

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

**SERVICE APPEAL NO. 115/2024**

Mr. Shaheedullah S/O Taj Ali Khan /Naib Qasid , O/o District Public Prosecutor Office,  
Karak

Petitioners.....

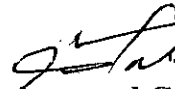
**VERSUS**

Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department through its  
Secretary & Others.

Respondents.....

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(Muhammad Gulzar Ali)  
Superintendent Legal  
Directorate of Prosecution  
Khyber Pakhtunkhwa

16-04-2024  
S-B  
Prosecutor

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

APPEAL NO. 115/2024

**Shaheed Ullah S/o Taj Ali Khan/Naib Qasid O/o District Public Prosecution Office, Karak.**

.....**APPELLANT**

**VERSUS**

**Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department through its  
Secretary & others.**

.....**RESPONDENTS**

**Comments On Behalf Of Respondents No. 01 to 04.**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 121981

Dated 15-04-2024

**RESPECTFULLY SHEWETH:**

**PRELIMINARY OBJECTIONS:**

1. That the instant Service Appeal is not maintainable in the eyes of law.
2. That the Appellant has got no Cause of Action.
3. That the Appellant has concealed material facts from this Honourable Tribunal.
4. That the Appellant has challenged the Seniority list with no realistic/cogent grounds.
5. That the Appellant is estopped by his own conduct to bring the present Appeal before this honourable Tribunal.

**REPLY ON FACTS:**

1. Pertains to record. However it is clarified that Appellant qualified Secondary School Certificate examination in year 2022.
2. Incorrect hence denied. Name of Appellant was inadvertently mentioned at Serial No. 02 of tentative Seniority list (not final Seniority list) of class-IV, which was circulated to all the district formations of province, for objections/corrections, if any.
3. Needs clarification. After circulation of the tentative seniority list, some objections were received to the Directorate of Prosecution from field formations, against the seniority position awarded to Appellant, on the ground that Appellant acquired the minimum qualification of Secondary School Certificate later than them i.e. in the year 2022. It is pertinent to mention here that as per Service Rules of Directorate of Prosecution, as amended in the year 2018 (**Annex-A**), a common seniority list of Naib Qasid, Chowkidar etc. is maintained with reference to the date of acquiring Secondary School Certificate. A Departmental Committee was constituted to discuss the objections/representations on tentative seniority list of Class-IV (Naib Qasid), which held that objections of officials against the Appellant are genuine and hence they were placed at their due positions in Final Seniority list as per rules. (Minutes of the Departmental Committee is **Annex-B**). The Appellant was correctly placed at serial No.86.
4. Incorrect hence denied. The Appellant has no case to plead and has been dealt as per rules.
5. Incorrect hence denied. Detailed reply already provided at para 3 above.

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**GROUNDS**

- A. Incorrect. Hence denied. As replied in facts.
- B. Incorrect. Hence denied. As replied in facts.
- C. Incorrect. Detailed reply already provided vide Para 03 of Para-wise comments.
- D. The para/ground is vague and cannot be commented upon, however, as already submitted at Para-3 of Para-wise reply, preparation of the seniority list was according to the rules.
- E. Incorrect hence denied. As replied above.
- F. Incorrect hence denied. Already replied vide para 03 of Para-wise comments.
- G. No Comments.
- H. That the respondents also seek permission of this Hon'ble Tribunal to raise other grounds at the time of arguments.

**PRAYER:**

In light of the above facts and circumstances of the case, the Service Appeal of Appellant is devoid of any merit and legal substance; therefore, the same may kindly be dismissed, please.



**Mr. Muhammad Abid Majeed**  
**Additional Chief Secretary**  
Home & Tribal Affairs Department  
Government Khyber Pakhtunkhwa.  
Respondent No. 1.

**Additional Chief Secretary**  
Home & T.As Department  
Khyber Pakhtunkhwa.



**Mian Muhammad**  
**Director General Prosecution,**  
Home & Tribal Affairs Department  
Government Khyber Pakhtunkhwa.  
Respondent No. 2



**Mr. Tariq Bakhsh**  
**Director Admin,**  
Directorate of Prosecution  
Home & Tribal Affairs Department  
Government of Khyber Pakhtunkhwa.  
Respondent No. 3.



**Ms. Syeda Alvina Shah**  
**Assistant Director Admin,**  
Directorate of Prosecution  
Home & Tribal Affairs Department  
Government of Khyber Pakhtunkhwa.  
Respondent No. 4

409 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY 16<sup>th</sup> February 2018

NO.	NOMENCLATURE	SCALE	MINIMUM QUALIFICATION	METHOD OF APPOINTMENT.	Age Limit.
1.	Director General Prosecution <sup>1</sup>	20		By transfer from amongst the officers of PCS/PMS/PAS. <sup>2</sup>	
1A	Regional Director	20		By promotion, on the basis of merit-cum-fitness, from amongst the Senior Public Prosecutors, District Public Prosecutors and Directors in (BPS-19) with at least seventeen (17) years of service in BPS-17 and above subject to successful completion of Senior Management Course". <sup>3</sup>	
2	Senior Public Prosecutor (BS-19)/ District Public Prosecutor (BS-19) <sup>4</sup>	19		By promotion, on the basis of seniority-cum-fitness from amongst the Deputy Public Prosecutors (BPS-18) with at least twelve (12) years of service in BPS-17 and above <sup>5</sup> .	
3	Direct Legal (BS-19) / Director Admin (BS-19)/ Director Monitoring (BS-19) <sup>5</sup>	19		By transfer, from amongst the Senior Public Prosecutors and District Public prosecutor (BS-19). <sup>6</sup>	
4	Deputy Public Prosecutor (BS-18)	18		By promotion on the basis of seniority-cum-fitness, from amongst the Assistant Public Prosecutor (BS-17) with at least five (05) years of-service as such 'and' <sup>7</sup>	

<sup>1</sup> Substituted vide Notification No SO (Prosecution)/HD/I-5/2005/Vol: II dated 6<sup>th</sup> August, 2010  
<sup>2</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/VOI-I/2018 dated 18<sup>th</sup> January, 2018.  
<sup>3</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/VOI-I/2018 dated 18<sup>th</sup> January, 2018  
<sup>4</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/2005/Vol: II dated 6<sup>th</sup> August, 2010.  
<sup>5</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/VOI-I/2018 dated 18<sup>th</sup> January, 2018  
<sup>6</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-9/2012/VOI-I/ dated 05 September, 2013  
<sup>7</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/VOI-I/2018 dated 18<sup>th</sup> January, 2018.  
<sup>8</sup> Substituted vide Notification No. SO (Prosecution)/HD/I-5/VOI-I/2018 dated 18<sup>th</sup> January, 2018.

*M. H. Khan*  
*for*

	Assistant Public Prosecutor (BS-17)6	17	i. at least Second Class LLB/BS(Law)Honors/BS (Shariah Law) Honors(five years) or its equivalent qualification, from a recognized University; and ii. License from Bar Council	By initial recruitment	25-35
6A	Assistant Director (IT) (BS-17)9	17	-	By promotion, on the basis of seniority-cum-fitness from amongst the Computer Operators with five-years' service as such, having the following qualification: (i) 2 <sup>nd</sup> Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT four years) or its equivalent qualification from a recognized university; or (ii) 2 <sup>nd</sup> Class Bachelor's Degree from a recognized university with one year Diploma in information Technology from a recognized Board of Technical Education;	-
6	Librarian (BPS-16)	16	Bachelor's Degree in at least 2 <sup>nd</sup> division or equivalent qualification from a recognized University. ii) Diploma in Library Science	By initial recruitment	23-32
7	Superintendent (BPS-17)10	17	-	By promotion on the basis of seniority-cum-fitness from amongst the Assistants with at least 11 five years' service as such;	-
7A	Assistant Accountant(BPS-16)12	16	-	By promotion on the basis of seniority-cum-fitness, from amongst Senior Clerks with five (05) years' Service as Junior Clerk and senior Clerk having Bachelors of Commerce Degree (B.Com) from a recognized University';	-
8	Assistant (BPS-16)13	16	Bachelor's degrees from a recognized University	a. 75% by promotion on the basis of seniority-cum-fitness from amongst senior clerks with at least five years' service as Senior Clerk and Junior Clerks and; b. 25% by initial recruitment.	18-30 years.

Substituted vide Notification No SO (Prosecution)/HD/1-5/VOL-1/2018 dated 18<sup>th</sup> January, 2018.  
 Inserted Notification No.SO (Prosecution)/HD /1-5/2019 dated 2<sup>nd</sup> October, 2019.  
 Substituted vide Notification No.SO (Prosecution)/HD/1-5/Rules/2018 dated 21<sup>st</sup> March, 2018  
 Substituted vide Notification No.SO (Prosecution)/HD/1-9/2012/Vol-I dated 05<sup>th</sup> March, 2013  
 Inserted vide Notification No.SO (Prosecution)/HD/1-5/2019 dated. 2<sup>th</sup> October, 2019  
 Substituted vide Notification No.SO (Prosecution)/HD/1-5/Rules/ 2018 dated 21<sup>st</sup> March, 2018


Attestal  
*[Signature]*

	Personal Assistant (BPS-16) <sup>14</sup>			By promotion on the basis of seniority-cum-fitness from amongst the Senior Scale Stenographer with at least three (03) years' of service as such	
8B.	Senior Scale Stenographer (BPS-16)	16	<p>i. At least Second-class Bachelor's degrees from a recognized University</p> <p>ii. A speed of 70 words per minutes in typing; and</p> <p>iii. Knowledge of Computer in using MS-Word, MS Excel</p>	By promotion on the basis of seniority-cum-fitness from amongst the holder of the post of Stenographer with at least five (05) years' service as such. Provided that if no suitable candidate is available for promotion, then by initial recruitment;	
8C.	Computer Operator (BPS-16) <sup>15</sup>	16	<p>(i) Second Class Bachelor's Degree in Computer Science /Information Technology (BCS/BIT four years) or its equivalent qualification from a recognized university; or</p> <p>(ii) At least Second-Class Bachelor's Degree from a recognized university with one-year Diploma in Information Technology from a recognized Board of Technical Education;</p>	By Initial recruitment.”;	21-32 Year
9	Repealed				
10	Junior Scale Stenographer (BPS-14)	14	<p>i)Intermediate OR equivalent qualification from recognized board; and</p> <p>ii)A speed of 50 words per minutes in shorthand in English and 35 words per minutes in typewriting &amp; Knowledge of Computer in using of MS Word and MS Excel</p>	By initial recruitment	18-30 Year
11.	Data Entry Operator/Key Punch Operator (BPS-12) Deleted <sup>16</sup>				

<sup>14</sup> Inserted vide Notification No.SO (Prosecution)/HD/1-5/Rules/2018 dated 21<sup>st</sup> March, 2018

<sup>15</sup> Inserted vide Notification No.SO (Prosecution)/HD/1-5/Rules/2018 dated 21<sup>st</sup> March, 2018

<sup>16</sup> Deleted vide Notification No.SO (Prosecution)/HD/1-5/Rules/2018 dated 21<sup>st</sup> March, 2018

*Attested*  


	Senior Clerk (BPS-14) <sup>17</sup>	14		By promotion on the basis of seniority-cum-fitness from amongst the Junior Clerks with at least two years' service as such	
	Junior Clerk (BPS-11) <sup>18</sup>	11	i) Secondary School Certificate or equivalent from a recognized Board and ii) A speed of 30 words per minute in typing	a) 67% by initial Recruitment. b) 33% by promotion, on the basis of seniority-cum-fitness from amongst the Naib Qasid, Chowkidars & other employees in equivalent scales in the Department with at least two years' service as such, having passed "Secondary School Certificate"; and <sup>19</sup>	18 to 33 Years,"; and
14	Naib Qasid <sup>20</sup>	03	Middle standard	a) Fifty (50) per cent by initial Recruitment. b) Fifty (50) per cent by transfer from other eligible Class IV i.e. Chowkidars & Sweepers.	18-40 Years
15	Driver <sup>21</sup>	06	Middle standard having valid LTV driving license and three years' experience	By initial recruitment	18-40 Years
16	Chowk <sup>22</sup>	03	Literate	By initial recruitment	18-40 Years
17	Sweeper <sup>23</sup>	03	Literate	By initial recruitment	18-40 Years

Note: For the Purpose of promotion to the post of Junior Clerk, there shall be maintained a common seniority lists of Naib Qasids, Chowkidar and other employees in equivalent scales in the Department with reference to the dates of their acquiring the Secondary School Certificate provided that: -

- If two or more officials have acquired the SSC in the same session, the official having long service shall rank senior to other officials.
- Where a senior official does not possess the requisite experience at the time of filling up a vacancy the officials next junior to him possessing the requisite experience shall be promoted in reference of the senior or officials.

<sup>17</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2005/Vol: II dated 6<sup>th</sup> August, 2010

<sup>18</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2018 dated 21<sup>st</sup> March, 2018.

<sup>19</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2019 dated 21<sup>st</sup> October, 2019

<sup>20</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2018 dated 21<sup>st</sup> March, 2018.

<sup>21</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2019 dated 21<sup>st</sup> October, 2019

<sup>22</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2018 dated 21<sup>st</sup> March, 2018.

<sup>23</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2018 dated 21<sup>st</sup> March, 2018.

<sup>24</sup> Substituted vide Notification No.SO (Prosecution)/HD/1-5/2018 dated 21<sup>st</sup> March, 2018.

*Attended*  
*[Signature]*

**MINUTES OF THE DEPARTMENTAL COMMITTEE MEETING REGARDING SCRUTINY OF OBJECTIONS ON THE TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16), COMPUTER OPERATOR (BS-16), SENIOR CLERK (BS-14), JUNIOR CLERK (BS-11) AND CLASS-IV EMPLOYEES HELD ON 01-08-2023.**

A meeting of the Departmental Committee was held on 01-08-2023 at 11:00 hours in the office of Director Administration, Directorate of Prosecution to discuss the objections/representations on the tentative seniority lists of Assistant (BPS-16), Computer Operators (BS-16), Senior Clerk (BS-14), Junior Clerk (BS-11) and Class-IV of the Directorate of Prosecution.

The following Officers attended the meeting: -

- i. **Malik Tariq Bakhsh,** (Chairman)  
Director Administration Prosecution  
Khyber Pakhtunkhwa.
- ii. **Mian Aziz Ahmad,** (Member)  
Director Legal Prosecution  
Directorate of Prosecution.
- iii. **Muhammad Sikandar Khan,** (Member)  
Deputy Director Administration  
Directorate of Prosecution.
- iv. **Syeda Alvina Shah,** (Member)  
Assistant Director Administration  
Directorate of Prosecution.

2. The committee discussed the following representations in detail and has taken the decisions as mentioned against each:

<u>Sr No</u>	<u>Name</u>	<u>Designation</u>	<u>District</u>	<u>Obiection</u>	<u>Remarks</u>	<u>Decision</u>
1.	Ismail	Assistant	Charsadda	The establishment Department has issued direction for correction/rectification in the seniority list of Assistant.	The tentative list of Assistant may be rectified according to Establishment department direction.	Request of the applicant seems genuine and necessary corrections will be made, after issuance of Notification, in light of minutes of the meeting of Departmental Promotion Committee, held in Home Department

*Attested  
F.H.*



4.	Wafa Hussain	Junior Clerk	RD D.I Khan	<p>Qualification is incomplete</p> <p><i>RD</i></p> <p><i>MS</i></p>	<p>The applicant has attached relevant documents except DIT certificate.</p>	<p>Request of the applicant to the extent of addition of word "BS" BA chemistry, (private) is accepted and entry will be made in the relevant column of qualification, however, the</p>
3.	Hina Khan	Computer Operator	Peshawar	<p>Date of first entry into Govt service may be rectified in the seniority list as 04-05-2019 instead of 13-05-2022.</p>	<p>Attested documents are attached.</p>	<p>The applicant was serving in District Judiciary, South Waziristan since 26-04-2019 and thereafter she joined the Prosecution Department through proper channel, therefore, the said fact will also be incorporated in the relevant column by mentioning both the dates.</p>
2.	Muhammad Umar	Computer Operator	Nowshera	<p>Qualification &amp; date of entry into Govt. Service are incorrect in seniority list. Service is MS(CS) &amp; joined Govt service in Education dept. as CT(IT) (BPS-12) on 28-08-2017</p>	<p>Attested documents are attached.</p>	<p>Request of the applicant for correction of qualification is accepted and entry will be made in the relevant column of qualification. More so, the applicant was serving in (CT IT) since 24-08-2017 and thereafter he joined the Prosecution Department through proper channel, therefore, the said fact will also be incorporated in the relevant column by mentioning both the dates.</p>

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request regarding addition of word "DIT" will be accepted subject to provision of attested copy of DIT certificate.							
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				
Request of the applicant for addition of qualification i.e. M. COM Degree in the relevant column is accepted.	Request of the applicant accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.	Request of the applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.	The applicant has not provided the matric certificate; however, he has provided the DMC therefore his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.				

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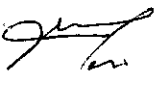
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9.	Phool Nawaz Khan	Naib Qasid	Manshra	My name is not mentioned in the seniority list.	Attested documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
10.	Amir Aslam	Naib Qasid	-do-	-do-	Attested documents are attached.	The applicant has not provided the matric certificate; however, he has provided the attested copy of matric DMC; therefore, his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of matric certificate.
11.	Mehran Shah	Naib Qasid	Mardan	-do-	BA Degree is not attached.	The applicant has provided the matric certificate; however, he has not provided the attested copy of BA Degree; therefore, his name will be included in the seniority list of Naib Qasid, however, in the relevant column of qualification the word "BA" will be included subject to provision of attested copy of BA Degree.
12.	Rizwan Ullah	Naib Qasid	Mardan	-do-	Attested copy of F.A certificate is not attached.	The applicant has provided the attested copy of matric DMC and certificate; however,

*Attested*  
*[Signature]*

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						he has not provided the attested copy of FA certificate; therefore, his name will be included in the seniority list of Naib Qasid, however, in the relevant column of qualification the word "FA" will be included, subject to provision of attested copy of FA certificate.
13.	Nasir Khan	Naib Qasid	Lakki Marwat	My name is not mentioned in the seniority list.	Attested copies of matric and FA Certificate are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
14.	Muhammad Jawad	Chowkidar	Lakki Marwat	-do-	-do-	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
15.	Jamshed	Sweeper	-do-	-do-	-do-	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
16.	Arif Jan	Naib Qasid	Chursadda	My name is previous seniority list at Serial No. 53 recently issued tentative list at my serial No. 60	NIL	The official has rightly been placed in the seniority list of Naib Qasid, and no illegality is found hence, filed.

Attested  


the detail with  
concerning order and the  
follow them by the way, after  
attention of him is sufficient.

DIRECTORATE OF PROSECUTION

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17.	Muhammad Zubair	Chowkidar	D.I. Khan	My name is not mentioned in the seniority list.	F.A certificate is not attached.	The applicant has provided the attested copy of matric certificate; however, he has not provided the attested copy of FA certificate; therefore, his name will be included in the seniority list of Naib Qasid, however, in the relevant column of qualification the word "FA" will be included, subject to provision of attested copy of FA certificate.
18.	Sartaj	Naib Qasid	Swabi	1. I was on serial no 18 at previous seniority list while Mr. Shahid Ullah was at serial no.66 in the previous seniority list and currently he is at Sr. No.02 due to which I have been moved to Sr. No.19  2. Placement at serial No.03 from 19 due to Shahid Ullah (NQ) District Public Prosecutor Karak.	NIL	Request of the applicant seems genuine and he will be placed at his rightful position, in the seniority list of Naib Qasid, as Mr. Shahid Ullah, Naib Qasid had inadvertently been mentioned at Sr: No. 02 of the seniority.

*Signature*

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19.	Murtaza Khan	Naib Qasid	RD Office Mardan	Name & Qualification are missing.	Attested relevant documents are attached.	Requests of the applicant is accepted; for addition of name and qualification, in the relevant column of the seniority list of Naib Qasid.
20.	Nadeem Khan	Naib Qasid	RD Office Mardan	-do-	Attested copies of degrees are not attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position; however, in the relevant column of qualification "MA (IR)" will be included subject to provision of attested copies of relevant degrees.
21.	Kifayat Shah	Sweeper	RD Office Mardan	-do-	Attested relevant documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
22.	Sajid Ali	Driver	Mardan	-do-		The request of the applicant cannot be considered in light of the Khyber Pakhtunkhwa Prosecution Service Rules, 2010.
23.	Muhammad Shabbir	Naib Qasid	Mardan	1. My name is not mentioned in the seniority		The request of the applicant is accepted and his name will be

*Attested*  
*for*

ab

				2. Name & Qualification (F.SC) not included in seniority list.		seniority list of Naib Qasid, with relevant qualification.
24.	Mansoor Younas	Naib Qasid	Charsadda	My name is not mentioned in the seniority list.	Relevant documents not provided.	The applicant has not provided the matric certificate; therefore, his name cannot be added in the seniority list of Naib Qasid as per Khyber Pakhtunkhwa Prosecution Service Rules, 2010.
25.	Naz Mir Khan	Naib Qasid	Bannu	Must be placed after Shahid Ullah.		Request of the applicant seems genuine and he will be placed at his rightful position in the seniority list of Naib Qasid, as Mr. Shahid Ullah, Naib Qasid had inadvertently been mentioned at Sr. No. 02 of the seniority.
26.	Ashraf Ali	Chowkidar	Malakand	Place at serial No 04 from 02 due to Shahid Ullah (NQ) District Public Prosecutor Karak.		Request of the applicant seems genuine and he will be placed at his rightful position in the seniority list of Naib Qasid, as Mr. Shahid Ullah, Naib Qasid had inadvertently been mentioned at Sr. No. 02 of the seniority.
27.	Bakht Buland Shah	Sweeper	Buner	Place at serial No. 05 due to Shahid Ullah (NQ) District Public		Request of the applicant seems genuine and he will be placed at his rightful position in the seniority list of Naib Qasid, as Mr.

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				Prosecutor Karak		Qasid had inadvertently been mentioned at Sr. No. 02 of the seniority.
28.	Mudassir Gull Khattak	Naib Qasid	Nowshera	My name is not mentioned in the seniority list.	Attested copy of F.SC (DMC) is attached.	The applicant has provided the F.sc DMC; however, he has not provided the attested copy of F.Sc certificate; therefore, his name will be included in the seniority list of Naib Qasid, subject to provision of attested copy of F.sc certificate.
29.	Ahmad Shah	Naib Qasid	Peshawar	-do-		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
30.	Nouman	Naib Qasid	Peshawar	-do-		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
31.	Hamayun	Naib Qasid	Peshawar	-do-		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.

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32.	Shah Fahad	Naib Qasid	Peshawar	-do-		The applicant has provided the attested copy of FA DMC; however, he has not provided the attested copy of FA/matric certificate.
33.	Hazrat Sohail	Naib Qasid	Peshawar	-do-	Attested documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
34.	Mishkat ullah	Naib Qasid	Peshawar	-do-	Attested documents are attached.	The applicant has provided the attested copy of matric certificate; his name will be included in the seniority list of Naib Qasid.
35.	Taimoor	Naib Qasid	Peshawar	-do-	Attested documents are attached.	The applicant has provided the attested copy of matric certificate; his name will be included in the seniority list of Naib Qasid.
36.	Adil nawaz	Naib Qasid	Peshawar	-do-	Attested documents are attached.	The applicant has provided the attested copy of matric certificate; his name will be included in the seniority list of Naib Qasid.
37.	Saeed Khan	Naib Qasid	Nowshera	My name is not mentioned in the seniority list.	Attested documents are attached.	The applicant has provided the attested copy of matric certificate; his name will be included in the seniority list of Naib Qasid.
38.	Sajjad Ahmad	Chowkidar	Peshawar	Placement at right place in	Nil	Request of the applicant seems genuine and he will be placed at his included in the

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				seniority list like <u>Shahid Ullah</u> (NQ) DPP Karak.		rightful position. in the seniority list of Naib Qasid. as Mr. Shahid Ullah. Naib Qasid had inadvertently been mentioned at Sr. No. 02 of the seniority.
39.	Muhammad Anees	Naib Qasid	D.I. Khan	My name is not mentioned in the seniority list.	MBA certificate is attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
40.	Khan Zaman	Naib Qasid	D.I. Khan	-do-	The applicant has attached Middle certificate.	The request of the applicant cannot be considered in light of the Khyber Pakhtunkhwa Prosecution Service Rules, 2010.
41.	Muhammad Ukasha	Naib Qasid	Charsadda	My name is not mentioned in seniority list.	Attested copy of matric certificate is attached	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
42.	Waseem Afridi	Naib Qasid	Charsadda	He was on serial no 40 at previous seniority list due to which I have moved on serial no.45	Documents are not attached	The committee has examined the presentation and as per record he has rightly been placed in the seniority list of Naib Qasid, as his other colleagues were appointed prior to him and have been included in the seniority therefore no illegality is found. hence, filed.
43.	Zakir Ullah Khan	Naib Qasid	Bannu	Name and Qualification (Matric and FA) is not	Attested relevant documents are attached.	Request of the applicant for addition of qualifications. in relevant column of the seniority list of included in the

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

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				included in seniority list.		Naib Qasid, is accepted and necessary entrance will be made.
44.	Umair Ali	Naib Qasid	Directorate of Prosecution	Name and Qualification (BA, DAE, Matric and FA) is not included in seniority list.	Attested relevant documents are attached.	Requests of the applicant for addition of name along with relevant qualifications, is accepted and necessary entrance will be made in relevant columns of the seniority list of Naib Qasid.
45.	Muhammad Riaz	Junior Clerk	Mardan	To review the final merit list of Junior Clerk.		The applicant is rightly placed in the merit list of Junior Clerk, as per merit list prepared by the DSC, and the committee has no mandate to revise the final merit list; therefore, the representation of the applicant cannot be entertained; hence, filed.
46.	Abdul Samad	Naib Qasid	Peshawar	Name is not mentioned in seniority list		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
47.	Shan Ahmad Naveed	Naib Qasid	Directorate of Prosecution	Name is not mentioned in seniority list		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
48.	Matti ur Rehman	Naib Qasid	Directorate of Prosecution	Name is not mentioned in seniority list		Request of the applicant is accepted and his name will be included in the

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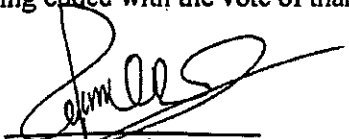
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						seniority list of Naib Qasid, at his rightful position.
49.	Sheraz Ali	Naib Qasid	District Public Prosecutor office Haripur	Name and Qualification (BA) is not included in seniority list.		Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position, as per his date of appointment and date of SSC; however, the word "BA" will be added in the relevant qualification column subject to provision of attested copy of BA degree.
50.	Muhammad Ibrahim	Naib Qasid	Directorate of Prosecution	Adjustment on proper place on the basis of qualification criteria laid down in the notification of establish department for promotion of junior clerk to naib Qasid	Notification attached	The committee has examined the request of the applicant in light of the existing Khyber Pakhtunkhwa Prosecution Service Rules, 2010 and is unsustainable; hence, filed.
51.	Muhammad Iqbal	Chowkidar	District Public Prosecutor office Mardan	Name is not mentioned in seniority list	Attested copy of FA DMC is attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position, subject to provision of attested copy of Matric certificate.

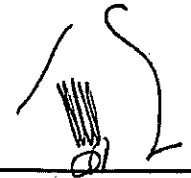
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52.	Farman Ullah	Naib Qasid	Regional Director Prosecution Peshawar	Name is not mentioned in seniority list	Attested relevant documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
53.	Mohammad Hisam	Naib Qasid	Regional Director Prosecution Peshawar	Name is not mentioned in seniority list	Attested relevant documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position.
54.	Touqeer	Chowkidar	District Public Prosecutor office Haripur	Name and Qualification (BA) is not included in seniority list.	Attested relevant documents are attached.	Request of the applicant is accepted and his name will be included in the seniority list of Naib Qasid, at his rightful position, as per his date of appointment and date of SSC.

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



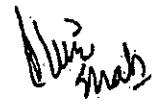
**Mr. Malik Tariq Bakhsh,**  
Director Administration Prosecution  
Khyber Pakhtunkhwa  
(Chairman)



**Mian Aziz Ahmad,**  
Director Legal Prosecution  
Directorate of Prosecution.  
(Member)

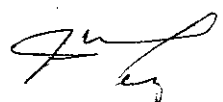


**Muhammad Sikandar Khan,**  
Deputy Director Administration  
Directorate of Prosecution  
(Member)



**Syeda Alvina Shah,**  
Assistant Director Administration  
Directorate of Prosecution  
(Member)

*Bt/...*



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

**SERVICE APPEAL NO. 115/2024**

**Mr. Shaheed Ullah** S/O Taj Ali Khan /Naib Qasid , O/o District Public Prosecutor Office,  
Karak

**Petitioners.....**


**VERSUS**

**Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department through its  
Secretary & Others.**

**Respondents.....**

**AFFIDAVIT**

I, Tariq Bakhsh, Director Administration, Directorate of Prosecution, Khyber Pakhtunkhwa (Respondent No. 03), do hereby solemnly affirm and declare on oath that the contents of Service Appeal No. 115/2024, are true and correct to the extent of office record and nothing has been concealed from Service Tribunal Khyber Pakhtunkhwa. It is further stated on oath that, the replying respondents have neither been placed ex-party nor their defense struck off/cost.

  
**Deponent**



15-04-2024

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/

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

**SERVICE APPEAL NO. 115/2024**

**Mr. Shaheed Ullah** S/O Taj Ali Khan /Naib Qasid , O/o District Public Prosecutor Office,  
Karak

**Petitioners.....**

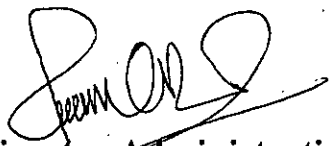
**VERSUS**

**Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department through its  
Secretary & Others.**

**Respondents.....**

**AUTHORITY LETTER**

Muhammad Gulzar Ali, Superintendent Legal, Directorate of Prosecution, Khyber  
Pakhtunkhwa, is hereby authorized to submit Parawise Comments in Service Appeal No.  
115/2024, before the Hon'ble Service Tribunal, Peshawar, on behalf of Director General  
Prosecution, Khyber Pakhtunkhwa.

  
**Director Administration**  
Directorate of Prosecution  
Home & Tribal Affairs Department  
Khyber Pakhtunkhwa  
Peshawar