

BEFORE THE HON'BLE KPK SERVICE TRIBUNAL, PESHAWAR

CM No. _____/2024

In

Service Appeal No. 878/2023

Engineer Manzoor Elahi

-----Appellant/ Applicant

VERSUS

Chief Secretary, Govt of KPK etc

-----Respondents

INDEX

Sr. No	Description of Document	Annexure	Page. No
1.	Application	-	1
2.	Affidavit		2
3.	Copy of Notification dated 25.06.2024	"A&B"	3-13

Applicant/ appellant

Through


Zia Ur Rehman Tajik

Advocates Supreme Court

Dated 28.06.2024

①

BEFORE THE HON'BLE KPK SERVICE TRIBUNAL, PESHAWAR

CM No. _____/2024

In

Service Appeal No. 878/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13864

Dated 01-07-2024

Engineer Manzoor Elahi

-----Appellant/ Applicant

VERSUS

Chief Secretary, Govt of KPK etc

-----Respondents

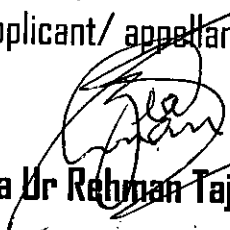
**APPLICATION FOR INTERIM RELIEF IN SHAPE OF
SUSPENSION OF PROVINCIAL SELECTION BOARD FOR
PROMOTION OF THE PRIVATE RESPONDENTS ETC TO THE
POST OF EXECUTIVE ENGINEER BPS-18 TILL THE FINAL
DECISION OF THE INSTANT APPEAL.**

Respectfully Sheweth:

1. That the above titled appeal is pending adjudication before this Hon'ble court and is fixed for 01.07.2024.
2. That PSB of Provincial government of Khyber Pakhtunkhwa for promotion of different employees of different department to higher post was scheduled on 26.06.2024 but was postponed on 25.06.2024 and in the said PSB, promotion of Assistant Engineer BPS-17 to Executive Engineer BPS-18 in Irrigation Department was also scheduled but due to the postponement of PSB, the promotion was not granted to private respondents etc against 05 vacant seats in BPS-18 and now the said PSB is going to be held in the present or in the second week of July, 2024. (Copy of Notification dated 25.06.2024 are attached as Annexure A & B).

- 3. That the applicant has challenged the seniority of the private respondents and seniority is one of the determining factor for promotion to BPS-18 and if the PSB is held in this week or in the second week of July, then the private respondents would be promoted on the basis of their disputed seniority and thus, the applicant would be deprived from his excepted promotion to PBS-18 and thus the present appeal would become infructuous being appointed much more earlier than the promotion of private respondents and grant of back dated seniority to them in violation of law.
- 4. That the applicant/ appellant has good prima facie case in his favour and balance of convenience also lies in his favour and if the relief as prayed for in the heading of this application has not been granted then applicant would suffer irreparable loss for which the applicant would not be compensated.

It is, therefore, humbly prayed that on acceptance of this application, relief as prayed for in the heading of this application may kindly be granted in favour of applicant/ appellant till the final decision of instant appeal.

Applicant/ appellant
 Through 
Zia Ur Rehman Tajik
 Advocates Supreme Court

Affidavit:

I, do hereby solemnly affirm and declare on Oath that all the contents of the above Application are true and correct and nothing has been concealed from this hon'ble court




 Deponent

Annex - A

13



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SO(PSB)ED/1-25/2024/KC(04)
Dated Peshawar, the June 25, 2024

Most Immediate/Out Today

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa,
Planning & Development Department.
2. The Senior Member, Board of Revenue,
Khyber Pakhtunkhwa.

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to this department's letter of even No. dated 25.06.2024 on the subject and to say that meeting of Provincial Selection Board scheduled to be held on 26th June, 2024 at 11:00 AM has been **postponed** till further orders.

2. Inconvenience is regretted, please.

Yours faithfully,

SECTION OFFICER (PSB)

Endst. of even No. & date.

A copy is forwarded to: -

1. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
3. The P.S to Secretary Establishment Department.
4. The P.S to Special Secretary (Reg.) Establishment Department.

SECTION OFFICER (PSB)

P.T.O.

Attested
(3)

Endst. of even No. & date.

(4)

A copy is forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Health Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture Department.
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Department.
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Livestock Department.
7. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Department.
8. The Secretary to Govt. of Khyber Pakhtunkhwa, PWP Department.
9. The Secretary to Govt. of Khyber Pakhtunkhwa, C.W. Department.
10. The Secretary to Govt. of Khyber Pakhtunkhwa, Information Department.
11. The Secretary to Govt. of Khyber Pakhtunkhwa, Excise Department.
12. The Secretary to Govt. of Khyber Pakhtunkhwa, BSSE Department.
13. The Secretary to Govt. of Khyber Pakhtunkhwa, Culture Department.
14. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
15. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department.
16. The Secretary to Govt. of Khyber Pakhtunkhwa, Home Department.
17. The Secretary to Govt. of Khyber Pakhtunkhwa, P.E.D. Department.
18. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment Department.

[Signature]
SECTION OFFICER (PSR)

End of copy No. & date.

A copy is forwarded to:-

1. The P.S. to Additional Secretaries (Reg-1&11) Establishment Department.

[Signature]
SECTION OFFICER (PSR)

[Handwritten notes]
H. H. H. H.

Most Immediate/Out Today

Annex - B

(5)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

No. SO(PSB)ED/1-25/2024/KC(04)

Dated Peshawar, the June 25, 2024

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa,
Planning & Development Department.
2. The Senior Member, Board of Revenue,
Khyber Pakhtunkhwa.

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to this department letter of even No. dated 24.06.2024 on the subject and to enclose herewith agenda of meeting of Provincial Selection Board to be held on 26th June, 2024 at 11:00 AM.

2. You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,

SECTION OFFICER (PSB) 25/6/24

Endst. of even No. & date.

A copy is forwarded to: -

1. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
3. The P.S to Secretary Establishment Department.
4. The P.S to Special Secretary (Reg.) Establishment Department.

SECTION OFFICER (PSB)

P.T.O

Attested

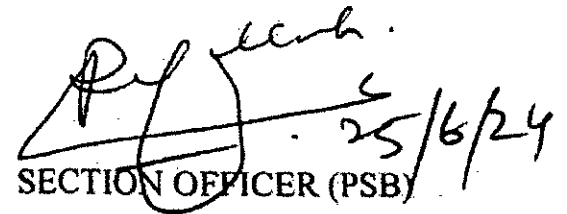
Endst. of even No. & date.

A copy is forwarded to: -

(6)

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, P&D Department.
3. The Additional Chief Secretary to Govt. of Khyber Pakhtunkhwa, Home Department
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department.
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Culture Department.
7. The Secretary to Govt. of Khyber Pakhtunkhwa; E&SE Department.
8. The Secretary to Govt. of Khyber Pakhtunkhwa, Excise Department.
9. The Secretary to Govt. of Khyber Pakhtunkhwa, Information Department.
10. The Secretary to Govt. of Khyber Pakhtunkhwa, C&W Department
11. The Secretary to Govt. of Khyber Pakhtunkhwa, PHE Department.
12. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Department
13. The Secretary to Govt. of Khyber Pakhtunkhwa, Livestock Department
14. The Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Department
15. The Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture Department
16. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department
17. The Secretary to Govt. of Khyber Pakhtunkhwa, Health Department.
18. The Secretary to Govt. of Khyber Pakhtunkhwa, Law & Parliamentary Affairs department with the request to attend the meeting alongwith Advocate General, Khyber Pakhtunkhwa for legal opinion in litigation cases

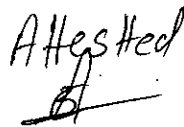
They are requested to kindly attend meeting of the PSB to be held on 26.06.2024 at 11:00 AM in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. They are further requested to bring synopsis of PERs, original PER files and other service record of the officers concerned for perusal of the Board.

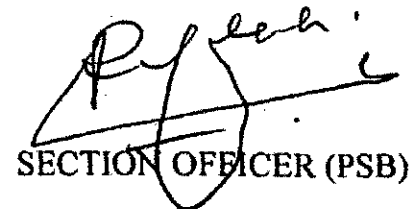

SECTION OFFICER (PSB)

Endst of even No. & date.

A copy is forwarded to: -

1. The P.Ss to Additional Secretaries (Reg-I&II) Establishment Department.

Attested



SECTION OFFICER (PSB)

7

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM

S#	Description of the Case	Panel	Posts	Department
1.	Execution Petition No.315/2022 in service appeal No.5965-A/2021 titled Muntazir Khan (retired PCS EG BS-19) vs Government of Khyber Pakhtunkhwa (Court case)	01		Establishment
2.	Grant of Proforma promotion to Raja Imtiaz Ahmad , EX-DFO BS-18 to the post of Conservator of Forest BS-19 on acting charge basis in light of Court Decision. (Court case)	-	-	Environment
3.	Promotion of PPS from BS-19 to PPS BS-20	06	04	P&D
4.	Promotion of PPS from BS-18 to PPS BS-19	25	13	P&D
5.	Promotion of PPS BS-17 to the post of PPS BS-18	34	21	P&D
6.	Promotion of Assistant Secretary BS-17 to the post of Senior Assistant Secretary BS-18.	04	01	BOR
7.	Promotion of Lecturer Women Technical Cadre/Diploma Holders BS-17 to the post of Assistant Professor BS-18.	02	01	Industries
8.	Promotion/Appointment of AIG Prison / Deputy Commandant and Superintendent District Jail BS-18 to the post of DIG Prison/Commandant/Superintendent Central Prison BS-19 on regular/acting charge basis	06.	04	Home
9.	Appointment/ Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18 in Directorate of Local Fund Audit Khyber Pakhtunkhwa	04	02	Finance
10.	Promotion of Archaeological Engineer BS-17 to the post of Senior Archaeological Engineer BS-18	01	01	Culture
11.	Promotion of Management Cadre officers BS-19 to BS-20 in E&SE department.	03	01	E&SE
12.	Promotion of Excise & Taxation officer BS-18 to the post of Director BS-19.	04	02	Excise

Attested

[Handwritten Signature]

8

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM

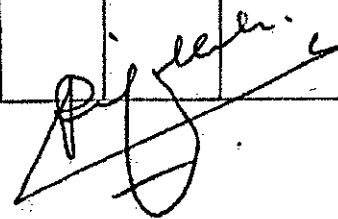
S#	Description of the Case	Panel	Posts	Department
13.	Promotion of Assistant Excise & Taxation Officer BS-17 to the post of Excise & Taxation officer BS-18.	16	08	Excise
14.	Promotion of officers of Information Department from BS-18 to BS-19	02	01	Information
15.	Promotion of officers of Information Department from BS-17 to BS-18	04	02	Information
16.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 in C&W Department.	03	01	C&W
17.	Promotion of Executive Engineer BS-18 to the post of Superintending Engineer BS-19 in C&W department.	05	01	C&W
18.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 in PHE Department.	05	03	PHE
19.	Promotion of Executive Engineers BS-18 to the post of Superintending Engineer BS-19 in PHE Department.	04	03 (R)	PHE
20.	Promotion of B.Tech (Hons)/DAE Diploma Holders Assistant Engineers/SDOS BS-17 to the posts of Deputy Director (M&E)/Technical officers BS-18 in PHE Department.	04	02	PHE
21.	Promotion of Director (Tech)/Principal RTIS BS-19 to the post of Chief Medical Officer BS-20.	03	01	Population
22.	Promotion of Deputy Director (Tech)/SWMOS/Deputy Principal RTIS/Sr. Instructor (Tech) BS-18 to the post of Director (Tech)/Principal RTIS BS-19	02	01 (R)	Population
23.	Promotion of WMO officer/DDPWO (Tech)/Instructor (Tech)/NSV Surgeon BS-17 to the post of Deputy Director (Tech)/SWMOS/Deputy Principal RTIS/Sr. Instructor (Tech) BS-18	05	03	Population

Attested
B

9

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM				
S#	Description of the Case	Panel	Posts	Department
24.	Promotion of officers from BS-19 to BS-20 in the Directorate General, Livestock and Dairy Development (Extension Wing)	14	05	Livestock
25.	Promotion of officers from BS-18 to BS-19 in the Directorate General, Livestock and Dairy Development Department (Extension wing)	18	09	Livestock
26.	Promotion of Deputy Director Fisheries BS-18 to the post of Director Fisheries/Additional Director BS-19	04	02	Livestock
27.	Promotion of Conservator of Forest BS-19 to the post of Chief Conservator of Forest BS-20	02	01	Environment
28.	Appointment/Promotion of Divisional Wildlife officer BS-18 to the post of Conservator Wildlife BS-19 on acting/regular basis.	08	02	Environment
29.	Promotion of Sub Divisional Forest officer BS-17 to the post of Divisional Forest officer BS-18	22	11	Environment
30.	Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18 in I&HRD&M Directorate of Forest Department.	02	02	Environment
31.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 on regular basis in Irrigation department.	03	01	Irrigation
32.	Promotion of Executive Engineer BS-18 to the post of Superintending Engineer BS-19 on regular basis in Irrigation department.	04	01	Irrigation
33.	Promotion of Assistant Engineers BS-17 Graduate to the post of Executive Engineers BS-18 in Irrigation Department.	03	05	Irrigation
34.	Promotion of Assistant Engineers BS-17 B.Tech to the post of Executive Engineers BS-18 in Irrigation Department.	02	01	Irrigation

AH esther
B



10

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM

S#	Description of the Case	Panel	Posts	Department
35.	Promotion of Assistant Engineers BS-17 D.A.E to the post of Executive Engineers BS-18 in Irrigation Department.	05	04	Irrigation
36.	Promotion Of Officers From BS-19 To BS-20 in the Directorate of On Farm Water Management Agriculture Department.	02	01	Agriculture
37.	Promotion of Director BS-19 to the post of Director General/Senior Director BS-20 in the Directorate of Soil and Water Conservation, Agriculture Department	02	01	Agriculture
38.	Promotion of Deputy Director/District officer BS-18 to the post of Director BS-19 Soil and Water Conservation.	04	01	Agriculture
39.	Promotion of Soil Conservation Assistants, Soil Conservation Assistant (Technical) Soil Conservation Officers, Soil Survey Research Officers & Assistant Soil Survey Research Officers (BS-17) to the Post of Deputy Director/District Officer BS-18 Soil Conservation in the Directorate General Soil & Water Conservations Khyber Pakhtunkhwa. (75%)	20	12	Agriculture
40.	Promotion Of Soil Conservation Assistants BS-17 to the post of Deputy Director/District Officer (Bachelor's Degree Holders) BS-18 Soil Conservation in the Directorate General Soil & Water Conservations Khyber Pakhtunkhwa. (25%)	06	07	Agriculture
41.	Promotion of officers from BS-19 to BS-20 of Agriculture Research wing of Agriculture department.	03	01	Agriculture
42.	Promotion of officers from BS-18 to BS-19 of Agriculture Research wing of Agriculture Department.	12	05	Agriculture

[Handwritten signature]

Attested
[Handwritten signature]

(11)

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM				
S#	Description of the Case	Panel	Posts	Department
43.	Promotion of officers from BS-19 to BS-20 of Agriculture extension wing of Agriculture department.	06	02 Clr	Agriculture
44.	Promotion of officers from BS-18 to BS-19 of Agriculture extension wing of Agriculture department.	06	02	Agriculture
45.	Promotion of Associate Professor BS-19 (Male) to the post of Professor BS-20 GCMS/GCCS	10	04	HED
46.	Promotion of Assistant Professors BS-18 (Male) to the post of Associate Professor BS-19 GCMS/GCCS	10	05	HED
47.	Promotion of Lecturer (Male) BS-17 to the post of Assistant Professors BS-18 GCMS/GCCS	48	38	HED
48.	Promotion of Associate Professor BS-19 (Female) to the post of Professor BS-20 GCMS/GCCS	06	03	HED
49.	Promotion of Assistant Professors BS-18 (Female) to the post of Associate Professor BS-19 GCMS/GCCS	06	07	HED
50.	Promotion/Regularization of Lecturer (Female) BS-17 to the post of Assistant Professors BS-18 GCMS/GCCS	07	07	HED
51.	Promotion of DPE (Male) B-17 to the post of DPE BS-18 GCMS/GCCS	02	01	HED
52.	Promotion of Associate Professor BS-19 (Male) to the post of Professor BS-20 of college Cadre Higher Education Department.	75	57	HED
53.	Promotion of Associate Professor BS-19 (Female) to the post of Professor BS-20 of college Cadre Higher Education Department.	20	11	HED
54.	Promotion of Assistant Professors BS-18 (Female) to the post of Associate Professor BS-19 of College Cadre in Higher Education Department.	24	12	HED

AHESKed
3

[Handwritten signature]

12

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM				
S#	Description of the Case	Panel	Posts	Department
55.	Promotion of (Male) Librarian BS-17 to the post of Senior Librarian BS-18.	30	22	HED
56.	Promotion of (Female) Librarian BS-17 to the post of Senior Librarian BS-18.	24	17	HED
57.	Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18 of Ministerial Cadre Higher Education Department.	06	03	HED
58.	Promotion of Member of Service BS-19 to the post of Member of Service BS-20 Management Cadre in Health Department.	32	17	Health
59.	Promotion of Member of Service BS-18 to the post of Member of Service BS-19 Management Cadre in Health Department.	37	93	Health
60.	Promotion of BS-19 General Cadre Officers to the post of Chief Medical Officers BS-20.	82	47	Health
61.	Promotion of the Nursing Staff of Health Department from BS-19 to BS-20	06	11	Health
62.	Promotion of the Nursing Staff of Health Department from BS-18 to BS-19	38	202	Health
63.	Promotion of the Nursing Staff of Health Department from BS-17 to BS-18	351	642	Health
64.	Promotion of PHC/Clinical Technologists BS-17 to the post of Senior PHC/Clinical Technologists BS-18 in Health Department, Khyber Pakhtunkhwa.	168	123	Health
65.	Promotion of Senior Dental Surgeon BS-18 to the post of Principal Dental Surgeon BS-19.	09	04	Health
66.	Promotion Of Senior Pharmacist BS-18 To The Post Of Chief Pharmacist BS-19 In Health Department	01	03	Health
67.	Promotion of Drug Inspector BS-17 to the post of Senior Drug Inspector BS-18 in Health Department.	07	03	Health

Attest
[Signature]

[Signature]

13

AGENDA OF THE PSB MEETING TO BE HELD ON 26.06.2024 AT 11:00 AM				
S#	Description of the Case	Panel	Posts	Department
68.	Promotion of Associate Professor Pathology BS-19 to the post of Professor Pathology BS-20 in SMC Swat.	03	01	Health
69.	Promotion of Associate Professor Pathology BS-19 to the post of Professor Pathology BS-20 in Saidu College of Dentistry Swat	01	01	Health
70.	Promotion of Assistant Professor Cardiology BS-18 to the post of Associate Professor Cardiology BS-19 in SMC/Swat.	01	01	Health
71.	Promotion of Assistant Professor Radiology BS-18 to the post of Associate Professor Radiology BS-19 in SMC Swat.	01	01	Health
72.	Promotion of Private Secretary BS-17 to the post of Senior Private Secretary BS-18.	06	03	Establishment
73.	Promotion of Superintendent BS-17 to the post of PMS BS-17.	66	02	Establishment
74.	Promotion of Personal Assistant BS-16 to the post of PMS BS-17.	06	02	Establishment
75.	Promotion of Tehsildar BS-16 to the post of PMS BS-17	54	17	Establishment
76.	Promotion of Superintendent/Private Secretaries offices of Commissioner/Deputy Commissioner to the post of PMS BS-17.	29	02	Establishment

[Signature]
SECTION OFFICER (PSB)
25/6/24

Attested
[Signature]