

# INDEX

## KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EXECUTION NO

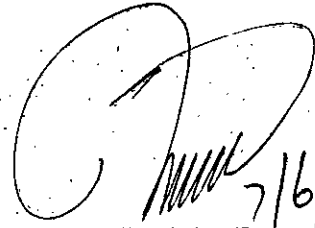
APPEAL NO	INSTITUTION	ORIGINAL INSTITUTION	DECISION	PAGES
1358/2022		15/9/2022	15.02.2024	81

Muhammad Saleem VS Gov of KPK

Sr.No.	No of Pages	Documents	Page No
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Total Pages in Part-A	81
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Muharir Compilation

  
7/6/24  
Incharge Judicial Branch

- attaining age of forty two years (42 Yrs), more so Secretary Home & Tribal Affairs issued another impugned Notification dated 21.10.2021 vide which retirement age for Sepoy was determined as forty five years (45 Yrs), however appellant's contention/grievances was intact as it was. (Impugned Notification dated 22.03.2021 & office Order dated 19.04.2021 and Notification dated 21.10.2021 are Annexed).
6. That it is pertinent to mention here that when Article 247 of the Constitution was omitted then Regulation 2012 also stands abolished and possessed no legal sanctity at all, hence the impugned notifications & order which are issued under the said regulations has no legal status in the eyes of law.
  7. That keeping in view the supra-mentioned episode, the grievances, that comes into existence, the Appellant approaches to knock the door & invoke the writ jurisdiction of Peshawar High Court under Article 199 of Islamic Republic of Pakistan, where Peshawar High Court in their detail judgment, awarded by three members larger bench, declared the appellant as **Civil Servant** and stated that appellant be approached to proper forum i.e. KP Service Tribunal & be treated under Civil Servant Act 1973. (Judgment of High Court dated 29.11.2022 is Annexed)
  8. That the appellant after fulfilling all formalities approaches KP Service Tribunal & filed Service Appeal No. 1258/2023 for redressal of their grievances where the KP Service Tribunal awarded judgment dated 24.08.2023 & disposed of the appeal under Newly inserted Sec-11 of PATA Levies Force (Amendment) Act 2021 upon the following grounds inter-alia;

#### GROUND:

- A. That after 25<sup>th</sup> constitutional amendment neither Home & Tribal Affairs Department nor Deputy Commissioner LakkiMarwat have authority to issue the impugned notifications dated 22.03.2021, 21.10.2021 and office order dated 19.04.2021, indeed the impugned notifications & order are beyond the authority & its makers.
- B. That the actions & inaction of the competent authority proclaim their own mala-fide and discrimination meted out the appellant, where the competent authority did not treated the appellant and all employees of levies force according to law and rules and declared their age of retirement as 42 & 45 years, and appellant has been treated unlawfully, unconstitutionally, without lawful authority and liable to be treated alike other employees.
- C. That while retiring the appellant pre-superannuation is illegal and against the Civil Servants Pension Rules 1963 & also against the fundamental rights of the appellant as guaranteed by the constitution of Pakistan.
- D. That laws of the civil servants on the subject matter is very much clear from its very face that age of superannuation extended to 60 years vide Khyber Pakhtunkhwa Civil Servants (Second) ordinance 1977 w.e.f. 22.11.1976 and against the Civil Servants (Amendments) ordinance 2021 where it says that civil servant shall retire from service on the completion of 60 years of age.
- E. That it is a settled principal of law, that where a law requires a thing to be done in a particular manner, the same is to be done in that manner and not otherwise.
- F. That the appellant has not been treated in accordance with Article 25 of the Constitution 1973. Similarly impugned notifications regarding changing retiring age and office order dated 19.04.2021 squarely falls in the domain of discriminatory treatment, as other civil servants specially police personnel's

**ORDER**

15.02.2024 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney alongwith Mr. Jalal-ud-Din Legal Advisor for the respondents present.

2. Vide our detailed judgment of today placed on file in service appeal No.1355/2022 titled "Barkat Ullah Vs. Chief Secretary, Khyber Pakhtunkhwa and Others", respondents are directed to promote the appellants upon their own turn subject to the availability of posts of Junior Clerks in accordance with existing rules issued vide notification dated 29.04.2019. Hence, the instant service appeal is disposed of accordingly. Costs shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 15<sup>th</sup> day of February, 2024.*

(FARNA HA PAUL)  
Member (I)

(RASHIDA BANO)  
Member (J)

09.05.2023

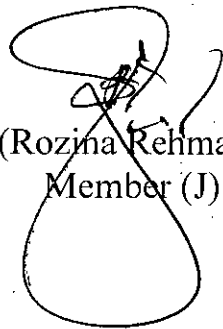
Appellant present through counsel.

Fazal Shah Mohmand, learned Additional Advocate General alongwith Ashfaq Ahmad Assistant Director for respondents present.

Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Reply on behalf of respondents has already been submitted. To come up rejoinder, if any, and arguments on 29.05.2023 before D.B. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar


  
(Rozina Rehman)  
Member (J)

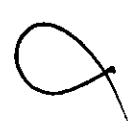
\*Mutazem Shah\*

29<sup>th</sup> May, 2023

1. Learned counsel for appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.
2. Appellant has not deposited the security and process fee in compliance of order sheet dated 09.05.2023. He is directed to deposit the same within two days. To come up for arguments on 07.06.2023 before D.B. P.P given to the parties.

SCANNED  
KPST  
Peshawar

  
(Muhammad Akbar Khan)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

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14.04.2023

Learned counsel for the appellant present. Mr. Asad

Alli Khan, Assistant Advocate General on behalf of

respondents No. 1 & 4 present. Legal Advisor on behalf of

respondents No. 2 & 3 also present.

Respondents No. 2 & 3 have already submitted their

Para-wise comments, while learned Assistant Advocate

General on behalf of respondents No. 1 & 4 stated at the

bar that he relies on the para-wise comments already

submitted by respondents No. 2 & 3. Adjourned. To come

up for preliminary hearing on 09.05.2023 before the S.B.

Parcha Peshi given to the parties.

(Salah-Ud-Din)  
Member (I)

\*Naem Amin\*

SCANNED  
KPST  
Peshawar


SCANNED  
KPST  
Peshawar

22.02.2023

Clerk to counsel for the appellant present. Mr. Umair Azam, Additional Advocate General for respondents No. 1 & 2 present. Learned counsel for respondents No. 3 & 4 present.

SCANNED  
KPST  
Peshawar

File to come up alongwith service appeal No. 1355/2022 titled "Barkat Ullah Vs. Government of Khyber Pakhtunkhwa, on 30.03.2023 before S.B.


  
(Muhammad Akbar Khan)  
Member (E)

30<sup>th</sup> March, 2023

Counsel for the appellant present. Mr. Fazal Shah, Addl. AG alongwith Jalal-ud-Din, Legal Advisor for the respondents present.

SCANNED  
KPST  
Peshawar

Reply/comments of respondents No. 2 & 3 received and placed on file. Copy whereof handed over to learned counsel for the appellant. Respondents No. 1 and 4 be served through learned AAG for submission of reply on the next date. To come up for reply/comments on 14.04.2023 before the S.B. Parcha Peshi given to the parties.

  
(Fareeha Paul)  
Member(E)

19.12.2022

Learned counsel for the appellant present. Mr. Raz Muhammad, Clerk alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Reply/comments on behalf of respondents are still awaited. Representative of the respondents present in the court requested for further time for submission of reply/comments. Last opportunity given. Adjourned. To come up for submission of reply/comments as well as preliminary hearing on 05.01.2023 before the S.B.

SCANNED  
K. S. T.  
PESTAWAR

(Salah-Ud-Din)  
Member (J)

05.01.2023

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents No. 1, 2 & 4 present. Junior of legal advisor for respondent No. 3 present.

Reply/comments on behalf of respondents not submitted. Learned Assistant Advocate General as well as junior of legal advisor for respondent No. 4 requested for time to submit reply/comments. Last opportunity is extended subject to cost of Rs. 2000/-. Adjourned. To come up for reply/comments on 22.02.2023 before S.B.

SCANNED  
K. S. T.  
PESTAWAR

(Mian Muhammad)  
Member (E)

03.10.2022 Counsel for the appellant present and argued the case in preliminary hearing.

Learned counsel for the appellant contended that the appellant has been working in the respondent department as Naib Qasid since 14.10.2010 and is aggrieved of the inaction of department not promoting him to the post of Junior Clerk under serial No. 21 of the Service Rules of department notified on 29.04.2019. He has been deprived of his legal rights of promotion as Junior Clerk despite the fact that he has acquired the requisite qualification of intermediate certificate and completed the required length of service in the department. He is discriminated when promotion from the same category/class of employees, has been made but the appellant is being ignored constantly. Let pre-admission notice be issued to the respondents with the direction to submit reply/parawise comments. To come up reply/parawise comments and preliminary hearing on 30.11.2022 before S.B.

(Mian Muhammad)  
Member (E)

30.11.2022 Counsel for the appellant present. Mr. Kabir Ullah Khattak Additional Advocate General for respondents present.

**SCANNED**  
**KPST**  
**Peshawar**

Written reply not submitted. Learned AAG sought time for submission of written reply. Adjourned. To come up for written reply/preliminary hearing on 19.12.2022 before S.B.

(Kalim Arshad Khan)  
Chairman



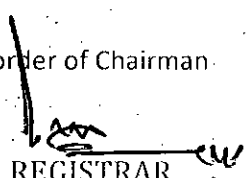
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Form- A

### FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 1362/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/09/2022	<p>The appeal of Mr. Muhammad Bilal resubmitted today by Mr. Jalal-ud-Din Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>3.10.22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

SCANNED  
KPST  
Peshawar


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The appeal of Mr. Muhammad Saleem son of Bayaz Khan Mali Lakki Support Complex received today i.e. on 15.09.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Pay slip mentioned in para-2 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Annexure-D of the appeal is incomplete which may be completed.
- 4- Page nos. 15 & 41 of the appeal are illegible which may be replaced by legible/better one.
- 5- One more of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2570 /S.T,

Dt. 16/09 /2022


  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Jalaluddin Adv. Pesh.

Sir

19-9-2022

The memorandum of appeal is properly signed, Pay slip has been removed. Annexure-D regarding appeal is complete form, Page 15 and 41 is better copy of complete appeal is also place on file. Hence the appeal is re-submitted for fixation  
Please

  
Advocate

**KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**  
**CHECK LIST**

Plw 2  
13

**Versus**

Govt etc

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Jalal-ud-din

Signature:- Jalal-ud-din

Dated:- 14/09/22

*[Handwritten Signature]*

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**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. <sup>1358/</sup>2022

**Muhammad Saleem**

**VERSUS**

**Govt of Khyber Pukhtunkhwa & others**

**SCANNED  
KPST  
Peshawar**

**I N D E X**

S.No	Documents	Annexure	Pages
1.	Grounds of Appeal along with affidavit		1-5
2	Application for interim relief alongwith affidavit		6
3.	Addresses of parties		7
4	Copy of CNIC & Educational testimonial	A	8-9
5.	Copy of appointment letters	B	10
6.	Copy of Service Structure rules dated 29.04.2019	C	11-14
7	Copy of order dated 17.11.2020 of promotion	D	15
8.	Copy of representations	E	16
9.	Copy of W.P.No.2676/2021 and order dated 28.06.2022	F & G	17-24
10.	Copy of Application, dairy No's and letter dated 22.07.2022	H & H/1	25-26
11.	Copy of orders	I	27-41
12	Wakalatnama		42

**THROUGH**

**APPELLANT**  
*Jalal-ud-Din*  
**JALAL-UD-DIN  
ADVOCATES, HIGH COURT  
PESHAWAR**

**MUHAMMAD ALAM KHAN  
ADVOCATE &**

**REHMAT KUNDI  
Advocate Peshawar  
Flat No.16, Second Floor, Al-  
Syed Plaza, Abdara Chowk  
University Road, Peshawar.  
Cell # 0333-9216527**

(1) (11)

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. 1358 /2022

**Muhammad Saleem** S/o Bayaz Khan  
Presently Posted as Mali, Sport Complex Lakki Marwat  
R/o Mohallah Naji Khel, Asak Khel, Lakki Marwat.....

**APPELLANT**

Khyber Pakhtunkhwa  
Service Tribunal

**VERSUS**

Diary No. 1296

Dated 15/9/2022

1. Govt of Khyber Pukhtunkhwa  
through Chief Secretary, Civil Secretariat KP Peshawar.

2. **The Secretary** to Government of Khyber Pakhtunkhwa, Ministry of  
Sports and Youth Affairs, Civil Secretariat Peshawar.

3. **The Director General Sports, Khyber Pukhtunkhwa,**  
Directorate of Sports Complex, Peshawar Cantt Peshawar

4. **The Director Youth Affairs,**  
Khyber Pukhtunkhwa, Plot No.28, Sector E-8,  
Phase-VII, Hayatabad Peshawar.....

**RESPONDENTS.**

**APPEAL UNDER SECTION 4 OF THE SERVICES TRIBUNAL ACT, 1974,  
AGAINST THE RESPONDENTS, WHEREBY THE APPELLANT HAS NOT  
BEEN PROMOTED TO BPS-11 AND AGAINST THE ILLEGAL ACTION OF  
THE RESPONDENTS, THE APPELLANT FILED WRIT PETITION  
NO.2676/2021 BEFORE THE HON'ABLE PESHAWAR HIGH COURT  
PESHAWAR WHICH HAS BEEN DISPOSED OF WITH THE DIRECTIONS  
TO THE RESPONDENTS TO CONSIDER THE DEPARTMENTAL  
REPRESENTATION OF THE APPELLANT AND DECIDE IN ACCORDANCE  
WITH LAW AND RULES ON THE SUBJECT WITHIN A PERIOD OF TWO  
MONTHS HOWEVER, IF, GRIEVANCE OF THE APPELLANT HAS NOT  
REDRESSED BY THE RESPONDENTS THEN IN THAT EVENTUALLY  
THE APPELLANT MAY APPROACH THE COMPETENT COURT OF LAW  
VIDE JUDGMENT DATED 28.06.2022 BUT DESPITE EXPIRY OF TWO  
MONTHS PERIOD, THE RESPONDENTS FAILED TO DECIDE AND  
COMMUNICATE THE FATE OF THE REPRESENTATION OF THE  
APPELLANT IN THE LIGHT OF THE JUDGMENT/ORDER IN  
W.P.NO.2676/2021, WHICH ACTION OF THE RESPONDENTS ARE  
ILLEGAL, UNLAWFUL AND IN EFFECTIVE UPON THE RIGHT OF THE  
APPELLANT AND THE SAME MAY PLEASE BE DECLARED AS NULL AND  
VOID AND THE APPELLANT MAY PLEASE BE PROMOTED ON THE BASIS  
OF SENIORITY CUM FITNESS IN ACCORDANCE WITH LAW AND RULES,  
REGULATIONS WITH THE ALL BACK BENEFITS.**

**RESPECTFULLY SHEWETH.**

1. That appellant is the Citizens of Pakistan having domiciled of Khyber Pukhtunkhwa and have qualified of F.A. **(Copy of CNIC & educational testimonial are annexed as A).**
2. That the appellant was initially appointed as class-IV Mali on 28.12.2011, in the Directorate of Sports Khyber Pukhtunkhwa, Sports Complex Lakki Marwat and during the services, the appellant has improved his qualification as mentioned above. **(Copy of appointment letter, ~~copy~~ of appellant is annexed as B).**

Re-submitted to-day  
and filed.

Registrar 19/9/22

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3. That since the appointment of the appellant, he is working as member and staff of Directorate of Sports, which is under the control of Ministry of Sports, Culture, Tourism, Archaeology and Youth Affairs Department, Civil Secretariat, Peshawar.
4. That the Government of Khyber Pukhtunkhwa, Sports, Tourism, Archaeology and Youth Affairs department through a Notification Bering No.SO(Sports)1-8/2019/S.Rule dated 29.04.2019, notified rules of the method of recruitment, qualifications and other conditions specified in Column No.3 to 5 of the appendix to the notification, applicable to the posts in the Directorate General of Sports, as specified in column No.2 of the said appendix. **(Copy of the Services structure rules of the Directorate Of Sports is annexed as C).**
5. That the Directorate of Youth Affairs, who is also under the control of Ministry of Sports, Culture, Tourism, Archaeology and Youth Affairs Department, Civil Secretariat, Peshawar, and governed under the same rules/services Structure have promoted class-IV employees of the Directorate to the post of Junior Clerk (BPS-11) on regular basis with immediate effect vide office order No.DYA/ Admin/promotion /2020/1635-38 dated 17.11.2020. **(Copy of the order dated 17.11.2020 of promotion is annexed as D).**
6. That the appellant being also beneficial from the said rules/services structure for promotion of class-IV employees, has also submitted his joint representation to the respondents/DG Sports Khyber Pukhtunkhwa on dated 29.01.2021 but no response and no fruitful result. **(Copy of the representation are annexed as E).**
7. That thereafter, the appellant filed Writ Petition No.2676-P/2021 before the Hon'able Peshawar High Court Peshawar, wherein notices were issued to the respondents for filing of their written comments, hence after filing of comments, the Hon'able Peshawar High Court Peshawar hard the parties and disposed off the Writ Petition with the directions to the respondents to decide the appellant and others representation in accordance with law and rules on the subject within a period of two months from the date of receipt of the copy of this order, however, if grievance of the appellant is not redressed by the respondents then in that eventuality, he may approach the competent Court of law vide order and Judgment dated 28.06.2022. **(Copy of the Grounds of W.P.No.2676-P/2021 and order dated 28.06.2022 is annexed as F & G).**
8. That the order and Judgment dated 28.06.2022 of the Hon'able Peshawar High Court Peshawar has been submitted by the appellant alongwith other through joint application to the respondent No.3 through dairy No.357-17/QSL-class-IV dated 05.07.2022 and the same has been forwarded to the competent authority by the respondents on 22.07.2022 but despite lapsed of stipulated period of two months, the respondents failed to decide the fate of the representation of the appellant as per directions in the Judgment and order dated 28.06.2022 of Hon'able Peshawar High Court Peshawar. **(Copy of application dated 05.07.2022, dairy receiving No and letter dated 22.07.2022 are annexed as H to H/1).**
9. That the appellant being aggrieved from the non-consideration of the representation in the light of Judgment and order of Hon'able Peshawar High Court, Peshawar and by not promoting the appellant by the respondents, the appellant is approached this Hon'able Tribunal on the following ground inter alia:-

GROUNDS:-

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- a. That the action and inaction of the respondents for not considering the appellant for promotion on the basis of seniority as well as not to decide the departmental representation in the light of the directions of the Hon'able Peshawar High Court Peshawar within stipulated period of two months, is void-ab-initio, arbitrary, without jurisdiction, Coram-non-judice, illegal and without any lawful authority hence untenable in eye of law and the appellant is liable to be promoted on the basis on seniority and qualification under the rules with all back benefits.
- b. That the appellant having the accrued right for promotion on the basis of seniority to junior clerks BPS-11 in the light of Doctrine accrued rights and legitimate expectancy but the said rights have been violated by the respondents and the appellant has been deprived from the said rights hence the appellant is entitled for the secured and guaranteed rights in accordance with rules dated 29.04.2019.
- c. That appellant has been deprived from the legal rights which are clear violation of Article 4 of Constitution of the Islamic republic of Pakistan 1973.
- d. That the Directorate of Youth Affairs vide order date 17.11.2020 has promoted similarly placed class-IV employees from BPS-3 to BPS-11 as per services structure rules which is meant for staff of both the directorate but the respondent/directorate of Sports despite verbal as well as written representations has deprived the appellant from their fundamental and Constitutional rights as guaranteed in the Constitution of Islamic republic of Pakistan 1973.
- e. That respondent/Director of Youth Affairs is under the control of Ministry of Sports, Culture, Tourism, Archaeology and Youth Affairs department, Civil Secretariat, Peshawar and the services structure / rules is also applicable to the staff of both the Directorates but the respondent No.3/Director General Sports violating the same by not considering the appellant under the quota meant for promotion from class-IV to Junior Clerk-BPS-11 and thus the appellant is being discriminated.
- f. That as per rules dated 29.04.2019, the appellant having the requisite qualifications and experience for the posts of junior clerk BPS-11 and non-considering of the case for promotion is in utter disregard of law, rules, regulations and service structure as well.
- g. That the law and rules guarantees equal treatment but the appellant being at par with and similarly placed employees of the Directorate of Youth Affairs, has been discriminated. Reliance is placed on **2009 SCMR page-1**.
- h. That Article-4 of the Constitution of Islamic Republic of Pakistan 1973, commands that all the citizens without any discrimination shall be dealt in accordance with the law and rules, so enforcement of the law leaves no room for creating any distinction or discrimination between the citizen who having equal footing.
- i. That Article-4 and 8 of the Constitution of Islamic Republic of Pakistan 1973, makes it clear that deviation from law has not to be countenanced, this is an assurance to the people of Pakistan that people of authority shall treat them in accordance with law and each one is bound by these stipulations of the Constitution of Islamic Republic of Pakistan, 1973.
- j. That by not promoting the appellant is also in utter violation of Article-25 of the Constitution of Islamic Republic of Pakistan 1973.

- k. That the functions and nature of job / work of the appellant is at par with other employees of the Directorate of Youth Affairs, which is under the control of one and the same Ministries of Sports, Culture, Tourism, Archaeology and Youth Affairs department, is clear discrimination on one hand and on the other hand is clear violation of the provision of the Constitution of Islamic Republic of Pakistan 1973 and rule applicable to the matter of the appellant:
- l. That under the same rules dated 29.04.2019, the respondents-department had fulfilled 67% of initial recruitment quota and on the other hand, the promotion of the appellant of 33% has been delayed and refused by not deciding the representation of the appellant which clear violation of the law and rules hence the appellant is also discriminated on this score alone. **(Copy of the order annexed as I).**
- m. That under section 21 and section 24-A of the General Clauses Act, once a rights has been extended and created to the individual through a proper manner by the competent authority, then no one has power to undo it, and on this score alone, the appellant is entitled for the promotion as per rules on the basis of seniority cum fitness to Junior Clerk BPS-11 with all back benefit.
- n. That the respondents by not promoting the appellant on the basis of seniority cum fitness is also against the norms of natural justice and fair play and of directions of the apex Court in different judgments and the respondents have make mockery of his policy by itself as well as the rules on the subject matter.
- o. That in the peculiar facts and circumstances of the case, the interference of this Hon'able Tribunal is warranted under the Law.
- p. That any other ground would be adduced by Appellant during arguments on the instant appeal with the permission of this Hon' able Tribunal.

***It is, therefore, most humbly prayed that on acceptance of this appeal:-***

- 1. Non-Consideration of the appellant for promotion for on basis of seniority cum fitness to Junior Clerk BPS-11 in accordance with the services structure rules is in utter violation of law, rules, regulations, fundamental rights and Constitution of Islamic Republic of Pakistan, 1973 and may please be declared as such.***
- 2. Appropriate directions may kindly be issued to the respondents-department to treat the appellant at par with the employees of the Directorate of Youth Affairs, who, are similar with the appellant and are already promoted under the same service structure rules, under the control of one and the same Ministry and Governed under the same rules, regulations and same service structure rules.***
- 3. Appropriate directions may kindly be issued to the respondents-department to promote the appellant to BPS-11 in view of service structure rules and notification dated 29.04.2019 as the Appellant having the requisite qualification and experience for the promotion to BPS-11 on the basis of Seniority Cum fitness with all back benefits.***



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4. Any other relief which is deem proper and not specifically asked by the Appellants may be pleased be granted to the Appellant in the circumstances.

THROUGH

*Muhammad*  
APPELLANT

*Jalal-ud-Din*

JALAL-UD-DIN  
ADVOCATES, HIGH COURT  
PESHAWAR

*Muhammad Alam Khan*  
MUHAMMAD ALAM KHAN  
ADVOCATE &

*Rehmat Kundi*  
REHMAT KUNDI  
Advocate Peshawar

**AFFIDAVIT:-**

I, **Muhammad Saleem** S/o Bayaz Khan Presently Posted as Mali, Sport Complex Lakki Marwat R/o Mohallah Naji Khel, Asak Khel, Lakki Marwat do hereby solemnly affirm and declare on Oath that the contents of the instant services appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon' able Tribunal.

*Muhammad Saleem*  
DEPONENT

IDENTIFY BY

*Jalal-ud-Din*  
JALAL-UD-DIN  
Advocate

ATTESTED



C.M.No...../2022

In

Service Appeal No...../2022

**Muhammad Saleem**

**VERSUS**

**Govt of Khyber Pukhtunkhwa & others**

**APPLICATION FOR INTERIM RELIEF TO THE EFFECT THAT THE RESPONDENTS ARE DIRECTED NOT TO TAKE ANY ADVERSE ACTIONS AGAINST THE APPLICANT/APPELLANT AND ALSO NOT FILL UP THE VACANT POSTS TILL DECISION OF THE MAIN SERVICES APPEAL.**

**RESPECTFULLY SHEWETH:-**

1. That the above titled appeal has been filed before this Hon'able Tribunal and yet no date of hearing has been fixed.
2. That the contents of the main appeal be considered as integral part of the instant application because the applicant/appellant have a good prima facie case and sanguine about his success of the appeal.
3. That balance of convenience and inconvenience also lies in favor of applicant/appellant.
4. That if, the temporary injunctions has not been granted to the applicants, then the applicant will suffer irreparable loss.

It is, therefore, most humbly prayed that, on acceptance of this application, the interim relief as prayed in the heading of the instant application may please be granted in favor of the applicant/appellant against the respondents till decision of the main appeal.

**THROUGH**

**APPLICANT**

*Jalal-ud-Din*

**JALAL-UD-DIN  
ADVOCATES, HIGH COURT**

**MUHAMMAD ALAM KHAN  
ADVOCATE &**

**REHMAT KUNDI  
Advocate Peshawar**

**AFFIDAVIT:-**

I, **Muhammad Saleem** S/o Bayaz Khan Presently Posted as Mali, Sport Complex Lakki Marwat R/o Mohallah Naji Khel, Asak Khel, Lakki Marwat do hereby solemnly affirm and declare on Oath that the contents of the instant services application are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon' able Tribunal.

**IDENTIFY BY**

*Jalal-ud-Din*  
**JALAL-UD-DIN  
Advocate HIGH COURT  
PESHAWAR**

**DEPONENT ATTESTED**

*Muhammad Saleem*  
  
16/09/22

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

7

**Service Appeal No...../2022**

**Muhammad Saleem**

**VERSUS**

**Govt of Khyber Pukhtunkhwa & others**

**ADDRESSES OF PARTIES**

**APPELLANT.**

**Muhammad Saleem** S/o Bayaz Khan  
Presently Posted as Mali, Sport Complex Lakki Marwat  
R/o Mohallah Naji Khel, Asak Khel, Lakki Marwat

**RESPONDENTS.**

1. Govt of Khyber Pukhtunkhwa through Chief Secretary, Civil Secretariat KP Peshawar.
2. **The Secretary** to Government of Khyber Pakhtunkhwa, Ministry of Sports and Youth Affairs, Civil Secretariat Peshawar.
3. **The Director General Sports, Khyber Pukhtunkhwa,** Directorate of Sports Complex, Peshawar Cantt Peshawar
4. **The Director Youth Affairs,** Khyber Pukhtunkhwa, Plot No.28, Sector E-8, Phase-VII, Hayatabad Peshawar

**THROUGH**

*Muhammad Saleem*  
**APPELLANT'S**  
*Jalal-ud-Din*  
**JALAL-UD-DIN**  
**ADVOCATES, HIGH COURT**  
**PESHAWAR**  
*Muhammad Alam Khan*  
**MUHAMMAD ALAM KHAN**  
**ADVOCATE &**  
*Rehmat Kundi*  
**REHMAT KUNDI**  
**Advocate Peshawar**

18

8

Annexed-A

PAKISTAN National Identity Card

Republic of Pakistan

Name: Muhammad Saleem Khan

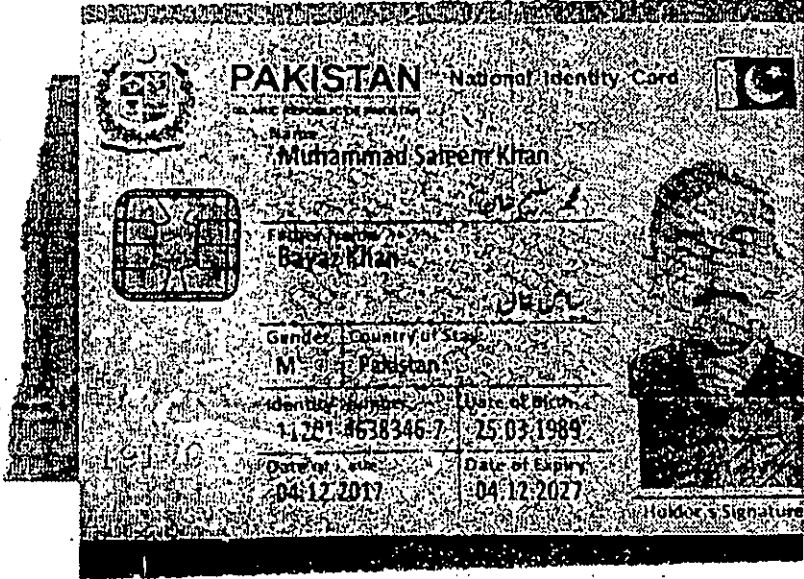
Father Name: Bayaz Khan

Gender: Male Country of Origin: Pakistan

Identity Number: 11281-4638346-7 Date of Birth: 25-03-1989

Date of Issue: 04-12-2017 Date of Expiry: 04-12-2027

Holder's Signature



کارت ملی پاکستان

11281-4638346-7

QR Code

گمشدہ کارڈ ملنے پر قریبی ایئر سیکرٹریٹ میں ڈال دیں



*Print*

**ATTESTED**

BU.S.No. J13318

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ 9

Roll No. 21168

Board of Intermediate & Secondary Education  
BANNU (N-W.F.P.), PAKISTAN.



Principal  
Govt. Degree College  
Isak Khol

**INTERMEDIATE EXAMINATION**

**SESSION 2007 (ANNUAL)**

Humanities Group

This is to Certify that Muhammad Saleem Khan

Bayaz Khan

Son of

Student of

Govt. College, Isak Khel Lakki

has passed the **INTERMEDIATE EXAMINATION** of the Board of Intermediate & Secondary Education, Bannu held in May, 2007 as a Regular candidate.

He obtained 489 marks out of 1100 and has been placed in Grade D

Representing: Fair.

Registration No: 0092-BCIL-1-05

Date of declaration of Result: 10-08-2007

Prepared on: 27-05-2009

*Pratt*  
**ATTESTED**

*[Signature]*  
Asstt. Secretary

*[Signature]*  
**SECRETARY**

*This certificate is issued without alteration or erasure*

(20)

(10)

Answered-B  
(30)  
B/S

OFFICE OF THE DISTRICT COORDINATION OFFICER LAKKI MARWAT

OFFICE ORDER

Consequent upon the recommendation of District Departmental Promotion Selection Committee vide its minutes of the meeting held on 17.12.2011 at 11.00 am Muhammad Saleem/S/O Bayaz Khan R/O Village Lisak Khel Lakki Marwat is hereby appointed as Mali in the minimum basic pay of BPS-01 plus usual allowances admissible under the rules against the vacant post of Mali BPS-01 in Mini Sports Complex with immediate effect subject to the following terms & conditions

TERMS & CONDITIONS

1. His appointment will be considered regularly without pension or gratuity in term of Section 19 of Khyber Pakhtunkhwa Civil Servant Act 1973, as amended vide Khyber Pakhtunkhwa Civil Servant (Amendment) Act 2005. However, he will be entitled to contribute Provident Fund as per Govt. rate policy.
2. His Services will be liable to termination on one month notice or either side, in case of resignation without notice, two months pay/allowances shall be refunded to the Government.
3. His services will be governed by such rules and regulations as may be issued from time to time by the government.
4. His service can be terminated at any time in case his performance is found unsatisfactory during probation period of one year extendable for two years.
5. The appointee should take over the charge within 15 days of the commencement date and charge report should be submitted to all concerned.
6. The appointee is required to produce his Health Certificate from the Medical Superintendent DHQ's Hospital Lakki Marwat.

District Coordination Officer  
Lakki Marwat  
Dated 28/12/2011

No. 7372-74 /DCO/Lakki/PA/Office Order

Copy forwarded to:

1. The District Accounts Officer Lakki Marwat
2. The District Officer Sports Lakki Marwat
3. Candidate concerned.

*P. ant*  
**ATTESTED**

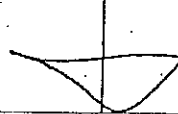
*Ld*  
District Coordination Officer  
Lakki Marwat

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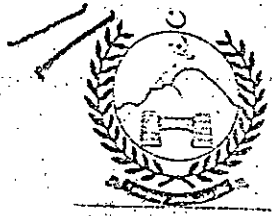
18.	Supervisor (BPS-15).	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board, with Junior Diploma in Physical Education.	20 to 32 years.	<p>(a) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Hostel Superintendents (BPS-10) with three (03) years service as such; and</p> <p>(b) ninety per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Caretakers (BPS-08) and Store Keepers (BPS-08) with two (02) years service as such.</p> <p>Note: For the purpose of promotion, a joint seniority list of Care Takers and Store Keepers shall be maintained.</p>
19.	Stenographer (BPS-14).	<p>(a) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board with-</p> <p>(b) speed of fifty (50) words per minute in shorthand in English and thirty-five (35) words per minute in typing; and</p> <p>(c) knowledge of Computer in using MS Word and MS Excel.</p>	18 to 30 years.	By initial recruitment.
20.	Senior Clerk (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks (BPS-11) with at least two years' service as such.
21.	Junior Clerk (BPS-11).	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board with a speed of thirty (30) words per minute in typing.	18 to 30 years.	<p>(a) Thirty-three per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids (BPS-03), Chowkidars (BPS-03), Security Guards (BPS-03), Watchmen (BPS-03), Malies' (BPS-03), Ground-men (BPS-03), Cleaners (BPS-03), Conductors (BPS-03), including holders of other equivalent posts in the Directorate General of Sports</p>

**ATTESTED**

  
 19.04.2019  
 SAs NAVA-2

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GOVERNMENT OF KHYBER PAKHTUNKHWA,  
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS & YOUTH AFFAIRS DEPARTMENT.

Dated Peshawar, the 29/04/2019.

NOTIFICATION

Amended-C

No.SO(Sports)1-8/2019/S.Rules :- 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, and in supersession of all previous Notifications, issued in this behalf, the Sports, Culture, Tourism, Youth Affairs, Archaeology and Museums Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in Column Nos. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts in the Directorate General of Sports, as specified in Column No. 2 of the said Appendix:

APPENDIX

S.No.	Nomenclature of post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Director General (BPS-20).		-	By promotion, on the basis of seniority-cum-fitness, from amongst the Directors (BPS-19), having two (2) years' service in BPS-19 and seventeen (17) years service in BPS-17 and above:  Provided that if no suitable officer is available for promotion then by transfer from amongst the PAS/PMS/PCS officers.

*P. J. J.*  
**ATTESTED**

*W. Mawla*  
29.04.2019  
SADP MAMM



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*Ant*  
**ATTESTED**

				<p>having at least two years' service as such who have passed Intermediate Examination; and</p> <p>(b) sixty-seven per cent by initial recruitment.</p> <p>Note: For the purpose of promotion, a joint seniority list of Naib Qasids, Chowkidars, Security Guards, Watchmen, Malies, Ground-men, Cleaners, Conductors, including holders of other equivalent posts in the Directorate General of Sports shall be maintained:</p> <p>Provided that if two or more officials have acquired the Intermediate Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post and where a senior official does not possess the requisite qualification at the time of filling of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</p> <p>Provided further that where a senior official does not possess the requisite qualification at the time of filing of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p>
22.	Junior Squash Coach/Junior Coach (BPS-10).	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board, with three (3) years' experience as Coach in the relevant games before or after Secondary School Certificate; and	25 to 40 years.	By initial recruitment.

*Wahidul*  
*30.04.2019*  
*30/04/2019*  
*30/04/2019*

(24)

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33.	Conductor (BPS-03).	Preferably literate.	18 to 40 years.	By initial recruitment.
34.	Sweeper (BPS-03).	Literate.	18 to 40 years.	By initial recruitment.

sd/x  
Secretary to Government of Khyber Pakhtunkhwa  
Sports, Tourism, Archaeology, Museums &  
Youth Affairs Department


Endst: No. No.SO(Sports)1-8/2019/S.Rules:

Dated Peshawar, the 29/04/2019

Copy forwarded to the:-

- 1) All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 2) Secretary to Governor Khyber Pakhtunkhwa.
- 3) Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 4) Accountant General Khyber Pakhtunkhwa.
- 5) Director General Sports, Khyber Pakhtunkhwa Peshawar.
- 6) Secretary Public Service Commission Khyber Pakhtunkhwa Peshawar.
- 7) Registrar Peshawar High Court / Service Tribunal Peshawar.
- 8) All Regional Sports Officers / District Sports Officers. Khyber Pakhtunkhwa.
- 9) Manager Government Stationary & Printing Department.
- 10) PS to Chief Secretary Khyber Pakhtunkhwa Province.
- 11) PS to Secretary Sports Department Khyber Pakhtunkhwa Peshawar.
- 12) PA to Additional Secretary Sports Department Khyber Pakhtunkhwa Peshawar.
- 13) Office Order File.

  
**ATTESTED**

  
S  
Mawaz  
29-04-2019  
(Sajid Nawaz)  
Section Officer Sports

15

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Annexed-D

~~Annexure D~~

Handwritten initials and marks in circles.



DIRECTORATE OF YOUTH AFFAIRS  
KHYBER PAKHTUNKHWA  
Plot No.28 Sector E-8 Phase-VII Hayatabad, Peshawar  
Dated Peshawar, the 17<sup>th</sup> November, 2020

Annexed-D

**OFFICE ORDER:**

No. DYA/Admn/Promotion/2020/1635-38  
Consequent upon the recommendation of the Departmental Promotion Committee the following Class-IV (BPS-03) of this Directorate are hereby promoted to the post of Junior Clerk (BPS-11) on regular basis with immediate effect.

S.#	Name of Incumbent
1.	Asif Ullah
2	Faiz Ullah
3	Hidayat Ullah
4.	Naveed Alam
5	Umar Khan
6	Qadeer Khan
7	Nazir Yousaf

Signature  
**ATTESTED**

On their promotion, they are hereby posted/transferred against the vacant post of Junior Clerk (BPS-11) at the station noted against them in the interest of public service

S.#	NAME OF INCUMBENT	PLACEMENT
1	Mr. Asif Ullah Mali (BPS-03) District Youth Office Tank	Junior Clerk (BPS-11), at District Youth Office Tank against the vacant post.
2	Mr. Faiz Ullah Mali (BPS-03) District Youth Office, Karak	Junior Clerk (BPS-11), at District Youth Office Karak against the vacant post
3	Mr. Hidayat Ullah Chowkidar (BPS-03) District Youth Office Lakki Marwat	Junior Clerk (BPS-11), at District Youth Office Bannu against the vacant post
4	Mr. Naveed Alam Mali (BPS-03) District Youth Office Lakki Marwat	Junior Clerk (BPS-11), at District Youth Office Lakki Marwat against the vacant post.
5	Mr. Umar Khan Mali (BPS-03) District Youth Office, Charsadda	Junior Clerk (BPS-11), at District Youth Office Charsadda against the vacant post
6	Qadeer Khan Naib Qasid (BPS-03) District Youth Office, Nowshera	Junior Clerk (BPS-11), at District Youth Office Nowshera against the vacant post.
7	Nazir Yousaf, Chowkidar (BPS-03) District Youth Office, Chitral	Junior Clerk (BPS-11), at District Youth Office Chitral against the vacant post

Note: -Promotion of the official is also subject to the following terms and conditions

They will be on probation for a period of one year in terms of Section 6 (2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rules-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 2013

**ATTESTED**

**DIRETOR OF YOUTH AFFAIRS  
KHYBER PAKHTUBKHWA**

**Plot No.28 sector E-8 phase-VII Hayatabad, Peshawar  
Dated Peshawar the 17<sup>th</sup> November, 2020**

**OFFICE ODER**

No. DYA/ Admn/Promotion /2020/1635-38 consequent upon the recommendation of the departmental promotion committee the following class-IV (BPS-03) at this directorate are hereby promoted to the post of junior Clerk (BPS-11) on regular basis with immediate effect.

S.#	Name of incumbent
1	Asif Ullah
2	Faiz Ullah
3	Hidayat Ullah
4	Naveed Alam
5	Umair Khan
6	Qadeer Khan
7	Nazir yousaf

On their promotion, They are hereby posted/transferred against them in the interest of public service

S.#	NAME OF INCUMBENT	PLACEMENT
1	Mr. Asif Ullah Male (BPS-03) District Youth Office Tank	Junior Clerk (BPS011) at district Youth Office Tank against the vacant post
2	Mr. Faiz Ullah	Junior Clerk (BPS-11) at District Youth Karak against the vacant post
3	Mr. Hidayat Ullah chowkidar (BPS-03) District Youth Office Lakki marwat	Junior Clerk (BPS-11) at district youth office lakki marwat against the vacant post.
4	Mr. Naveed Alam	Junior Clerk (BPS-11) at district Youth Office Lakki Marwat Against the vacant Post
5	Mr. Umair Khan Male (BPS-03) District Youth Office, Charsadda	Junior Clerk (BPS-11) at District office Charsadda against the vacant post
6	Qadeer Khan Naib Qasid (BPS-03) District Youth Office, Nowshetra	Junior Clerk (BPS-11) at district Youth office Nowshetra against the vacant post
7	Nazir Yousaf Chowkidar (BPS-03) District Youth office Chitral	Junior Clerk (BPS-11) at district Youth office chitral against the vacant Post

NOTE:- Promotion of the official is also subject to the following terms and condition  
1. they will be on probation for a period for a penod of one year in terms of section 6 (2) of the khyber pakhtunkhwa civil servants AAct 1973 read with rules -15(1) of kyber pakhtunkhwa civil servants (Appointment promotion and transfer) Rules 2013

Accepted by  
**ATTESTED**  
Counsel

یازمین جناب ڈی جی سپورٹس خیبر پختون خواہ پشاور

(59) (58) (57)

عنوان: درخواست برائے پیر موٹویشن بطور جوئیئر فلک

D.No. 80-17/P...  
Date... 29...  
Directorate General of Sports  
KPK Peshawar Cantt

(Amir F)

Amended-E  
جناب عالی

مؤدبانہ التماس ہے کہ ہم جملہ ملازمین درجہ چارم  
ثائب قاعد / مالی / جو کیدار آپ صاحبان کی خدمت میں فرمائیں  
تذاریں کہ ہم لوگوں نے مورخہ 06/06/2019 کو اپنی درخواست آپ  
صاحبان کی خدمت میں پیش کی تھی اس کے بعد دوسری درخواست مورخہ  
04/03/2020 کو لکھی گئی تھی اس کے بعد یہ تیسری درخواست آپ کی خدمت میں  
پیش کی جا رہی ہے لیکن یہ تصدیق سے اس التجا پر منظور نہیں کیا جا رہا  
جبکہ وجہ سے ہم ذہنی اذیت کا شکار ہیں کہ ہماری پیر موٹویشن کی جائے  
اس سلسلے میں ہماری آپ صاحبان سے ایک مرتبہ پھر التجا ہے  
کہ یہی پیر موٹویشن نئے سروس رولز کے تحت کر کے مشکور فرمائیں  
تا کہ درجہ چارم کے ہمارے سب بھائیوں کا کام جلدی ہو جائے آپ  
صاحبان سے گزارش ہے کہ ہماری اس التجا پر منظور فرمائیں۔

آپ کی عین نوازش ہوگی۔  
ATTESTED  
القاضی

- ① نصیم اکبر
- ② عامر شہزاد
- ③ محمد آصف
- ④ محمد ساجد
- ⑤ امجد فرید
- ⑥ محمد بلال
- ⑦ نثار احمد
- ⑧ ملنگ جان
- ⑨ برکت اللہ
- ⑩ عثمان شاہ
- ⑪ ضیاء الرحمن
- ⑫ محمد بلال
- ⑬ محمد شاد
- ⑭ محمد ذوالفقار
- ⑮ انور علی

(28)  
17  
①



BEFORE THE HONOURABLE PESHAWAR HIGH COURT, PESHAWAR

W.P No. 2676 F of 2021 .

Annexed - F

1. Mr. Zia Ur Rehman S/O Aziz Ur Rehman as Mali.
2. Mr. Usman Shah S/O Rahat Shah as Chokidar.
3. Mr. Malang Jan S/O Bakhtiar Khan as Mali.
4. Mr. Muhammad Saleem S/O Bayaz Khan as Mali.
5. Mr. Aamir Shahzad S/O Muhammad Arif as Watchman.
6. Mr. Barakat Ullah S/O Muhammad Zaman as Mali.
7. Mr. Muhammad Bilal S/O Muhammad Basheer as Mali.
8. Mr. Muhammad Asif S/O Fazal Wahid as Mali.
9. Mr. Nisar Ahmad S/O Mir Zarkam Shah as Chowkidar.
10. Mr. Muhammad Sajid S/O Aziz Ur Rehman as Mali.
11. Mr. Amjid Farid S/O Siraj ud Din as Chowkidar.
12. Mr. Muhammad Bilal S/O Muhammad Yaseen as Naib Qasid.
13. Naeem Akbar S/O Saleem Akbar as Mali.

R. ...  
ATTESTED

All employees / members of Directorate of Sports Khyber Pakhtunkhwa,  
Peshawar Sports Complex, Peshawar

.....PETITIONERS

VERSUS

1. The Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Ministry of Sports and Youth Affairs, Civil Secretariat, Peshawar.
3. Director General Sports, Directorate of Sports Khyber Pakhtunkhwa, Peshawar Sports Complex, Peshawar Cantt, Peshawar.
4. Director Youth Affairs, Khyber Pakhtunkhwa, Plot No. 28, Sector E - 8, Phase VII, Hayatabad, Peshawar

..... RESPONDENTS

D. ...  
Registrar

2021

WRIT PETITION UNDER ARTICLE  
199 OF THE CONSTITUTION OF

ATTESTED  
EXAMINER  
Peshawar High Court

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~~Annexure~~

ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Respectfully Sheweth:

*The petitioners submit as under,*

1. That the petitioners are the citizens of Pakistan, domiciled of KPK, have the qualification of SSC, F.A/F.Sc etc have been appointed as class IV in the years 2007, 2008, 2009 and 2010 in the directorate of sports Khyber Pakhtunkhwa, Peshawar Sports Complex, Peshawar Cantt, Peshawar. Some of the petitioners have improved their qualification during their service. (Copy of testimonials and appointments orders are annexed as Annexure A/ A\_\_\_ And B/B\_\_\_)
2. That since the appointment of the petitioners, they are working as members and staff of directorate of sports which is under the control of Ministry Of Sports, Culture, Tourism, Archaeology and Youth Affairs Department, Civil Secretariat, Peshawar.
3. That the Government of Khyer Pakhtunkhwa, Sport, Toursim, Archeaology, Museum and Youth Affairs Department, through Notification bearing NO. SO(Sports) 1 - 8 / 2019 / S. Rules dated 29/04/2019 notified rules of the method of recruitment, qualifications and other conditions specified in column NO 3 to 5 of the appendix to the notification, applicable to the posts in the Directorate General of Sports, as specified in Column No 2 of the said appendix. (Copy of the rules / service structure of the Directorate General Sports is annexed as C)

*R*  
**ATTESTED**

**RE-FILED COPY**  
**Deputy Registrar**  
**28 JUN 2021**

**ATTESTED**  
**EXAMINER**  
**Peshawar High Court**

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4. That the Directorate of Youth Affairs, who is under the control of Ministry of Sports, Culture, Tourism, Archaeology and Youth Affairs Department, Civil Secretariat, Peshawar, and governed under the same rules / service structure (annexure C) have promoted class IV employees of the Directorate to the post of Junior Clerk (BPS 11) on regular basis with immediate effect vide office order No. *DYA/Admin/Promotion/2020/1635-38* dated 17/11/2020. (copy of the office order is Annexure D)

5. that the petitioners have also submitted their joint representation to the respondents / DG Sport Khyber Pakhtunkhwa dated 29/01/2021 but no response till now. (copy of the representation is annexed as E)

6. That the petitioners having no other adequate remedy, invoke the constitutional jurisdiction of this honourable court for appropriate writ / direction for the relief / prayers on the following grounds inter alia;

*[Signature]*  
ATTESTED

GROUNDS

A. That it is constitutional duty of each and every authority in Pakistan to exercise its power fairly, justly and transparently but the respondents have the same.

B. That the Director Youth Affairs vide office order (Annexure E) has promoted similarly placed Class IV from BPS 3 to BPS 11 as per service structure (Annexure D) which is meant for staff of both the directorates but the respondent / Director Sports despite several verbal requests as well as written applications has deprived the petitioner from their fundamental and constitutional rights as guaranteed in Chapter I of Part II of the Constitution of Islamic Republic of Pakistan, 1973.

RE-FILED TODAY  
*[Signature]*  
Deputy Registrar  
28 JUN 2021

ATTESTED  
EXAMINER  
Peshawar High Court

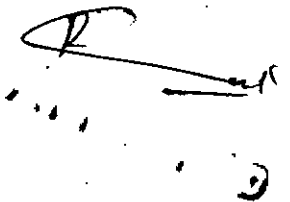


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- C. That respondent / Directorate Youth Affairs is under the control of Ministry Sports, Culture, Tourism, Archaeology and Youth Affairs Department, Civil Secretariat, Peshawar and the service structure / rules (Annexure D) is also applicable to the staff of both the directorates but the respondent / Directorate General Sports violating the same by not considering the petitioners under the quota meant for promotion from class IV to Junior Clerk (BPS11) and thus the petitioners are being discriminated.
- D. That the petitioners are qualified, having the requisite qualifications and experience for the posts of Junior Clerk (BPS 11) and non consideration of their case and not promoting them to the post of BPS 11, is in utter violation of the law, rules, regulations and service structure.
- E. That the Constitution guarantees equal treatment but the petitioner being at par with and similarly placed employees of the Directorate Youth Affairs, have been discriminated.
- F. That Article-4 of the constitution of Islamic Republic of Pakistan, 1973, commands that all the citizens without any discrimination shall be dealt in accordance with the law, so enforcement of the law leaves no room for creating any distinction or discrimination between the citizens.
- G. That Articles-4 & 8 of the constitution of Islamic Republic of Pakistan, 1973, makes it clear that deviation from law has not to be countenanced: this is an assurance to the people of Pakistan that people in authority shall treat them in accordance with law and each one is bound by these stipulations of the constitution of Islamic Republic of Pakistan, 1973.
- That the action and inactions of respondents / Department is also in utter violation of Article-25 of the constitution of Islamic Republic of Pakistan, 1973.



FILED TODAY  
ATTESTED  
Deputy Registrar  
EXAMINER  
Peshawar High Court  
24 JUN 2021

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I. That the function and nature of job / work of the petitioners is at par with other employees of Directorate of Youth Affairs, which is under the control of one and the same Ministry of Sports, Culture, Tourism, Archaeology and Youth Affairs Department, is clear discrimination on one hand and on the other hand is clear violation of the provision of Constitution of Islamic Republic of Pakistan, 1973.

J. That any, additional ground, with leave of the honourable court, will be argued at the time of final hearing of the petition.

Prayer:

It is, therefore, humbly requested that on acceptance of this writ

petition:-

i) Non consideration of the Petitioners for promotion to BPS 11 in accordance with the service structure (annexure D), is in utter violation of the law, rules, regulations, fundamental rights and Constitution of Islamic Republic of Pakistan, 1973 may please be declared as such.

ii) Appropriate writ / direction to the respondent / department to treat the petitioner at par with the employees of the Directorate Youth Affairs, who, are like the petitioners, under the control of one and the same Ministry and governed under the same rules, regulations and service structure.

*R. ant*  
**ATTESTED**

iii) An appropriate writ / direction to the respondent / department to promote the petitioners to BPS 11 in view of Service structure as the petitioners having the requisite qualifications / experience.

iv) That any other direction / writ, deem appropriate by this honourable court, in fact and circumstance of the case, may also be granted in favor of petitioners against respondents / departments.

*DULAY*  
Registrar  
/ 2021

**ATTESTED**  
EXAMINER  
Peshawar High Court

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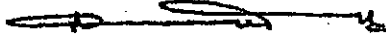
**INTERIM RELIEF:**

In the meanwhile, by way of interim relief, respondents be directed not to take any adverse action against the petitioners.

The petitioners also pray for any other relief as this honourable court deems fit and appropriate to grant in the interest of justice in the circumstances of the case.

Through,

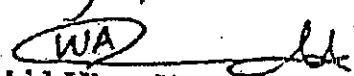
Petitioners



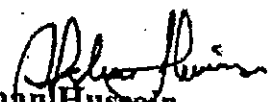
Muhammad Anwar



Inamullah Alizai



Wahid Khan Khalil



Afshan Hussain

Advocates High Courts

Dated: June 24, 2021.

List of Books / laws:

- The Constitution of Islamic Republic of Pakistan, 1973.
- Service Laws
- Service Structure of Directorate General of Sports, KPK.
- Relevant law / book.

  
ADVOCATE

FILED TODAY

Deputy Registrar

24 JUN 2021

  
ATTESTED

ATTESTED  
EXAMINER  
Peshawar High Court

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**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, PESHAWAR**


W.P No: 26767 of 2021

Mr. Zia Ur Rehman & Others  
VERSUS  
Govt of Khyber Pakhtunkhwa & Others

**AFFIDAVIT**

I, Zia Ur Rehman S/O Aziz Ur Rehman R/O Prang, YaseenZai, Charsadda, do hereby solemnly affirm and declare on oath that the contents of the Writ Petition are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.

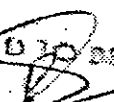
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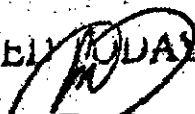
  
Amullah Alizai  
Advocate, Peshawar

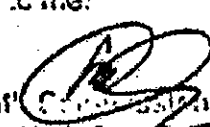
  
**DEPONENT**

CNIC: 17101-8535123-1 ✓  
Cell No: 0315-9989118

  
**ATTESTED**

  
04 JUL 2022

  
Deputy Registrar  
24 JUN 2021

No. <u>28692</u> Certified that the above was verified on solemnly affirmation before me by office, this <u>18</u> day of <u>June</u> and <u>Zia ur Rehman</u> s/o <u>Aziz ur Rehman</u> <u>Charsadda</u> who was identified by <u>Amullah Alizai</u> Who is present at the time: Out:  Peshawar, Khyber Pakhtunkhwa, Peshawar. <u>18/06/2021</u>
---

Attested verified 18/06/2021

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**PESHAWAR HIGH COURT PESHAWAR  
ORDER SHEET**

Annexed-6

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2
28.06.2022	<p><u>Writ Petition No. 2676-P/2021 with IR.</u></p> <p>Present: Mr. Jalal-ud-Din, advocate for the petitioners.</p> <p>Mr. Rab Nawaz Khan, Addl. AG for the respondents.</p> <p>*****</p> <p><b>LAL JAN KHATTAK, J.-</b> As the petitioners' representation is pending before the competent authority for decision thereon, therefore, this writ petition is disposed of with direction to the respondents-department to decide the petitioners' representation in accordance with law and rules on the subject within a period of two months from the receipt of copy of this order, however, if grievance of the petitioners is not redressed by the respondents then in that eventuality they may approach the competent Court of law.</p>
Presentation of Application	42908
By	30-6-22
Preparation of Copy	4-7-22
Delivery of Copy	4-7-22
By	[Signature]

[Signature]  
JUDGE

[Signature]  
JUDGE

[Signature]  
**ATTESTED**

**CERTIFIED TO BE TRUE COPY**  
[Signature]  
04 JUL 2022

(36)

(25)

To, The Director General Sports,  
Khyber Pukhtunkhwa, Directorate of Sports,  
Peshawar Sports Complex Peshawar Cantt.

Amexed-14

**SUB: PROVISION FOR THE JUDGMENT AND ORDER DATED 28.06.2022 IN WRIT PETITION NO.2676-P/2021 TITLED AS ZIA UR REHMAN AND 12 OTHERS... VERSUS... THE GOVERNMENT OF KP & OTHERS FOR DECISION ON THE REPRESENTATION ON PROMOTION OF THE CLASS-IV EMPLOYEES TO JUNIOR CLERK (BPS-11).**

357-17/QSL class-iv  
D.No. ....  
Date: 05/07/2022  
Directorate General of Sports  
K.P.S. Peshawar Cantt.

Respected Sir,

Enclosed please find herewith the Judgment and order of the Hon'able Peshawar High Court Peshawar in W.P.No.2676-P/2021 on the titled mentioned above for decision of the representation for promotion of the class-IV employees mentioned in the above titled writ petition to Junior Clerk (BPS-11) under the law and rules on the subject thereof. The Judgment and grounds of the writ petition is attached which is self explanatory on the subject. Further the relevant rules of 2019 on the subject is also attached herewith.

**APPLICANTS.**

1. Zia Ur Rehman S/o Aziz Ur Rehman ..... *Zia*
2. Usman Shah S/o Rahat Shah ..... *Usman*
3. Malang Jan S/o Bakhtar Khan ..... *M. Jan* 05/07/2022
4. Muhammad Saleem S/o Bayaz Khan ..... *Saleem*
5. Amir Shahzad S/o Muhammad Arif ..... *Amir*
6. Barqat Ullah S/o Muhammad Zaman ..... *Barqat*
7. Muhammad Bilal S/o Muhammad Bashir ..... *M. Bilal*
8. Muhammad Asif S/o Fazal wahid ..... *Asif* 05/07/2022
9. Nisar Ahmad S/o mir zakam Khan ..... *Nisar*
10. Muhammad Sajid S/o Aziz Ur Rehman ..... *Sajid*
11. Amjid farid S/o Siraj Uddin ..... *Amjid*
12. Muhammad Bilal S/o Muhammad Yaseen ..... *M. Bilal* 05/07/2022
13. Naeem Akbar S/o saleem Akbar ..... *Naeem*

*P. out*  
**ATTESTED**

(37)

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Ammed - H/1



GOVERNMENT OF KHYBER PAKHTUNKHWA  
SPORTS, CULTURE, TOURISM, ARCHAEOLOGY, MUSEUMS  
& YOUTH AFFAIRS DEPARTMENT

(Sports Section)

No. SO (Sports) I-7/ PSB/DPC/2022/31-73

Dated Peshawar the 22<sup>nd</sup> July, 2022

To

The Director General Sports,  
Khyber Pakhtunkhwa,  
Peshawar.

S.No. 538. 17/Promotion  
Date: 27/7/22  
Director General of Sports  
KPK Peshawar

Subject: - PROVISION FOR THE JUDGEMENT AND ORDER DATED 28-06-2022 IN WRIT PETITION NO. 2676-P/2021 TITLED AS ZIA-UR-REHMAN AND 12 OTHERS, VERSUS THE GOVERNMENT OF KP & OTHERS FOR DECISION ON THE REPRESENTATION ON PROMOTION OF THE CLASS-IV EMPLOYEES TO JUNIOR CLERK (BPS-11)

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of application dated 'Nil' submitted by Zia-ur-Rehman & others along-with Peshawar High Court Order Sheet dated 28-06-2022 for compliance, under intimation to this department.

2. Being a court matter may be treated as most urgent, please.

Yours faithfully,

*[Signature]*  
22-7-22  
Section Officer (Sports)

Encl: As above

Copy to the:

1. Section Officer (Litigation), Sports Department, Peshawar.
2. PS to Secretary, Sports Department, Peshawar.
3. PA to AS-II, Sports Department, Peshawar.
4. PA to DS-I, Sports Department, Peshawar.

*[Signature]*  
22-7-22  
Section Officer (Sports)

*[Signature]*  
**ATTESTER**

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Annexed-I



*Sports are essential for the development of a happy, healthy & vigorous society*

**DIRECTORATE GENERAL OF SPORTS  
KHYBER PAKHTUNKHWA  
PESHAWAR SPORTS COMPLEX PESHAWAR CANTT.  
PH# 9212767, FAX# 9212766.**

Dated Peshawar the 28<sup>th</sup> January, 2022

**ORDER:**

No.17/Seniority List/Q.S.C/17: In pursuance of section-8 of Khyber Pakhtunkhwa Civil servants Act 1973 read with Rules-17 of NWFP Civil Servants(Appointment, Promotion & Transfer) Rules, 1989, the final seniority list of Junior Clerks (BPS-11) (as stood on 10<sup>th</sup> January, 2022), of the Directorate General of Sports Khyber Pakhtunkhwa is hereby notified / circulated for general information.

**FINAL SENIORITY LIST OF JUNIOR CLERKS (BPS-11), DIRECTORATE GENERAL OF SPORTS KHYBER PAKHTUNKHWA**

Total sanctioned posts: 36 Junior Clerks, Filled: 20, Vacant: 16

S.#	Name and Designation of the Official	Academic Qualification	Date of birth	Domicile	Date of 1 <sup>st</sup> Entry into Govt Service	Date of regular appointment / promotion to the present post			Method of recruitment / appointment	Date of adjustment in the District Sports Office	Name of Department from where declared surplus	Remarks
						Post	BPS	Date				
1.	Javed Khan, J/Clerk at DSO Tank	D.Com	03-03-1976	Tank	01-10-1995	J/Clerk	11	1-10-1995	By initial	-	-	-
2.	Sijad Khan, J/Clerk at DSO Mansehra	Matric	25-12-1970	Mansehra	28-6-1995	J/Clerk	11	30-6-2001	Adjusted through surplus pool	13-4-2007	Public Health	-
3.	Ayaz Khan, J/Clerk at DSO Nowshera	Matric	01-09-1976	Buner	13-04-1996	J/Clerk	11	10-08-2018	By Promotion	-	-	-
4.	Gran Muhammad, J/Clerk at DSO Charsadda	Matric	15-02-1971	Charsadda	30-05-1991	J/Clerk	11	10-08-2018	By Promotion	-	-	-
5.	Ijaz-ul-Haq, J/Clerk at DSO Karak	M.A	05-11-1978	Kohat	01-03-2004	J/Clerk	11	10-08-2018	By Promotion	-	-	-
6.	Abdul Wahid, J/Clerk at DSO Chitral (Lower)	B.A	10-12-1978	Chitral	05-01-2006	J/Clerk	11	10-08-2018	By Promotion	-	-	-
7.	Salma Khalid, J/Clerk, at Provincial Head Quarter	B.A	13-09-1984	Lakki Marwat	27-04-2007	J/Clerk	11	10-08-2018	By Promotion	-	-	-

Cont... at Page \* 2 \*

*P. Sub*  
**ATTESTED**

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S.#	Name and Designation of the Official	Academic Qualification	Date of birth	Domicile	Date of 1 <sup>st</sup> Entry into Govt Service	Date of regular appointment / promotion to the present post			Method of recruitment / appointment	Date of adjustment in the District Sports Office	Name of Department from where declared surplus	Remarks
						Method of recruitment / appointment	Post	BPS				
8.	Gulfam, J/ Clerk at RSO Bannu	Matric	13-03-1968	Bannu	31-05-2007	J/Clerk	11	10-08-2018	By Promotion	-	-	Senior Clerk (BP14) ops at RSO Bannu
9.	Abdul Rahim Khan J/Clerk at RSO D.I.Khan	Matric	11-04-1968	Bannu	31-05-2007	J/Clerk	11	10-08-2018	By Promotion	-	-	Supervisor (BPS-15) ops at RSO Bannu
10.	Mrs. Saiqa Bibi, J/Clerk at RSO Mardan	F.A	19-06-1981	Mardan	29-05-2019	J/Clerk	11	29-05-2019	By initial recruitment	-	-	-
11.	Muhammad Yasir, J/Clerk at RSO D.I.Khan	BCS (Hons)	27-03-1994	D.I.Khan	01-01-2020	J/Clerk	11	01-01-2020	By Initial Recruitment	-	-	-
12.	Jahan Zeb Khan, J/Clerk at DSO Kohistan Upper	B.A	01-04-1988	Kohistan	24-12-2019	J/Clerk	11	24-12-2019	By Initial Recruitment	-	-	-
13.	Mushtaq Ahmad, J/Clerk at RSO Bannu	B-Tech (Hons)	08-05-1993	Bannu	30-12-2019	J/Clerk	11	30-12-2019	By Initial Recruitment	-	-	-
14.	Gulshan Iqbal, J/Clerk at DSO Karak	MCS	20-04-1989	Karak	24-12-2019	J/Clerk	11	24-12-2019	By Initial Recruitment	-	-	-
15.	Yasir Khan, J/Clerk at RSO Abbottabad	M.Sc	18-01-1993	Abbottabad	26-12-2019	J/Clerk	11	26-12-2019	By Initial Recruitment	-	-	-
16.	Ijaz Ullah, J/Clerk at DSO Lakki Marwat	MCS	27-05-1995	Lakki Marwat	10-02-2020	J/Clerk	11	10-02-2020	By Initial Recruitment	-	-	-
17.	Muhammad Noman, J/Clerk at DSO Battagram	B.Com	15-03-1993	Mansehra	24-12-2019	J/Clerk	11	24-12-2019	By Initial Recruitment	-	-	-

Cont...at Page \* 3 \*

ATTESTED

(40)      (3)      (29)

S.#	Name and Designation of the Official	Academic Qualification	Date of birth	Domicile	Date of 1 <sup>st</sup> Entry into Govt Service	Date of regular appointment / promotion to the present post			Method of recruitment / appointment	Date of adjustment in the District Sports Office	Name of Department from where declared surplus	Remarks
						Method of recruitment / appointment	Post	BPS				
✓ 18.	Rozi Malk, J/Clerk at DSO Buner	B.A	25-04-1990	Buner	24-12-2019	J/Clerk	11	24-12-2019	By Initial Recruitment	-	-	-
✓ 19.	Muhammad Faheem Khan, J/Clerk at DSO Hangu	M.A	01-05-1991	Tank	26-12-2019	J/Clerk	11	26-12-2019	By Initial Recruitment	-	-	-
20.	Miss Kubsha Awan, J/Clerk at DSO Haripur	BS (Hons)	12-03-1998	Haripur	24-02-2021	J/Clerk	11	24-02-2021	By Initial Recruitment	-	-	-

  
DIRECTOR GENERAL

Endst: No. & Date even.

Copy forwarded to the: -

- (1) Section Officer (Sports), Sports & Youth Affairs, Department Khyber Pakhtunkhwa, Peshawar.
- (2) All Regional/ District Sports Officers in Khyber Pakhtunkhwa.
- (3) All Officials concerned.

  
DIRECTOR GENERAL

  
**ATTESTED**

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Sports are essential for the development of a happy, healthy & vigorous society

**DIRECTORATE GENERAL OF SPORTS**

**KHYBER PAKHTUNKHWA**

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.

Ph: # 9212767. Fax = 9212766

Dated Peshawar, the 26<sup>th</sup> May, 2022

**OFFICE ORDER:** / 1538-65

**No. 17/ Promotion/ QSC/ PSB/ 2021:-** In pursuance of the recommendation of Departmental Promotion Committee (DPC), in its meeting held on 25-04-2022, the following Junior Clerks (BPS-11) of the Directorate General of Sports Khyber Pakhtunkhwa are hereby promoted to the rank of Senior Clerks (BPS-14) with immediate effect:-

1. Mr. Javed Khan.
2. Mr. Sajjad Khan.
3. Mr. Ayaz Khan.
4. Mr. Gran Muhammad.
5. Mr. Ijaz-ul-Haq.
6. Mr. Abdul Wahid.
7. Mr. Salma Khalid
8. Mr. Gullam.
9. Mr. Abdul Rahim Khan.
10. Mrs. Saiqa Bibi.
11. Mr. Muhammad Yasir.
12. Mr. Jahan Zeb Khan.
13. Mr. Mushtaq Ahmad.
14. Mr. Gulshan Iqbal.
15. Mr. Yasir Khan.
16. Mr. Ijaz Ullah.
17. Mr. Muhammad Noman.
18. Mr. Rozi Malk.
19. Mr. Muhammad Faheem Khan.

  
**ATTESTED**

Consequent upon their promotion, they are further posted as mentioned below against each:-

S. #	NAME OF OFFICIAL	PLACE OF POSTING	REMARKS
1.	Javed Khan, Senior Clerk (BPS-14)	Regional Sports Office, D.I. Khan	Conditionally promoted to the post of Senior Clerk (BPS-14) till the final decision of the Apex Court / Anti-Corruption Directorate
2.	Sajjad Khan, Senior Clerk (BPS-14)	Regional Sports Office, Abbottabad	Retained on the post of Senior Clerk (BPS-14)
3.	Ayaz Khan, Senior Clerk (BPS-14)	District Sports Office, Nowshera	Against the vacant post of Senior Clerk (BPS-14)
4.	Gran Muhammad, Senior Clerk (BPS-14)	District Sports Office, Charsadda	Against the vacant post of Senior Clerk (BPS-14)
5.	Ijaz-ul-Haq, Senior Clerk (BPS-14)	District Sports Office, Karak	Retained on the post of Senior Clerk (BPS-11)
6.	Abdul Wahid, Senior Clerk (BPS-14)	District Sports Office, Chitral (Upper)	Posted against the vacant post of Computer Operator (BPS-16) in OPS
7.	Salma Khalid, Senior Clerk (BPS-14)	Directorate General of Sports Khyber Pakhtunkhwa	Against the vacant post of Senior Clerk (BPS-14)
8.	Gullam, Senior Clerk (BPS-14)	Regional Sports Office, Bannu	Retained on the post of Senior Clerk (BPS-14)
9.	Abdul Rahim Khan, Senior Clerk (BPS-14)	District Sports Office, Bannu	Posted against the vacant post of Assistant (BPS-16) in OPS

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S. #	NAME OF OFFICIAL	PLACE OF POSTING	REMARKS
10.	Mrs. Saiqa Bibi, Senior Clerk (BPS-14)	District Sports Office, Mardan	Against the vacant post of Senior Clerk (BPS-14)
11.	Muhammad Yasir, Senior Clerk (BPS-14)	District Sports Office, Tank	Posted against the vacant post of Computer Operator (BPS-16) in OPS.
12.	Jahan Zeb Khan, Senior Clerk (BPS-14)	District Sports Office, Kohistan (Upper)	Against the vacant post of Senior Clerk (BPS-14)
13.	Mushtaq Ahmad, Senior Clerk (BPS-14)	District Sports Office, Bannu	Against the vacant post of Senior Clerk (BPS-14)
14.	Gulshan Iqbal, Senior Clerk (BPS-14)	District Sports Office, Karak	Against the vacant post of Senior Clerk (BPS-14)
15.	Yasir Khan, Senior Clerk (BPS-14)	District Sports Office, Swabi	Against the vacant post of Senior Clerk (BPS-14)
16.	Ijaz Ullah, Senior Clerk (BPS-14)	District Sports Office, Lakki Marwat	Retained on the post of Assistant (BPS-16) at Lakki Marwat in OPS
17.	Muhammad Noman, Senior Clerk (BPS-14)	District Sports Office, Abbottabad	Posted against the vacant post of Computer Operator (BPS-16) in OPS
18.	Rozi Malk, Senior Clerk (BPS-14)	District Sports Office, Buner	Against the vacant post of Senior Clerk (BPS-14)
19.	Muhammad Faheem Khan, Senior Clerk (BPS-14)	District Sports Office, D.I Khan	Against the vacant post of Senior Clerk (BPS-14)

The services of the above promoted Senior Clerks (BPS-14) will be on probation for a period of one year as provided under section-6 (2) of Civil Servants Act, 1973.

Sd/-  
DIRECTOR GENERAL

Endst. No. & Date even

Copy forwarded for information and necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Regional Sports Officer, D.I. Khan, Abbottabad, Bannu, Peshawar, Kohat, Mardan & Swat.
3. District Accounts Officer, D.I. Khan, Abbottabad, Nowshera, Charsadda, Karak, Chitral (Upper), Chitral (Lower), Manshira, Bannu, Mardan, Tank, Kohistan (Upper), Swabi, Lakki Marwat & Buner.
4. District Sports Officer, D.I. Khan, Abbottabad, Nowshera, Charsadda, Karak, Chitral (Upper), Chitral (Lower), Manshira, Bannu, Mardan, Tank, Kohistan (Upper), Swabi, Lakki Marwat & Buner.
5. Director (Operation) o/o DG Sports Khyber Pakhtunkhwa, Peshawar.
6. Section Officer (Sports), Sports and Youth Affairs Department, Khyber Pakhtunkhwa.
7. Assistant Director (Accounts) o/o D.G Sports Khyber Pakhtunkhwa.
8. PA to DG Sports, o/o DG Sports, Khyber Pakhtunkhwa.
9. Officials concerned.

*(Signature)*  
20/05/2022  
ASSISTANT DIRECTOR (HQ)

*(Signature)*  
ATTESTED

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*Sports are essential for the development of a happy, healthy & vigorous society*

**DIRECTORATE GENERAL OF SPORTS**

**KHYBER PAKHTUNKHWA**  
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.  
Ph: # 9212767, Fax # 9212766

29

Dated Peshawar, the 14<sup>th</sup> of May, 2019

**OFFICE ORDER:**

**No.17/Promotion/QSC/PSB/18.**- In pursuance of the recommendation of the Departmental Promotion Committee, the following Tubewell Operators, Plumbers, Electricians & Generator Operators in BPS-03 of the Directorate General of Sports are hereby promoted to the rank of Care Takers/ Store Keepers (BPS-08) respectively with immediate effect: -

1. Mr. Yousaf Khan, Plumber Provincial H.Q
2. Mr. Wali Khan, Tube Well Operator Provincial H.Q
3. Mr. Fahim Hussain, Electrician, Provincial H.Q
4. Mr. Salman Babar, Tube Well Operator Provincial H.Q
5. Mr. Sabir Rehman, Electrician, Provincial H.Q
6. Mr. Farzand Ali, Electrician, Provincial H.Q
7. Mr. Salem Khan, Generator Operator Provincial H.Q
8. Mr. Arshad Ishfaq, Electrician, Provincial H.Q
9. Mr. Mehar Alam, Electrician, Provincial H.Q
10. Mr. Amjad Iqbal, Plumber, Provincial H.Q

Their services will be on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973. Consequent upon their promotion, they are posted against the vacant posts of Care Takers/ Store Keepers (BPS-08) mentioned below against each:-

S. #	NAME & DESIGNATION OF THE OFFICIAL	PLACE OF POSTING
1.	Mr. Yousaf Khan, Care Taker (BPS-08)	Directorate General of Sports Khyber Pakhtunkhwa
2.	Mr. Wali Khan, Care Taker (BPS-08)	Office of the Regional Sports Officer, Mardan
3.	Mr. Fahim Hussain, Care Taker (BPS-08)	Office of the District Sports Officer, Swabi
4.	Mr. Salman Babar, Care Taker (BPS-08)	Office of the Regional Sports Officer, Kohat
5.	Mr. Sabir Rehman, Store Keeper (BPS-08)	Directorate General of Sports Khyber Pakhtunkhwa
6.	Mr. Farzand Ali, Care Taker (BPS-08)	Directorate General of Sports Khyber Pakhtunkhwa
7.	Mr. Salem Khan, Care Taker (BPS-08)	Office of the Regional Sports Officer, Charsadda
8.	Mr. Arshad Ishfaq, Care Taker (BPS-08)	Office of the Regional Sports Officer, Swabi
9.	Mr. Mehar Alam, Care Taker (BPS-08)	Office of the District Sports Officer, Swat
10.	Mr. Amjad Iqbal, Care Taker (BPS-08)	Directorate General of Sports Khyber Pakhtunkhwa

**ATTESTED**

**DIRECTOR GENERAL**

No. 17/Promotion/QSC/PSB/18

Dated 14-05-2019

Copy forwarded for information and necessary action to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director (Operation) o/o D.G Sports Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (Sports), Sports and Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar.
4. Assistant Director (Accounts) o/o Director General Sports Khyber Pakhtunkhwa, Peshawar.
5. Regional Sports Officer Mardan & Kohat.
6. District Sports Officer Swat, Charsadda & Swabi.
7. District Accounts Officer Mardan, Kohat, Swat, Charsadda & Swabi.
8. Officials concerned.

**DIRECTOR GENERAL**

44

33



Sports are essential for the development of a happy, healthy & vigorous society

# DIRECTORATE GENERAL OF SPORTS

KHYBER PAKHTUNKHWA  
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.  
Ph # 9212767 Fax # 9212766

28

Dated Peshawar, the 21<sup>st</sup> May, 2019

## OFFICE ORDER:

No.17/Promotion/QSC/PSB/19.- In pursuance of recommendation of the Departmental Promotion Committee (DPC) in its meeting held on 08-05-2019, the following Junior Squash Coach, Junior Coaches (BPS-10) are hereby promoted to the posts of Coaches (BPS-16) against the existing posts in the Directorate General of Sports Khyber Pakhtunkhwa and Abdul Wali Khan Sports Complex Charsadda on acting charge basis under Rule-9(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules-1989 with immediate effect:-

1. Mr. Shah Faisal.
2. Mr. Munawar Zaman.
3. Mr. Muhammad Nouman.
4. Mr. Muhammad Zubair.
5. Mr. Pervez Khan.
6. Mr. Nadeem Khan.
7. Mr. Faisal Javed.

Consequent upon their promotion, they are posted against the existing vacant post of Coaches (BPS-16) mentioned below against each:-

S. #	NAME	PLACE OF POSTING
1.	Mr. Shah Faisal	Martial Art Coach in the Directorate General of Sports Khyber Pakhtunkhwa.
2.	Mr. Munawar Zaman	Squash Coach, Abdul Wali Khan Sports Complex, Charsadda.
3.	Mr. Muhammad Nouman	Tennis Coach, Abdul Wali Khan Sports Complex, Charsadda
4.	Mr. Muhammad Zubair.	Body Building / Weight Lifting Coach, Abdul Wali Khan Sports Complex, Charsadda.
5.	Mr. Pervez Khan	Cricket Coach, Abdul Wali Khan Sports Complex, Charsadda.
6.	Mr. Nadeem Khan	Badminton Coach, Abdul Wali Khan Sports Complex, Charsadda.
7.	Mr. Faisal Javed	Football Coach, Abdul Wali Khan Sports Complex, Charsadda.

*Under 2019 rules  
Appointment made*

No.17/Promotion/QSC/PSB/19

DIRECTOR GENERAL

Dated 21-05-2019

Copy forwarded for information and necessary action to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director (Operation) o/o DG Sports Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (Sports) Sports and Youth Affairs Department, Khyber Pakhtunkhwa, Pesh. w/ to his letter No. SO(S) 17/2008/DPC, dated 21-05-2019.
4. District Accounts Officer, Charsadda.
5. Assistant Director (Accounts) o/o D.G Sports Khyber Pakhtunkhwa, Peshawar.
6. District Sports Officer, Charsadda.
7. Administrator, Abdul Wali Khan Sports Complex, Charsadda.
8. Officials concerned.

**ATTESTED**

DIRECTOR GENERAL

34 (45)



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
SPORTS, CULTURE TOURISM, ARCHAEOLOGY,  
MUSEUMS & YOUTH AFFAIRS DEPARTMENT.

No. SO(YA)Y-9/2017/SR/ /11752-54  
Dated Peshawar, the 10th September, 2020.

To

1. The Director General of Sports,  
Khyber Pakhtunkhwa, Peshawar.
2. The Directress Youth Affairs,  
Khyber Pakhtunkhwa, Peshawar.

Date: 246-24/S. Rules  
10-9-2020  
Directorate General of Sports  
KPK, Peshawar Cantt

Subject:- i) REQUEST FOR REVISION OF SERVICE RULES FOR PROMOTION OF NAIB QASID TO THE POST OF JUNIOR CLERK  
ii) REQUEST FOR PROMOTION OF NAIB QASID, CHOWKIDAR, MALI ETC

Dear Sir/Madam,

I am directed to enclose herewith a copy of minutes of the above subject meeting held on 08.09.2020 at 1100 hours in the office of Additional Secretary-II, Sports Department, Khyber Pakhtunkhwa for information and further necessary action at your end, please.

Yours faithfully,

Encl: As Above

*[Signature]*  
10/09/2021  
Section Officer (S & YA)

Copy is to the:

1. PA to Addl. Secretary-II, Sports & Youth Affairs Department, Peshawar.
2. PA to Deputy Secretary-III, Sports & Youth Affairs Department, Peshawar.

Section Officer (S & YA)

*[Signature]*  
Director H.O.

*[Signature]*  
All Process  
16/9  
AD (H/O)  
12/10/20

*[Signature]*  
Pls put up  
16/9/20

application requesting therein that they may be promoted to the post of Junior Clerk as per existing Service Rules:

*[Signature]*  
ATTESTED

35

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MINUTES OF THE MEETING HELD ON 08-09-2020 AT 1100 HOURS IN THE OFFICE OF ADDITIONAL SECRETARY- II, SPORTS, CULTURE, TOURISM, ARCHAEOLOGY, MUSEUMS & YOUTH AFFAIRS DEPARTMENT, KHYBER PAKHTUNKHWA.

A meeting to discuss qualification for promotion to the post of Junior Clerk (BPS-11) prescribed in the Service Recruitment Rules of Directorate General of Sports and Directorate of Youth Affairs was held on 08-09-2020 at 1100 hours under the Chairmanship of Mr. Tariq Salam, Additional Secretary-II Sports & Youth Affairs Department. The following attended:-

1. Mr. Tariq Salam, In Chair  
Additional Secretary-II, Sports Department.
2. Mr. Saleem Jan,  
Deputy Secretary-III, Sports Department.
3. Miss. Iram Shaheen,  
Directress Youth Affairs.
4. Mr. Hamid Ali,  
Assistant Director (HQ),  
Directorate General of Sports.
5. Mr. Firasat Hussain,  
Section Officer (Sports),  
Sports & Youth Affairs Department.

2. Opening the discussion the chair welcomed the participants and asked Mr. Hamid Ali, Assistant Director (HQ), Directorate General of Sports to brief the forum regarding the matter under discussion. He explained that the qualification for promotion to the post of Junior Clerk in the Service Recruitment Rules of the Directorate General of Sports notified during the year 2017 was Matric but subsequently while making addition/amendments in the said Service Recruitment Rules during the year 2019, the qualification was prescribed as Intermediate. Thus the Class-IV employees having Matric qualification were deprived from promotion to the post of Junior Clerk. As such they challenged and submitted a joint application requesting therein to reconsider the framed rules and qualification for promotion to the post of Junior Clerk may be kept Matric instead of Intermediate. The Directress Youth Affairs was also of the view that the same position exist in the Service Recruitment Rules of Directorate of Youth Affairs and the Class-IV employees having Matric qualification are demanding that the qualification for promotion to the post of Junior Clerk may be kept Matric instead of Intermediate.

3. It was further apprised that in the meanwhile the Class-IV employees coming under promotion quota having Intermediate qualification also submitted application requesting therein that they may be promoted to the post of Junior Clerk as per existing Service Rules.

  
**ATTESTER**



(36) (47)

4. The matter was discussed in detail. During discussion it was pointed out that the Establishment Department has also amended the Service Recruitment Rules and the qualification for promotion to the post of Junior Clerk has been prescribed Intermediate by giving priority to the existing Matriculate employees for 4 years. The forum therefore decided not to change the existing qualification of Intermediate as the post of Junior Clerk is in BPS-11 which justify the requisite qualification of Intermediate instead of Matric. However, the chair was of the view that the existing Service Rules of the Directorate General of Sports & Directorate of Youth Affairs may be reviewed and if some amendments/changes are required to be made, a working paper may be prepared by each of the Directorate for placing before the Standing Service Rules Committee for discussion/decision.
5. The meeting ended with a vote of thanks from and to the chair.

\*\*\*\*\*

*[Signature]*  
**ATTESTED**

37

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*Sports are essential for the development of a happy, healthy & vigorous society*



**DIRECTORATE GENERAL SPORTS  
KHYBER PAKHTUNKHWA  
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.  
Ph: # 9212767 Fax # 9212768**

No. 24/Service Rules/2019

Dated Peshawar, the 7<sup>th</sup> July, 2020.

To

The Secretary to Govt of Khyber Pakhtunkhwa,  
Sports, Culture, Tourism, Archaeology, Museums  
& Youth Affairs Department, Peshawar.

Subject: - REQUEST FOR REVISION OF SERVICE RULES FOR  
PROMOTION OF NAIB QASID TO THE POST OF JUNIOR CLERK.

Kindly refer to your letter No. SO(YA)Y-9/2017/SR/6450-51 dated 08-06-2020 on the subject noted above and to state that the Establishment Department Khyber Pakhtunkhwa has revised its service rules for promotion of Naib Qasid to the post of Junior Clerk (BPS-11) i.e. forty per cent by promotion on the basis of seniority-cum-fitness from amongst the Naib Qasids etc who have passed F.A/F.Sc examination or its equivalent qualification from a recognized Board and made changes in the qualification column, with the condition that F.A/F.Sc or its equivalent qualification shall not apply for a period of four years from the date of commencement of said notification.

As per existing service rules of the Directorate General of Sports, the criteria for promotion to the post of Junior Clerk is "thirty three per cent on the basis of seniority-cum-fitness from amongst the Naib Qasids, Chowkidars etc having at least two years service as such who have passed Intermediate Examination."

It is brought into your kind notice that service recruitment rules of this Directorate were under process of amendment since long. The qualification for promotion of Naib Qasids to the post of Junior Clerks was enhanced from SSC to intermediate with the approval of SSRC on the analogy of so many other departments.

In view the above it is requested that this Directorate may kindly be advised as to whether the promotion case of Naib Qasids may be processed as per existing Service Rules or otherwise.

*[Signature]*  
**ATTESTER**

*[Signature]*  
**DIRECTOR GENERAL**

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS &  
YOUTH AFFAIRS DEPARTMENT

GOVT. YAY. 2001/2019/2020  
Date: Peshawar, the 19<sup>th</sup> February, 2020.

Mr. N. S. / 2019/2020  
Director General Sports  
& Youth Affairs  
Peshawar

The Director Youth Affairs,  
Khyber Pakhtunkhwa,  
Peshawar

The Director General Sports,  
Khyber Pakhtunkhwa,  
Peshawar

Subject: - REQUEST FOR REVISION OF SERVICE RULES FOR PROMOTION  
OF NAIB QASID TO THE POST OF JUNIOR CLERK

Dear Sir,

I am directed to refer to the subject noted above and to  
enclose herewith a copy of an application alongwith Service Rules  
received from Naib Qasid, of Directorate General Sports and Youth  
Affairs, Khyber Pakhtunkhwa for views / comments, please.

Yours faithfully,

*[Signature]*  
19/02/2020

Section Officer  
(Sports & Youth Affairs)

Encl: as above

Copy is forwarded for information to PA to Additional Secretary Sports &  
Youth Affairs Department, Khyber Pakhtunkhwa.

Section Officer  
(Sports & Youth Affairs)

*[Handwritten signature]*  
20/2

Please put up on file  
with PPS. 21/2

95 *[Signature]*  
21/2

*[Signature]*  
ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA  
SPORTS, TOURISM, CULTURE, YOUTH AFFAIRS, ARCHAEOLOGY  
PUC Pano Museums, DEPARTMENT CIVIL SECRETARIAT

Subject: REQUEST FOR PROMOTION FROM THE POST OF NAIB QASID, CHOWKIDAR AND MALI ETC. TO THE POST OF JUNIOR CLERK ACCORDING TO SERVICE RULES, 2019

Mr. Nisni, Malang Jan and others, Class-IV employes of Directorate of Sports & Youth Affairs, Khyber Pakhtunkhwa vide PUC have requested this Department for promotion to the Post of Junior Clerk in accordance with the Service Rules dated 29.04.2019 (Flag-A) on the ground that they are fulfilling the criteria fixed for promotion to the post of Junior Clerk in the above mentioned rules.

It is to be noted that according to the Service Rules mentioned above, criteria for promotion from the post of Naib Qasids, Chowkidars etc. is as under.

Sr	Nomenclature of post	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
21	Junior Clerk (BS-11)	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board with a speed of thirty (30) words per minute in typing	10 - 30 Years	Thirty-three percent by promotion on the basis of seniority-cum-fitness, from amongst the Naib Qasids (BS-03), Chowkidars (BS-03), Security Guard (BS-03), Cleaners (BS-03), Conductors (BS-03) including holders of equivalent posts in the Directorate General of Sports having at least two years service as such who have passed Intermediate Examination.

It is to be noted that some employees belonging to the Class-IV cadre of Directorate of Sports & Youth Affairs, Khyber Pakhtunkhwa having matric qualification have also requested for promotion to the post of Junior Clerks and have requested that the condition of FA, FSc. may be expelled and matric qualification may be retained for promotion to the post of Junior Clerk. It is worth mentioning here that their case is under process in this Department.

Keeping in view the above, we may:

- i) Allow the Director General of Sports, Khyber Pakhtunkhwa to promote the Class-IV employees having Intermediate Qualification as per existing rules;
- OR
- ii) we may wait till the outcome of the case already under process in this Department.

Submitted for orders as deemed appropriate, please.

*[Signature]*  
3-5/17/2020  
Section Officer (Sports)

Deputy Secretary-III

*[Signature]*  
**ATTESTED**

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
SPORTS, CULTURE TOURISM, ARCHAEOLOGY  
MUSEUMS & YOUTH AFFAIRS DEPARTMENT

No. SO(YA)Y-9/2017/SR/  
Dated Peshawar, the 01<sup>st</sup> September, 2020.

To

1. The Director General of Sports,  
Khyber Pakhtunkhwa, Peshawar.
2. The Director Youth Affairs,  
Khyber Pakhtunkhwa, Peshawar.

Subject: i) REQUEST FOR REVISION OF SERVICE RULES FOR PROMOTION  
OF NAIB QASID TO THE POST OF JUNIOR CLERK  
ii) REQUEST FOR PROMOTION OF NAIB QASID, CHOWKIDAR, MALI  
ETC

Dear Sir/Madam,

I am directed to refer to the subject noted and to state that meeting  
scheduled for 01.09.2020 at 11:00 AM has been postponed and now will be held on  
02.09.2020 at 11:00 AM under the chairmanship of Additional Secretary-II in his  
office.

2. You are therefore requested to attend the above meeting on the  
scheduled date, time and venue, please.

3. In convenience caused is regretted.

Yours faithfully,

  
Section Officer (S & YA)

Copy is to the:

1. PA to Addl. Secretary-II, Sports & Youth Affairs Department, Peshawar.
2. PA to Deputy Secretary-III, Sports & Youth Affairs Department, Peshawar.

  
Section Officer (S & YA)

**ATTESTED**

**GOVT OF KHYBER PAKHTUNKHWA  
SPORTS, CULTURE TORISM, ARCHAEOLOGY  
MUSEUMS YOUTH AFFAIRS DEPARTMENT**

No.So (YA) Y-o/2017/SR  
Dated Peshawar the 1<sup>st</sup> September Peshawar

To,

The director General Sports  
Khyber Pakhtunkhwa Peshawar.

Subject:

**REQUEST FOR PROMOTION FROM THE POST OF NAIB  
QASIM CHOWKIDAR AND MALLI TO THE POST OF  
JUNIOR CLERK ACCORDINGLY TO SERVICE RULES 2019.**

Dear Sir,

I am directed to refer to the subject noted above and to Opinion herewith copy of application alongwith as enclosures of Me. Nisar and others class IV employees of directorate general of sports Khyber Pakhtunkhwa for your valuable comments in the matter. Please.



Your faithfully

Section Officer  
(Sports & Youth Affairs)<sup>a</sup>

**Encl : as above**

Copy is to the:

PA to Deputy secretary-III, Sports & Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar

Attested by  
  
Attested  


53

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GOVERNMENT OF KHYBER PAKHTUNKHWA,  
SPORTS, CULTURE, TOURISM AND YOUTH AFFAIRS,  
MUSKUMBI & YOUTH AFFAIRS DEPARTMENT

The Director General of Sports,  
Khyber Pakhtunkhwa, Peshawar.

Subject: REQUEST FOR PROMOTION FROM THE POST OF H.A.D. CLASS,  
CHOWKHAN AND MALI ETC. TO THE POST OF JUNIOR CLERK  
ACCORDING TO SERVICE RULES, 2012.

D. No. 80

I am directed to refer to the subject noted above and to enclose  
herewith a copy of application alongwith its enclosure of Mr. Naar and other Class-  
IV employees of Directorate General of Sports, Khyber Pakhtunkhwa for your  
valuable comments in the matter, please.

Yours faithfully,

*[Signature]* 27/12/20

Section Officer  
(Sports & Youth Affairs)

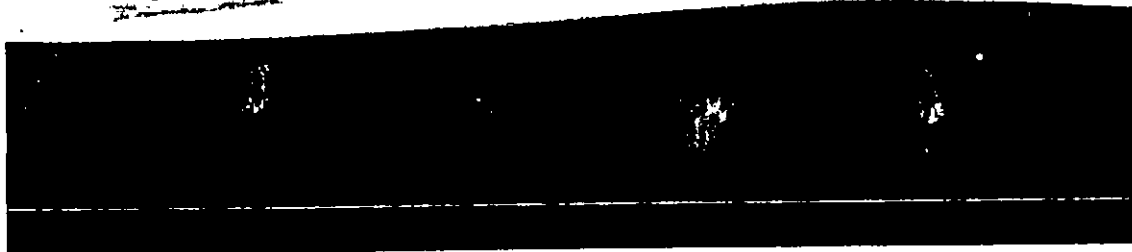
Encl: as above

Copy is to the:

PA to Deputy Secretary-III, Sports & Youth Affairs Department, Khyber  
Pakhtunkhwa, Peshawar.

Section Officer  
(Sports & Youth Affairs)

*[Signature]*  
**ATTESTED**



42

بعدالت جناب سرورس ٹرائیونل KK سٹا

Service Appeal 2022

محمد مسلم بنام حکومت ویکٹریٹ  
2022ء پنجاب ایپلٹ

موزخہ  
مقدمہ  
دعوی  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام سٹا کیلئے جلال الدین احمد ایبٹ آباد صاحب  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو رضی نامہ کرنے و تقرر حالت و فیصلہ برحلف دیئے جواب دہی اور اقبال دعوی اور  
بصورت ڈگری کرنے اجراء اور صولی چیک درو پیہار عرضی دعوی اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا ایپل کی برادگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔  
کوئی تارتخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 14 ماہ 20

کے لئے منظور ہے۔  
Attested & Accepted  
by  
Jalal-ud-Din  
Attc

Rahmat Kundi  
Attc

محمد  
Mohammad Hussain  
Advocate



VAKALAT NAMA

S. App NO. 1358/2022

IN THE COURT OF Service Tribunal Peshawar

Muhammad Saleem (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

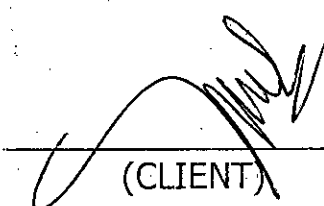
Chief Sec & others (Respondent)  
(Defendant)


I/We, D.G. Sports Khyber Pukhtun Khwa  
Jalaluddin Advocate (Legal Assistant)

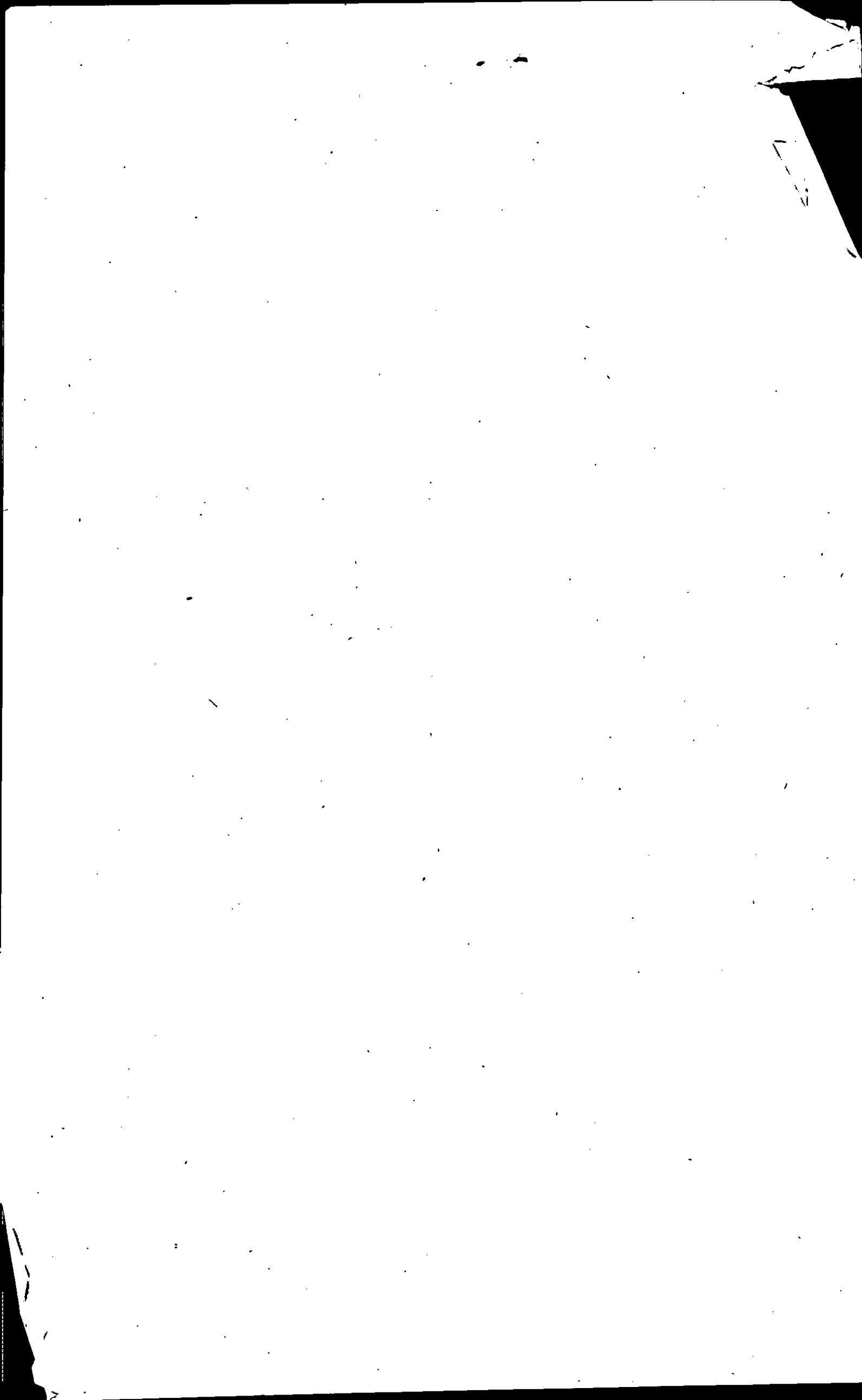
Do hereby appoint and constitute to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 20/11/2022

  
(CLIENT)

  
ACCEPTED  
Jalaluddin  
Advocate



(56)

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

In Service Appeal No- 1358 /2022

**SCANNED**  
**KPST**  
**Peshawar**

*f*  
*29/3/23*

Muhammad Saleem  
Mali Sports Complex Laki Marwat, Khyber Pakhtunkhwa..... **Appellant**

**Khyber Pakhtunkhwa**  
**Service Tribunal**

*VERSUS*

**Diary No.**

*4558*

**Dated**

*29/3/2023*

- 1 The Govt of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat KP Peshawar.
- 2 Secretary to Govt of Khyber Pakhtunkhwa Ministry of Sports and Youth Affairs, Civil Secretariat KP Peshawar.
- 3 The Director General of Sports, Khyber Pakhtunkhwa, Peshawar.
- 4 The Director Youth Affairs  
Khyber Pakhtunkhwa, plot No-28 Sector E-8, Phase-VII Hayatabad Peshawar.

..... **Respondents**

**INDEX**

S.No	DOCUMENTS	ANNEXURE	PAGE
1.	Joint Para-wise comments.	....	1-2
2.	Affidavit	....	3
3.	Notification No.SO (Sports)1-8/2019/S.Rules dated 29.04.2019	A	4-15
4.	Notification No.SOE.IV(E&AD)/1-35/2014 dated 18.07.2019	B	16-18
5.	Notification No. SO (Sports) 1-8/SR/2022/3899-14 dated 11.04.2022	C	19-22

Assistant Director Litigation,  
Directorate of Sports KPK

Through,

Jalal-Ud-Din Advocate High  
Court (Legal Advisor)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

In Service Appeal No- 1358 /2022

Muhammad Saleem  
Mali Sports Complex Laki Marwat, Khyber Pakhtunkhwa..... **Appellant**

*VERSUS*

- 1 The Govt of Khyber Pakhtunkhwa through Chief Secretary  
Civil Secretariat KP Peshawar.
- 2 Secretary to Govt of Khyber Pakhtunkhwa Ministry of Sports and Youth Affairs, Civil  
Secretariat KP Peshawar.
- 3 The Director General of Sports, Khyber Pakhtunkhwa, Peshawar.
- 4 The Director Youth Affairs  
Khyber Pakhtunkhwa, plot No-28 Sector E-8, Phase-VII Hayatabad Peshawar.

..... **Respondents**

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 2,3

PRELIMINARY OBJECTIONS.

- (1) That the petitioner has no cause of action to file the instant appeal against the answering respondents.
- (2) That the petitioner has not come with clean hands to this honourable court.
- (3) That no prima facie case exist in favor of the Appellant.
- (4) That the instant petition is not maintainable in its present form.
- (5) That petitioner has no locus standi or cause of action to file instant petition.
- (6) That the appeal in hand is against the facts and policy, r

Respectfully Sheweth:

- 1 Para No-1 needs no comments.
- 2 Para No-1 needs no comments.
- 3 Para No-1 needs no comments.
- 4 Para No-1 needs no comments.
- 5 Para No-1 needs no comments.
- 6 Regarding Para No-6 it is submitted that, in the mean while the Amendment in the existing Service Rules on the analogy of the Establishment Department was under process before the Standing Service Rules Committee (SSRC).
- 7 Regarding Para No-7 it is submitted that, prior to the decision of the Honourable Peshawar High Court Peshawar in writ petition No-2676-P/2021. before amendment in Notification No.SO (Sports)1-8/2019/S.Rules dated 29.04.2019 for the subject matter, completion of record of the card of Employee, was in progress from all Districts Sports offices of the Province of KPK for the Seniority list of class IV was compiled /updated, then in the meanwhile the Establishment Department amended the Service Rules of the junior clerks on 18.07.2019 under Notification No.SO.E.IV(E&AD)/1-35/2014 wherein the Matriculate were placed eligible for promotion for the post of Junior

clerk for a period of 04 years accordingly the Service & Recruitment Rules Directorate General of Sports, Khyber Pakhtunkhwa, were amended by the SSRC approved by the Chief Secretary and notified by the Sports Department vide Notification No. SO (Sports) 1-8/SR/2022/3899-14 dated 11.04.2022 wherein 33% percent by promotion on the bases of seniority-cum-fitness with at least Second division Intermediate certificate or its equivalent qualification, and as per decision of the Honourable Peshawar High Court Peshawar in writ petition No-2676- P/2021 in this regarding for the subject matter, again completion of record of the carder Employee is in progress from all Districts Sports offices of the Provence of KPK for the Seniority list of class IV (Copy of the notifications and seniority list are enclosed as annexure A, B, and C)

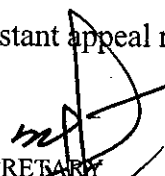
8 Para No-8 incorrect, as per decision of the Honourable Peshawar High Court Peshawar in writ petition No-2676-P/2021 in this regarding for the subject matter, completion of record of the carder Employee is in progress from all Districts Sports offices of the Provence of KPK for the Seniority list of class IV.


9 Para No-9 is incorrect, the work in progress regarding the subject matter.

**REPLY ON GROUNDS:**

- A. In correct. as per decision of the Honourable Peshawar High Court Peshawar in writ petition No-2676-P/2021 in this regarding for the subject matter, completion of record of the carder Employ is in progress from all Districts Sports offices of the Provence of KPK in accordance with the rules and law.
- B. In correct. As explained para-A above
- C. In correct. The appellant has not been deprived from any legal right.
- D. In correct. The Youth affairs having their separate Directorate.
- E. In correct. As explained above.
- F. In correct. As explained para-8 above.
- G. In correct.
- H. In correct, for the subject matter, completion of record of the carder Employee is in progress from all Districts Sports offices of the Provence of KPK in accordance with the rules and law.
- I. No comments.
- J. In correct.
- K. No comments
- L. In correct, for the subject matter, completion of record of the carder Employee is in progress from all Districts Sports offices of the Provence of KPK in accordance with the rules and law.
- M. In correct, As explained above.
- N. In correct, As explained above.
- O. No comments,
- P. No-comments.

It is, therefore most humbly prayed that keeping in view the above submissions, the instant appeal may kindly be dismissed with cost.

  
 SECRETARY  
 TO GOVT OF KHYBER PAKHTUNKHWA  
 SPORTS DEPARTMENT, PESHAWAR  
 RESPONDENT NO. 2

  
 DIRECTOR GENERAL OF  
 SPORTS  
 KHYBER PAKHTUNKHWA  
 RESPONDENT NO. 3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

In Service Appeal No- 1358 /2022

Muhammad Saleem  
Mali Sports Complex Laki Marwat, Khyber Pakhtunkhwa..... **Appellant**

*VERSUS*

1. The Govt of Khyber Pakhtunkhwa, through Chief Secretary Civil Secretariat KP Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Ministry of Sports and Youth Affairs, Civil Secretariat KP Peshawar.
3. The Director General of Sports, Khyber Pakhtunkhwa, Peshawar.
4. The Director Youth Affairs  
Khyber Pakhtunkhwa, plot No-28 Sector E-8, Phase-VII Hayatabad Peshawar.

..... **Respondents**

**AFFIDAVIT**

I, Ashfaq Ahmad, Assistant Director Litigation, Directorate of Sports Khyber Pakhtunkhwa, do hereby solemnly affirm and declare on oath that the contents of Para-wise comments on behalf of Respondents are true and correct to the best of my knowledge and belief that nothing has been concealed from this Hon'ble Court.



*[Signature]*  
DEPONENT  
CNIC No.17301-5047147-1

Identified by  
*[Signature]*  
Jalal uddin  
Advocate Peshawar



*Sports are essential for the development of a happy, healthy & vigorous society*

DIRECTORATE GENERAL SPORTS  
KHYBER PAKHTUNKHWA  
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.  
Ph: # 9212767, Fax # 9212766

Court Case/

/2022

Dated: 30-03-2022

**AUTHORITY LETTER**

Mr. Jalal-Ud-Din Advocate High Court (Legal Advisor) is hereby authorized to attend the Service Tribunal Peshawar on behalf of Secretary Sports Department Khyber Pakhtunkhwa and Director General Sports Khyber Pakhtunkhwa regularly in the case titled Muhammad Saleem Vs Govt. of Khyber Pakhtunkhwa & Others till the decision of the case.

Director of Operation

For

DIRECTOR GENERAL OF  
SPORTS  
KHYBER PAKHTUNKHWA

4-3

Annex A 30



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS & YOUTH AFFAIRS DEPARTMENT.

Dated Peshawar, the 29/04/2019

**NOTIFICATION**

No.SO(Sports)1-8/2019/S.Rules :- 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, and in supersession of all previous Notifications, issued in this behalf, the Sports, Culture, Tourism, Youth Affairs, Archaeology and Museums Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in Column Nos. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts in the Directorate General of Sports, as specified in Column No. 2 of the said Appendix:

**APPENDIX**

S.No.	Nomenclature of post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Director General (BPS-20).			By promotion, on the basis of seniority-cum-fitness, from amongst the Directors (BPS-19), having two (2) years' service in BPS-19 and seventeen (17) years service in BPS-17 and above.  Provided that if no suitable officer is available for promotion then by transfer from amongst the PAS/PMS/PCS officers.

W. H. Khan  
29.04.2019  
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2.	Director (BPS-19).				By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Directors (BPS-18) and Regional Sports Officers (BPS-18) having seven(07) years' service as such, or twelve(12) years' service in BPS-17 and above.  Note: For the purpose of promotion, a joint seniority list of Deputy Directors and Regional Sports Officers shall be maintained.
3.	Deputy Director / Regional Sports Officer (BPS-18).				By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors (BPS-17), District Sports Officers (BPS-17) and Administrators (BPS-17), having five years' service as such.  Note: For the purpose of promotion, a joint seniority list of the Assistant Directors, District Sports Officers and Administrators shall be maintained.
4.	Chief Coach (BPS-18).				By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Coaches (BPS-17), having five years service as such.
5.	Assistant Director (BPS-17).	At least Second Class Master's Degree or BS(4 years) in Social Sciences, Management Science, Sports Sciences or its equivalent qualification from a recognized University.	22 to 35 years.		(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents (BPS-17), with two years service as such; (b) ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Budget and Accounts Officers (BPS-16), with two years service as such; and (c) fifty per cent by initial recruitment.

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6.	District Sports Officer (BPS-17).	At least Second Class Master's Degree or BS (4 years) in Social Sciences, Management Science, Sports Sciences or its equivalent qualification from a recognized University.	22 to 35 years.	By initial recruitment.
7.	Administrator (BPS-17).	At least Second Class Master's Degree or BS (04 years) in Business Administration, Public Administration, Sports Sciences or its equivalent qualification from a recognized University.	22 to 35 years.	(a) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Manager-cum-Groundmen (BPS-16), with five years service as such; and  (b) ninety per cent by initial recruitment.
8.	Senior Coaches (BPS-17).	At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University with five (5) years' experience as Coach in the relevant games before or after Graduation as recognized by the Directorate General of Sports with-  (a) at least second position in the relevant individual sports event as a player at the National level, organized by Pakistan Olympic Association, Pakistan Sports Federation concerned or Pakistan Sports Board; or  (b) participation as a team member as a playing player in the relevant National level sports competition, organized by Pakistan Olympic Association, Pakistan Sports Federation concerned or Pakistan Sports Board and team secured at least Second position.  Note: Preference shall be given to International sports person in the relevant field.	22 to 40 years.	(a) Seventy per cent by promotion, on the basis of seniority-cum-fitness, from amongst Coaches (BPS-16) with at least three years service as such; and  (b) thirty per cent by initial recruitment.

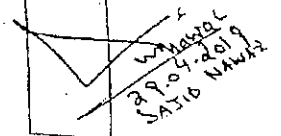
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9.	Doctor (BPS-17).				By transfer of a suitable Doctor from the Health Department of Government.
10.	Physiotherapist (BPS-17).				By transfer of a suitable Physiotherapist from the Health Department of Government.
11.	Superintendent (BPS-17).				By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants (BPS-16) and Senior Scale Stenographers (BPS-16), with five years service as such:  Provided that if no suitable official is available for promotion then by transfer from any Government Department.  Note: For the purpose of promotion, a joint seniority list of Assistants and Senior Scale Stenographers shall be maintained.
12.	Coaches (BPS-16).	At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University with two (2) years' experience as Coach in the relevant games before or after Graduation as recognized by the Directorate General of Sports.  (a) at least second position in the relevant individual sports event as a player, at the National level, organized by Pakistan Olympic Association or Pakistan Sports Federation; or  (b) participation as a team member as a playing player in the relevant National level sports competition.	20 to 40 years.		(a) Sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Junior Squash Coaches (BPS-10) and Junior Coaches (BPS-10) with at least two years services as such; and  (b) forty per cent by initial recruitment.  Note: For the purpose of promotion, a joint seniority list of Junior Squash Coaches and Junior Coaches shall be maintained.


  
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		<p>organized by Pakistan Olympic Association or Pakistan Sports Federation and team secured at least second position.</p> <p>Note: Preference shall be given to International sports person in the relevant field.</p>		
13.	Manager-cum-Ground man (BPS-16).	<p>(a) At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University with participation in any National level Cricket tournament as a playing player and having at least three years experience in office management or administration; or</p> <p>(b) at least Second Class Bachelor's Degree or its equivalent qualification from a recognized University with Diploma in Physical Education and participation in the Inter University or Inter Board competitions as a Cricket player.</p>	20 to 32 years.	<p>(a) Twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Supervisors (BPS-15) with five years' service as such; and</p> <p>(b) seventy-five per cent by initial recruitment.</p>
14.	Budget and Accounts Officer (BPS-16).	At least Second Class Master's Degree or BS (04 years) in Business Administration (Finance), Commerce (Accounts) or its equivalent qualification, from a recognized University.	22 to 32 years.	By initial recruitment.

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15.	Senior Scale Stenographer (BPS-16).		20 to 32 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers (BPS-14) with at least five years' service as such:  Provided that if no suitable person is available for promotion then by transfer from any Government Department.
16.	Assistant (BPS-16).	At least Second Class Bachelor's Degree or its equivalent qualification from a recognized University.	18 to 30 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks (BPS-14) with at least five years' service as Junior Clerk and Senior Clerk; and  (b) twenty-five per cent by initial recruitment.
17.	Computer Operator (BPS-16).	(a) At least Second Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT four years) or its equivalent qualification, from a recognized University; or  (b) at least Second Class Bachelor's Degree or its equivalent qualification, from a recognized University with one year Diploma in Information Technology or its equivalent qualification, from a recognized Board of Technical Education.	18 to 28 years.	By initial recruitment.

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18.	Supervisor (BPS-15).	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board, with Junior Diploma in Physical Education.	20 to 32 years.	<p>(a) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Hostel Superintendents (BPS-10) with three (03) years service as such; and</p> <p>(b) ninety per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Carctakers (BPS-08) and Store Keepers (BPS-08) with two (02) years service as such.</p> <p>Note: For the purpose of promotion, a joint seniority list of Care Takers and Store Keepers shall be maintained.</p>
19.	Stenographer (BPS-14).	<p>(a) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board with-</p> <p>(b) speed of fifty (50) words per minute in shorthand in English and thirty-five (35) words per minute in typing; and</p> <p>(c) knowledge of Computer in using MS Word and MS Excel.</p>	18 to 30 years.	By initial recruitment.
20.	Senior Clerk (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks (BPS-11) with at least two years' service as such.
21.	Junior Clerk (BPS-11).	At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board with a speed of thirty (30) words per minute in typing.	18 to 30 years.	<p>(a) Thirty-three per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids (BPS-03), Chowkidars (BPS-03), Security Guards (BPS-03), Watchmen (BPS-03), Mullies (BPS-03), Ground-men (BPS-03), Cleaners (BPS-03), Conductors (BPS-03), including holders of other equivalent posts in the Directorate General of Sports</p>

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				<p>having at least <u>two years' service</u> as such who have passed <u>Intermediate Examination</u>; and</p> <p>(b) <u>sixty-seven per cent by initial recruitment.</u></p> <p>Note: For the purpose of promotion, a <u>joint seniority list</u> of Naib Qasids, Chowkidars, Security Guards, Watchmen, Malies, Ground-men, Cleaners, Conductors, including holders of other equivalent posts in the Directorate General of Sports shall be maintained:</p> <p>Provided that if two or more officials have acquired the Intermediate Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post and where a senior official does not possess the requisite qualification at the time of filling of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</p> <p>Provided further that where a senior official does not possess the requisite qualification at the time of filing of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p>
22.	Junior Squash Coach/Junior Coach (BPS-10)	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board, with three (3) years' experience as Coach in the relevant games before or after Secondary School Certificate; and	25 to 40 years.	By initial recruitment.

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		<p>(a) first or second position in the relevant individual sports event as a player at the National level organized by Pakistan Olympic Association or Pakistan Sports Federation; or</p> <p>(b) participation as a player in the relevant National level sports competition organized by Pakistan Olympic Association or Pakistan Sports Federation and the team secured at least second position.</p> <p>Note: Preference shall be given to International sports persons in the relevant field.</p>		
23.	Hostel Superintendent (BPS-10).	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board with at least five years' experience in the relevant field.	18 to 30 years.	By initial recruitment.
24.	Care Taker / Store Keeper (BPS-08).	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board.	25 to 35 years.	(a) Twenty per cent by promotion, on the basis of seniority-eum-fitness, from amongst Tube Well Operators (BPS-05), Wood Workers (BPS-05), Electrician (BPS-05) and Plumber (BPS-05) with three (03) years' service as such.

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				<p>(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Electricians (BPS-03), Plumbers (BPS-03), Tube-Well Operators (BPS-03) and Generator Operators (BPS-03), with three years' service as such; and</p> <p>(c) thirty per cent by initial recruitment.</p> <p>Note: For the purpose of promotion, joint seniority lists of Tube Well Operators (BPS-05), Wood Workers (BPS-05), Electricians (BPS-05) and Plumbers (BPS-05), and Electrician (BPS-03), Plumber (BPS-03), Tube-Well Operator (BPS-03) and Generator Operators (BPS-03), shall respectively be maintained.</p>
25.	Driver (BPS-6).	Literate having valid Light Transport Vehicle driving license issued by the competent authority:	18 to 40 years.	By initial recruitment.
26.	Tube Well Operator/ Wood Worker/ Electrician (BPS-5).	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board with at least five years practical experience in the relevant field.	18 to 40 years.	By initial recruitment.

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27.	Life Guard (BPS-04).	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board. with participation in at least at the District level swimming competitions.	18 to 40 years.	By initial recruitment.
28.	Electrician / Plumber / Generator Operator (BPS-03).	Certificate from a recognized technical institution in the relevant field with two years practical experience.	18 to 40 years.	By initial recruitment.
29.	Tube Well Operator (BPS-03).	At least Middle passed from a recognized Board.	18 to 40 years.	By initial recruitment.
30.	Naib Qasid (BPS-03).	Preferably literate.	18 to 40 years.	By initial recruitment.
31.	Chowkidar/Security Guard/ Watchman/ Cleaner (BPS-03).	Literate with sound physique, having two years relevant experience.	18 to 40 years.	By initial recruitment.
32.	Mali / Ground-man (BPS-3).	Literate with two years relevant working experience.	18 to 40 years.	By initial recruitment.

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33.	Conductor (BPS-03).	Preferably literate.	18 to 40 years.	By initial recruitment.
34.	Sweeper (BPS-03).	Literate.	18 to 40 years.	By initial recruitment.

sd/x  
Secretary to Government of Khyber Pakhtunkhwa  
Sports, Tourism, Archaeology, Museums &  
Youth Affairs Department

Dated Peshawar, the 29/04/2019

Endst: No. No.SO(Sports)1-8/2019/S.Rules:

Copy forwarded to the:-

- 1) All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 2) Secretary to Governor Khyber Pakhtunkhwa.
- 3) Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 4) Accountant General Khyber Pakhtunkhwa.
- 5) Director General Sports, Khyber Pakhtunkhwa Peshawar.
- 6) Secretary Public Service Commission Khyber Pakhtunkhwa Peshawar.
- 7) Registrar Peshawar High Court / Service Tribunal Peshawar.
- 8) All Regional Sports Officers / District Sports Officers, Khyber Pakhtunkhwa.
- 9) Manager Government Stationary & Printing Department.
- 10) PS to Chief Secretary Khyber Pakhtunkhwa Province.
- 11) PS to Secretary Sports Department Khyber Pakhtunkhwa Peshawar.
- 12) PA to Additional Secretary Sports Department Khyber Pakhtunkhwa Peshawar.
- 13) Office Order File.

(Sajid Nawaz)  
Section Officer Sports



10

ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)

Dated Peshawar, the 18<sup>th</sup> July, 2019

*Amended*

NOTIFICATION

No. SOE.IV(E&AD)/1-35/2014:-

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 Establishment and Administration Department, in consultation with the Finance Department, is hereby directs that in this Department's Notification No. SOE.IV (E&AD)/1-35/2012 dated 6<sup>th</sup> December, 2012, the following amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, for Serial No.4, the following shall be substituted, namely:

1.	2.	3.	4.	5.
4.	Junior Clerk.	(i) FM F.Sc with second division or equivalent qualification from a recognized Board; and  (ii) a speed of thirty (30) words per minute in typing.  <u>A.S</u>	18 to 30 years.	(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed FA/F.Sc Examination or its equivalent qualification from a recognized Board; and  (b) sixty per cent by initial recruitment.  Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaris, Gestetner Operators, Qasids, Naib Qasids, etc. with reference to the dates of their acquiring the FA/F.Sc qualification

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Provided that-

- (i) if two or more officials have acquired the FA/F.Sc qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;
- (ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials;

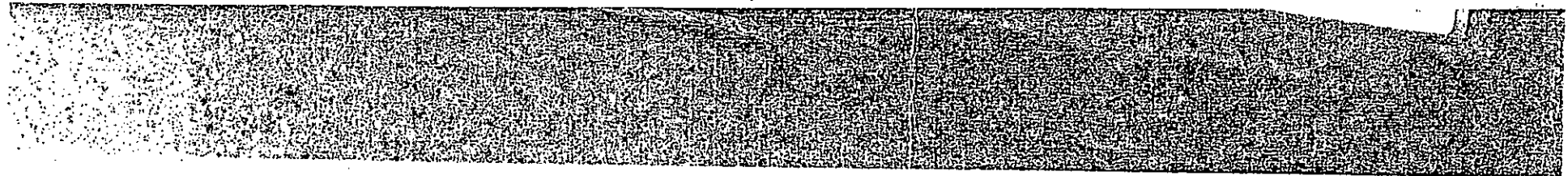
Provided further that The condition of FA/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Daffaris, Gestelner Operators, Qasids and Naih Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11)."

CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

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For information and necessary action.

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Senior Member of Board of Revenue.
3. The Principal Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
7. Deputy Director (IT), Establishment & Administration Department with the request to upload on the official website.
8. PS to Chief Secretary Khyber Pakhtunkhwa.
9. PS to Secretary Establishment Department.
10. PS to Special Secretary (Estt), Establishment Department.
11. PS to Special Secretary (Reg), Establishment Department.
12. PA to Addl. Secretary (Estt/Reg), Establishment Department.
13. PA to Addl. Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette with the request to provide 50 copies of Gazette.

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(HAZRAT JAMAL)  
SECTION OFFICER (E-IV)

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
SPORTS, TOURISM, CULTURE, ARCHAEOLOGY, MUSEUMS & YOUTH AFFAIRS  
DEPARTMENT

NOTIFICATION

Peshawar, dated the 11<sup>th</sup> April, 2022

No. SO (Sports) 1-8/SR/2022/309-14 In pursuance of the provisions contained in sub-rule (2) of rule (3) of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules, 1989 the Sports, Tourism, Culture, Archaeology, Museums & Youth Affairs Department in consultation with the Establishment Department and Finance Department, is hereby directs that in this Department's Notification No. SO (Sports) 1-8/2019/S.Rules, dated: 29<sup>th</sup> April, 2019, the following amendments shall be made, namely:

AMENDMENTS

In the Appendix, for Serial No. 21, the following shall be substituted, namely:

1	2	3	4	5
"21.	Junior Clerk (BPS-11)	(a) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board; and (b) a speed of thirty (30) words per minute in typing and capable to work on Computer in MS Office.	18 to 30 years.	(a) Thirty three (33%) percent by promotion, on the basis of seniority-cum-fitness from amongst the holders of the posts of Naib Qasid, Chowkidar, Security Guard, Watchman, Mali, Ground-man, Cleaner, Conductor and other equivalent posts possessing the qualification as specified in Column No. 3 with at least two (2) years service as such; and  (b) sixty seven (67%) percent by initial recruitment.

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			<p>Note: A joint seniority list of Naib Qasids, Chowkidars, Security Guards, Watchmen, Malis, Ground-men, Cleaners, Conductors shall be maintained for the purpose of promotion with reference to the date of appointment or acquiring the qualification as specified in Column No. 3, whichever is later.</p> <p>Provided that-</p> <ol style="list-style-type: none"> <li>i. if two or more officials have acquired the F.A/F.Sc qualification in the same session, the inter-seniority in the lower post shall be maintained for the purpose of determining seniority the higher post; and</li> <li>ii. where a senior official does not possess the requisite qualification at the time of filling of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</li> </ol> <p>Provided further that the condition of F.A/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply till the expiration of the period specified in the second proviso of Column No. 5 against Serial No. 4 of the Establishment Department's amendment Notification No. 'SOE IV (E&amp;AD)/1-35/2014, dated: 18.07.2019, the existing matriculate incumbents of the posts of Naib Qasid</p>
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*[Handwritten signature]*  
 11/04/2020



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					Chowkidar, Security Guard, Watchman, Mali, Groundman, Cleaner, Conductor for promotion to the posts of Junior Clerk (BPS-11)"
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Sd/-  
Secretary to Govt. of Khyber Pakhtunkhwa  
Sports, Culture, Tourism, Youth Affairs,  
Archaeology & Museums Department

**Endst No. SO (Sports) 1-8/SR/2022/**

Peshawar, dated the 11<sup>th</sup> April, 2022

Copy to the:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. Director General Sports, Khyber Pakhtunkhwa (with the request to pursue the case with Printing & Stationary Department for publication the same in the extraordinary issue of Khyber Pakhtunkhwa Govt. Gazette)
3. All Deputy Commissioners, Khyber Pakhtunkhwa.
4. Secretary, Public Service Commission, Khyber Pakhtunkhwa, Peshawar.
5. Registrar Peshawar High Court, Khyber Pakhtunkhwa.
6. Registrar Service Tribunal, Khyber Pakhtunkhwa, Peshawar.
7. Deputy Legislation Officer-III, Law Department, Peshawar (w/r to his letter No. DLO-III/Reg: 1(12)76/Vol-III/822-24.W.E dated 17-01-2022)
8. Manager, Government Printing Press, Peshawar for publication in the next issue of the Government Gazette, 50 copies of the Gazette Notification when published may be send to this department, please.
9. Section Officer (SR-I) Establishment & Administration Department, Govt. of Khyber Pakhtunkhwa.
10. Section Officer (SR-III), Finance Department, Govt. of Khyber Pakhtunkhwa.
11. Section Officer (Admn) Staff Training Institute, Establishment & Administration Department, Khyber Pakhtunkhwa.
12. All Section Officers, Sports and Youth Affairs Department, Khyber Pakhtunkhwa.
13. PS to Secretary Sports and Youth Affairs Department, Khyber Pakhtunkhwa.
14. PAs to AS-I&II, Sports and Youth Affairs Department, Khyber Pakhtunkhwa.
15. PAs to DS-I, II, III & IV, Sports and Youth Affairs Department, Khyber Pakhtunkhwa.

*(Handwritten Signature)*  
(Khan Raziq)  
Section Officer (Sports)

*(Handwritten Signature)*  
19/02/2022

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Chowkidar, Security Guard, Watchman, Mali, Groundman, Cleaner, Conductor for promotion to the posts of Junior Clerk (BPS-11)".

Sd/-  
Secretary to Govt. of Khyber Pakhtunkhwa  
Sports, Culture, Tourism, Youth Affairs,  
Archaeology & Museums Department

Endst No. SO (Sports) 1-8/SR/2022/

Peshawar, dated the 11<sup>th</sup> April, 2022

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*(Handwritten signature)*  
(Khan Raziq)  
Section Officer (Sports)

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14/02/2022

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