

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 634/2024

Muhammad Zafrullah Khan

Appellant / Petitioner

VERSUS

5. Government of Khyber Pakhtunkhwa,
Through Chief Minister,
6. Government of Khyber Pakhtunkhwa,
Through Chief Secretary,
7. Government of Khyber Pakhtunkhwa
Through Secretary, Establishment Department,
8. Government of Khyber Pakhtunkhwa
Through Secretary Food

RESPONDENTS

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Deponent

Zafar Ali

Zafar Ali
Section Officer (Litigation)
Food Department
NIC No.17301-1600183-7
Cell No. 0310-9563560

14-06-24
S.B
Peshawar

**BEFORE THE HONOURABLE KHYBER PAKHTUKHWA SERVICE TRIBUNAL
PESHAWAR**

In Appeal No.634 / 2024

Muhammad Zafrullah Khan -----Appellant

Versus

Government of Khyber Pakhtunkhwa and others -----Respondents

JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENTS
NO. 01 TO 04

Diary No. 13391

Dated 11-06-2024

Respectfully Sheweth

Preliminary objections:

1. The appellant has neither got locus-standi nor has he come to this Hon'ble Tribunal with clean hands.
2. The instant appeal is not maintainable in its present form.
3. The appellant is estopped by his own conduct to file this appeal.
4. The appeal is based on malafide intention and ulterior motives.
5. The appellant has no cause of action
6. That the appellant is barred by Law and limitation.

FACTS

1. The appellant filed an Appeal No1406/2023 before the Khyber Pakhtunkhwa Service Tribunal for redressal of his grievances. The honourable Tribunal passed the following order sheet dated 06-12-2023 in the instant appeal:

"In the first round of litigation, this appeal was allowed and in pursuance of the Judgment of the Tribunal rendered in Appeal No. 349/2017, the appellant was given ante-dated promotion as District Food Controller (BPS-16) w.e.f. 19-05-2005 and Assistant Director Food (BPS-17) w.e.f. 2013. The appellant says that he had then submitted an application to the Chief Secretary, Khyber Pakhtunkhwa and according to him the Chief Secretary, Khyber Pakhtunkhwa acceded to his request but not according to his desired prayer that is ante-dated promotion of Grade-18 with effect from some date in February, 2018 and Notification dated 03-11-2023 was issued during the pendency of the appeal, whereby, the appellant was promoted to the post of Deputy Director Food (BPS-18) on regular basis w.e.f 19-09-2023. As the relief sought in the appeal was for issuing corrigendum in Notification of 03-01-2023 and holding the appellant entitled for back benefits and vide Notification dated 03-11-2023, he has been promoted to grade-18 from 19-09-2023, therefore, while disposing of this appeal, we allow the appellant to challenge any of the terms of Notification dated 03-11-2023 in accordance with law". (Annex-I)

2. Pertains to record.
3. On the recommendation of Provincial Selection Board in its meeting held on 19-09-2023 and on the approval of the Chief Minister Khyber Pakhtunkhwa being competent authority, Muhammad Zafrullah Khan (Appellant) was promoted from the post of Assistant Director Food (BS-17) to the post of Deputy Director Food

Directorate of Food on regular basis with effect from 19-09-2023, in terms of Para-VII of the promotion Policy 2009 circulated by the Establishment Department Khyber Pakhtunkhwa vide letter No. SOE-III(E&AD/1-3/2008 dated 28-01-2009 and vide Government of Khyber Pakhtunkhwa Food Department Notification No. SOG/Food/1-3(DPC)/2022/12177, dated: 03-01-2023 (**Annex-II**).

4. The appellant filed an Appeal No.1406/2023 before the Khyber Pakhtunkhwa Service Tribunal for redressal of his grievances. The honourable Tribunal passed the following order sheet dated 06-12-2023 in the instant appeal as follows:

"As the relief sought in the appeal was for issuing corrigendum in Notification of 03-01-2023 and holding the appellant entitled for back benefits and vide Notification dated 03-11-2023, he has been promoted to grade-18 from 19-09-2023, therefore, while disposing of this appeal, we allow the appellant to challenge any of the terms of Notification dated 03-11-2023 in accordance with law." (**Annex-III**)

5. As per reply given at Para-04 above. The post of Additional Director Food (BS-19) has newly been created. Case for amendment in the Service Rules regarding method of recruitment against the post of Additional Director Food (BS-19) has not yet finalized.
6. Pertains to record.
7. As per Notification of Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) vide No. SOR-VI(E&AD)1-3/2009/Vol-VII dated 22-10-2011 the following amendment in the Civil Servants (Appointment, Promotion and Transfers Rules 1989 were added:

AMENDMENTS

In Rule-7, after sub-rule (4), the following new sub-rule shall be added namely:

"(5) if on an order of promotion or before promotion any civil servant declines in writing to accept promotion such civil servant shall not be considered for such promotion for the next four years following the order.

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion." (**Annex-IV**).

8. Mr. Muhammad Shakeel Assistant Director Food submitted an option on 7th September 2016 for his non willingness to be promoted to the post of Deputy Director (Food) in line with the provision of the above rules stating that; "due to some domestic compulsion he is unable to avail promotion to the post of Deputy Director Food (BS-18) which was due for promotion to the post of Deputy Director Food (BS-18)" (**Annex-V**). During the meeting of the Provincial Selection Board held on 17-09-2018, the Secretary Food Khyber Pakhtunkhwa requested the Board that due to retirement, 03 posts of Deputy Director Food (BS-18) were lying

vacant at Directorate of Food and Muhammad Shakeel Assistant Director Food (BS-17) was working as Deputy Director Food (OPS), hence, he may be considered for regular promotion, which was accepted by the Board and accordingly he was promoted as DDF on 26-10-2018 on regular basis (**Annex-VI**). Further added that Mr. Riaz ul Karim Assistant Director Food, now Deputy Director Food also opted for not to be promoted to the post of Deputy Director Food (BS-18) at that time.

9. As per reply given at Para-08 above.
10. As per office letter of Government of Khyber Pakhtunkhwa Finance Department vide No. BO-VII/FD/2-3/2021-22/SNE(Food) dated 16/04/2022 07 posts of Deputy Directors (BS-18) were recommended for creation subject to the condition of abolition of 07 number posts of Assistant Directors (BS-17) (**Annex-VII**)
11. Pertains to record.
12. No comments

GROUNDS

- A. Incorrect. As per reply given at Para-01 of the fact, the appellant have been treated in accordance with law.
- B. Incorrect. As per reply given at Para-01 of the facts.
- C. Incorrect. On the recommendation of Provincial Selection Board in its meeting held on 19-09-2023 and on the approval of the Chief Minister Khyber Pakhtunkhwa being competent authority, Mr. Muhammad Zafrullah Khan (Appellant) was promoted to the post of Deputy Director Food Directorate of Food on regular basis with effect from 19-09-2023, in terms of Para-VII of the promotion Policy 2009 circulated by the Establishment Department Khyber Pakhtunkhwa vide letter No. SOE-III(E&AD/1-3/2008 dated 28-01-2009.
- D. Incorrect. As per reply given at Para-07 of the facts
- E. Mr. Muhammad Shakeel Assistant Director Food submitted an option on 7th September 2016 expressing his non willingness for promotion to the post of Deputy Director Food in line with the provision of the above rules stating "due to some domestic compulsion he is unable to avail promotion to the post of Deputy Director Food (BS-18)" which was due for promotion to the post of Deputy Director Food (BS-18). During the meeting of the Provincial Selection Board held on 17-09-2018, the Secretary Food Khyber Pakhtunkhwa requested the Board that due to retirement, 03 posts of Deputy Director Food BS-18) are lying vacant, in Directorate of Food and Muhammad Shakeel Assistant Director Food (BS-17) is working as Deputy Director Food (BS-18) (OPS) and he may be considered for

4

regular promotion which was accepted by the Board and accordingly he was promoted as DDF on 26-10-2018 on regular basis

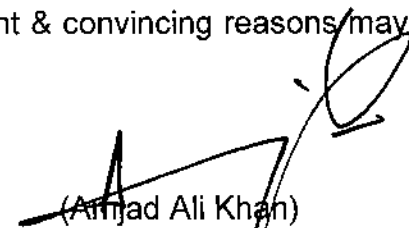
F. Pertains to record

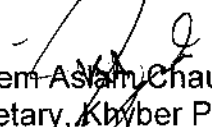
G. As per reply given at Para-01 of the facts.

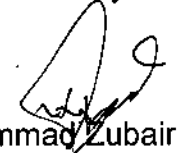
H. No comments.

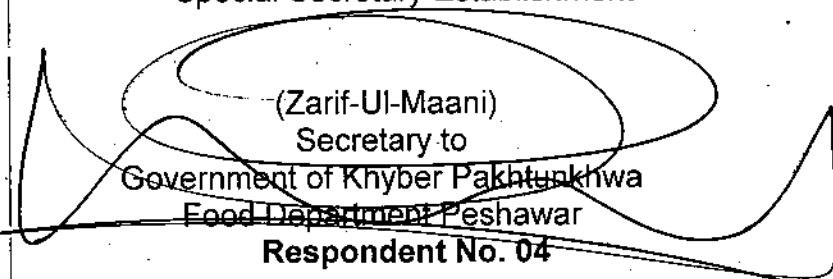
In view of the above, the appellant has misrepresented the facts, as the honourable Tribunal in its order sheet dated 06-12-2023 ordered that the relief sought in the appeal was for issuing corrigendum in Notification of 03-01-2023 and holding the appellant entitled for back benefits vide Notification dated 03-11-2023, as he has been promoted to grade-18 from 19-09-2023, therefore, the ex-officer was allowed to challenge any of the terms of Notification dated 03-11-2023 in accordance with law.

It is therefore, humbly prayed that the instant Appeal No.634/2024 being frivolous and devoid of cogent & convincing reasons may very graciously be dismissed with costs, please.


(Amir Ali Khan)
Principal Secretary to Chief Minister
on behalf of Chief Minister, Khyber Pakhtunkhwa.
Respondent No. 01


(Nadeem Aslam Chaudhary)
Chief Secretary, Khyber Pakhtunkhwa
Respondent No. 02
Through
Kaleem Ullah Baloch
Special Secretary Establishment


(Muhammad Zubair Khan)
Secretary to
Government of Khyber Pakhtunkhwa
Establishment Department Peshawar
Respondent No. 03
Through
Kaleem Ullah Baloch
Special Secretary Establishment


(Zarif-Ul-Maani)
Secretary to
Government of Khyber Pakhtunkhwa
Food Department Peshawar
Respondent No. 04

Muhammad Zafrullah Khan ----- **Appellant / Petitioner**

VERSUS

1. Government of Khyber Pakhtunkhwa,
Through Chief Minister,
2. Government of Khyber Pakhtunkhwa,
Through Chief Secretary,
3. Government of Khyber Pakhtunkhwa
Through Secretary, Establishment Department,
4. Government of Khyber Pakhtunkhwa
Through Secretary Food

..... **RESPONDENTS**

AFFIDAVIT

I Zarif UI Maani Secretary to Govt. of Khyber Pakhtunkhwa Food Department Peshawar, do hereby solemnly affirm and declare that all the contents are true & correct to the best of my knowledge and belief that nothing have been concealed or withheld from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off.

Deponent

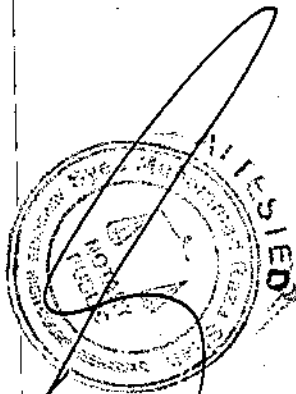
Zarif UI Maani

Secretary to Govt. of Khyber Pakhtunkhwa

Food Department

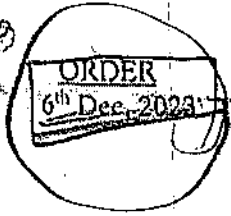
NIC No. 15402-61056245

Cell No. 0333-9506649



Service Appeal No. 1406/2013 Titled
Muhammad Zafrullah v/s Govt

35
Annex
Annex



1. Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. In the first round of litigation, this appeal was allowed and in pursuance of the judgment of the Tribunal rendered in appeal No. 349/2017, the appellant was given ante-dated promotion as District Food Controller (BPS-16) w.e.f. 19.05.2005 and Assistant Director Food (BPS-17) w.e.f. 28.02.2013. The appellant says that he had then submitted an application to the Chief Secretary, Khyber Pakhtunkhwa and according to him the Chief Secretary acceded to his request but not according to his desired prayer that is ante-dated promotion of Grade-18 with effect from some date in February, 2018 and notification dated 03.11.2023 was issued during the pendency of appeal, whereby, the appellant was promoted to the post of Deputy Director Food (BPS-18) on regular basis w.e.f. 19.09.2023. As the relief sought in the appeal was for issuing corrigendum in notification of 03.01.2023 and holding the appellant entitled for back benefits and vide notification dated 03.11.2023, he has been promoted to grade-18 from 19.09.2023, therefore, while disposing of this appeal, we allow the appellant to challenge any of the terms of notification dated 03.11.2023 in accordance with law. Consign.


Promotion
taken
file -

3. Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 6th day of December, 2023.


(Salah Ud Din)
Member(J)


(Kalim Arshad Khan)
Chairman

Adnan Shah

Attested




GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Dated Peshawar the 03-11-2023

091-9225373

fooddepartmentkpk@gmail.com

@fooddepartmentkpk

@foodsecretariat

NOTIFICATION

No. SOG/Food/1-3(PSB)/2023/ 876 On the recommendations of Provincial Selection Board in its meeting held on 19-09-2023 and on the approval of the Chief Minister Khyber Pakhtunkhwa, being competent authority Muhammad Zafarullah Khan is hereby promoted from the post of Assistant Director Food (BS-17) to the post of Deputy Director Food (BS-18), Directorate of Food on regular basis with effect from 19-09-2023, in terms of Para-VII of the promotion policy 2009, circulated by Establishment Department, Khyber Pakhtunkhwa vide letter No. SOE III(E&AD/1-3/2008 dated 28-01-2009.

2. Consequent upon above, Muhammad Zafarullah Khan is hereby posted against the vacant post of Deputy Director Cane, (BS-18) at Directorate of Food for actualization of his promotion in BPS-18 with effect from 19-09-2023 on notional basis.

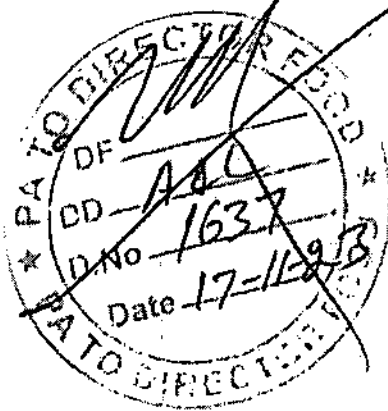
Sd/-

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT, PESHAWAR

Endst: No. & date even

Copy of the above is forwarded for information to:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director Food, Khyber Pakhtunkhwa, Peshawar.
3. PSO to Chief Minister, Khyber Pakhtunkhwa.
4. PSO to Chief Secretary, Khyber Pakhtunkhwa
5. All Deputy Directors in Food Directorate, Peshawar.
6. PS to Minister Food, Khyber Pakhtunkhwa.
7. PS to Secretary Food, Khyber Pakhtunkhwa.
8. All Divisional Assistant Directors Food in Khyber Pakhtunkhwa.
9. Officers concerned.
10. Office record file.



(AFTAB AHMED AWAN)
SECTION OFFICER (GENERAL)
KHYBER PAKHTUNKHWA FOOD DEPARTMENT

Attended
S/S

Annex-11-7

GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Dated Peshawar the 03-01-2023



091-9225373 | fooddepartmentkpk@gmail.com | @fooddepartmentkpk | @foodsecretariat

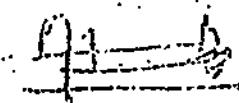
NOTIFICATION

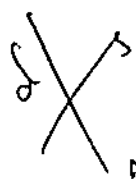
No. SOG/Food/1-3(DPC)/2022/12177 In Pursuance of the revised surplus pool amended policy dated 15-02-2006 and subsequent decision of the Service Tribunal in case title service appeal No. 349 of 2017 Noor Khan etc V/S Director Food Khyber Pakhtunkhwa, Peshawar and others and advice of law Department, Vide letter No. SO(OP-I)/LD/15-2/2022/KC/11490-92 dated 03-10-2022 and the Departmental Promotion Committee meeting held on dated 25-10-2022, the Competent Authority is pleased to promote Muhammad Zafarullah Khan; Assistant Director Food antedated promotion from relevant time as District Food Controller (BS-16) with effect from 19-11-2005 and Assistant Director Food (HS-17) from 28-02-2013 without arrears.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Copy for information/further necessary action to the:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director Food, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officers Khyber Pakhtunkhwa, Peshawar.
4. PS to Minister Food, Khyber Pakhtunkhwa, Peshawar.
5. PS to Secretary Food, Khyber Pakhtunkhwa, Peshawar.
6. Officer concerned.
7. Personal File of the officer.


(AFTAB AHMED AWAN)
SECTION OFFICER (GENERAL)
FOOD DEPARTMENT KHYBER PAKHTUNKHWA


Attested



GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Dated Peshawar the 03-11-2023

091-9225373

fooddepartmentkpk@gmail.com

@fooddepartmentkpk

@foodsecretariat

NOTIFICATION

No. SOG/Food/1-3(PSB)/2023/ 876 On the recommendations of Provincial Selection Board in its meeting held on 19-09-2023 and on the approval of the Chief Minister Khyber Pakhtunkhwa, being competent authority Muhammad Zafarullah Khan is hereby promoted from the post of Assistant Director Food (BS-17) to the post of Deputy Director Food (BS-18), Directorate of Food on regular basis with effect from 19-09-2023, in terms of Para-VII of the promotion policy 2009, circulated by Establishment Department, Khyber Pakhtunkhwa vide letter No. SOE III(E&AD/1-3/2008 dated 28-01-2009.

2. Consequent upon above, Muhammad Zafarullah Khan is hereby posted against the vacant post of Deputy Director Cane, (BS-18) at Directorate of Food for actualization of his promotion in BPS-18 with effect from 19-09-2023 on notional basis.

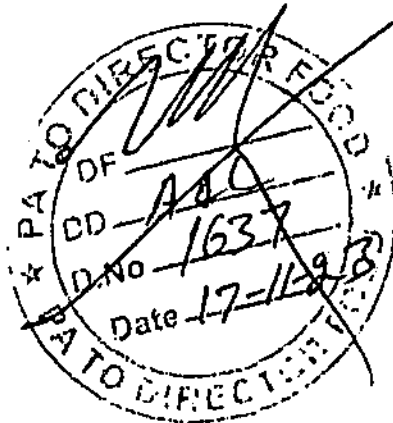
Sd/-

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT, PESHAWAR

Endst: No. & date even

Copy of the above is forwarded for information to:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director Food, Khyber Pakhtunkhwa, Peshawar.
3. PSO to Chief Minister, Khyber Pakhtunkhwa.
4. PSO to Chief Secretary, Khyber Pakhtunkhwa.
5. All Deputy Directors in Food Directorate, Peshawar.
6. PS to Minister Food, Khyber Pakhtunkhwa.
7. PS to Secretary Food, Khyber Pakhtunkhwa.
8. All Divisional Assistant Directors Food in Khyber Pakhtunkhwa.
9. Officers concerned.
10. Office record file.



(AFTAB AHMED AWAN)
SECTION OFFICER (GENERAL)
KHYBER PAKHTUNKHWA FOOD DEPARTMENT

Aftab Ahmed Awan
Sd/-

ORDER
6th Dec. 2023



Amex-10
Appeal No. 1906/2023
M. Safarullah Khan vs Govt

Page No. 10
830

1. Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. In the first round of litigation, this appeal was allowed and in pursuance of the judgment of the Tribunal rendered in appeal No. 349/2017, the appellant was given ante-dated promotion as District Food Controller (BPS-16) w.e.f. 19.05.2005 and Assistant Director Food (BPS-17) w.e.f. 28.02.2013. The appellant says that he had then submitted an application to the Chief Secretary, Khyber Pakhtunkhwa and according to him the Chief Secretary acceded to his request but not according to his desired prayer that is ante-dated promotion of Grade-18 with effect from some date in February, 2018 and notification dated 03.11.2023 was issued during the pendency of appeal, whereby, the appellant was promoted to the post of Deputy Director Food (BPS-18) on regular basis w.e.f. 19.09.2023. As the relief sought in the appeal was for issuing corrigendum in notification of 03.01.2023 and holding the appellant entitled for back benefits and vide notification dated 03.11.2023, he has been promoted to grade-18 from 19.09.2023, therefore, while disposing of this appeal, we allow the appellant to challenge any of the terms of notification dated 03.11.2023 in accordance with law. Consign.

3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 6th day of December, 2023.*

(Salah Ud Din)
Member(J)

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Kalim Arshad Khan)
Chairman

Adnan Shah

Attested
Si



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

Dated Peshawar, the 22nd October, 2011

Amir - IV

11
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NOTIFICATION

No. SOR-VI (E&AD)1-3/2009/Vol-VIII: - In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa, Act No. XVIII of 1973), read with this Department's Notification No. SOR-I(S&GAD)1-20674/Vol-V, dated 18th April 1989, the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following further amendments shall be made, namely:

AMENDMENTS

1. In Rule-7, after sub-rule (4), the following new sub-rule shall be added, namely:

"(5) If on an order of promotion or before promotion any civil servant declines in writing, to accept promotion, such civil servant shall not be considered for such promotion for the next four years following the order.

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion."

2. In rule 9, sub-rule (2) shall be deleted.

**CHIEF SECRETARY
GOVERNMENT OF THE KHYBER
PAKHTUNKHWA**

Endst: No. and dated even.

Copy forwarded to:-

1. Additional Chief Secretary, Govt of Khyber Pakhtunkhwa, Planning & Development Department.
2. Additional Chief Secretary (FATA), FATA Secretariat Peshawar.
3. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
9. The Director General, Provincial Disaster Management Authority.
10. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.
11. Private Secretaries to all Provincial Ministers in Khyber Pakhtunkhwa.
12. Private Secretary to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
13. Private Secretary to Secretary Establishment Department.
14. Private Secretary to Secretary Administration Department.
15. The Incharge Resource Centre, Estt.&Admin. Department.
16. The Manger, Government Printing and Stationary Department for Publication in the official Gazette and supply of 20-copies thereof at an early date.

(Signature)
**(ASIF AQ KHAN)
SECTION OFFICER (REG: VI)**

722
DS(E)
DIY(F)
Relay on file as directed
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(Signature)
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Attended
(Signature)

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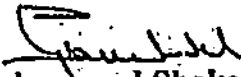
To

The Secretary Food,
Govt. of Khyber Pakhtunkhwa,
Food Department Peshawar.

Subject:- Option for Promotion.

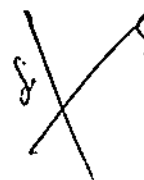
I have the honour to state that due to some domestic compulsion, I am unable to avail promotion to the post of Deputy Director Food (BS-18) at this stage which is due against a vacancy of Deputy Director Food in the Food Directorate. My this option is in line with the provision of Promotion & Transfer Rules 1989.

Thanking you
I remain


(Muhammad Shakeel)
Assistant Director Food

7th September 2016

Number of
pages of
this one

Attested


Ammed: V. S. I. 1.49
42
250
17
122

1/4/2018
 Attached

RECOMMENDATIONS OF THE BOARD	B. NAME OF OFFICER
<p>1. Mr. Muhammad Shaukel</p> <p>His date of birth is 18.09.1967. He joined Government service on 10.01.1996. He was promoted to BS-17 on 25.11.2011. The Board in its meeting held on 30.01.2017 did not consider his promotion as he opted on 07.09.2016 not to be considered for promotion to BS-18. The Secretary informed the Board that due to shortage of officers and as he is already working at BS-18 in own pay scale, hence he requested to the Board for consideration his promotion which was accorded to. No enquiry is pending against him. His service record upto 2017 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Deputy Director BS-18 on regular basis. He will be on probation for a period of one year.</p>	<p>2. Mr. Riaz ul Karim</p> <p>Section Officer (FSB)</p> <p>Govt of Punjab Pay Band PB-19</p> <p>Establishment Department</p>
<p>His date of birth is 24.06.1967. He joined Government service on 10.01.1996. He was promoted to BS-17 on 25.11.2011. The Board in its meeting held on 30.01.2017 recommended to defer his promotion as the Board was informed that he was under suspension in a VAB case. He has now been reinstated in service with 10.01.2018. The Board observed that he has not earned PER after being reinstated into service. His promotion will be considered after the expiry of one calendar year PER after reinstatement in service.</p>	

3. The service record of the officer included in the panel was discussed as follows:-

2. According to service rules the post is required to be filled as under:-

By selection on merit with particular reference to those for higher responsibilities from amongst Assistant Directors, Food, with at least 5 years service in Grade -17; out of which at least two years mandatory service in Food Directorate.

Or

By transfer of an Officer already employed in any Department of Government other than the Food.

3. The service record of the officer included in the panel was discussed as follows:-

SECRET - PROMOTION OF ASSISTANT DIRECTOR FOOD BS-17 TO THE POST OF DEPUTY DIRECTOR FOOD BS-18 ON REGULAR BASIS.

Meeting of PAB held on 17.09.2018

Amir VI
 13
 Am

5/8
 Attached

Section Officer (RSB)
 Govt of Khyber Pakhtunkhwa
 Establishment Department
 Peshawar
 CONFIDENTIAL

<p>5. Mr. Rashid Jamel</p>	<p>The Board did not consider his promotion. The Board was informed that he has not yet completed 02 years mandatory service in Food Directorate. His date of birth is 07.03.1969. He joined government service on 26.11.1995. He was promoted to BS-17 on 10.11.2016.</p>
<p>4. Mr. Muhammad Imtiaz</p>	<p>The Board did not consider his promotion. The Board was informed that he has not yet completed 02 years mandatory service in Food Directorate. His date of birth is 31.03.1972. He joined government service on 23.11.1995. He was promoted to BS-17 on 01.09.2016.</p>
<p>3. Mr. Abdul Jalil</p>	<p>The Board recommended to defer his promotion. The Board was informed that he has not yet completed 02 years mandatory service in Food Directorate. His date of birth is 12.03.1969. He joined government service on 17.01.1996. He was promoted to BS-17 on 25.11.2011.</p>



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Annex-VII

Finance Department, Civil Secretariat, Peshawar | finance.gkp.pk | [financegkpgovt](https://www.facebook.com/financegkpgovt) | [financegkpgovt](https://www.instagram.com/financegkpgovt)

No. BO-VII/FD/2-3/2021-22/SNE (Food)

Dated Peshawar: 15/04/2022

The Secretary to Government of Khyber Pakhtunkhwa,
Food Department.

Subject: MINUTES OF THE 7TH MEETING OF THE SNE COMMITTEE HELD ON 21ST MARCH, 2022 IN FINANCE DEPARTMENT.

Dear Sir,

I am directed to refer letter No. B.O://FD/5-17/2021-22/SNE dated 01.04.2022 on the subject noted above and to state that Finance Department agrees to create the following 17 number of different categories of posts in respect of Food Department with immediate effect as per detail given below, subject to observance of all codal formalities required under the Rules:-

S.No	Designation	BPS	Positions Demanded	Positions Recommended
1	Director General	20	1	0
2	Additional Director (Cane/Technical)	19	1	1
3	Additional Director (E&A)	19	1	1
4	Deputy Director (Cane)	18	1	1
5	Deputy Director	18	7	7
6	Superintendent	17	7	7
Total			18	17

Note: Seven posts of Deputy Director (B-18) have been recommended subject to the condition of abolition of 7 number posts of Assistant Director (B-17).

The Administrative Department may prepare Audit Copies of the posts and submitted to Finance Department for authentication.

DF
DD
DI
Dated: 26/04/22

Yours faithfully,

[Signature]
Budget Officer-VII

Copy is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. Director Food, Khyber Pakhtunkhwa, Peshawar.
3. Budget Officer-I, Finance Department with reference to your above quoted letter.
4. PA to Additional Secretary (Budget) Finance Department.
5. Master File.

P/Bill Assn
PI get copy to RK
of BSH Branch.

4
26/4

[Signature]
Budget Officer-VII

[Signature]

Attended
[Signature]



16
**FOOD DEPARTMENT
KHYBER PAKHTUNKHWA
PESHAWAR**

AUTHORITY LETTER

Mr Zafar Ali, Section Officer (Litigation), Food Department Khyber Pakhtunkhwa is hereby authorized to submit Parawise comments in **Service Appeal No. 634 of 2024** titled **“Zafar Ullah Khan VS Govt. of Khyber Pakhtunkhwa & others”** on behalf of the Respondents.


**SECRETARY TO
GOVT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT**



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)/E&AD/Misc/2020
Dated Peshawar, the December 24, 2020

To

1. The Director STI, E&A, Department.
2. All Additional Secretaries in E&AD.
3. All Deputy Secretaries in E&AD.
4. All Section Officers in E&AD.
5. The Estate Officer/Programme Officer (Computer Cell) in E&AD.

Subject:

SIGNING OF PARAWISE COMMENTS ETC IN SERVICE
APPEALS.

Dear Sir,

I am directed to refer to this Department letter No.SOR-VI/E&AD/1-23/2005 dated 12-01-2008 (copy enclosed) on the subject, the Competent Authority has been pleased to authorize the Special Secretary (Establishment) Establishment Department to sign the para-wise comments in cases of service appeals filed by the Civil Servants before the Khyber Pakhtunkhwa Service Tribunal on behalf of Chief Secretary, Khyber Pakhtunkhwa and Secretary, Establishment Khyber Pakhtunkhwa.

Yours faithfully,

SECTION OFFICER (POLICY)

ENDST. NO. & DATE EVEN

Copy forwarded to:

1. Secretary to Govt. of Khyber Pakhtunkhwa, Law Department
2. Registrar Peshawar High Court Peshawar.
3. Advocate General Khyber Pakhtunkhwa, Peshawar.
4. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
5. PS to Chief Secretary, Khyber Pakhtunkhwa
6. PS to Secretary Establishment, Khyber Pakhtunkhwa
7. PS to Special Secretary (Establishment) Establishment Department
8. PS to Special Secretary (Reg). Establishment Department.

SECTION OFFICER (POLICY)

Attested
df