of 10% quota with appropriate proportion having regard to the number of Sub-Engineers who happened to have possessed the Degree of B.Tech (Hons) at the time of their joining the service and those who happened to have acquired such Degree while in service after their appointment. There is no order as to cost. File be consigned to record room.”

8. **That** after obtaining the attested copy of the judgment *ibid*, the same was provided to the Department for implementation, however, the matter was delayed by one pretext or the other and finally the Rules were amended vide Notification dated 20.01.2023 (*Annex:-I*) after more than 15 months and consequently separate promotion quota to the category of the appellant was allocated.
9. **That** yet the promotion process of the appellant in accordance with the amended Service Rules *ibidi*, was also delayed inordinately and vide impugned Notification dated 28.11.2023 (*Annex:-J*), the appellant was promoted to the post of Assistant Engineer/SDO (BPS-17) *with immediate effect* with further delay of 10 months and 08 days.
10. **That** after the judgment of the Tribunal dated 07.10.2021 *ibid*, numerous Sub-Engineers have been promoted vide Notifications dated 26.08.2019, 07.10.2019, 21.04.2020, 01.04.2022, 03.06.2021, 20.01.2022 (*Annex:-K*) whereas after the Rules were notified on 28.11.2023 and during the promotion process as many as 37 Assistant Engineers (BPS-17) were appointed directly through Public Service Commission vide Notification dated 25.05.2023 (*Annex:-L*)
11. **That** feeling aggrieved of promotion with immediate effect, the appellant preferred Departmental Representation (*Annex:-M*) on 20.12.2023 but the same was not disposed of within the statutory period of 90 days, hence this Service Appeal *inter-alia* on the following grounds:-

GROUND:-

- A. **That** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully delayed inordinately the finalization of

amendment in the Service Rules pursuant to the directions of this Hon'ble Court and also delayed the promotion of the appellant, which is unjust, unfair and hence not sustainable in the eye of law.

- B. **That** it is a settled legal proposition of law laid down by the superior fora that the employees of the Department cannot be made to suffer on account of the inactions, delayed actions on the part of the departmental functionaries. In the case in hand the Department has not only delayed the finalization of the amended Rules pursuant to the directions of the Tribunal but also caused delay in processing the promotion of the appellant which has adversely affected the service career of the appellant. In this view of the matter, the issuance of the delayed promotion Notification inspite of the availability of post due to delay in making rules and promotion process, is not sustainable in the eye of law.
- C. **That** it is also a trite law that a civil servant is entitled for promotion to the next higher grade as and when the vacancies in the promotion quota are available. As explained herein above, a large number of vacancies were filled in during the period when Rules were being amended and promotion of the appellant being processed. The Department unlawfully delayed the matter of promotion of the appellant which delay cannot be contributed to the appellant. Reliance is placed in this respect upon the judgment of superior fora reported in 1985 SCMR 1157, 1991 SCMR 515, 1997 PLC (CS) 1210, 1998 PLC (CS) 980 and 2010 PLC (CS) 760.
- D. **That** the judgment dated 07.10.2021 of the Tribunal is clearer than crystal and did not leave any doubt which should have been implemented inas much as after the judgment, the case was not found fit for filing CPLA before the Supreme Court of Pakistan vide (*Annex:-N*). Consequently, the Department was under obligation to comply with the judgment without any further delay but the matter was delayed, therefore, appellant was deprived from his lawful right of promotion to the next higher grade owing to slackness/negligence on the part of the Department and for that matter the appellant should not be made to suffer.
- E. **That** the Department also violated the settled principle of law set by the Apex Court wherein it was held that whenever there is promotion quota and direct recruitment quota then preference is to be given to the promotees but in case in hand and even after amendments in the Rules, the Department recruited numerous persons against the direct quota which has resulted in serious miscarriage of justice.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

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

Through

Appellant

[Signature]
Khaled Rahman,
Advocate,
Supreme Court of Pakistan

&

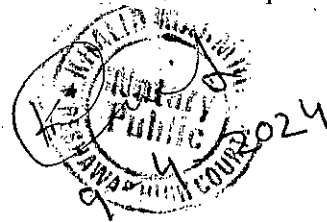
[Signature]
Muhammad Ghazanfar Ali
Advocate, High Court

Dated: 08/04/2024

Affidavit

I, Mr. Awais-ur-Rehman, Assistant Engineer/ SDO C&W Departments. Presently Assistant Director (Works), Directorate of Works and Implementation Near Qayyum Stadium, Peshawar Cantt, do hereby solemnly affirm and declare on oath that the contents of this Service Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

[Signature]
Deponent



GOVERNMENT OF N.W.F.P.
SERVICES, GENERAL ADMN: TOURISM & SPORTS
DEPARTMENT.

N O T I F I C A T I O N .

Dated Peshawar, the 13th January 80.

No. SORI(S&GAD)1-12/74- In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P Act XVIII of 1973), and in supersession of all previous rules on the subject in this behalf, the Governor of the North West Frontier Province is pleased to make the following rules, namely:

THE COMMUNICATION & WORKS DEPARTMENT
(RECRUITMENT & APPOINTMENT) RULES, 1979.

1. (1) These rules may be called the Communication & Works Department (Recruitment and Appointment) Rules, 1979.
(2) They shall come into force at once.
2. The method of recruitment, minimum qualifications, age limit and other matters related thereto for the posts specified in column 2 of the Schedules annexed shall be such as given in column 3 to 7 of the said Schedules.

SECRETARY TO GOVERNMENT OF NWFP
SERVICES AND GENERAL ADMN:
DEPARTMENT.

ENDST.No, SORI(S&GAD)1-12/74. Dated Peshawar, the 13th Jan-1980

Copy forwarded to :-

1. All Administrative Secretaries to Government of NWFP.
2. All Divisional Commissioners in N.W.F.P.
3. Secretary to Governor, NWFP.
4. Secretary, NWFP, Public Service Commission, Peshawar.
5. All Heads of Attached Departments in NWFP.
6. All District and Sessions Judges in NWFP.
7. All Deputy Commissioners/Political Agents in NWFP.
8. Registrar, High Court, Peshawar.
9. All Section Officers in the S&GAD.
10. Manager, Govt Printing Press Peshawar for publication in the Government Gazette. He is requested to supply 50 copies of the printed.

Sd/-
Syed Noor Badshah
Section Officer (Regulation-1)

Ashiq

COMMUNICATION AND WORKS DEPARTMENT

SCHEDULE-I

| Sl. No. | Nomenclature of post. | Minimum qualifications for appointment by initial recruitment or by transfer. | Promotion. | Age for initial Recruitment. | | Method of recruitment. |
|---------|--------------------------|---|---|------------------------------|---------|--|
| | | | | Minimum | Maximum | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Chief Engineer. | | | | | By selection on merit from amongst four senior-most officers of the Department, with at least seventeen years experience as Government servant, seniority being considered only in the case of officers of practically the same standard of merit. |
| 2. | Superintending Engineer. | | Degree in Engineering from a recognized University. | | | By selection on merit from amongst the Executive Engineers or holder of equivalent posts in the Communication and Works Department, with at least twelve years service in Grades-17 and 18, seniority being considered only in the case of officers of practically the same standard of merit. |
| 3. | Executive Engineer | | | | | By selection on merit with due regard to seniority from amongst Assistant Engineers of the Communication and Works Department with at least six years service as such. |

next page...

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|

20
1

4. Asstt Engineer.

Degree in Civil Electrical or Mechanical Engineering from a recognised University, as may be specified by Government for the respective post.

Degree or Diploma in Engineering from a recognized University or Institution, as specified in column.

21 years. 30 years.

- (a) Seventy per cent by initial recruitment.
- (b) ten per cent by selection on merit with due regard to seniority from amongst Sub-Engineers of the Deptt. who hold a degree; and
- (c) twenty per cent by selection on merit with due regard to seniority from amongst Senior Scale Sub Engineers of the Deptt, who hold a Diploma and have passed Departmental Professional Examination.

119

5. Senior Scale Sub Engineer.

Diploma in Engineering from a recognised Institute.

Twenty five per cent of the total number of posts of the diploma holder Sub Engineers shall from the cadre of Senior Scale Sub Engineers and shall be filled by selection on merit with due regard to seniority from amongst Sub Engineers of the Department, who have passed the Departmental Examination and have at least ten years service as such.

2

6. Administrative Officer/Budget and Accounts Officer.

By selection on merit with due regard to seniority from amongst holders of the posts of Senior Superintendents/Superintendents, in the Department.

9 Annex B

GOVERNMENT OF N. W. F. PROVINCE
COMMUNICATIONS & WORKS DEPARTMENT.

NOTIFICATION.

Dated Peshawar, the October 18, 1986

NO. SO(E)C&W/4-5/78 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 Services and General Administration Department and Finance Department, the Communication and Works Department is pleased to direct that in the Services and General Administration Department's Notification No. SOR-I(S&GAD)1-12/74, dated the 13th January, 1980, the following amendment shall be made, namely:

AMENDMENT.

In Schedule I, for the existing entry at clause (b) in column 7 against serial No.4, the following entry shall be substituted, namely:

- (b) 10% by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers holding a degree in Engineering. Seniority to be determined from the date of acquiring degree or initial appointment whichever is later.

ABDUL MAJID MOHMAND
SECRETARY TO GOVERNMENT N.W.F.P.
COMMUNICATION & WORKS DEPARTMENT

Endst.No. SO(E)C&W/4-5/78 Dated Peshawar, the October 18, 1986.

A copy is forwarded to :-

1. All Administrative Secretaries to Govt of NWFP.
2. All Divisional Commissioners in NWFP.
3. Secretary to Governor, NWFP.
4. Secretary to Chief Minister, NWFP.
5. All Heads of Attached Departments in NWFP.
6. All District & Sessions Judges in NWFP.
7. All Deputy Commissioners/Political Agents in NWFP.
8. Secretary NWFP Public Service Commission/Registrar, S/Tribunal.
9. All Section Officers in S&GAD, NWFP, Peshawar.
10. Registrar, Peshawar High Court, Peshawar.
11. Deputy Secretary (Works) C&W Department.
12. All Section Officers in C&W Department/P.S to Secy C&W Deptt.
13. The Manager, Govt: Printing & Stationery Department Peshawar. He is requested to supply 50 copies of the printed gazette.
14. O/O file/Main file.

M. Ahmad
(MIRZA BASHIR AHMAD)
SECTION OFFICER (E)
C & W DEPARTMENT.

ASHIQ

- 10 Annex C
GOVERNMENT OF N. W. F. P.,
COMMUNICATION & WORKS DEPARTMENT.

Dated Peshawar, the 12th April, 1992.

N O T I F I C A T I O N

NO.SO(E)C&W/4-5/78. 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, 1989, the Communication and Works Department, in consultation with the Services and General Administration Department and the Finance Department, hereby directs that in the Communication and Works Department (Recruitment and Appointment) Rules, 1979, the following amendment shall be made, namely:-

A M E N D M E N T

In Schedule I, in column 7, for the existing entry at clause (b) against serial No.4, the following shall be substituted, namely:

- (1) 5% by promotion on seniority-cum-fitness from amongst the Sub-Engineers who have acquired degree in Engineering during service..
- (2) 5% by promotion on seniority-cum-fitness from amongst the Sub Engineers who have joined service as such, as Engineering Graduate:

Provided that if no Sub-Engineer in a category is available for promotion, the vacancy shall be deemed to have fallen to the quota of other category and shall be filled in accordingly.

(ADAM KHAN)
SECRETARY TO GOVERNMENT OF NWFP,
COMMUNICATION & WORKS DEPARTMENT.

ENDST.NO.SO(E)C&W/4-5/78. Dated Pesh: the 12th April, 1992.

A copy is forwarded to:-

- 1) All Administrative Secretaries to Govt of NWFP.
- 2) Secretary to Governor, N.W.F.Province.
- 3) Secretary to Chief Minister, N.W.F.Province.
- 4) P.S to Chief Secretary, N.W.F.Province.
- 5) Secretary, NWFP Public Service Commission.
- 6) Manager, Govt Printing & Stationery Deptt: NWFP. He is requested to supply 50 copies of the printed gazette.
- 7) The S.O(R-II) Govt of NWFP, S&GAD w/r to his U.O.NO.SORII (S&GAD)2(1)/86(B), dated 09.04.1992.
- 8) Dy:Secretary/All Section Officers/F.S to Secretary C&W Deptt.
- 9) O/O file.

HABIB

Ahmad Khan
(AHMAD KHAN)
SECTION OFFICER(E) 12/4/1992

Ahmad Khan

- 11 Annex D

GOVERNMENT OF NWFP
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the January 12, 1999.

NOTIFICATION

No. SO(E)C&W/4-5/78: 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, 1989, the Communication & Works Department, in consultation with the services and General Administration Department and the Finance Department, hereby directs that in the Communication and Works Department (Recruitment and Appointment) Rules, 1979, the following amendments shall be made, namely:-

A M E N D M E N T

In Schedule I, in column 7, for the existing entry at clause (b) against serial No.4, the following shall be substituted, namely:

- (1) Five per cent by promotion on seniority-cum-fitness from amongst the Sub Engineers who have joined service as Engineering Graduate.
- (2) Five per cent by promotion on seniority-cum-fitness from amongst the Sub Engineers who have acquired degree in Engineering during service. Inter-se seniority to be determined from the date of acquiring degree.

Provided that if no Sub Engineer in one category is available for promotion, the vacancy shall be deemed to have fallen to the quota of other category and shall be filled in accordingly.

SECRETARY TO GOVT. OF NWFP,
COMMUNICATION & WORKS DEPARTMENT

No. SO(E)C&W/4-5/78.

Dated Peshawar, January 12, 1999.

A copy is forwarded to the:-

- 1) All Administrative secretaries to Govt. of NWFP.
- 2) Secretary to Governor, NWFP.
- 3) Secretary to Chief Minister, NWFP.
- 4) P.S. to Chief Secretary, Govt. of NWFP.
- 5) P.S. to secretary C&W Department, NWFP.
- 6) P.S. to Minister for C&W Department.
- 7) Addl Secretary, C&W Department, Peshawar.
- 8) Accountant General, NWFP Peshawar.

ATTESTED



12
Govt of KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Dec 16, 2011

NOTIFICATION:

No.SOE/C&WD/8-12/2011: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department in consultation with Establishment Department and the Finance Department, hereby directs that in this Department Notification No.SOE/C&WD/8-12/2009, dated 25th March, 2010, the following amendment shall be made, namely:

AMENDMENTS

In Schedule-I, against serial number 4, in column number 5, for the existing entries, the following shall be substituted, namely:

- (a) Twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil/Mechanical/Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such;
- (b) Eight percent (8%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who possessed Degree of B.E/B.Sc. Engineering (Civil/Mechanical/Electrical) at the time of their joining service;
- (c) Seven percent (7%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E/B.Sc. Engineering (Civil/Mechanical/Electrical) during service; and
- (d) Sixty five percent (65%) by initial recruitment

Note: As regard clause(c) the seniority to be determined from the date of acquiring the Degree"

Secretary to
Govt of Khyber Pakhtunkhwa
Communication & Works Department

End of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Peshawar
5. Chief Engineer (FATA) W&S Peshawar
6. Chief Engineer EQAA Mansehra at Abbottabad
7. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
8. All Superintending Engineers C&W Circles
9. All Executive Engineers C&W/Highway Divisions
10. Section Officer (R-VI) Establishment Deptt, Peshawar
11. Assistant Legal Drafter-I, Law Department, Peshawar
12. Managing Printing Press for publication in the issue of next Govt gazette
13. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar
14. PS to Secretary, C&W Deptt, Peshawar
15. PA to Addl: Secretary, C&W Deptt, Peshawar
16. PA to Deputy Secretary (Admn), C&W Deptt, Peshawar
17. Office File

(RAHIM BADSHAH)
SECTION OFFICER (ESTT)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 14, 2014

- 13 -
Amr F

NOTIFICATION:

No.SOE/C&WD/8-12/2014: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department Notification No.SOE/C&WD/8-12/2009, dated 25th March, 2010, the following amendment shall be made, namely:

AMENDMENTS

In the Appendix, against serial No.4, in column No.5, for the existing entries, the following shall be substituted, namely:

- "(a) Sixty five percent (65%) by initial recruitment;
- (b) twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such;
- (c) eight percent (8%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who possess Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 05 (five) years service as such;
- (d) three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years service as such; and
- (e) three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B-Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years service as such"

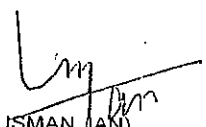
Note: The seniority in all cases shall be determined from the date of initial appointment

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Peshawar
5. Chief Engineer (FATA) W&S Peshawar
6. Chief Engineer EQAA Abbottabad
7. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
8. All Superintending Engineers C&W Circles
9. All Executive Engineers C&W/Highway Divisions
10. Section Officer (R-VI) Establishment Department Peshawar
11. Assistant Legal Drafter-I, Law Department Peshawar
12. Managing Printing Press for publication in the issue of next Govt gazette
13. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar
14. PS to Secretary C&W Department Peshawar
15. PA to Addl: Secretary C&W Department Peshawar
16. PA to Deputy Secretary (Admn) C&W Department Peshawar
17. Office File


(USMAN JAN)
SECTION OFFICER (Estb)



14
Amir G
GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the March 26, 2018

NOTIFICATION:

No.SO.E/C&WD/8-12/2014: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department Notification No.SO.E/C&WD/8-12/2009, dated 25th March, 2010, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:-

i. against serial No.4, in column No.5, for the existing entries, the following shall be substituted, namely:

- "(a) Sixty five percent (65%) by initial recruitment;
- (b) sixteen and half percent (16.50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination with 10 (ten) years service as such.
- (c) five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who possess Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 05 (five) years service as such;
- (d) three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers who acquired Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years service as such; and
- (e) ten percent (10%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers having Degree of B-Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years service as such";

ii. against serial No.26, in column No.5, for the existing entries, the following shall be substituted, namely:

"By promotion on the basis of seniority-cum-fitness, from amongst the Naib Qasids, Chowkidars and Barkandaz having qualification of Secondary School Certificate with at least three years service as such.

Note:- A joint seniority list of Naib Qasids, Chowkidars and Barkandaz shall be maintained for the purpose of promotion"

iii. after serial No.28, the following new serial shall be inserted, namely:

| | | | | |
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| "29. | Barkandaz | Preferably literate | 18 to 45 years | By initial recruitment" |
|------|-----------|---------------------|----------------|-------------------------|

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W Peshawar
5. Chief Engineer (FATA) W&S Peshawar
6. Chief Engineer (East) C&W Abbottabad
7. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
8. All Superintending Engineers C&W Circles
9. All Executive Engineers C&W/Highway Divisions
10. Section Officer (R-VI) Establishment Department Peshawar
11. Assistant Legal Drafter-I, Law Department Peshawar
12. Manager Printing Press for publication in the issue of next Govt gazette. He is requested to provide 25 printed copies of the Notification, preferably gazetteed copies, when published to this Department along-with the details of the gazettee in which they are published.
13. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar
14. PS to Secretary C&W Department Peshawar
15. PA to Addl: Secretary C&W Department Peshawar
16. PA to Deputy Secretary (Admn) C&W Department Peshawar
17. Office File

Abdur Rashid Khan
(ABDUR RASHID KHAN)
SECTION OFFICER (L.Sb)

Abdur Rashid Khan

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

Appeal No. 953/2018

Date of Institution ... 02.08.2018

Date of Decision ... 07.10.2021



Mr. Awais-ur-Rehman Sub Engineer, Building FATA Division,
Khyber Agency. _____ (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat Peshawar and two others.
_____ (Respondents)

Present.

Mr. Muhammad Amin Ayub,
Advocate.

... For appellant.

Mr. Muhammad Adeel Butt,
Addl. Advocate General

... For respondents.

MR. AHMAD SULTAN TAREEN
MR. MIAN MUHAMMAD

... CHAIRMAN
... MEMBER(E)

JUDGEMENT

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AHMAD SULTAN TAREEN, CHAIRMAN:- Through the above titled appeal described in the heading and six other appeals as enclosed in brackets-(Appeals No. 954/2018, 955/2018, 956/2018, 957/2018, 958/2018, 959/2018), the jurisdiction of this Tribunal has been invoked by the appellants with the prayer as copied below:-

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Khyber Pakhtunkhwa
Service Tribunal
Peshawar

"On acceptance of the instant appeal, the impugned Notification dated 26.03.2018 may graciously be modified to the extent of joint promotion quota for B.Tech (Hons) Degree holder Sub-Engineers by separating the same from those Sub-Engineers who were in possession of B.Tech (Hons) Degree at the time of joining service and for those who had

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acquired the same qualification during service on the analogy of B.E/B.Sc. Engineer Degree Holder with all back benefits."

2. This single judgement shall stand to dispose of all the seven appeals in one place as they all are verbatim in facts and grounds giving rise to common questions of facts and law.

3. The factual account given in Service Appeal No. 953/2018 and copies of supporting documents annexed therewith would reveal that all the appellants are incumbents of the post of Sub Engineer in the Respondent Department. Their case in nutshell is that the Provincial Government vide Notification dated 13.01.1980 reserved 10% quota for promotion to the post of Assistant Engineer from amongst the holders of the post of Sub-Engineer possessing the degree as higher qualification. May be, due to vagueness of expression "degree" simply used in the previous notification, need was felt to specify the name of degree and vide Notification dated 18.10.1986, 10% separate promotion quota reserved for those Sub-Engineers who held a degree was restricted by naming degree being in Engineering and also the mode of determination of inter-se seniority was prescribed by the same amendment. This practice remained in field till 1992 when through amendments vide Notification dated 12.04.1992, 05% separate quota was reserved for promotion of those Sub Engineers who acquired Degree before joining the service and for those who acquired the requisite qualification during service. Vide Notification dated 12.01.1999, 05% promotion quota was also reserved for Sub Engineers who had joined the Service as Engineering Graduates and those who had acquired the same Degree during service. Vide Notification dated 16.12.2011, 20% promotion quota was reserved for promotion of Sub-Engineers holding Diploma (Civil/Mechanical/Electrical) and 08% promotion quota was reserved for those holding Degree of B.E/B.Sc. Engineering (Civil/Mechanical/Electrical) at the time of joining service and 07% quota for those who had acquired the Degree

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 Service Tribunal
 Peshawar

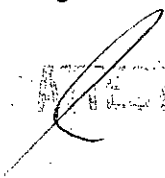
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during service. It was for the first time that through an amendment vide Notification dated 14.10.2014, the category of the appellants i.e. B.Tech (Hons) Degree holders, a quota of 03.5% promotion was reserved including both who acquired such degree before service or who got it during service. In light of the judgement of the Hon'ble Peshawar High Court and after observing all the codal formalities, recommendation was made for reservation of 10% quota for promotion to the post of SDO/Assistant Engineer (BS-17) in respect of B.Tech.(Hons) Degree holder Sub Engineers. There are two categories of B.Tech. (Hons) Degree Holder Sub Engineers i.e one those who have acquired B.Tech. (Hons) Degree before joining service and the other is that who have obtained the said degree during service. Vide impugned notification dated 26.03.2018, a separate quotas has been notified for promotion of other cadre of Graduate Sub Engineers holding Degree of B.E/B.Sc. Engineering to the post of SDO/Assistant Engineer proportionately 05% by promotion, on the basis of seniority of the Sub Engineers who acquired/possessed Degree of B.E or B.Sc. Engineering (Civil, Mechanical or Electrical) at the time of their joining service; and 03.5% for Sub-Engineers who acquired similar Degree during service. On the other hand, vide the same Notification, a different yardstick has been used for promotion quota in respect of Sub Engineers who acquired B.Tech. (Hons) Degree during service and who were in possession of such degree before joining their service; and combined 10% quota was reserved for their promotion to the post of SDO/Assistant Engineer. The appellant being aggrieved of the Notification dated 26.03.2018 ibid, preferred Departmental Representation dated 16.04.2018 before the competent authority but the same was not responded within the statutory period of 90 days, and in follow up, they have preferred the instant appeals.

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 JUDGE
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

4. The respondents were put on notice after admission of the appeals for regular hearing. They joined the proceedings and submitted joint parawise


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comments with legal as well as factual objections and prayed for dismissal of the appeal with cost.

5. It was argued on behalf of the appellant that the impugned Notification dated 26.03.2018 is in violation of Section 8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989; that the department discriminated the appellant on one hand vis-a-vis similarly placed persons while on the other hand, their colleagues acquiring B. Tech qualification during service were bestowed with double chance of the career progression both in terms of seniority and in terms of qualification due to introduction of the 10% combined promotion quota for B.Tech (Hons) Degree Holders including those who were possessing the said qualification at the time of joining the service and those who later on acquired such qualification during service; that discriminatory treatment meted out to the appellants is in conflict to the fundamental rights provided under Article 4 and 25 of the Constitution of Islamic Republic of Pakistan; that the respondents in the same impugned rules set a precedent of providing separate 05% promotion quota for those Sub Engineers who possessed the degree of B.E or B.SC. Engineering (Civil, Mechanical or Electrical) at the time of joining their service, and separate 03.5% quota for those Sub Engineers who acquired the Degree of B.E or B.Sc. Engineer (Civil/Mechanical/Electrical) during service; and despite the said precedent was brought into practice in case of Sub Engineers possessing the qualification of B.E or B.Sc. Engineering was not followed in the case of appellants who having possessed the Degree of B.Tech (Hons) at the time of joining the service were at par for reservation of quota with those Sub Engineer who possessed B.E or B.Sc. Engineering at the time of joining the service. The learned counsel for the appellant concluded his arguments with the submission that 10% quota reserved collectively for holders of the Degree of B.Tech

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 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

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5 - 19


(Honors) in the category of Sub Engineers is liable to bifurcation in line with the separate quota in other categories of Sub Engineers possessing the Degree of B.E or B.Sc. Engineering and prayed for issuance of appropriate direction for separation of 10% quota fixed under Clause (e) of the Appendix to the impugned rules in relation to Degree holders of B. Tech. (Honors).

6. Conversely, it was argued on behalf of the respondents that there is no final order in case of the appellants making their appeals not maintainable under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. It was the argument on factual side that Sub Engineers having B.Tech. (Honors) Degree submitted a joint application for reservation of quota for their promotion to the post of SDO BS-17. In this connection a Committee was constituted to submit recommendations. The committee proposed 03.5% share for Sub Engineers having B. Tech (Hons) on the basis of seniority-cum-fitness by curtailing 07% share quota reserved for Sub Engineer who acquired Degree of B.Sc. Engineering (Civil/Mechanical/Electrical) during service. The Establishment Department placed the case before the SSRC for consideration on 19.06.2013. As per Law Department advice the case was referred to Public Service Commission for requisite NOC who agreed with the proposed amendments for the post of Assistant Engineer/SDO/Junior Engineer/Assistant Research Officer BS-17. In view of SSRC recommendations, draft Notification was forwarded to Law Department for vetting before circulation. Law Department vetted the notification with the observations and advised for minute examination. Consequently, a note was submitted to the Chief Secretary for approval of the Notification regarding the said amendment in the existing service rules but the case was returned from the said quarter with direction to submit a revised working paper highlighting the observations of Law Department for placement before the SSRC for consideration/concurrence. It was in this background that the revised Working Paper was placed before the



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MEMBER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


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SSRC on 16.04.2014 which decided that the seniority in all cadres shall be determined from the date of initial appointment, therefore, the Department again submitted a note to the Chief Secretary for proper approval of the notification which was approved and after completion of all codal formalities, the notification dated 14.10.2014 was issued with necessary amendments duly recommended by SSRC and approved by the Chief Secretary. It was further pointed out on behalf of the respondents that Writ Petition No. 1320-P/2017 was filed seeking enhancement of the share for promotion as Assistant Engineers/SDOs in BS-17 in which direction was issued though for instant notice to Addl. AG who was present in the Court accepted the same without consultation of the department; but in pursuance to the direction of the Hon'ble Court to consider the grievance of the petitioner, the quota fixed as 03.5% earlier was enhanced to 10% vide notification dated 26.03.2018 as impugned before this Tribunal. So, it was argued that the appellants are stopped by their conduct to seek further changes *inter-se* in quota reserved in pursuance to direction of Hon'ble Peshawar High Court vide the impugned notification. While concluding the arguments, learned AAG submitted that the Government is empowered to frame or amend the service rules of the department and in case of the appellant was nothing beyond the authority of the government and the rules were rightly amended by reservation of the 10% quota which the appellants have impugned without any justification. He submitted that the appeals are liable to dismissal with costs.



7. Having heard the arguments on behalf of the parties and perused the record in light of pro and contra arguments, we deem it appropriate to dilate upon the method of appointment of the post of Assistant Engineer. According to the Communication & Works Department (Recruitment and Appointment) Rules, 1979 notified on 13.01.1980, besides the conditions prescribed in other columns of Schedule I of the said rules, proportion of quota for initial

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 JUDGE
 Peshawar

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7 - 21

recruitment and for proportion was also prescribed in the last column of said schedule. Accordingly, 75% quota was reserved for initial recruitment; 10% by selection on merit with due regard to seniority from amongst Sub Engineers of the Department who hold a degree; and 20% by selection on merit with due regard to seniority from amongst Senior Scale Sub Engineers of the Department, who hold a Diploma and have passed Departmental Professional Examination. As discussed in the factual part herein above, the basic quota reserved for promotion of In-service Sub Engineers was altered time and again through different amendments in the entries in the last column meant to prescribe quota relating to the post of Assistant Engineer at Serial No. 4 of Appendix to the basic rules. However, all the amendments in the appendix relating to said post were to provide variation in ratio of quota for promotion including quota for graduate engineers holding the post of Sub Engineer. In the series of amendments, in one made vide notification dated 16.12.2011, besides certain other additions it was also prescribed that the higher qualification for the purpose of promotion against particular quota will be the B.E/B.Sc. Engineering(Civil/Mechanical/Electrical). Before the amendment made vide notification dated 14.10.2014 whereby 03.5% quota was provided for promotion of Sub Engineers having Degree of B.Tech (Hons), the quota as reserved previously pertained only for graduate Sub Engineers in possession of Engineering degree. Lastly, 03.5% quota as reserved vide entry in clause (e) in column No. 5 against Serial No. 4 in the Appendix in 2014, was enhanced upto 10% by promotion keeping the other conditions intact. The prayer of the appellants in plain terms reveals that they claim the modification in clause (e) pertaining to 10% quota exclusively reserved for B-Tech (Hons) Degree holders seeking its separation into two sub categories of the Sub Engineers, one comprising those who were in possession of B-Tech (Hons) degree at the time of joining service and the other who acquired the same qualification during



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EXAMINER
Kishor Prabhakar
Service Tribunal
Peshawar


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- 22

service, on analogy of B.E/B.Sc. Engineering Degree Holders, with all back benefits.

8. Needless to say that holders of the post of Sub Engineers, as far as their original post is concerned, are required at the time of initial appointment to possess minimum qualification as prescribed in relevant column of the appendix but they after regular appointment are separately dealt for appointment through promotion and have been placed differently in the matter of quota reserved for promotion having regard to the minimum qualification and the higher relevant qualification. So, they from their origin were categorized in two main categories: "one comprising those who possess only basic qualification prescribed for the post and the second including those Sub Engineers who possess the degree of BE/BSc Engineering or they are holders of B.Tech (Hons) degree. The matter in issue before us relates to a part of second category covering the Sub Engineers who happen to have possessed the degree of B.Tech (Hons). Although there is no issue about part of the second category comprising Sub Engineers who happen to have possessed the degree of BE/BSc. Engineering but for the sake of understanding the grievance of appellants, it is useful to mention that this part of the second category has been further divided in to two sub categories: "one comprising those Sub Engineers who happened to have possessed the degree of BE/B.Sc. Engineering at the time of their initial recruitment and other comprising of those Sub Engineers who happened to have acquired such degree during service after their initial appointment. The appellants, making part of the second category in main categories discussed before, are aggrieved that when one sub category making part of the second main category has been divided further into two sub categories for proportional quota on subject of the BE/BSc. Engineering degree with reference to the timeline of its acquisition, the same treatment was befitting for the other part including holders of the B. Tech (Hons) degree. Contrarily, Sub

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SERVICE COMMISSION
BANGALORE

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Engineers possessing B.Tech (Hons) Degree have been kept combined for quota on the subject of their degree irrespective of the timeline of its acquisition. According to the impugned notification dated 26.03.2018 in respect of the amendment in the Appendix of the department Notification dated 25.03.2010, the Sub Engineers who possessed the B.E or B.Sc. Engineering degree at the time of joining the service were separately dealt with for the purpose of quota while those who albeit have happened to possess the same degree but acquired later on during service have been dealt separately with a proportional quota in the same category. The substituted entries under Clause (b) and clause (c) against Serial No. 4 in Column No. 05 in the Appendix respectively provide 05 % quota for those Sub Engineers who happened to have possessed the B.E or B.Sc. Engineering degree at the time of appointment while 03.5 % for others in the same category who happened to have acquired such degree during service. However, by the substituted entry vide Clause (e) in the same Appendix against S.No. 4 in Column No. 05, the Sub Engineers possessing the Degree of B.Tech (Hons) were held entitled for 10% quota without making distinction between the Sub Engineers who were in possession of such degree at the time of joining the service and who acquired such degree during service. The appellants purport to have possessed the degree of B.Tech (Hons) at the time of their joining the service. The accumulation of the Sub Engineers having the Degree of B.Tech (Hons) in a single queue for 10% promotion quota, irrespective of distinction between holders of said qualification at the time of induction into service and the holders of the degree who acquired such degree after joining the service, is perceptibly not efficacious for the appellants; when they are always exposed to a risk of thumping from behind to leave place to one who comes forward from the sideways after acquiring B.Tech (Hon) Degree during service. Needless to say that the apportionment of quota between the Sub Engineers, who happened to have possessed the degree of BE or BSC Engineering at the time of appointment and who happened to have acquired the

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 Member Panel/Inquiry
 Service Tribunal
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same during service, has emboldened the appellants for the claim of apportionment of the 10% quota of their category in the similar manner as applied for the category of holders of the degree of BE or BSC Engineering. The claim of appellants for the treatment alike for bifurcation of quota within limits of 10% quota on the subject of degree of B.Tech (Hons) is not unreasonable when juxtaposed to bifurcation of quota on the subject of degree of BE/BSc. Engineering degree with reference to the timeline of its acquisition. If date of appointment of some Sub Engineers not in possession of B.Tech (Hons) degree is the same or earlier than the appellants but they i.e. the former happen to have acquired the relevant degree at any stage during service, there will always be a room for customization and readjustment of the seniority list of the competitors for 10% quota on the subject of B.Tech (Hons) degree because of difference in the order of their merit in one selection or difference in dates of their appointment. The date of regular appointment among other points is a significant factor for determination of seniority within the meaning of Rule 17 Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. The seniority of the appellants will remain fluctuating in case of the combined category of Sub Engineers for competition within limits of 10% quota on the subject of B.Tech (Hons) degree. It is not difficult to assume that if a Sub Engineer having been appointed on the basis of his original qualification earlier than the appellants, happens to have acquired the Degree of B.Tech (Hons) during service after appointment of the appellants, he will stand senior to them on the strength of prior date of appointment irrespective of the fact that he was not possessing such qualification when the appellants holding the same had joined the service. So, the appellants were entitled to be treated alike with the categories of Sub Engineers who were provided separate quota within their own category because of their possessing of B.E or B.Sc Engineer (Civil/Mechanical/Electrical) degree at the time of joining the service. A copy of the tentative seniority list of B.Tech Degree Holders Sub Engineers (BPS-16/12) of

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 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

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C&W Department Khyber Pakhtunkhwa as stood on 31.03.2021 was produced at the bar on behalf of the appellants. It was contended that according to the said seniority list, the B.Tech (Hons) Degree Holder Sub Engineers are 70 in number; and all among them except the appellants (07 in numbers) and some others if any, are those who acquired the qualification of B.Tech (Hons) after joining the service but having the date of their appointment prior in time to that of the appellants; and they have got senior number in the seniority list than the appellants.

9. In view of the foregoing discussion, if the appellant having possessed B.Tech Honors Degree at the time of joining their service are not treated distinctively than those Sub Engineers possessing the similar qualification but having acquired the same during service, they i.e. appellants will always remain not only caught up in uncertainty in the matter of seniority but also prone to the risk of relegation in the seniority for the reason already discussed herein above.

When a particular treatment has been meted out to a class of Sub Engineers by separation of their inter-se quota proportionately with reference to timeline of acquisition of BE/BSc. Engineering degree, the appellants for bifurcation of quota on the subject of their degree with reference to timeline of its acquisition are similarly placed. If the appellants are not treated in the said manner, the infringement of their fundamental rights of equality of the treatment with similarly placed persons will perpetuate. Certainly, the amendments made by the impugned notification for 10% quota on the subject of B.Tech(Hons)degree

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

irrespective of the timeline as to acquisition of such qualification, has deprived the appellants from protection as granted to the Sub Engineers with separate quota who at the time of joining the service have held the Degree of B.E/B.Sc. Engineering (Civil/Mechanical/Electrical). Needless to say that the rules as impugned in the appeals have got the force of law and by virtue of sub article (1) of Article 25 of the Constitution of Islamic Republic of Pakistan, all citizens

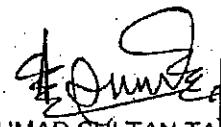
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26

are equal before law and are entitled to equal protection of law. So, we hold that the appellants have got a good case for the relief as prayed for.


10. For what has gone above, all the appeals enumerated above at the outset are accepted as prayed for. Consequently, the respondents are directed to proceed under due course for substitution of Clause (e) of the Appendix against Serial No. 4 in Column No. 5 to provide for separation of 10% quota with appropriate proportion having regard to the number of Sub Engineers who happened to have possessed the Degree of B.Tech (Hons) at the time of their joining the service and those who happened to have acquired such degree while in service after their appointment. There is no order as to cost. File be consigned to record room.

(MIAN MUHAMMAD)
Member(E)

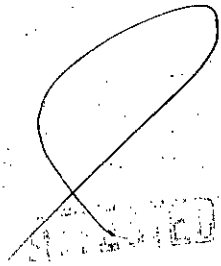

(AHMAD SULTAN TAREEN)
Chairman

ANNOUNCED
07.10.2021

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

| | |
|-------------------------------------|------------|
| Date of Presentation of Application | 26-11-2021 |
| Number of Words | 4800 |
| Copying Fee | 59/- |
| Urgent | 4/2 |
| Total | 59/- |
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| Date of Completion of Copy | 26-11-2021 |
| Date of Delivery of Copy | 26-11-2021 |





GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2023

NOTIFICATION:

No.SOE/C&WD/8-12/2023: In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Communication & Works Department, in consultation with the Establishment Department and the Finance Department, hereby direct that in this Department Notifications' No.SOE/C&WD/8-12/2009, dated 25th March, 2010, the following further amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, against serial No.4, in column No.5, for the existing entries, the following shall respectively be substituted, namely:

- (i) Sixty five percent (65%) by Initial recruitment; and
- (ii) thirty five (35%) by promotion, on the basis of seniority-cum-fitness, in the following manner, namely:
- (a) sixteen and half percent (16.50%) by promotion, from amongst the holders of the posts of Sub-Engineer who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination, with ten (10) years service as such;
- (b) five percent (5%) by promotion, from amongst the holders of the posts of Sub-Engineer who possess Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination, with 03 (three) years service as such;
- (c) three and half percent (3.5%) by promotion, from amongst the holders of the posts of Sub-Engineer who acquired Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination, with 03 (three) years service as such;
- Provided that if no suitable candidate is available for promotion, then the post shall be filled in the manner, as prescribed at clause (b) and vice-versa;
- (d) four percent (4%) by promotion, from amongst the holders of the posts of Sub-Engineer who have acquired B.Tech (Hons) four (04) years degree during service and have passed Departmental Professional Examination, with five (05) years service as such;
- and
- (e) six percent (6%) by promotion, from amongst the holders of the post of Sub-Engineers who possesses B.Tech (Hons) four (04) years degree at the time of appointment and have passed Departmental Professional Examination, with five (05) years service as such.;

Note-I: The seniority in all cases shall be determinate from the date of Initial appointment:

Provided that for the purpose of promotion to the post of Sub Divisional Officer, Assistant Engineer, Junior Engineer and Assistant Research Officer, the seniority of Sub Engineers, mentioned in the clause (c), shall be determined from the date of acquiring the Degree in B.E/B.Sc Engineering (Civil, Mechanical or Electrical) from a recognized University.

Note-II: (a) For the purpose of promotion to the post of Sub Divisional Officer, Assistant Engineer, Junior Engineer and Assistant Research Officer, the seniority of Sub Engineers under clause (d) in case of service graduates shall be determined from the date of acquiring B.Tech (Hons) four (04) years Degree; and

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- (b) For the purpose of promotion to the post of Sub Divisional Officer, Assistant Engineer, Junior Engineer and Assistant Research Officer, the seniority of Sub Engineers under clause (a) shall be determined from the date of their regular appointment:

Provided that, if two or more officials have acquired B.Tech (Hons) four years Degree on the same date or two or more Sub Engineers are appointed on the same date, then their seniority shall be determined from the order of merit in the final merit list."

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

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Copy is forwarded to the:-

1. All Administrative Secretaries, Govt of Khyber Pakhtunkhwa
2. Secretary to Governor Khyber Pakhtunkhwa, Peshawar
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
4. All Chief Engineers C&W C&W Department
5. Managing Director PKHA Peshawar
6. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
7. All Superintending Engineers C&W Department
8. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar
9. All Executive Engineers C&W/Building/Highway Divisions
10. Section Officer (R-VI) Establishment Department, Peshawar
11. Assistant Legal Drafter-I, Law Department, Peshawar
12. Managing Printing Press for publication in the issue of next Govt gazette
13. PS to Secretary, C&W Department, Peshawar
14. PA to Addl: Secretary (Admn/Tech), C&W Department, Peshawar
15. PA to Deputy Secretary (Admn/Tech), C&W Department, Peshawar
16. Office File

ZAHUR
20.01.2023
(ZAHUR SHAH)
SECTION OFFICER (Estb)

TESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Nov 28, 2023

- 29

Amir J

NOTIFICATION:

No.SOE/C&W/4-2/2023 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote the following Pre-service B-Tech (Hons) Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Awais-ur-Rehman --- On Regular basis
 2. Zia-ur-Rehman --- On Regular basis
 3. Farman Ullah --- On Regular basis
 4. Muhammad Maaz --- On Regular basis
 5. Amir Ali --- On Regular basis
2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.
3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|-------------------------|--|---|-------------|
| 1 | Awais-ur-Rehman (BS-17) | Sub Engineer (BS-12) C&WD, presently working as Assistant Director (OPS) Directorate of Works & Implementation Sports & Tourism Department, Peshawar on deputation basis | Assistant Design Engineer O/O CE (Maintenance) Peshawar for actualization of his promotion as Assistant Engineer/SDO (BS-17) C&WD on regular basis and reposted as Assistant Director Directorate of Works & Implementation Sports & Tourism Department, Peshawar on deputation basis | -- |
| 2 | Zia-ur-Rehman (BS-17) | Sub Engineer O/O XEN Building Division Mansehra | SDO O/O XEN Highway Division Mohmand | Vacant post |
| 3 | Farman Ullah (BS-17) | Sub Engineer O/O XEN C&W Division Karak | SDO O/O XEN Building Division DIKhan | --do-- |
| 4 | Muhammad Maaz (BS-17) | Sub Engineer O/O XEN Mega Projects, Swat | SDO O/O XEN Building Division Mohmand | --do-- |
| 5 | Amir Ali (BS-17) | Sub Engineer O/O XEN Highway Division Mardan | SDO O/O XEN Building Division Charsadda | --do-- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

P.T.O.

11/28/23

(29-A)

-2-

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. All Chief Engineers C&W Department
3. Managing Director PKHA Peshawar
4. Superintending Engineer C&W Circle concerned
5. Director Sports & Tourism Department Peshawar
6. Executive Engineer C&W Divisions concerned
7. Executive Engineer Building Divisions concerned
8. Executive Engineer Highway Divisions concerned
9. District Accounts Officers concerned
10. Accounts Officers Tribal Districts concerned
11. PS to Minister for C&W Khyber Pakhtunkhwa Peshawar
12. PS to Secretary C&W Department, Peshawar
13. PA to Additional Secretary (Admn/Tech) C&W Department, Peshawar
14. PA to Deputy Secretary (Admn/Tech) C&W Department, Peshawar
15. Officers concerned
16. Office order File
17. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zahoor Shah
28.11.2023
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

Zahoor Shah
28.11.2023



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the August 26, 2019

- 30 *Amir K*

NOTIFICATION:

No.SOE/C&WD/4-7/2019: On their selection by the Khyber Pakhtunkhwa Public Service Commission, Peshawar, the Provincial Government is pleased to appoint the following as temporary Assistant Engineers in the Communication & Works Department, Khyber Pakhtunkhwa in BS-17 plus other allowances as admissible under the rules with immediate effect:-

| Sr. No. | Name with Fathers' Name | Domicile/Zone |
|---------|---|---------------|
| 1 | Waseem Shah S/O Suliman Shah | Malakand/3 |
| 2 | Tariq Murtaza S/O Ghulam Murtaza | Peshawar |
| 3 | Bilawal Hussain S/O Iqbal Hussain | Swabi/2 |
| 4 | Sahibzada Fahad Noor S/O Sahibzada Tariq Noor | Peshawar/2 |
| 5 | Jawad Ali S/O Akbar Jan | Mohmand Agy/1 |
| 6 | Zia Ullah S/O Seraj Ul Haq | Shangla/3 |
| 7 | Abdur Rahman S/O Zamin Dad | Mardan/2 |
| 8 | Saleem Khan S/O Karim Dad | Swat/3 |
| 9 | Jehan Zeb S/O Alam Zeb | Khyber Agy/1 |
| 10 | Zia-ur-Rehman S/O Hamdullah Shah | Karak/4 |
| 11 | Danish Ali S/O Nazakat Zaman | Haripur/5 |
| 12 | Mahrukh Naseem D/O Naseem Ahmad Shah | Peshawar |

2. Their seniority will be determined in accordance with the merit assigned by the Khyber Pakhtunkhwa Public Service Commission.

3. On their appointments, the services are hereby placed at the disposal of Chief Engineer (Centre), Chief Engineer (North), Chief Engineer (Merged Areas) C&W Peshawar and Chief Engineer (East) C&W Abbottabad, as noted against each for further attachment with Executive Engineers for undergoing 4-months practical training. They will have also to pass the prescribed test on completion of 4-months training. However, they will not exercise the financial powers as vested to the posts until they passed prescribed test on completion of 04 month practical training:-

| S# | Name | Services placed at the disposal of |
|----|------------------------------------|---|
| 1 | Waseem Shah AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN C&W Division Malakand |
| 2 | Tariq Murtaza AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN C&W Division Chitral |
| 3 | Bilawal Hussain AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN C&W Division Swabi |
| 4 | Sahibzada Fahad Noor AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Building Division No.II, Peshawar |
| 5 | Jawad Ali AE (BS-17) | Chief Engineer (Merged Areas) C&W Peshawar for further attachment with XEN C&W Division Tribal District Mohmand |
| 6 | Zia Ullah AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN C&W Division Shangla |
| 7 | Abdur Rehman AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN Building Division Mardan |
| 8 | Saleem Khan AE (BS-17) | Chief Engineer (North) C&W Peshawar for further attachment with XEN Highway Division Swat |
| 9 | Jehan Zeb AE (BS-17) | Chief Engineer (Merged Areas) C&W Peshawar for further attachment with XEN Building Division Tribal District Khyber |
| 10 | Zia-ur-Rehman AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Building Division No.I, Peshawar |
| 11 | Danish Ali AE (BS-17) | Chief Engineer (East) C&W Abbottabad for further attachment with XEN C&W Division Haripur |
| 12 | Mahrukh Naseem AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Provincial Building (Construction) Division No.I, Peshawar |

Amir K

P.T.O.

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4. The Chief Engineers Centre, North, Chief Engineer (Merged Areas) C&W Peshawar and Chief Engineer (East) C&W Abbottabad to furnish the successful practical training certificates in respect of the Public Service Commission Selectees. A common test will be arranged by the Administrative Department. Trainees failing the test twice will be discharged from service.


SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre/North) C&W Peshawar
3. Chief Engineer (Merged Areas) C&W Peshawar
4. Chief Engineer (East) C&W Abbottabad
5. Superintending Engineer C&W Circles concerned
6. Superintending Engineer Provincial Building (Construction) Peshawar
7. Executive Engineer Provincial Building (Construction) Division No. I & II Peshawar
8. Executive Engineer C&W/Highway/Building Divisions concerned
9. PS to Minister for C&W Department Peshawar
10. PS to Secretary, C&W Department Peshawar
11. Officers concerned
12. Office order File/Personal File


SECTION OFFICER (Estb)


SECTION OFFICER (Estb)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 07, 2019

- 32

Notification

No.SOE/C&W/4-2/2019 (SDOs):

On the recommendations of the Departmental Promotion Committee (DPC), the Competent Authority is pleased to promote Mr.Yousaf Ali Sub Engineer (BS-16) to the post of Assistant Engineer/SDO (BS-17) with effect from the date of DPC i.e. 05.12.2018, while working as SDO (OPS) C&W Sub Division Dir Lower retired on 06.02.2019.


SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre/North) C&W Peshawar
3. Superintending Engineer C&W Circle Dir Lower
4. Executive Engineer C&W Division Dir Lower
5. District Accounts Officer Dir Lower
6. PS to Secretary, C&W Peshawar
7. Office order File/Personal File


(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)


RECEIVED



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 07, 2019

-33

Notification

No.SOE/C&W/4-2/2019 (SDOs):

On the recommendations of the Departmental Promotion Committee (DPC), the Competent Authority is pleased to promote Mr. Inayat-ur-Rehman B-Tech (Hons) Sub Engineer to the post of Assistant Engineer/SDO (BS-17) with effect from the date of DPC i.e. 25.01.2019, while working as Sub Engineer O/O XEN C&W Division Dir Lower retired on 31.01.2019.

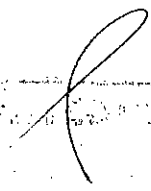
SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre/North) C&W Peshawar
3. Superintending Engineer C&W Circle Dir Lower
4. Executive Engineer C&W Division Dir Lower
5. District Accounts Officer Dir Lower
6. PS to Secretary, C&W Peshawar
7. Office order File/Personal File


(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)





GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 07, 2019

- 34

Notification

No.SOE/C&W/4-2/2019 (SDOs):

On the recommendations of the Departmental Promotion Committee (DPC), the Competent Authority is pleased to promote Mr.Shadab Naseem Sub Engineer (BS-16) to the post of Assistant Engineer/SDO (BS-17) with effect from the date of DPC i.e. 05.12.2018, while working as SDO (OPS) PBMC C&W Peshawar retired on 28.02.2019.

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre/North) C&W Peshawar
3. Superintending Engineer PBMC C&W Peshawar
4. Executive Engineer PBMC C&W Peshawar
5. PS to Secretary, C&W Peshawar
6. Office order File/Personal File

(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the October 07, 2019

- 35

NOTIFICATION:

No. SOE/C&W/4-2/2019 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote the following Diploma Holder Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Mr. Niaz Muhammad --- On Regular basis
2. Mian Jehanzeb --- On Regular basis
3. Syed Qaisar Shah --- On Regular basis
4. Manzoor Ellahi --- On Regular basis

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|----------------------------|--|--|---------|
| 1 | Mr. Niaz Muhammad (BS-17) | SDO (OPS) C&W Sub Division Battagram | SDO C&W Sub Division Battagram | --- |
| 2 | Mian Jehanzeb (BS-17) | SDO (OPS) Building Sub Division Nowshera | SDO Building Sub Division Nowshera | --- |
| 3 | Syed Qaisar Shah (BS-17) | SDO (OPS) C&W Sub Division Hangu | SDO C&W Sub Division Hangu | --- |
| 4 | Mr. Manzoor Ellahi (BS-17) | SDO (OPS) Highway Sub Division Peshawar | SDO Highway Sub Division Peshawar | --- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre/North/CDO) C&W Peshawar
3. Chief Engineer (Merged Areas) C&W Peshawar
4. Chief Engineer (East) C&W Abbottabad
5. Superintending Engineer C&W Circle Battagram/Peshawar/Kohat
6. Executive Engineer C&W Division Battagram/Hangu
7. Executive Engineer Highway Division Peshawar
8. Executive Engineer Building Division Nowshera
9. District Accounts Officer Battagram/Nowshera/Hangu
10. PS to Minister for C&W Peshawar
11. PS to Secretary C&W Peshawar
12. PA to Additional Secretary C&W Department Peshawar
13. PA to Deputy Secretary (Admn/Tech) C&W Department Peshawar
14. Officers concerned
15. Office order File/Personal File

RECEIVED

(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 21, 2020

NOTIFICATION:

No. SOE/C&W/4-2/2020 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote the following Diploma Holder Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Muhammad Shakeel Athar --- On Regular basis
2. Zia-ud-Din --- On Regular basis
3. Muhammad Khalil Noor --- On Regular basis
4. Muhammad Najeeb --- On Regular basis
5. Iftikhar Khan Babar --- On Regular basis
6. Nasim Ahmad Shah --- On Regular basis
7. Ibadullah --- On Regular basis
8. Irshad Ahmad Khan-I --- On Regular basis
9. Muhammad Akram-III --- On Regular basis

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|------------------------------------|---|---|---------------------|
| 1 | Mr. Muhammad Shakeel Athar (BS-17) | SDO (OPS) Building Sub Division No. II, DIKhan | SDO Building Sub Division No. II, DIKhan | --- |
| 2 | Mr. Zia-ud-Din (BS-17) | SDO (OPS) Highway Sub Division DIKhan | SDO Highway Sub Division DIKhan | --- |
| 3 | Mr. Muhammad Khalil Noor (BS-17) | SDO (OPS) Highway Sub Division DIKhan | SDO Highway Division DIKhan | --- |
| 4 | Mr. Muhammad Najeeb (BS-17) | SDO (OPS) C&W Sub Division Haripur | SDO C&W Sub Division Haripur | --- |
| 5 | Mr. Iftikhar Khan Babar (BS-17) | Sub Engineer O/O XEN Building Division No. I, Peshawar | Junior Engineer O/O Chief Engineer (CDO) C&W Peshawar for one day, after actualization of his promotion, reposted as Assistant Director PaRRSA/ USAID Directorate, Swat | Against vacant post |
| 6 | Mr. Nasim Ahmad Shah (BS-17) | SDO (OPS) Highway Sub Division Swat | SDO Highway Sub Division Swat | --- |
| 7 | Mr. Ibadullah (BS-17) | SDO (OPS) Building Sub Division Tribal Sub Division Jandola/Ladha | SDO Building Sub Division Tribal Sub Division Jandola/Ladha | --- |
| 8 | Mr. Irshad Ahmad Khan-I (BS-17) | Sub Engineer O/O XEN PBMC C&W Peshawar | SDO C&W Sub Division Tribal Sub Division Battani | Against vacant post |
| 9 | Mr. Muhammad Akram-III (BS-17) | Sub Engineer O/O XEN C&W Division Tribal District Orakzai | SDO C&W Sub Division Battagram, relieving Mr. Tariq Ali Sub Engineer from additional charge | --- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

P.T.O.


- 37

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Accountant General PR (sub office) Peshawar
3. Chief Engineer (Centre/North/CDO) C&W Peshawar
4. Chief Engineer (Merged Areas) C&W Peshawar
5. Chief Engineer (East) C&W Abbottabad
6. Project Director PaRRSA/USAID Directorate Swat stationed at Peshawar.
7. Superintending Engineer C&W Circle concerned
8. Superintending Engineer C&W Circle Tribal Districts Bannu
9. Executive Engineer C&W Division concerned
10. Executive Engineer Highway Division concerned
11. Executive Engineer Building Division Tribal District Orakzai/South Waziristan
12. Executive Engineer C&W Division Tribal Sub Division Battani/Wazir
13. District Accounts Officer concerned
14. Accounts Officer Tribal District Orakazi/South Waziristan
15. PS to Secretary C&W Peshawar
16. PA to Additional Secretary C&W Department Peshawar
17. PA to Deputy Secretary (Admin/Tech) C&W Department Peshawar
18. Officers concerned
19. Office order File/Personal File


(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)


SECTION OFFICER



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the June 03, 2021

NOTIFICATION:

No.SOE/C&WD/4-7/2021: On their selection by the Khyber Pakhtunkhwa Public Service Commission Peshawar, the Provincial Government is pleased to appoint the following as temporary Assistant Engineers in the Communication & Works Department, Khyber Pakhtunkhwa in BS-17 plus other allowances as admissible under the rules with immediate effect:-

| Sr.No. | Name with Father's Name | District/Zone |
|--------|---|-----------------|
| 01 | Majeed Ullah S/O Islam Ud Din | Chitral/3 |
| 02 | Abdul Baqi S/O Fazli Hadi | Buner/3 |
| 03 | Muhammad Zuhair S/O Muhammad Haqdar | Charsadda/2 |
| 04 | Allah Yar Khan S/O Ashfaq Ahmad Khan | Mansehra/5 |
| 05 | Naveed Mehmood S/O Ali Muhammad | Malakand/3 |
| 06 | Hassan Sardar S/O Dr. Wisal Muhammad | Charsadda/2 |
| 07 | Babar Saleem S/O Muhammad Saleem Khan | Peshawar/2 |
| 08 | Abbas Khan S/O Shah Alam | Swabi/2 |
| 09 | Hidayat Ullah S/O Abdur Rehman | Karak/4 |
| 10 | Hassan Zahid S/O Zahid Hussain Khan | Mansehra/5 |
| 11 | Shams-ur-Rehman S/O Azmat Ullah | Lakki Marwat/4 |
| 12 | Muhammad Ismail Afridi S/O Muhammad Yousaf Afridi | Khyber Agency/1 |
| 13 | Zahid Mehmood S/O Naik Muhammad | FR Tank/1 |
| 14 | Uzma Bibi D/O Hussain Ghani | Dir.Lower/3 |
| 15 | Maham Tariq D/O Tariq Saeed | Peshawar/2 |
| 16 | Aziz Ullah S/O Ayaz Khan | S.W.Agy/1 |
| 17 | Lahiba Imtiaz D/O Imtiaz Ahmed | Abbottabad/5 |
| 18 | Ram Chand S/O Amir Chand | Buner/3 |
| 19 | Shiva S/O Jode Lal | DIKhan/4 |

2. Their seniority will be determined in accordance with the merit assigned by the Khyber Pakhtunkhwa Public Service Commission.

3. On their appointments, their services are placed at the disposal of Chief Engineer (Centre) C&W Peshawar, Chief Engineer (North) C&W Swat stationed at Saidu Sharif, Chief Engineer (South-I) C&W Peshawar, Chief Engineer (South-II) C&W DIKhan, Chief Engineer (East) C&W Abbottabad, Chief Engineer (Maintenance) Peshawar, Chief Engineer (Mega Projects) Peshawar and Additional Secretary (Technical) C&W Department Peshawar, as noted against each for further attachment with Executive Engineers for undergoing 4-months practical training. They will have to pass the prescribed test on completion of 4-months training. However, they will not exercise the financial powers as vested to the posts until they passed prescribed test on completion of 04 month practical training:-

| S# | Name | Services placed at the disposal of |
|----|-------------------------------|---|
| 01 | Majeed Ullah AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division No.I, Peshawar |
| 02 | Abdul Baqi AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Building Division Nowshera |
| 03 | Muhammad Zuhair AE (BS-17) | Chief Engineer (North) C&W Swat stationed at Saidu Sharif for further attachment with XEN Building Division Buner |
| 04 | Allah Yar Khan AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division Mardan |
| 05 | Naveed Mehmood AE (BS-17) | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Highway Division Haripur |
| 06 | Hassan Sardar AE (BS-17) | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN Building Division Kohat |

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| 07 | Babar Saleem | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN Highway Division Kohat |
| 08 | Abbas Khan AE (BS-17) | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Highway Division Mansehra |
| 09 | Hidayat Ullah AE (BS-17) | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Building Division DIKhan |
| 10 | Hassan Zahid AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division Nowshera |
| 11 | Shams-ur-Rehman AE (BS-17) | Additional Secretary (Technical) C&W Department for further attachment with Deputy Secretary (Technical) C&W Department Peshawar |
| 12 | Muhammad Ismail Afridi AE (BS-17) | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division No.II, Peshawar |
| 13 | Zahid Mehmood AE (BS-17) | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Highway Division South Waziristan |
| 14 | Uzma Bibi AE (BS-17) | Chief Engineer (Mega Projects) Peshawar for further attachment with XEN Mega Projects-I Peshawar |
| 15 | Maham Tariq AE (BS-17) | Chief Engineer (Maintenance) Peshawar for further attachment with XEN Maintenance-II Peshawar |
| 16 | Aziz Ullah AE (BS-17) | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN C&W Division Lakki Marwat |
| 17 | Lahiba Imtiaz AE (BS-17) | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Building Division Abbottabad |
| 18 | Ram Chand AE (BS-17) | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Building Division Mansehra |
| 19 | Shiva AE (BS-17) | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN C&W Division Karak |


4. The Chief Engineers (Centre) C&W Peshawar, Chief Engineer (North) C&W Swat stationed at Saidu Sharif, Chief Engineer (South-I) C&W Peshawar, Chief Engineer (South-II) C&W DIKhan, Chief Engineer (East) C&W Abbottabad, Chief Engineer (Maintenance) Peshawar, Chief Engineer (Mega Projects) Peshawar and Additional Secretary (Technical) C&W Department Peshawar, to furnish the successful practical training certificates in respect of the Public Service Commission Selectees. A common test will be arranged by the Administrative Department. Trainees failing the test twice will be discharged from service.

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Chief Engineer (South-I) C&W Peshawar
5. Chief Engineer (South-II) C&W DIKhan
6. Chief Engineer (East) C&W Abbottabad
7. Chief Engineer (Maintenance) Peshawar
8. Chief Engineer (Mega Projects) Peshawar
9. Additional Secretary (Technical) C&W Department, Peshawar
10. Superintending Engineer C&W Circles concerned
11. Deputy Secretary (Technical) C&W Department, Peshawar
12. Executive Engineer C&W/Highway/Building Divisions concerned
13. Executive Engineer Mega Projects-II Peshawar
14. Executive Engineer Maintenance-II Peshawar
15. PS to Special Assistant to Chief Minister for C&W Department
16. PS to Secretary, C&W Department Peshawar
17. Officers concerned
18. Office order File/Personal File


03-6-2021
(ZAHOOOR SHAH)
SECTION OFFICER (Estb)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 01, 2022

NOTIFICATION:

No. SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to promote the following B-Tech (Hons) Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Murad Ali — On Regular basis
 2. Jawad Aamir — On Regular basis
2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.
3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|-------------------------------|--|---|----------------------|
| 1 | Mr. Murad Ali AE (BS-17) | SDO (OPS) Highway Sub Division Razmak North Waziristan | SDO O/O XEN C&W Division Kurram Lower | Against vacant po |
| 2 | Mr. Jawad Aamir AE (BS-17) | Assistant Director (OPS), Directorate of Anti Corruption Establishment Khyber Pakhtunkhwa | Junior Engineer O/O CE (CDO) Peshawar for actualization of his promotion as Assistant Engineer/ SDO (BS-17) C&W on regular basis and reposted as Assistant Director, Directorate of Anti Corruption Establishment Khyber Pakhtunkhwa | --- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (South-I) C&W Peshawar
4. Chief Engineer (South-II) C&W DIKhan
5. Director Anti Corruption Establishment Khyber Pakhtunkhwa, Peshawar
6. Superintending Engineer C&W Circle Waziristan at Bannu
7. Superintending Engineer C&W Circle Hangu
8. Executive Engineer Highway Division North Waziristan
9. Executive Engineer C&W Division Kurram Lower
10. Accounts Officer Tribal District North Waziristan/Kurram
11. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
12. PS to Secretary Establishment Department, Peshawar
13. PS to Secretary C&W Department, Peshawar
14. PA to Additional Secretary C&W Department, Peshawar
15. PA to Deputy Secretary (Admn) C&W Department, Peshawar
16. Officers concerned
17. Office order File
18. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zaheer
01.04.2022
(ZAHOOOR SHAH)
SECTION OFFICER (Estb)



- 41

To be substituted for the same number and date

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 01, 2022

NOTIFICATION:

No. SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to promote the following Pre-Service Graduate Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

- | | | |
|--------------------------|-----|------------------|
| 1. Muhammad Adnan | --- | On Regular basis |
| 2. Syed Wasiq Zahid Shah | --- | On Regular basis |
| 3. Muhammad Islam | --- | On Regular basis |
| 4. Shahid Muhammad | --- | On Regular basis |
| 5. Muhammad Ayub Khan | --- | On Regular basis |
| 6. Bashir-ud-Din | --- | On Regular basis |

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|--|---|--|------------------------|
| 1 | Engr. Muhammad Adnan AE (BS-17) | Sub Engineer O/O XEN C&W Division Chitral Upper | SDO C&W Sub Division Chitral, Chitral Lower | Against vacant post |
| 2 | Engr. Syed Wasiq Shah AE (BS-17) | Assistant Director (OPS) PMU-JICA C&W Peshawar | Assistant Design Engineer O/O CE (Foreign Aid) Peshawar for actualization of his promotion as Assistant Engineer/ SDO (BS-17) C&WD on regular basis and reposted as Assistant Director, PMU- JICA C&W Peshawar | --do-- |
| 3 | Engr. Muhammad Islam AE (BS-17) | Waiting for posting | SDO O/O XEN Highway Division Mohmand | --do-- |
| 4 | Engr. Shahid Muhammad AE (BS-17) | Assistant Engineer (OPS) O/O CE (Centre) C&W Peshawar | Assistant Engineer O/O CE (Centre) C&W Peshawar | --do-- |
| 5 | Engr. Muhammad Ayub Khan AE (BS-17) | Sub Engineer O/O XEN Building Division Mansehra | SDO O/O XEN Mega Projects Swat | --do-- |
| 6 | Engr. Bashir-ud-Din AE (BS-17) | Sub Engineer O/O XEN Mega Projects Mardan | Assistant Engineer O/O CE (Centre) C&W Peshawar | --do-- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

P.T.O.

42

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Chief Engineer (East) C&W Abbottabad
5. Chief Engineer Mega Projects Peshawar
6. Chief Engineer (Foreign Aid) Peshawar
7. Project Director PMU-JICA C&W Peshawar
8. Superintending Engineer C&W Circle Khyber/Dir Lower/Swat/Mansehra
9. Superintending Engineer Mega Projects Mardan
10. Executive Engineer C&W Division Chitral Lower/Upper/TOR GHAR/Shangla
11. Executive Engineer Highway Division Mohmand
12. Executive Engineer Building Division Mansehra
13. Executive Engineer Mega Projects Swat
14. District Accounts Officer Chitral/TOR GHAR/Shangla/Mansehra/Swat
15. Accounts Officer Tribal District Mohmand
16. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
17. PS to Secretary C&W Department, Peshawar
18. PA to Additional Secretary C&W Department, Peshawar
19. PA to Deputy Secretary (Admn) C&W Department, Peshawar
20. Officers concerned
21. Office order File
22. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zaam

01.04.2022

(ZAHOR SHAH)
SECTION OFFICER (Estb)

[Signature]
TESTED

- 43

To be substituted for the same number and date



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 01, 2022

NOTIFICATION:

No.SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to promote the following In-Service Graduate Sub-Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

- | | | |
|-----------------|-----|------------------|
| 1. Roedar Alam | --- | On Regular basis |
| 2. Nizam-ud-Din | --- | On Regular basis |
| 3. Misbah Ullah | --- | On Regular basis |
| 4. Aasim Mumtaz | --- | On Regular basis |

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|----------------------------------|--|--|-----------------------|
| 1 | Engr. Roedar Alam AE (BS-17) | SDO (OPS) O/O XEN Building Division Mohmand | SDO O/O XEN Building Division Mohmand | -- |
| 2 | Engr. Nizam-ud-Din AE (BS-17) | Sub Engineer O/O XEN C&W Division No.1, Swat at Saidu Sharif | SDO C&W Sub Division Drosh, Chitral Lower | Against vacant pos |
| 3 | Engr. Misbah Ullah AE (BS-17) | Sub Engineer O/O XEN Highway Division Bajaur | SDO O/O XEN Highway Division Bajaur | --do-- |
| 4 | Engr. Aasim Mumtaz AE (BS-17) | Sub Engineer O/O XEN Building Division Mansehra | SDO O/O XEN C&W Division Kohistan Upper | --do-- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

End of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Superintending Engineer C&W Circle Khyber/Dir Lower/Malakand/Mansehra
5. Executive Engineer Building Division Mohmand/Dir Lower
6. Executive Engineer Highway Division Bajaur/Mansehra
7. Executive Engineer C&W Division Kohistan Upper/Chitral Lower
8. District Accounts Officer Dir Lower/Dir Upper/Kohistan/Mansehra/Chitral
9. Accounts Officer Tribal District Mohmand
10. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
11. PS to Secretary C&W Department, Peshawar
12. PA to Additional Secretary C&W Department, Peshawar
13. PA to Deputy Secretary (Admn) C&W Department, Peshawar
14. Officers concerned
15. Office order File
16. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zaheer Shah
01.04.2022
(ZAHOOR SHAH)
SECTION OFFICER (Estb)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the April 01, 2022

NOTIFICATION:

No.SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to promote the following Diploma Holder Sub Engineers (BS-16) to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

- | | | |
|-----------------------|-----|------------------|
| 1. Nigar-ul-Haq | --- | On Regular basis |
| 2. Syed Tariq Mehmood | --- | On Regular basis |
| 3. Zubair Ullah Babar | --- | On Regular basis |
| 4. Abdul Saboor Khan | --- | On Regular basis |
| 5. Muhammad Zaka Khan | --- | On Regular basis |
| 6. Akbar Ali | --- | On Regular basis |
| 7. Muhammad Hayat | --- | On Regular basis |
| 8. Abdul Farooq | --- | On Regular basis |

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989, while the officer appearing at Sr.No. 2 will be on probation till their retirements.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

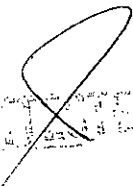
| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|--------------------------------------|--|---|------------------------|
| 1 | Mr. Niggar-ul-Haq AE (BS-17) | Sub Engineer O/O XEN Maintenance-II Peshawar | Assistant Design Engineer O/O CE (Mega Projects) Peshawar | Against vacant post |
| 2 | Syed Tariq Mehmood AE (BS-17) | SDO (OPS) O/O XEN Highway Division Abbottabad | SDO O/O XEN Highway Division Abbottabad | --- |
| 3 | Mr. Zubair Ullah Babar AE (BS-17) | SDO (OPS) O/O XEN Building Division No.I, Peshawar | SDO O/O XEN Building Division No.I, Peshawar | --- |
| 4 | Mr. Abdul Saboor Khan AE (BS-17) | SDO (OPS) O/O XEN Highway Division Swabi | SDO O/O XEN Highway Division Swabi | --- |
| 5 | Mr. Muhammad Zaka Khan AE (BS-17) | SDO (OPS) O/O XEN Building Division Abbottabad | SDO O/O XEN Building Division Abbottabad | --- |
| 6 | Mr. Akbar Ali AE (BS-17) | Assistant Director (OPS) PKHA Swat | Assistant Engineer O/O CE (North) C&W Swat for actualization of his promotion as Assistant Engineer/SDO (BS-17) C&WD on regular basis and reposted as Assistant Director PKHA Swat | --- |
| 7 | Mr. Muhammad Hayat AE (BS-17) | SDO (OPS) O/O XEN Mega Projects-II Peshawar | SDO O/O XEN Mega Projects-II Peshawar | --- |
| 8 | Mr. Abdul Farooq AE (BS-17) | SDO (OPS) O/O XEN C&W Division Lakki Marwat | SDO O/O XEN C&W Division Lakki Marwat | --- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

P.T.O.

(44-A)

18. PS to Secretary C&W Department, Peshawar
19. PA to Additional Secretary C&W Department, Peshawar
20. PA to Deputy Secretary (Admn) C&W Department, Peshawar
21. Officers concerned
22. Office order File
23. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar


AD/SEC

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (East) C&W Abbottabad
4. Chief Engineer (South-II) C&W Dihan
5. Chief Engineer (Mega Projects) Peshawar
6. Chief Engineer Maintenance Peshawar
7. Managing Director PKHA Peshawar
8. Superintending Engineer Peshawar/Abbottabad/Mardan/Bannu
9. Superintending Engineer Mega Projects Peshawar
10. Superintending Engineer Maintenance Peshawar
11. Executive Engineer Highway Division Abbottabad
12. Executive Engineer Building Division Abbottabad/Swabi
13. Executive Engineer Building Division No.1, Peshawar
14. Executive Engineer Maintenance-II, Peshawar
15. Executive Engineer C&W Division Lakki Marwat
16. District Accounts Officer Abbottabad/Swabi/Lakki Marwat
17. PS.to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
18. PS.to Secretary C&W Department, Peshawar
19. PA.to Additional Secretary C&W Department, Peshawar
20. PA.to Deputy Secretary (Admn) C&W Department, Peshawar
21. Officers concerned
22. Office order File
23. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

016-0001
01-04-2022

(ZAHOOR SHAH)
SECTION OFFICER (Estb)

[Handwritten Signature]
RECEIVED



- 46

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2022

NOTIFICATION

No.SOE/C&W/4-2/2022 (SDOs): On the recommendations of the Departmental Promotion Committee (DPC), the Competent Authority is pleased to promote Mr. Muhammad Shafiq In-service Graduate Sub Engineer to the post of Assistant Engineers/SDOs (BS-17) on regular basis with effect from the date of DPC i.e. **01.10.2021**, while working as SDO (OPS) O/O XEN C&W Division Malakand stand retired from Government Service on 17.01.2022 (A.N) on attaining the age of superannuation i.e. 60 years, as his date of birth is 18.01.1962.

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Superintending Engineer C&W Circle Malakand
5. Executive Engineer C&W Division Malakand
6. District Accounts Officer Malakand
7. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
8. PS to Secretary C&W Department, Peshawar
9. PA to Additional Secretary C&W Department, Peshawar
10. PA to Deputy Secretary (Admn) C&W Department, Peshawar
11. Officer concerned
12. Office order File

Na'im
20.01.2022
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

ESTB



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2022

- 47

NOTIFICATION

No.SOE/C&W/4-2/2022 (SDOs): On the recommendations of the Departmental Promotion Committee (DPC), the Competent Authority is pleased to promote Mr. Muhammad Naeem B-Tech (Hons) Sub Engineer to the post of Assistant Engineers/SDOs (BS-17) on regular basis with effect from the date of DPC i.e. 01.10.2021, while working as SDO (OPS) O/O XEN Highway Division Charsadda stand retired from Government Service on 04.10.2021 (A.N) on attaining the age of superannuation i.e. 60 years, as his date of birth is 05.10.1961.

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Superintending Engineer C&W Circle Peshawar
4. Executive Engineer Highway Division Charsadda
5. District Accounts Officer Charsadda
6. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
7. PS to Secretary C&W Department, Peshawar
8. PA to Additional Secretary C&W Department, Peshawar
9. PA to Deputy Secretary (Admn) C&W Department, Peshawar
10. Officer concerned
11. Office order File

Zahoor
20.01.2022
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

[Signature]
ATTACHED



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2022

48

NOTIFICATION:

No.SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote Engr. Aurangzeb In-Service Graduate Sub Engineer to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect.

2. The above officer shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon his promotion, the Competent Authority is further pleased to order the transfer/posting of the officer:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|-------------------------|--|--|---------|
| 1 | Engr. Aurangzeb (BS-17) | SDO (OPS) O/O XEN Highway Division Dir Lower | SDO O/O XEN Highway Division Dir Lower | --- |

SECRETARY
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date.

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Superintending Engineer C&W Circle Dir Lower
5. Executive Engineer Highway Division Dir Lower
6. District Accounts Officer Dir Lower
7. Accounts Officer Tribal District Mohmand
8. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
9. PS to Secretary C&W Department, Peshawar
10. PA to Additional Secretary C&W Department, Peshawar
11. PA to Deputy Secretary (Admn) C&W Department, Peshawar
12. Officer concerned
13. Office order File
14. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zaam
20.01.2022
(ZAHOOOR SHAH)
SECTION OFFICER (Estb)

(Signature)



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar the Jan 20, 2022

NOTIFICATION:

No. SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote Syed Azmat Ali Shah Sub Engineer (BS-16) of C&W Department to the rank of Assistant Engineer/SDO (BS-17) on regular basis, subject to final decision of the Supreme Court of Pakistan in Suo Moto Case No.17 of 2016, with immediate effect.

2. The above officer shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.
3. Consequent upon his promotion, the Competent Authority is further pleased to order the transfer/posting of the officer:

| Sr. No. | Name of Officer & Designation | From | To |
|---------|-------------------------------|---|---------------------------------------|
| 1 | Syed Azmat Ali Shah (BS-17) | SDO (OPS) O/O XEN Building Division Haripur | SDO O/O XEN Building Division Haripur |

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (East) C&W Abbottabad
4. Superintending Engineer C&W Circle Abbottabad,
5. Executive Engineer Building Division Haripur
6. District Accounts Officer Haripur
7. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
8. PS to Secretary C&W Department, Peshawar
9. PA to Additional Secretary C&W Department, Peshawar
10. PA to Deputy Secretary (Admn) C&W Department, Peshawar
11. Officer concerned
12. Office order File
13. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zia-um
20.01.2022

(ZAHOOR SHAH)
SECTION OFFICER (Estb)

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2022

NOTIFICATION:

No. SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote the following Pre-Service Graduate Sub Engineers to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Shabir Ahmad — On Regular basis
2. Tariq Afzal — On Regular basis

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|----------------------------|--|--|---------|
| 1 | Engr. Shabir Ahmad (BS-17) | SDO (OPS) O/O XEN C&W Division-II at Matta, Swat | SDO O/O XEN C&W Division-II at Matta, Swat | --- |
| 2 | Engr. Tariq Afzal (BS-17) | SDO (OPS) O/O XEN Highway Division Mohmand | SDO O/O XEN Highway Division Mohmand | --- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (North) C&W Swat stationed at Saidu Sharif
4. Superintending Engineer C&W Circle Swat/Khyber
5. Executive Engineer C&W Division No.II at Matta, Swat
6. Executive Engineer Highway Division Mohmand
7. District Accounts Officer Swat
8. Accounts Officer Tribal District Mohmand
9. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
10. PS to Secretary C&W Department, Peshawar
11. PA to Additional Secretary C&W Department, Peshawar
12. PA to Deputy Secretary (Admn) C&W Department, Peshawar
13. Officers concerned
14. Office order File
15. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zahoor Shah
20.01.2022
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

Zahoor Shah



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar, the Jan 20, 2022

NOTIFICATION:

No. SOE/C&W/4-2/2022 (SDOs): On the recommendation of Departmental Promotion Committee (DPC), the Competent Authority has been pleased to promote the following Diploma Holder Sub Engineers (BS-16) to the post of Assistant Engineers/SDOs (BS-17) of C&W Department on regular basis, with immediate effect:

1. Mushtaq Ali — On Regular basis
2. Saif-ur-Rehman-I — On Regular basis
3. Yaqoob Khan — On Regular basis
4. Shahzad Hassan — On Regular basis
5. Muhammad Javed-I — On Regular basis
6. Sameeullah — On Regular basis
7. Abdul Waheed — On Regular basis
8. Muhammad Sajjad — On Regular basis
9. Syed Nawashish Ali Shah — On Regular basis
10. Sadiq Ullah — On Regular basis
11. Fazal Rehman-IV — On Regular basis
12. Ahmad Ali — On Regular basis
13. Shad Muhammad Khan — On Regular basis
14. Salah-ud-Din-I — On Regular basis
15. Nihar Gul — On Regular basis
16. Muneeb Khan — On Regular basis
17. Mashal Khan — On Regular basis

2. The above officers shall remain on probation for a period of one year in terms of Rule-15 of (Appointment, Promotion & Transfer) Rules, 1989, while the officers appearing at Sr.No. 2, 3, 4, 5, 9 & 15 will be on probation till their retirements.

3. Consequent upon their promotion as Assistant Engineers/SDOs (BS-17) on regular basis, the Competent Authority is further pleased to order the transfer/posting of the following officers of C&W Department, with immediate effect, in the public interest:

| Sl. No. | Name of Officers | Existing posting | Proposed for actualization/ Adjustment | Remarks |
|---------|--------------------------------|---|---|---------------------|
| 1 | Mr. Mushtaq Ali (BS-17) | SDO (OPS) O/O XEN C&W Division Kurram Lower | SDO O/O XEN C&W Division Kurram Lower | --- |
| 2 | Mr. Saif-ur-Rehman-I (BS-17) | SDO (OPS) O/O XEN C&W Division No.II Buner | SDO O/O XEN C&W Division No.II Buner | --- |
| 3 | Mr. Yaqoob Khan (BS-17) | SDO (OPS) O/O XEN C&W Division Kurram Lower | SDO O/O XEN C&W Division Kurram Lower | --- |
| 4 | Mr. Shahzad Hassan (BS-17) | SDO (OPS) O/O XEN Mega Projects South-I Kohat | SDO O/O XEN Mega Projects South-I Kohat | --- |
| 5 | Mr. Muhammad Javed-I (BS-17) | SDO (OPS) Highway Sub Division Tribal Sub Division Jandola South Waziristan | SDO Highway Sub Division Tribal Sub Division Jandola South Waziristan | --- |
| 6 | Mr. Sameeullah (BS-17) | SDO (OPS) O/O XEN C&W Division Hangu | SDO O/O XEN C&W Division Hangu | --- |
| 7 | Mr. Abdul Waheed (BS-17) | Sub Engineer O/O XEN Building Division DIKhan | Assistant Engineer O/O CE (South-II) DIKhan | Against vacant post |
| 8 | Mr. Muhammad Sajjad (BS-17) | SDO (OPS) O/O XEN Maintenance-II Peshawar | SDO O/O XEN Maintenance-II Peshawar | --- |
| 9 | Syed Nawazish Ali Shah (BS-17) | Assistant Research Officer (OPS) RRMT Lab O/O SE C&W Circle Mansehra | Assistant Research Officer RRMT Lab O/O SE C&W Circle Mansehra | --- |

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|----|-----------------------------------|---|---|----|
| 10 | Sadiq Ullah (BS-17) | SDO (OPS) O/O XEN Highway Division Khyber | SDO O/O XEN Highway Division Khyber | -- |
| 11 | Fazal Rehman-IV (BS-17) | SDO (OPS) Tribal Sub Divn Darazinda O/O XEN Highway Division DIKhan | SDO Tribal Sub Division Darazinda O/O XEN Highway Division DIKhan | -- |
| 12 | Mr. Ahmad Ali (BS-17) | SDO (OPS) O/O XEN Highway Division Orakzai | SDO O/O XEN Highway Division Orakzai | -- |
| 13 | Mr. Shad Muhammad Khan (BS-17) | SDO (OPS) C&W Division TOR GHAR | SDO C&W Division TOR GHAR | -- |
| 14 | Mr. Salah-UD-Din-I (BS-17) | SDO (OPS) O/O XEN Building Division Manserha | SDO O/O XEN Building Division Manserha | -- |
| 15 | Mr. Nihar Gul (BS-17) | SDO (OPS) O/O XEN C&W Division Dir Upper | SDO O/O XEN C&W Division Dir Upper | -- |
| 16 | Mr. Muneeb Khan (BS-17) | SDO (OPS) O/O XEN C&W Division Malakand | SDO O/O XEN C&W Division Malakand | -- |
| 17 | Mr. Mashal Khan (BS-17) | SDO (OPS) O/O XEN C&W Division Hangu | SDO O/O XEN C&W Division Hangu | -- |

SECRETARY TO
Govt of Khyber Pakhtunkhwa
Communication & Works Department

Endst of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. All Chief Engineers in C&W Department
3. Managing Director PKHA Peshawar
4. All Superintending Engineers in C&W Department,
5. All Executive Engineers C&W Divisions concerned
6. All Executive Engineers Building Divisions concerned
7. All Executive Engineers Highway Divisions concerned
8. Executive Engineer Maintenance- II Peshawar
9. All District Accounts Officers concerned
10. Accounts Officers Tribal Districts concerned
11. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for C&W Department
12. PS to Secretary C&W Department, Peshawar
13. PA to Additional Secretary C&W Department, Peshawar
14. PA to Deputy Secretary (Admn) C&W Department, Peshawar
15. Officers concerned
16. Office order File
17. The Manager Govt Printing Press, Khyber Pakhtunkhwa, Peshawar

Zahoor Shah
20.01.2022
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

[Handwritten Signature]
M/S



GOVT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

Dated Peshawar the May 25, 2023

NOTIFICATION:

No. SOE/C&WD/4-14/2023: On their selection by the Khyber Pakhtunkhwa Public Service Commission, Peshawar, the Provincial Govt is pleased to appoint the following as temporary Assistant Engineers in the Communication & Works Department, Khyber Pakhtunkhwa in BPS-17 plus other allowances as admissible under the rules with immediate effect:

| Sl. No. | Name with Father's Name | Present Address | Permanent Address |
|---------|---|---|--|
| 01 | Hassan Shahzad S/O Rasool Muhammad Shah | Village & P.O. Dabb Saingini Tehsil & District Karak | Village & P.O. Dabb Saingini Tehsil & District Karak |
| 02 | Yahya Khan S/O Asghar Khan | House No.161 street No. 5, Sector F2, Phase 6, Hayatabad, Peshawar | House No.161 street No. 5, Sector F2, Phase 6, Hayatabad, Peshawar |
| 03 | Muhammad Raheel S/O Manzoor Ahmad | C/O Iqbal Ahmad Draftsman, Department of Civil Engineering, University of Engineering & Technology Peshawar | Village & P.O. Badaber, Mohallah Balo Khel Payan, Tehsil & District Peshawar, Khyber Pakhtunkhwa |
| 04 | Shahzeb S/O Sardar Khan | Iqra Hostel, street No.04, Mohallah Ghareeb Abad near Palosi Road, Peshawar | Village Ghani Khel P.O. Domel District Bannu |
| 05 | Shah Fahad S/O Younas Khan | Mohallah Sheikhan, village Ali Baig, P.O. Taru Jabba Tehsil Pabbi District Nowshera | Mohallah Sheikhan, village Ali Baig, P.O. Taru Jabba Tehsil Pabbi District Nowshera |
| 06 | Abdul Qadeer S/O Gul Muhammad | Shah Shopping Centre Karkhano Market Block-A, Shop No.138 139 Peshawar | Shah Shopping Centre Karkhano Market Block-A, Shop No.138 139 Peshawar |
| 07 | Rooh Ullah S/O Fazli Rabbi | Village Ali Baig P.O. Taru Jabba Tehsil Pabbi & District Nowshera | Village Ali Baig P.O. Taru Jabba Tehsil Pabbi & District Nowshera |
| 08 | Tanveer Qaiser S/O Qaiser Khan | House No.225, Street No.09, Sector N1, Phase-4 Hayatabad, Peshawar | Mohallah Kashmiran village Sowkai P.O. Risalpur Tehsil & District Mardan |
| 09 | Muhammad Ilyas S/O Gul Muhammad | Village Dr. Abdul Qadir Colony Daggar Project, Tehsil Daggar, District Buner | Village & P.O. Batara Tehsil Gagra, District Buner |
| 10 | Muhammad Naeem Khan S/O Muhammad Rahim | Ajmal Medical Store Biha Road Tehsil Matta, District Swat | Village Sumbat Badabad, Tehsil Matta, District Swat |
| 11 | Haris Khan S/O Umar Gul Jan | Mohallah Zahir Abad Village Amankot Tehsil Pabbi, District Nowshera | Mohallah Zahir Abad Village Amankot Tehsil Pabbi, District Nowshera |
| 12 | Shah Rukh Khan S/O Mohibullah Khan | House No.206, Street No.06, Sector C2, Phase-5 Hayatabad Peshawar | Kotka Bahadur Khan Torka Surrani, District Bannu |
| 13 | Sangeen Khan S/O Muhammad Ali | Mohallah Khumar-e-Khel near Roshan Pura Tehsil Razzar, District Swabi | Mohallah Khumar-e-Khel near Roshan Pura Tehsil Razzar, District Swabi |
| 14 | Shah Sawar S/O Fazal Muhammad Khan | Mohallah Taus Khel, village Gumbat, Tehsil Garhi Kapura, District Mardan | Mohallah Taus Khel, village Gumbat, Tehsil Garhi Kapura District Mardan |
| 15 | Assad Ullah S/O Raham Sher | Village Odigram Swat | Village Odigram Swat |

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| 16 | Zahoor Ahmad S/O Naseeb Khan | Room No.77 Sir Syed Hostel University of Engineering & Technology Lahore | Khoe Bhara P.O. Khoe Bhara Tehsil Drazinda, District FR DIKhan |
| 17 | Shah Rukh Khan S/O Muhammad Rasheed Khan | Village Alishah P.O. Tarkha, Tehsil & District Nowshera | Village Alishah P.O. Tarkha, Tehsil & District Nowshera |
| 18 | Inam Uddin Shah S/O Rafi Ayaz Ali Shah | Piran Tughal Khel, Bannu Khyber Pakhtunkhwa | Piran Tughal Khel, Bannu Khyber Pakhtunkhwa |
| 19 | Muhammad Farooq S/O Saeed Khan | Village Adamzai, P.O. Tajori Tehsil & District Lakki Marwat Khyber Pakhtunkhwa | Village Adamzai, P.O. Tajori Tehsil & District Lakki Marwat Khyber Pakhtunkhwa |
| 20 | Munir Ullah Shah S/O Sher Yaqub Shah | House of Deputy Provost, New Tribal Girls Hostel, University of Peshawar | Piran Titar Khel, Jandu Khel Tehsil & District Bannu |
| 21 | Abubakar S/O Muhammad Rafi | Mohallah Norai Village Battagram Tehsil Shabqadar, District Charsadda | Mohallah Norai Village Battagram Tehsil Shabqadar, District Charsadda |
| 22 | Syeda Zunaira Ali D/O Mir Shujaat Ali | Mir Shujaat Ali Geotechnical Lab, Military College of Engineering, Risalpur | Muhammad Khan Korona, Risalpur |
| 23 | Muhammad Ayaz Shah S/O Ahmed Shah | Village Kesu Tehsil Drosh, District Chitral | Village Kesu Tehsil Drosh, District Chitral |
| 24 | Muhammad Asif S/O Gul Siraj | Village & P.O. Chagum Tehsil Puran, District Shangla | Village & P.O. Chagum Tehsil Puran, District Shangla |
| 25 | Shah Farooq S/O Muhammad Anwar | Village & P.O. Farhat Abad Tehsil Khwazakhela, District Swat, KPK Pakistan | Village & P.O. Farhat Abad Tehsil Khwazakhela, District Swat, KPK Pakistan |
| 26 | Wali Ullah S/O Rasool Khan | Shahyaseen Trade Centre Arbab Road Peshawar Flat No.208 | Village Doger Umerzai Tehsil Domel, District Bannu |
| 27 | Aman Ullah S/O Hameed Ullah Khan | E-10 Audit Colony Kohat Road Peshawar | Village Jangi Kala Pir Bat Khel P.O. Domel near Govt Primary School Domel (C/O Said Wali Electric Store Domel) Tehsil Domel & District FR Bannu |
| 28 | Hilal Hussain Shah S/O Azmat Ali Shah | Opposite Rehamqaria Masjid, old C&W Colony Chakia Road, Manshera | Bai Bala Chattar Plain Mansehra |
| 29 | Haider Ali S/O Qasim Jan | House No.1, Qasim Abad near Admore Pump Khar, Bajaur | House No.1, Qasim Abad near Admore Pump Khar, Bajaur |
| 30 | Basit Nawaz S/O Muhammad Nawaz | House No.238, opposite Madina Markat Abbottabad Road, Mansehra | House No.238, opposite Madina Markat Abbottabad Road, Mansehra |
| 31 | Sumrah Maryum D/O Abdul Wahid Abbasi | Abdul Wahid Abbasi C/O Decent Photostat near GPO, Manshera | Lower Jabri near District Council, Mansehra |
| 32 | Nasir S/O Muhammad Nazir | Street No.04, Sikandari Road Bagh Colony, Par Hoti Mardan | Masood Dakhana Lakarre, Chinari Payan, Tehsil Safi, District Mohmand Agency |
| 33 | Muhammad Shah S/O Bait Ullah Shah | Adami-Piran Jhandu Khel, Bannu | Adami Piran Jhandu Khel, Bannu |
| 34 | Aamir Usman S/O Mir Za Jan | Village Spina Tangi Patol Khel P.O. Domel, District Bannu | Village Spina Tangi Patol Khel P.O. Domel, District Bannu |
| 35 | Nayab Khan D/O Muhammad Siar Khan | House No.101, Usmania Street Lalazar Colony University Campus, Peshawar | House No.101, Usmania Stree Lalazar Colony University Campus, Peshawar |

Next page

-54

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| 36 | Shehla Nawaz D/O Muhammad Nawaz | Civil Engineering Department, Iqra National University Phase-2, Hayatabad, Peshawar | Village & P.O. Parwak, Tehsil Mastuj, District Chitral |
| 37 | Habiba Bibi D/O Haroon Rashid | Village Khar, Tehsil Batkhela, District Malakand | Village Khar, Tehsil Batkhela, District Malakand |

2. Their seniority will be determined in accordance with the merit assigned by the Khyber Pakhtunkhwa Public Service Commission.

3. On their appointment, their services are placed at the disposal of Chief Engineer (Centre) C&W Peshawar, Chief Engineer (South-I) C&W Peshawar, Chief Engineer (South-II) C&W DIKhan, Chief Engineer (Mega Projects) Peshawar, Chief Engineer (Maintenance) Peshawar, Chief Engineer (North) C&W Swat and Chief Engineer (East) C&W Abbottabad, as noted against each for further attachment with Executive Engineers for undergoing 4-months practical training. They will have to pass the prescribed test on completion of 4-months training.

| S#. | Name | Services placed at the disposal of |
|-----|---|--|
| 01 | Hassan Shahzad S/O Rasool Muhammad Shah | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN C&W Division Karak |
| 02 | Yahya Khan S/O Asghar Khan | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN Highway Division Kohat |
| 03 | Muhamamad Raheel S/O Manzoor Ahmad | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN Building Division Kohat |
| 04 | Shahzeb S/O Sardar Khan | Chief Engineer (South-I) C&W Peshawar for further attachment with XEN Building Division Kohat |
| 05 | Shah Fahad S/O Younas Khan | Chief Engineer (North) C&W Swat for further attachment with XEN Building Division Dir Lower |
| 06 | Abdul Qadeer S/O Gul Muhammad | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Building Division DIKhan |
| 07 | Rooh Ullah S/O Fazli Rabbi | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Building Division Haripur |
| 08 | Tanveer Qaiser S/O Qaiser Khan | Chief Engineer (East) C&W Abbottabad for further attachment with XEN C&W Division TORGHAR |
| 09 | Muhammad Ilyas S/O Gul Muhammad | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division No.1, Buner |
| 10 | Muhammad Naeem Khan S/O Muhammad Rahim | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Shangla |
| 11 | Haris Khan S/O Umar Gul Jan | Chief Engineer (East) C&W Abbottabad for further attachment with XEN C&W Division Kohistan Lower |
| 12 | Shah Rukh Khan S/O Mohibullah Khan | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Building Division Bannu |
| 13 | Sangeen Khan S/O Muhammad Ali | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division Swabi |

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| 14 | Shah Sawar S/O Fazal Muhammad Khan | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Malakar |
| 15 | Assad Ullah S/O Raham Sher | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division No.1, Sw |
| 16 | Zahoor Ahmad S/O Naseeb Khan | Chief Engineer (North) C&W Swat for further attachment with XEN Highway Division Dir Lower |
| 17 | Shah Rukh Khan S/O Muhammad Rasheed Khan | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Dir Upper |
| 18 | Inam Uddin Shah S/O Rafi Ayaz Ali Shah | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Highway Division Bannu |
| 19 | Muhammad Farooq S/O Saeed Khan | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN C&W Division Lakki Marwat |
| 20 | Munir Ullah Shah S/O Sher Yaqub Shah | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Building Division North Waziristan |
| 21 | Abubakar S/O Muhammad Rafi | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Highway Division Charsadda |
| 22 | Syeda Zunaira Ali D/O Mir Shujaat Ali | Chief Engineer (Centre) C&W Peshawar for further attachment with XEN Building Division Nowshera |
| 23 | Muhammad Ayaz Shah S/O Ahmed Shah | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Chitral Lower |
| 24 | Muhammad Asif S/O Gul Siraj | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Shangla |
| 25 | Shah Farooq S/O Muhammad Anwar | Chief Engineer (North) C&W Swat for further attachment with XEN Building Division Dir Lower |
| 26 | Wali Ullah S/O Rasool Khan | Chief Engineer (Mega Projects) Peshawar for further attachment with XEN Mega Projects (South-I) Kohat |
| 27 | Aman Ullah S/O Hameed Ullah Khan | Chief Engineer (Mega Projects) Peshawar for further attachment with XEN Mega Projects (South-I) Kohat |
| 28 | Hilal Hussain Shah S/O Azmat Ali Shah | Chief Engineer (Mega Projects) Peshawar for further attachment with XEN Mega Projects-I Abbottabad |
| 29 | Haider Ali S/O Qasim Jan | Chief Engineer (North) C&W Swat for further attachment with XEN Highway Division Bajaur |
| 30 | Basit Nawaz S/O Muhammad Nawaz | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Highway Division Haripur |
| 31 | Sumrah Maryum D/O Abdul Wahid Abbasi | Chief Engineer (East) C&W Abbottabad for further attachment with XEN Building Division Mansehra |
| 32 | Nasir S/O Muhammad Nazir | Chief Engineer (Centre) Peshawar for further attachment with XEN Highway Division Mohmand |
| 33 | Muhammad Shah S/O Bait Ullah Shah | Chief Engineer (South-II) C&W DIKhan for further attachment with XEN Building Division Bannu |
| 34 | Aamir Usman S/O Mir Za Jan | Chief Engineer (Mega Project) Peshawar for further attachment with XEN Mega Projects (South-II) DIKhan |
| 35 | Nayab Khan D/O Muhammad Siar Khan | Chief Engineer (Maintenance) Peshawar for further attachment with XEN Maintenance-I, Peshawar |

Next page

56

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| 36. | Shehla Nawaz D/O Muhammad Nawaz | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Chitral Upper |
| 37 | Habiba Bibi D/O Haroon Rashid | Chief Engineer (North) C&W Swat for further attachment with XEN C&W Division Malakand |

4. The Chief Engineer (Centre) C&W Peshawar, Chief Engineer (South-I) C&W Peshawar, Chief Engineer (South-II) C&W DIKhan, Chief Engineer (Mega Projects) Peshawar, Chief Engineer (Maintenance) Peshawar, Chief Engineer (North) C&W Swat and Chief Engineer (East) C&W Abbottabad, to furnish the successful practical training certificates in respect of the Public Service Commission Selectees. A common test will be arranged by the Administrative Department. Trainees failing the test twice will be discharged from service. Moreover, they will not exercise the financial powers as vested to the posts until they passed prescribed test on completion of 04 month practical training.

SECRETARY TO
Government of Khyber Pakhtunkhwa
Communication & Works Department

End of even number and date

Copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Chief Engineer (Centre) C&W Peshawar
3. Chief Engineer (South-I) C&W Peshawar
4. Chief Engineer (South-II) C&W DIKhan
5. Chief Engineer (North) C&W Swat
6. Chief Engineer (East) C&W Abbottabad
7. Chief Engineer (Mega Projects) Peshawar
8. Chief Engineer (Maintenance) Peshawar
9. Director (Technical) C&W Department, Peshawar
10. Superintending Engineer C&W Circle concerned
11. Superintending Engineer (Mega Projects) concerned
12. Executive Engineer C&W Divisions concerned
13. Executive Engineer Building/Highway Division concerned
14. Executive Engineer (Mega Projects) concerned
15. District Accounts Officer concerned
16. Accounts Officer Tribal District concerned
17. PS to Minister for C&W Department Peshawar
18. PS to Secretary, C&W Department Peshawar
19. PA to Additional Secretary (Admn/Tech), C&W Department Peshawar
20. PA to Deputy Secretary (Admn/Tech), C&W Department Peshawar
21. Officers concerned
22. Office order File/Personal File

REGISTERED

Zahoor
25.05.2023
(ZAHOOR SHAH)
SECTION OFFICER (Estb)

To

57
The Chief Secretary,
Government of Khyber Pakhtunkhwa
Civil Secretariat, Peshawar.

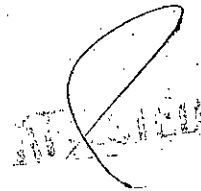
Through Proper Channel

Subject: **Departmental Representation/Appeal against the impugned Notification Dated 28.11.2023 whereby appellant has been promoted to the post of Assistant Engineer/SDO (BPS-17) on regular basis but with immediate effect instead of the date of the judgment of the KP Service Tribunal dated 07.10.2021.**

Respected Sir,

The appellant humbly submits as under:-

1. That appellant was initially appointed as Sub-Engineer in the Communication & Works Division. Throughout his career appellant has rendered unblemished and spotless services for the Department.
2. That the Provincial Government vide Notification dated 13.01.1980 had reserved 10% quota for promotion to the post of Assistant Engineer from amongst Sub-Engineers. Likewise vide Notification dated 18.10.1986 for the very first time through amendment 10% separate promotion quota was reserved for those Sub-Engineers who had acquired Degree before joining the service. This practice remained in field till 1992 when through amendments vide Notification dated 12.04.1992, 5% separate quota was reserved for promotion of those Sub Engineers who acquired degrees before joining the service and for those who acquired the requisite qualification during service.
3. That vide Notification dated 12.01.1999, 5% promotion quota was also reserved for Sub-Engineers who had joined the Service as Engineering Graduates and those who had acquired the same Degree during service. It is pertinent to mention here that vide Notification dated 16.12.2011, 20% promotion quota was reserved for promotion of Sub-Engineers holding Diploma (Civil/Mechanical/Electrical) and 8% promotion quota was reserved for those holding Degree of B.E/B.Sc. Engineering (Civil/Mechanical/ Electrical) at the time of joining service and 07% quota for those who had acquired the Degree during service.
4. That through an amendment vide Notification dated 14.10.2014 for the category of the appellant i.e. B.Tech. (Hons) Degree holders 3.5% promotion quota was reserved for both who acquired the same before service and during service, thus a different yardstick was applied/used against the appellant.
5. That considering the genuine demand of B.Tech. (Hons) degree holder Sub Engineers, in light of the judgment of the Hon'ble Peshawar High Court and after observing all the codal formalities, a meeting of Standing Service Rules Committee was held under the chairmanship of the Secretary Communication wherein recommendation was made for reservation of 10% quota for promotion to the post of SDO/Assistant Engineer (BPS-17) in respect of B.Tech. (Hons)



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degree holder Sub-Engineers but did not separate the quota of both the categories of B.Tech. Degree holders.

6. That vide Notification dated 26.03.2018, a separate quotas was notified for promotion of other cadre of Graduate Sub-Engineers holding Degrees B.E/B.Sc. Engineering to the post of SDO/Assistant Engineer.
7. That on the other hand, vide the same Notification dated 26.03.2018, a different yardstick has been used for promotion quota in respect of Sub Engineers who acquired B.Tech. (Hons) Degree during service or before joining their service and reserved 10% joint quota for their promotion to the post of SDO/Assistant Engineer. Thus the Sub-Engineers who acquired Degree of B-Tech (Hons) before their joining service have been discriminated by merging their seniority/promotion quota with those who acquired the same qualification during service.
8. That being aggrieved appellant called in question the Notification dated 26.03.2018 before the KP Service Tribunal by filing Service Appeal which came for consideration and allowed vide Judgment dated 07.10.2021 in the following terms:-

"10. For what has gone above, all the appeals enumerated above at the outset are accepted as prayed for. Consequently, the Respondents are directed to proceed under due course of substitution of clause (e) of the Appendix against Serial No.4 in Column N.5 to provide for separation of 10% quota with appropriate proportion having regard to the number of Sub-Engineers who happened to have possessed the Degree of B.Tech (Hons) at the time of their joining the service and those who happened to have acquired such Degree while in service after their appointment. There is no order as to cost. File be consigned to record room."

9. That after obtaining the attested copy of the judgment *ibid*, provided the same to the Department for implementation which took extra long time and consequently they amended the Service Rules on 20.01.2023 wherein separate promotion quota to the category of the appellant was allocated. It is significant to aver here that appellant was promoted to the post of Assistant Engineer/SDO (BPS-17) vide impugned Notification dated 28.11.2023 with immediate effect.
10. That the omission and negligence on the part of the Department and the impugned Notification dated 28.11.2023 whereby appellant has been promoted with immediate effect, is quite illegal and hence appellant being aggrieved thereof files this Department Representation/Appeal *inter-alia* on the following grounds:-

GROUNDS:-

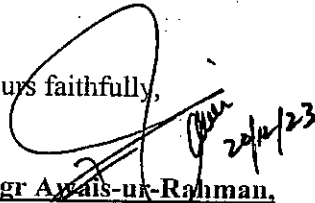
- A. That Department has not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and deliberately delayed the matter of necessary amendments in the Service Rules in compliance of the judgment of the KP Service Tribunal dated 07.10.2021, and on the basis thereof belatedly promoted appellant with immediate effect against the next higher grade vide impugned Notification dated 28.11.2023, which is unjust, unfair and hence not sustainable in the eye of law.

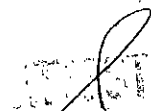
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- B. That admittedly, appellant was discriminated, therefore, he invoked the jurisdiction of the KP Service Tribunal which allowed his Service Appeal on 07.10.2021 and directed the Department to bring necessary amendments in the rules by providing separate promotion quota to the category of the appellant. Appellant visited the office of the Department time and again and submitted series of applications for the compliance of the judgment but the matter was willfully and intentionally delayed and finally the necessary amendments were made in the Rules vide Notification dated 20.01.2023. It is averred that after the amendments numerous persons were directly recruited against the post of Assistant Engineer/SDO (BPS-17), therefore, the impugned Notification dated 28.11.2023 is against the vested rights of the appellant and liable to be modified by giving retrospective effect to the requisite promotion i.e. from the date of the judgment dated 07.10.2021.
- C. That the judgment dated 07.10.2021 of the KP Service Tribunal is/was quite crystal and did not leave room to any confusion as it was allowed as prayed for, therefore, the Department was under obligation to comply with the judgment without any further delay but the matter was delayed, therefore, appellant was deprived from his lawful right of promotion to the next higher grade owing to slickness/negligence of the Department and for that matter he should not be made to suffer. Moreover, the judgment ibid has not been assailed before the Apex Court.
- D. That as a matter of fact, after rendering the judgment of the KP Service Tribunal dated 07.10.2021, the Department was supposed to take over its hands from promoting Sub-Engineers to the next higher grade but numerous juniors were offered promotion against the post of Assistant Engineer/SDO (BPS-17) under the old Rules vide Notifications dated 04.01.2022, 20.01.2022, 23.06.2022 and 19.04.2023 rendering the appellant junior to his juniors. Moreover, the Department also violated the settled principle of the Apex Court wherein it was held that whenever there is promotion quota and direct recruitees then preference is to be given to the promotees but in case in hand and even after amendments in the Rules, the Department recruited numerous persons against the subject post and resultanty they became senior to the appellant.

It is, therefore, humbly prayed that on acceptance of this Departmental Representation/Appeal, the appellant may kindly be promoted to the post of Assistant Engineer/SDO (BPS-17) with effect from the date of the judgment of KP Service Tribunal dated 07.10.2021 with all consequential back benefits instead of immediate effect by modifying the impugned Notification dated 28.11.2023.

Yours faithfully,


Engr Awaiz-ur-Rahman,
 Assistant Director (Works),
 Directorate of Works &
 Implementation /
 Assistant Engineer /SDO (BPS-
 17) C&W Department
 Cell no. 0314 9494570


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Aur Nⁿ 2

GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS AND
HUMAN RIGHTS DEPARTMENT

MINUTES OF THE SCRUTINY COMMITTEE MEETING.

(AGENDA ITEM NO. 1)

SUBJECT: SERVICE APPEAL NO. 953/2018 AWAIS-UR-RAHMAN VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH CHIEF SECRETARY AND OTHERS ALONGWITH CONNECTED SERVICE APPEALS NO. 954/2018 TO 959/2018.

A meeting of the Scrutiny Committee was held on 29.12.2021 at 11:00 A.M. in the office of Secretary, Law Parliamentary Affairs & Human Rights Department under his Chairmanship to determine the fitness of the subject case for filing of Appeals/CPLAs in the Supreme Court of Pakistan. Assistant Advocate General (Mr. Kamran Murtaza) represented the Advocate General, Khyber Pakhtunkhwa.

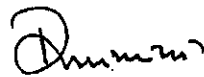
2. The representatives of C&W Department Mr. Muhammad Ali, SO (Lit) apprised the Committee about the background of the case and stated that the appellant filed the subject service appeal with the prayer that the impugned notification dated: 26.03.2018 may graciously be modified to the extent of joint promotion quota for B.Tech (Hons) Degree holders Sub-Engineers by separating the same from those Sub-Engineers who were in possession of B.Tech (Hons) Degree at the time of joining service and for those who had acquired the same qualification during service on the analogy of B.E/B.Sc. Engineer Degree holders with all back benefits. The Khyber Pakhtunkhwa Service Tribunal vide order dated: 07.10.2021 accepted the subject service appeal alongwith the connected service appeals as prayed for and directed the respondents to produce under due course for substitution of clause (c) of the Appendix against serial No. 4 in column No. 5 to provide for separation of 10% quota with appropriate proportion having regard to the number of Sub-Engineers who happened to have possess the degree of B.Tech (Hons) at the time of their joining the service and those who happened to have acquired such degree while in service after their appointment. The Scrutiny Committee returned the subject cases to the Administrative Department on the following grounds:

GROUND/DISCUSSIONS:

- i. At the very outset of the meeting, the Departmental Representative present in the meeting apprised the Scrutiny Committee that the subject cases may be returned to the Administrative Department as the Administrative Departments intends to implement the judgment dated: 07.10.2021 of the Khyber Pakhtunkhwa Service Tribunal and will place the case before the SSRC. In this regard, the Departmental Representative also produced letter No. SO(Lit.)C&W/3-437/2018, dated: 28.12.2021.

ADVICE:

3. Hence in view of above, it was decided with consensus by the Scrutiny Committee that the subject cases may be returned to the Administrative Department as the Administrative Department intends to implement the judgment of the Khyber Pakhtunkhwa Service Tribunal.


(TAHIR IQBAL KHATTAK)
SOLICITOR

