


FORM OF ORDER SHEET

Court of _____

Appeal No. 910/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/07/2024	<p>The appeal of Mr. Muhammad Sohail presented today by Mr. Muhammad Arif Jan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.07.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 910 /2024

Dr. Muhammad Sohail..... Appellant

VERSUS


Chief Secretary Govt. of Khyber Pakhtunkhwā & others..... Respondents

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APPELLANT

Through


Muhammad Arif Jan
Advocate Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 910 /2024

Dr. Muhammad Sohail Ex-District Director Livestock Kohat.

..... Appellant

VERSUS

1. Chief Secretary Govt. of Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture, Livestock, Fisheries and Cooperative Department Khyber Pakhtunkhwa, Peshawar.

..... Respondents

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE NON CONSIDERATION OF THE APPELLANT PROMOTION TO BPS-20 VIDE PROVINCIAL SELECTION BOARD (PSB) MEETING HELD ON 18th, March, 2024, AGAINST WHICH DEPARTMENTAL APPEAL HAS BEEN FILED ON 19th of March, 2024 BUT THE SAME HAS NOT BEEN DISPOSED OF WITHIN THE PRESCRIBED STATUTORY PERIOD, HENCE THE INSTANT APPEAL IS WITHIN TIME.

Respectfully Sheweth:

- 1) That the appellant joined the service in Health Department as Veterinary Officer vide office letter dated 24.04.1989 and was posted as Semen Distribution Officer Peshawar.

(Copy of Appointment letter is attached as ANNEX-A).

- 2) That the appellant was promoted to BPS-18 and then after completion of necessary trainings and all codal formalities, the appellant was promoted to BPS-19 on regular basis vide letter dated 05.08.2019. (Copy of letter dated 05.08.2019 is attached as ANNEX-B).
- 3) That a final seniority list of (BPS-19) officers of Livestock & Dairy Development (Extension Wing) Department Khyber Pakhtunkhwa was notified for the year, 2023 wherein the appellant was placed at S.No-9, but in fact the appellant was at S.No-1 as the other officers S. No-1 to 08 were already been promoted/retired to BPS-20.

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(Copy of seniority list is attached as Annex-"C").

- 4) That the appellant being entitled and fulfilling all the codal formalities for promotion to BS-20, addressed an appeal vide letter No-1734 dated 08.03.2024 (well before his retirement) in respect of promotion to BS-20 for the upcoming Provincial Selection Board (PSB).

(Copy of appeal is attached as ANNEX-D)

- 5) That the working papers for PSB were prepared and completed (ANNEX-E) and meanwhile PSB meeting was scheduled for 18st March, 2024 (ANNEX-F) but on the same day, the department sent the working papers to the PSB with an explain delay just to deprive the petitioner from promotion to BPS-20 being retired from service. **(Copy of letter dated 18.03.2024 attached as Annex-"G").**

- 6) That it is to be added that the appellant was stood retired from service with effect from 19-03-2024 on attending Sixtieth (60th) years of age and was not considered for promotion from BPS-19 to BPS-20 despite the fact that the appellant was on top against the posts laying vacant since long. **(Copy of letter dated 23.10.2023 is attached as Annex-"H").**

- 7) That the appellant preferred departmental appeal against the non-consideration of promotion to BPS-20 whereas the same has not been decided within stipulated period of time, **(Copy of departmental appeal is attached as Annex-"I")**, hence the instant appeal on the following amongst other grounds.

GROUND:

- A. That the act, commission and omission of the respondents by way of non-considering the appellant for promotion to BPS-20 in their PSB meeting held on 18th March, 2024 along with the letter No-SO (E)/LFC/1-11/2024 dated 18.03.2024 (hereinafter impugned) for which the appellant is/was entitled in all respect is patently illegal, unlawful, without lawful authority, of no legal effect, hence the respondents be directed to act in accordance with law and to consider the appellant for promotion to BPS-20 from his due

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date without any further delay, reason and justification with all back benefits/perks and privileges.

B. That the appellant after furnishing the requisite documents was very much sanguine to be promoted to BPS-20 in due course of time, however astonished to know that the department sent the documents with un-explain delay and the appellant have kept ignored and deprived without any cogent reason and justification.

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C. That the Government of Khyber Pakhtunkhwa did not convene another meeting of the provincial selection board timely despite the facts of availability of vacant posts of BPS-20, which were sanctioned since long and notified by the Finance Department. The appellant was kept deprived and the appellant was stood retired which badly affected the privileges and pension of the appellant.

D. That the act of non-consideration of the appellant by the respondents is also violation of APT Rules-1989 as well as Fundamental Rule-17. The name of the appellant was required to place before the PSB. It is to be added that this was not the fault of appellant rather the department is held responsible for all guilt including the non-consideration of promotion of the appellant. and in this respect Reliance is placed on few amongst the plethora of judgments of the Superior Courts:

i. 2008 SCMR, 1535

ii. 2009 PLC, 229

iii. 2016 PLC(CS), 693

iv. 2016 SCMR, 871

E. That the appellant served the respondent department with zeal & zest, with devotion, determination and utmost satisfaction of the superiors and have legal vested right to be treated in accordance with law and to be extended equal protection of law, enshrined in Article- 4 of the Constitution of Islamic Republic of Pakistan, 1973 along with all enabling laws however, the respondents have been denied the right of promotion in utter disregard to law / rules governing the subject matter, needless to add that this august Tribunal has got ample jurisdiction to issue appropriate direction to

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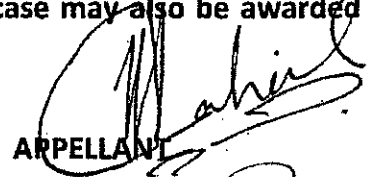
the respondent department for redresses of the grievances of the appellant with all back benefits, so as to enable him to serve retired life Honorably.

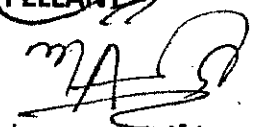
- F. That delay occasioned in conveying meeting of the provincial selection board, can purely be attributed to the respondents and for the same, appellant may not be penalized. Reliance is placed on the judgments of the Superior Courts: **2012 SCMR- 126**.
- G. That the post was lying vacant, now the question arises that in case the post was lying vacant since long and the appellant was retired from service after attaining the age of superannuation, therefore, the priority demand should be given to appellant to be promoted to BPS-20, but the respondents intentionally ignored and deprived the appellant with their dishonest attitude.
- H. That the respondents themselves violated their own guidelines and directive of high ups on the subject matter, hence intentionally adopted the policy of "pick and choose" and "might is right" thus this act of the respondents is against the existing laws and policies.
- I. That any other ground which has not been mentioned may also be permitted to rise at the time of hearing.

It is therefore respectfully prayed that on acceptance of the instant Appeal,

- 1. This Hon'ble Tribunal may graciously be please to direct the Department(Competent authority) to forward the working paper regarding appellant's promotion to BPS-20 and place before the same before the PSB to consider the promotion from the due date.**
- 2. Any other relief which this Hon'ble Tribunal deems fit under the facts and circumstances of the case may also be awarded in favor of appellant.**

Through



APPELLANT

Muhammad Afif Jan

Advocate Peshawar.

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. ____/2024

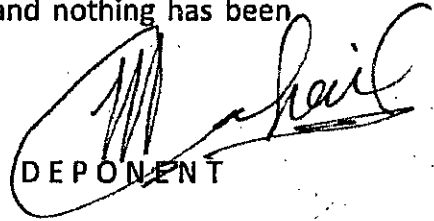
Dr. Muhammad Sohail Appellant

VERSUS

Chief Secretary Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

Dr. Muhammad Sohail Ex-District Director Livestock Kohatdo hereby solemnly affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed


DEPONENT

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Annex 'A'

GOVERNMENT OF PESHAWAR
DEPARTMENT OF AGRICULTURE

NOTIFICATION

In pursuance of the order of the Government of Peshawar, dated 12.2.1989, the following Vety. Officers (H) have assumed the charge of their posts as noted against each name:

S. No.	NAME OF OFFICER (H)	CHARGE / ASSIGNMENT
1.	Tayyar Ali Khan	Instructor, Animal Husbandry Inservice Training Instt: Peshawar, dated 12.2.1989 (FN).
2.	Muhammad Sibtain	Vety. Officer (H) Civil Vety. Dispensary, Doaba Distt: Karak dated 24.2.1989 (FN).
3.	Muhammad Ilyas	Vety. Officer (H) I/c, Civil Vety. Hospital, Bt: Gora dated 10.2.1989 (FN).
4.	Muhammad Siraj	Vety. Officer (H) I/c, Civil Vety. Hospital, Kabganj (Merdan) dated 13.2.1989 (FN).
5.	Ihsanullah Khan	Vety. Officer (H) I/c, Civil Vety. Hospital, Chakdara (Dir) dated 15.2.1989 (FN).
6.	Usar Sadig	Vety. Officer (H) I/c, Civil Vety. Dispensary, Lakhsar Distt: Karak dated 1.3.1989 (FN).
7.	Muhammad Riaz	Vety. Officer (H) I/c, Civil Vety. Dispensary, Talah (Dir) dated 15.2.1989 (FN).
8.	Aamat Perveen	Instructor, Animal Husbandry Inservice Training Instt: Peshawar, dated 12.2.1989 (FN).
9.	Alam Doh	Addl. Vety. Officer (H) Civil Vety. Hospital, Peshawar, dated 13.2.1989 (FN).
10.	Muhammad Ali	Vety. Officer (H) I/c, Civil Vety. Dispensary, Sakhra (Swat) dated 16.2.1989 (FN).
11.	Shafiqat Ali	Sheep Development Inspector, F.R., Peshawar, dated 1.3.89 (FN).
12.	Sadique Ayaz	Vety. Officer (H) I/c, Civil Vety. Dispensary, Thatti Nausatti (Karak) dated 15.2.1989 (FN).
13.	Muhammad Yousof	Vety. Officer (H) I/c, Civil Vety. Dispensary, Akbarpura Peshawar, dated 1.3.1989 (FN).
14.	Arbab Ali	Vety. Officer (H) Govt. Poultry Farm Peshawar, dated 12.2.1989 (FN).

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- 15. Dilbar Khan Vety:Officer(H)I/c, Civil Vety: Dispensary Kohat(Pir) dated 18.2.1989(FN).
- 16. Saheeb Ahmad. Vety:Officer(H)I/c, Civil Vety: Hospital Balakot dated 18.2.89(FN).
- 17. Nasir Ahmad. Vety:Officer(H)I/c, Civil Vety: Dispensary Kote-Malakand Agency dated 15.2.88(FN).
- 18. Syed Nasir Shah Vety:Officer(H)I/c, Civil Vety: Dispensary Zinda Dag, Suet, dated 16.2.89(FN).
- 19. Muhammad Ghani Vety:Officer(H)I/c, Civil Vety: Hospital Darosh(Chitral) dated 1.3.89(FN).
- 20. Inayatullah Vety:Officer(H)I/c, Civil Vety: Dispensary Balzu Kharki(Mardan) dated 13.2.1989(FN).
- 21. Ihsanullah Instructor, Animal Husbandry Inservice Training Instt:Peshawar, dated 12.2.1989(FN).
- 22. Iqbal Hussain Vety:Officer(H)I/c, Civil Vety: Hospital Shalozan Kurram Agency dated 18.2.1989(FN).
- 23. Muhammad Schali. Semen Distribution Officer, Pesh. Dated 15.2.1989(FN).
- 24. Jehanzeb Vety:Officer(H)I/c, Civil Vety: Hospital Razmak (N.W.Agency) dated 14.2.1989(FN).
- 25. Waqar Khan Vety:Officer(H)I/c, Civil Vety: Dispensary Terri(Kohat) dated 20.2.1989(FN).

DIRECTOR
LIVESTOCK & DAIRY DEVELOPMENT
NWFP, PESHAWAR.

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No. _____ /1/65 Dated Peshawar the 24/4/1989

Copy of the above forwarded to:

- 1. The Section officer(LBDD), Govt: of NWFP, Food, Agri: Livestock & Coop: Depts: Peshawar, for information.
- 2. The Accountant General, NWFP, Peshawar.
- 3. All Districts/Agency Accounts Officer in NWFP.
- 4. The Project Director, Artificial Insemination, NWFP, Peshawar.
- 5. The Project Director/principal, Inservice Training Instt: N.W.F.P., Peshawar.
- 6. Deputy Director, Livestock & Dairy Development, PR, Peshawar.
- 7. The Disease Investigation Officer, NWFP, Peshawar.

AMM. Director Livestock & Dairy Development
No. 166
Date 29/4/89

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GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVE
DEPARTMENT

Floor, Block 'C' Civil Secretariat
Peshawar-251001

Dated Peshawar the 5th August, 2019

NOTIFICATION

No. SOLEFCAR-6-11731/2019. Consequently upon approval of the Competent Authority and in continuation of this Department's Notification dated 8th May 2019, the following posting / transfer of the newly promoted BS-19 officers and other officers (BS-18 & BS-19) of Livestock & Dairy Development Department (Extension), Khyber Pakhtunkhwa is hereby ordered with immediate effect in the best interest of public service. All to other orders:-

S.#	Name	Present Posting	Proposed Posting
1.	Dr. Nazir Ahmad BPS-19	Senior Veterinary Officer (BPS-18), I/C Civil Veterinary Hospital, Batkhola, District Malakand	District Director Livestock (BPS-19), District Nowshera (Promotion against Vacant Post)
2.	Dr. Iqbal Hussain BPS-19	Senior Instructor (BPS-18), Agriculture Services Academy, Peshawar	Epidemiologist (BPS-19), Directorate General (Ext) L&DD, Peshawar (Promotion against vacant post)
3.	Dr. Muhammad Ilyas BPS-19	District Director Livestock (BPS-19) District Kohistan	District Director Livestock (BPS-19), District Mansehra (Adjustment against Vacant Post)
4.	Dr. Muhammad Sohail BPS-19	Senior Veterinary Officer (BPS-18), I/C Civil Veterinary Hospital, District Kohat	District Director Livestock (BPS-19), District Hangu (Adjustment upon Promotion Vice S. # 10)
5.	Dr. Itbar Khan BPS-19	District Director Livestock (BPS-19) District Mardan	District Director Livestock (BPS-19) District Swabi (Adjustment against Vacant Post)
6.	Dr. Misal Khan BPS-18	Senior Veterinary Officer (BPS-18), Civil Veterinary Hospital, District Mardan	District Director Livestock (BPS-19) District Mardan (Adjustment Vice S. 05 in own pay & scale)
7.	Dr. Siyar Ali Khan BPS-19	District Director Livestock (BPS-19) District Karak	Divisional Level Director (BPS-19) District Mardan (Adjustment against vacant post)
8.	Dr. Jehan Zeb BPS-19	Senior Veterinary Officer (BPS-18), I/C Civil Veterinary Hospital, Domel, District Bannu	District Director Livestock (BPS-19) District Karak (Adjustment upon Promotion Vice S. # 07)

ATTSTED

Continued



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Government of Khyber Pakhtunkhwa
Livestock, Fisheries & Cooperative Department

NOTIFICATION

NO. SO(E)-26/2023

Dated Peshawar 30th October, 2023/1/07

In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules 1989, the competent authority is pleased to notify the final seniority list of following (BPS-19) officers of Livestock & Dairy Development (Extension Wing) Khyber Pakhtunkhwa, as stood on 12.01.2023;

S. No	Name of officer with academic qualification	Date of birth and domicile	Date of 1 st entry into Govt. Service	Regular appointment/promotion to present posts			Present appointment	Remarks
				Date	BPS	Methods of recruitment		
1.	Dr. Shahwar Anwar, DVM.	01-04-1964 Kohat.	09-09-1987	28.11.2018	19	-do-	DDL, Hangu	
2.	Dr. S. Abadullah DVM.	01-10-1964 Peshawar.	17-09-1987	20.03.2018	19	-do-	Director Animal Health, Peshawar	Promoted
3.	Dr. Muhammad Ilyas, DVM.	10-03-1964 Mardan.	18-02-1989	26.11.2018	19	-do-	DDL, Mardan	Promoted
4.	Mr. Akbar Ali, B.Sc (Hons) AH/ M.Sc (Hons) MBA.	27-01-1964 Swat	12-02-1989	23.04.2019	19	-do-	DDL, Abbottabad	Promoted/retired
5.	Dr. Dilbar Khan, DVM.	02-03-1964 Dir	15-02-1989	23.04.2019	19	-do-	DDL, Dir Upper	Promoted/retired
6.	Dr. Sohrab Ahmed, DVM.	20-03-1964 Abbottabad.	18-02-1989	23.04.2019	19	-do-	DDL, Haripur	Promoted/retired
7.	Dr. Nazir Ahmad, DVM.	03-04-1964 Malakand Agy.	15-02-1989	05.08.2019	19	-do-	DDL, Malakand	Promoted/retired
8.	Dr. Iqbal Hussain, DVM.	10-03-1964 Kurram.	18-02-1989	05.08.2019	19	-do-	Director VPH	Promoted
9.	Dr. Muhammad Sohail, DVM.	20-03-1964 Kohat.	15-02-1989	05.08.2019	19	-do-	DDL, Kohat	Retired

ATTSTED

Section Officer (Extension)
Livestock, Fisheries & Coop. Deptt.
Khyber Pakhtunkhwa

DIRECTOR GENERAL QUARTERS
DIRECTORATE OF EXTENSION
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

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10.	Dr. Ibrahim, DVM/M.Sc(Hons)	01-03-1965 Swabi	16-11-1989	28.05.2020	19	By Promotion	Director, Peshawar
11.	Dr. S. Masoom Ali Khalid DVM.	03-03-1964 D.I.Khan.	11-11-1989	23.11.2020	19	-do-	PVO, Peshawar
12.	Dr. Asad Khan, DVM/M.Sc (Hons).	24-01-1969 Karak.	28-05-1997	23.11.2020	19	-do-	Project Director
13.	Dr.S. Asad Ali Shah DVM / M.Sc (Hons)	04-10-1969 Peshawar	06-07-1995	23.11.2020	19	-do-	Epidemiologist LADD, Peshawar
14.	Dr. S.Muhammad Iqbal Shah, DVM/ MSc(Hons).	14-04-1965 D.I.Khan	18-11-1989	24.05.2022	19	-do-	Divisional Level Director, DI Khan
15.	Dr. Muhammad Tariq Shah, DVM/M.Sc (Hons)	11-01-1964 Mardan.	08-09-1990	24.05.2022	19	-do-	Director Planning
16.	Dr. Muhammad Adeeqe DVM.	16-03-1966 Kohat.	05-09-1990	24.05.2022	19	-do-	Deputy Director Breed Improvement, Peshawar
17.	Dr. Saleem Khan, DVM	02-04-1968 Mardan.	04-09-1990	24.05.2022	19	-do-	Director LES, Jaba
18.	Dr. Burhan-ud-Din, DVM	06-04-1965 Bajour Agency.	01-09-1990	24.05.2022	19	-do-	Director, CB&DF, Harichand
19.	Dr. Shahab-ud-Din, DVM.	15-08-1965 Dir	01-09-1990	24.05.2022	19	-do-	Divisional Level Director, Kohat
20.	Dr. Muhammad Ibrahim, DVM.	01-04-1967 Mohmand Agency	01-09-1990	24.05.2022	19	-do-	Director, Farms Merged Area, Peshawar
21.	Dr. Abdul Aziz, DVM/ M.Sc (Hons).	6-09-1966 N.W.Agency:	30-08-1990	24.05.2022	19	-do-	DDL, NWA
22.	Dr. Sadiq Gul, DVM.	12-10-1967 Mohmand Ay:	01-09-1990	24.05.2022	19	-do-	DLD, Mardan
23.	Dr. Ijaz Ahmed, DVM.	23-05-1965 Swat.	01-09-1990	24.05.2022	19	-do-	Director, Azakhel Farm
24.	Dr. Sheikh Ahmed DVM	03-03-1964 Chitral.	03-08-1990	24.05.2022	19	-do-	DDL, Chitral Upper
25.	Mr. Akhtar Islam, B.Sc(Hons)AH	05-07-1966 Nowshera.	01-02-1994	24.05.2022	19	-do-	Training Co-Ordinator
26.	Dr. Hashmat Ali, DVM.	05-01-1969 Swat.	09-07-1995	24.05.2022	19	By Promotion	DLD, Malakand

ATTSTED

Section Officer (Estt.)
Livestock, Fisheries & Coop. Deptt.
Khyber Pakhtunkhwa

DIRECTOR'S QUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA PESHAWAR

27.	Dr. Mubshir Muhammad DVM.	10-08-1967 Dir.	06-07-1995	24.05.2022	19	-do-	PVO
28.	Mu. Hassan Khan, B.Sc(Hons)/A.H./M.Sc (Hons)	01-04-1969 Dir.	06-07-1995	24.05.2022	19	-do-	DDL, Upper Dir
29.	Dr. Muhammad Saleem DVM/ Phd	08-03-1970 Dir	08-07-1995	24.05.2022	19	-do-	DDL, Chitral Lower Project Director
30.	Dr. Afab Ahmed, DVM /MSc(Hons), Charsadda	01-04-1969 Charsadda	05-07-1995	24.05.2022	19	-do-	Project Director
31.	Dr. Zib-Ud-Din, DVM	23-03-1965 Bajaur Agency	06-07-1995	24.05.2022	19	-do-	DDL, Bajaur
32.	Dr. Naeem Shah, DVM.	19-09-1968 Karak.	10-07-1995	24.05.2022	19	-do-	DDL, Karak
33.	Dr. Muhammad Zafran DVM.	16-03-1969 Abbottabad	08-07-1995	24.05.2022	19	-do-	Project Director
34.	Dr. Qasimullah Khan DVM/MSc(Hons), Bannu	30-08-1968 Bannu	06-07-1995	24.05.2022	19	-do-	DDL, Bannu
35.	Dr. Khurshid Ali, DVM/M.Sc (Hons)	01-01-1969 Mohmand Agy	06-07-1995	10.11.2022	19	-do-	DDL, Khyber
36.	Dr. Akhtar Ali, DVM/MSc(Hons)	15.01.1966 Swat	01-08-1995	24.05.2022	19	-do-	DDL, Buner
37.	Dr. Momin Khan, DVM.	18-03-1969 Swat	06-07-1995	24.05.2022	19	-do-	DDL, Charsadda
38.	Dr. Usman DVM	10-06-1965 Swat.	09-07-1995	24.05.2022	19	-do-	DDL, Shangla
39.	Dr. Miesal Khan, DVM	02-02-1971 Mohmand Agy.	06-07-1995	24.05.2022	19	-do-	DDL, Mardan
40.	Dr. Muhammad Iqbal DVM/MSc(Hons)	15-04-1967 Karak.	13-08-1997	24.05.2022	19	-do-	DDL, Nowshera
41.	Dr. Inayat Hussain DVM	15-03-1965 Kurram Agy.	27-05-1997	24.05.2022	19	-do-	DDL, Kurram
42.	Dr. Habib-ur-Rehman DVM.	05-01-1968 Swabi	24-05-1997	24.05.2022	19	-do-	DDL, Swabi
43.	Dr. Sarfraz Khan, DVM.	29-09-1970 Swat	28-05-1997	24.05.2022	19	-do-	DDL, Swat
44.	Dr. Murad Ali, DVM.	15-04-1967 Mardan	27-08-1997	08.11.2022	19	-do-	DDL, Mohmand

ALL SIDED

SECRETARY
FISH, FISHERIES & AQUACULTURE
PESHAWAR

DIRECTOR GENERAL
FISH, FISHERIES & AQUACULTURE
PESHAWAR

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45.	Dr. Mubarak Khan DVM	14.05.1968 Bannu	31.05.1997	08.11.2022	19	-do-	DDL, Sub Division Darazinda
46.	Dr. Nadeem Nisazi, DVM	08-06-1971 Manshra.	24-05-1997	08.11.2022	19	By Promotion	Posting awaited
47.	Dr. Mir Ahmad Khan DVM	03-05-1971 F.R. Danna.	27-05-1997	08.11.2022	19	-do-	Project Director JICA
48.	Dr. Mian Musharaf Shah DVM/M.Sc(Hons).	09-02-1968 MKD.Agency	28-05-1997	08.11.2022	19	-do-	DDL, Upper Kohistan
49.	Dr. Samiullah, DVM	01-04-1968 Swat	26-05-1997	08.11.2022	19	-do-	DLD, Peshawar
50.	Dr. Muhammad Shakir, DVM/M.Sc(Hon), Ph.D	08-02-1969 Chitral	26-05-1997	08.11.2022	19	-do-	DDL, Battagram
51.	Dr. Rashid Mehmood, DVM/M.Sc(Hons).	20-06-1971 Haripur	26-05-1997	08.11.2022	19	-do-	Divisional Level Director Abbottabad
52.	Dr. Azmatullah Khan, DVM/M.Sc(Hons).	10-02-1972 Bannu	31-05-1997	15.12.2022	19	-do-	Divisional Level Director Bannu.

SD/
SECRETARY
LIVESTOCK, FISHERIES & COOP:
DEPARTMENT

Copy forwarded to the:-

1. Director General (Extension), Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar with the request to circulate the same amongst all concerned.
2. PSO to Chief Secretary, Khyber Pakhtunkhwa.
3. PS to Secretary Livestock, Fisheries & Cooperative Department.
4. Master File.

(Signature)
(Yaqar Khan) 31/10/23
Section Officer (Estt)

ATTSTED

a

(Signature)
Section Officer (Estt.)
Livestock, Fisheries & Coop. Dept.
Khyber Pakhtunkhwa

(Signature)
DIRECTOR HEADQUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA

23



Annex 'D' 13 182

**OFFICE OF THE DISTRICT DIRECTOR LIVESTOCK &
DAIRY DEVELOPMENT KOHAT**

Phone No. 0922-860404 Email: ddikohat@gmail.com

No. 1734

Dated

Kohat

the

08 / 03 / 2024

To

Director General (Extension)
Livestock & Dairy Development Department,
Peshawar.

Subject: **APPEAL FOR PROMOTION TO BS-20.**

Memo:

- Kindly refer to the subject noted above, it is submitted that at present I am the senior most officer in the seniority list of BS-19 in the Department of Livestock and Dairy Development (Extension). I will reach to the age of superannuation on 19.03.2024.
- Two posts in BS-20 have been become vacant as a result of retirement of Dr. Muhammad Ilyas Director Merged Areas on superannuation on 09.03.2024 & Dr. Dilber Khan Principal AHIT on superannuation on 02.03.2024.
 - In view of the foregoing, it is earnestly requested that explicit directions may kindly be issued to the relevant quarters to prepare a complete working paper for my promotion to BS-20 for consideration on rotation/circulation basis or for the upcoming Promotion Selection Board to enable my retirement in BS-20.

Yours Faithfully


DR. MUHAMMAD SOHAIL
DISTRICT DIRECTOR LIVESTOCK
KOHAT

ATTSTED
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Annex 'E' &

PSB-I

14

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Department

Livestock and Dairy Development Department
(Extension Wing), Khyber Pakhtunkhwa

1. Nomenclature of the post/ Basic Scale. Director General, Livestock and Dairy Development Department, Khyber Pakhtunkhwa/ Principal, Animal Husbandry Inservice Training Institute (AHITI), Khyber Pakhtunkhwa/ Director, Breed Improvement and Farms/ Director Merged Area L&DD, Peshawar/ Director Livestock Production Extension and Communication, Peshawar and Senior Director BS-20

2. Service/Group/Cadre. PROVINCIAL

3. Sanction Strength of the Cadre. 06

4		Direct	Promotion	Transfer
i.	Percentage of share	Nil	100 %	Nil
ii.	No. of posts allocated to each category.	Nil	06	Nil
iii.	Present occupancy position	Nil	05	Nil
iv.	No. of vacancies in each category	Nil	01	Nil

- v. How did the vacancy (ies) under promotion quota accrue and since when
- Total 06 sanctioned posts of BPS-20 exists in the Livestock & Dairy Development Department (Extension wing), Khyber Pakhtunkhwa, (Annex-I), out of which 05-posts have already been filled by Dr. Alam Zeb, Dr Shahwar Anwar, Dr. S.Ahadullah, Dr. Sohrab Ahmed. Dr. Nazir Ahmad whereas, 01 post is laying vacant due to retirement of Dr. Dilbar Khan (BS-20), which is required to be filled-in by promotion amongst the Senior officer of BS-19 of Livestock & Dairy Development Department (Extension), on regular basis.

The PSB is therefore, requested to consider the senior most officer in BS-19 at Seniority No. 09 for promotion to BS-20 on regular basis against vacant post and further it is stated that 01 post of Dr. Sohrab Ahmed BS-20 shall become vacant due to his retirement on 19.03.2024 for which it is requested that next Senior most officer at Seniority No.10 may be promoted to the post of BS-20

- vi. Recruitment Rules
- "By selection on the basis selection on merit from amongst the holders of the posts of Director (BPS-19), District Director Livestock (BPS-19), Epidemiologists (BPS-19), Principal Veterinary Officers (BPS-19), Training Coordinator (BPS-19), Wool Analyst (BPS-19) and Divisional Level Director (BPS-19), having at least ten (10) years service in BPS-18 and above or having at least seventeen (17) years service in BPS-17 and above (Annex-II),

- vii. Required length of service. 10 years service in BPS-18 and above or 17 years service in BPS-17 and above

- viii. Whether to be promoted on regular basis or appointed on Acting charge basis? On regular basis.

- ix. Mandatory training, if any Nil

- x. Minimum required score on E1 70

DIRECTOR GENERAL (EXT)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Signature

Secretary, Secretary
Government of Khyber Pakhtunkhwa, Deptt.
Livestock, Fisheries and Peshawar
Department

ATTSTED

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PSB-IV

**PER GRADING AND QUANTIFICATION FORM
FOR REGULAR PROMOTION TO BS-20 DR. MUHAMMAD SOHAIL
SENIORITY NO. 09**

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for Promotion	Score
	From	To	Reporting officer	Countersigning officer			
1989	15/02/89	31/12/89	An obedient younger officer has been transferred from Ai project	His performing remained good during the period	Good	Fit for promotion in his turn	6.4
1990	01/01/90	31/12/90	Good officer	He appears a good officer	Good	Fit for promotion in his turn	7
1991	01/01/91	31/12/91	Obedient & well worker	He is a gentle man & assessment Agreed	Good	Fit for promotion in his turn	7
1992	01/01/92	31/12/92	A well behaved worker	I agree with reporting officer	Good	Fit for promotion in his turn	7
1993	01/01/93	31/12/93	Well behaved officer	Agreed	Good	Fit for promotion in his turn	7
1994	01/01/94	31/12/94	A young cooperative officer	Agreed	Good	Fit for promotion in his turn	7
1995	01/01/95	31/12/95	Working as LPO in Barani project and has good relation with extension workers	Agreed	Good	Fit for promotion in his turn	7
1996	01/01/96	31/12/96	An experienced nice	An average officer	Average	Fit for promotion in his turn	5
1997	01/01/97	31/12/97	A young, well dressed handsome selected for fellow ship in Netherland is abroad	Agreed	Good	Fit for promotion	7

DIRECTOR HEADQUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Section Officer (Estt.)
Livestock, Fisheries & Coop. Deptt.
Khyber Pakhtunkhwa

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1998	01/01/98	31/12/98	He is quite capable officer really got training in Poultry Management from Holland and if posted in Distt: HQ well make an effective contribution to commercial Poultry Farm running at Kohat	A good officer	Good	in his turn Fit for promotion in his turn	7
1999	01/01/99	31/12/99	He is well versed with his technical job & undergone poultry husbandry course from Holland is contributing useful information with poultry breeders	A good officer	Good	Fit for promotion in his turn	7
2000	01/01/00	31/12/00	He is a young, energetic & well behaved obedient Veterinarian.	A good respectful obedient officer	Good	Fit for promotion	7
2001	01/01/01	31/12/01	He is a gentle man, energetic having lot of good qualities	Agreed	Good	Fit for promotion	7
2002	01/01/02	31/12/02	Devoted ,hard worker and intelligent he has good command on his sub-ordinate staff	The officer is professionally good	Good	Fit for promotion	7
2003	01/01/03	31/12/03	He always try to promote Departmental activities in the area . His approach for provision of vety: aid to Livestock owners in positive. He is regular in his duty and having good technical knowledge	Agreed	Good	Fit for promotion	7
2004	01/01/04	31/12/04	Technically sound intelligent and hard worker	Active officer and need to be posted in Distt: (HQ) Hospital	Good	Fit for promotion	7
2005	01/01/05	31/12/05	Technically sound intelligent and hard worker	Agreed with R/O	Good	Fit for promotion	7
2006	01/01/06	31/12/06	Technically sound intelligent and hard worker	Agreed with R/O	Good	Fit for promotion	7
2007	01/01/07	31/12/07	No weaknesses has been observed during the	Agreed with R/O	Good	Fit for	7

DIRECTOR HEADQUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Section Officer (Estt:)
Livestock, Fisheries & Coop. Deptt:
Khyber Pakhtunkhwa

ATTSTED

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			period under report			promotion	
2008	01/01/08	31/12/08	The officer is technically sound & punctual his official duties.	Agreed with R/O	V. Good	Fit for promotion	8
2009	01/01/09	31/12/09	He has good knowledge of profession. He is punctual devoted worker	Agreed with R/O	Good	Fit for promotion	7
2010	01/01/10	30/06/10	He is competent, devoted and hard worker.	Agreed with the assessment of R/O	Good	Fit for promotion	7
	1/07/10	31/12/10	He is competent, devoted and regular in duties	Agreed with the assessment of R/O	Good	Fit for promotion	
BPS-18							
2011	01/01/11	31/12/11	He is a good veterinarian, professionally sound and hard worker.	Agreed with the assessment of R/O	V. Good	Fit for promotion	8
2012	01/01/12	31/12/12	The officer is hard worker, punctual knows his job well.	Agree with the RO, the officer is well known to me and very efficient officer.	V. Good	Fit for promotion	8
2013	1/01/13	31/12/13	He is regular in his duties, technically sound and warm with devotion	Dr Sohail is hardworking and professionally sound officer	Good	Fit for promotion	7
2014	1/01/14	31/12/14	The officer is regular and hardworking	Both the officers are lethargic, To submit the PERs for the year 2014 in June 2017. Any how Dr. Sohail is a good officer	Good	Fit for promotion	7
2015	01/01/15	31/12/15	The officer performs his duty very well and performs the job to his best good, Whenever assigned to him	Agreed with R/O	Good	Fit for promotion	7
2016	1/01/16	31/12/16	The officer is doing well and obeys the orders/directions of the Prov:Gov: accordingly. Supported recently in establishing lab for adulteration in milk.	Agreed with the assessment of R/O	Good	Fit for promotion	7
2017	1/01/17	31/12/17	He is active and have good administration in CVH	I agree with the remarks of RO	Good	Fit for promotion	7
2018	1/01/18	31/12/18	He is active and have good administration in CVH	I agree with the remarks of RO	Good	Fit for promotion	7
BPS-19							
2019	1/01/19	31/12/19	Capable to handle any situation	Agreed	V. Good	Fit for	8

ATTSTED
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DIRECTOR HEADQUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Section Officer (Estt:)
Livestock, Fisheries & Coop. Deptt.
Khyber Pakhtunkhwa

(A)

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						promotion	
2020	1/01/20	31/12/20	Capable to handle any situation	Agreed	V.Good	Fit for promotion	8
2021	1/01/21	31/12/21	Strong and efficient	Agreed	V.Good	Fit for promotion	8
2022	1/01/22	31/12/22	The officer has ability to any situation	Agreed	V.Good	Fit for promotion	8
2023	01.01.23	31.12.23	Trustful and strong officer	Agreed	V.Good	Fit for promotion	8
							40

COMPREHENSIVE EFFICIENCY INDEX

PERs quantified Score	Basic Scale	Aggregate Score	Weightage Factor	Points obtained.
	Present Scale BS-19 (C)	40/5=8	$\frac{8 \times 5 \times 42}{50}$	33.6
	Previous Scale BS-18 (B)	58/8= 7.25	$(7.25 \times 3) + (7.578 \times 2) = (21.75 + 15.15) = 37.25 \times \frac{28}{50}$	20.86
	Previous Scale BS-17 (A)	152.4/20.11=7.578		
	i. Additions			
	ii. Deletions	-	0	
Total (A):			54.46	

ATTSTED

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DIRECTOR HEADQUARTERS
DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Section Officer (Estt:)
 Livestock, Fisheries & Coop: Deptt:
 Khyber Pakhtunkhwa

19

Occupying List of BS-20 Officers

S.No.	Name of Officers	Date of Birth	Date of Retirement
1.	Dr. Alam Zeb, DVM/M.Sc (Hons)/MBA	25.03.1964	24.03.2024
2.	Dr. Shahwar Anwar, DVM.	01-04-1964	31.03.2024
3.	Dr. S.Ahadullah DVM.	01-10-1964	30.09.2024
4.	Dr. Sohrab Ahmed DVM.	20.03.1964	19.03.2024
5.	Dr. Nazir Ahmad DVM.	03.04.2024	02.04.2024

Director General
Directorate General (Extension)
Livestock and Dairy Development
Hyderabad, Peshawar

Section Officer (Ext.)
Livestock, Fisheries & Coop. Dept.
Hyderabad, Peshawar

ATTSTED

Annex 'F'

20



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

No SO (PSB) ED/1-25/2024/(03)

Dated Peshawar, the 15.03.2024

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa
Planning & Development Department.
2. The Senior Members, 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 12.03.2024 on the subject and to say that meeting of the Provincial Selection Board will be held on 18th March, 2024 at 11.00 am under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa

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

Yours faithfully,

(KASHIF IQBAL JILANI)
ASR-I, Establishment Department

ENDST. 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, Govt Khyber Pakhtunkhwa.
- 4 The P.S to Special Secretary Regulation Establishment Department.

ATTSTED

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(KASHIF IQBAL JILANI)
ASR-I, Establishment Department



GOVERNMENT OF KHYBER PAKHTUNKHWA
LIVESTOCK, FISHERIES & COOPERATIVE
DEPARTMENT
Civil Secretariat Complex-II (Ex-FATA Sectt:), Warsak Road, Peshawar
Ph No. 091-9222752

Annex G

181

No.SO (E) /LFC/1-11/2024
Dated Peshawar the March 18, 2024

To,

The Section Officer (PSB),
Establishment Department, Peshawar.

Subject:

**REQUEST FOR ARRANGING SPECIAL PSB FOR PROMOTION BS-19
OFFICERS TO THE POST OF BS-20 OF LIVESTOCK AND DAIRY
DEVELOPMENT (EXT WING) KHYBER PAKHTUNKHWA**

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. DGL&DD(E)3630 dated 13.03.2024 alongwith working papers for promotion of BS-19 officers of Directorate General Livestock & Dairy Development (Ext), Khyber Pakhtunkhwa to the post of BS-20 for consideration of Provincial Selection Board (PSB), please.

Encl: as above:


(Waqar Khan) 18/3/24
Section Officer (Estt:)

Copy forwarded to the:

1. Director General (Ext) Livestock & Dairy Development, Khyber Pakhtunkhwa.
2. PS to Secretary, Livestock, Fisheries & Cooperative Department.
3. Master file.


Section Officer (Estt:)

ATTSTED



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Annex 'H'



GOVERNMENT OF KHYBER PAKHTUNKHWA
LIVESTOCK, FISHERIES & COOPERATIVE
DEPARTMENT

Civil Secretariat Complex-II (Ex-FATA Sectt.), Warsak Road, Peshawar
Ph No. 091-9222752

Dated Peshawar the 23rd October, 2023/341

NOTIFICATION

NO.SO (E)LFC/1-5/2023: In terms of Rule-20 (1) of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules, 1981, as amended vide Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing) Notification No.SO(FR)5-92/2005/Vol.V dated 13.12.2012, sanction is hereby accorded to the encashment of leave equal to 365-days' pay in lieu of Leave Preparatory to Retirement (LPR) in respect of Dr. Muhammad Sohail, District Director Livestock, Kohat with effect from 20.03.2023 to 19.03.2024 (AN)

2. In terms of Section 13(I) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, the officer shall stand retire from service with effect from 19.03.2024 (AN) on attaining the age of superannuation as his date of birth is 20.03.1964.

Sd/-

Secretary Livestock, Fisheries &
Cooperative Department

Enclst: Even No. & date

Copy forwarded to the

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2) Director General (Extension), L&DD Khyber Pakhtunkhwa.
- 3) District Director Livestock, Kohat.
- 4) Officer concerned.
- 5) Personal File.
- 6) Master file.

Waqar Khan
(WAQAR KHAN)
Section Officer (Estt)

23/10/23

ATTSTED

On

Annex 'I'

23

BEFORE THE WORTHY CHIEF SECRETARY GOVT. OF KHYBER
PAKHTUNKHWA, PESHAWAR.

DEPARTMENTAL APPEAL AGAINST THE NON CONSIDERATION OF THE
UNDERSIGNED PROMOTION TO BPS-20 VIDE PSB MEETING HELD ON 18th
March, 2024, FOR WHICH THE APPELLANT WAS ELIGIBLE, ENTITLED AND
QUALIFIED IN ALL RESPECT BUT HAVE BEEN IGNORED WITHOUT ANY
REASON AND JUSTIFICATION.

Respected Sir:

- 1) That the appellant joined the service in Health Department as Veterinary Officer vide office letter dated 24.04.1989 and was posted as Semen Distribution Officer Peshawar and was promoted to BPS-18 and then to BPS-19 on regular basis vide letter dated 05.08.2019.
- 2) That a final seniority list of (BPS-19) officers of Livestock & Dairy Development (Extension Wing) Department Khyber Pakhtunkhwa was notified for the year, 2023 wherein the appellant was placed at S.No-9, but in fact the appellant was at S.No-1 as the other officers S. No-1 to 08 were already been promoted/retired to BPS-20.
- 3) That the appellant being entitled and fulfilling all the coddle formalities for promotion to BS-20, addressed an appeal vide letter No-1734 dated 08.03.2024 (well before his retirement) in respect of promotion to BS-20 for the upcoming PSB Provincial Selection Board (PSB) which was scheduled for 18th of March, 2024, the working paper of the undersigned for PSB were completed and but the department not submitted the same before the PSB within time and thus the undersigned was not considered and deprived.
- 4) That it is to be added that the appellant was stood retired from service with effect from 29-03-2022 on attending Sixtieth (60th) years of age and was not considered for promotion from BPS-19 to BPS-20 despite the fact that the appellant was on top against the 04 posts laying vacant since long.

It is therefore humbly submitted that the Department (Competent authority) may kindly be direct to prepare the working paper once again regarding appellant's promotion to BPS-20 and place before the special PSB to be constitute in the best interest of justice.

Note; All necessary/relevant documents are attached).

TTSTED

APPELLANT
Dr. Muhammad Sohail

Ex-District Director Livestock, Kohat.

WAKALATNAMA

IN THE COURT OF

HP Service Tribunal, Peshawar

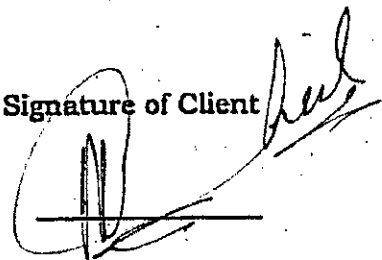
Dr. Mubeen Dohal Plaintiff(s)
Petitioner(s)
Complainant(s)

VERSUS

Chief Secretary Defendant(s)
Respondent(s)
Accused(s)

By this, power-of-attorney I/we the said Applicant in the above case, do hereby constitute and appoint **MUHAMMAD ARIF JAN** Advocate as my attorney for me/us in my/our name and on my/our behalf to appear, plead, give statement, verify, administer oath and do all lawful act and things in connection with the said case on my/our behalf or with the execution of any decree or order passed in the case in my/our favour/ against which I/we shall be entitled or permitted to do myself/ourselves, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my/our success or failure in case, provided that, if the case is heard at anyplace other than the usual place of sitting of the Court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

Signature of Client



Accepted


Muhammad Arif Jan
Advocate High Court

0333-2212213

Bc No.10-6863

arifianadvi@yahoo.com

Office No.212, New Qatar Hotel,

G.T Road, Sikandar Town,

Peshawar.