EXECUTION NO

APPEAL NO	INSTITUTION	ORIGINAL INSTITUTION	DECISION	PAGES
1565/2019	-	18.11. 2019	17.05.204	82

Wazir Gull vs Gout of K.P

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- 2. The gist of the arguments of the learned counsel for the petitioners was that when not only the petitioners after observing all codal formalities were appointed and regularized but at the time of their initial recruitments, manual verification of their registrations was properly confirmed, notwithstanding, online verification is not the responsibility of the petitioners rather it was the PM&DC to do the same, therefore, the impugned letter with regard to deposit the drawn salaries on the basis of non-verification of online verification of their PM&DC registrations is nothing but a sheer example of misuse of authority by respondent No.1, so vested in him, that too, when their appointment orders were issued by respondent No.2 and even otherwise, respondent No.1 is nothing to do so.
- Additional Advocate General appearing on behalf of the respondents was that when the petitioners, on account of non-verification of their PM&DC registrations online, were contacted time and again but not only they switched off their respective mobile numbers but also absented themselves from their duties and when the respondents, at their own, approached the PM&DC with regard to verification of PM&DC registration of the petitioners, they were learnt that the petitioners are not registered as medical practitioners in PM&DC and their names do not exist in its database,



ATTESTED

EXAMPLE

Peshawar High Court

17.05.2024 1 Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney alongwith Dr.

Badshah, Veterinary Officer for the respondents present

- Representative of respondent stated that they will call the appellant and consider him for promotion to the post of Junior Clerk in the upcoming department promotion committee meeting subject to passing of typing test and if they otherwise fulfill the criteria. As a token of admission of his submission, he signed the margin of order sheet.
- In view of the above, the instant appeal is disposed of accordingly. Consign.
- Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 17th day of May, 2024.

Member (E)

(Rashida Bano) Member (J)



09th May, 2024

- 1. Clerk to counsel for the appellant present. Dr. Noor Badshah, Veterinary Officer alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
- 2. Counsel are on strike. Being an old case of the year 2019, therefore, adjourned for 17.05.2024 for arguments before the D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan) Member (Executive) (Kalim Arshad Khan) Chairman



2. Respondents are directed to produce conference issued to the appellant for typing test & interview alongwith working paper of the DPC meeting, before the date fixed. To come up for arguments on \$2.04.2024 before D.B. P.P given to the parties.

(Fareeha Paul) Member (E) (Rashida Bano) Member (J)

Fazle Subhan, P.S

- 18.04.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam learned Assistant Advocate General alongwith Dr. Shahid Ullah, Veterinary Officer for the respondents present.
 - 2. Record mentioned vide previous order sheet not submitted. Representative of respondent sought further time for submission of the same. Absolute last and final chance is given. To come up for record and arguments on 09.05.2024 before D.B. P.P given to parties.

(Fareeha Paul) Member (E) (Rashida Bano) Member (J)

Kaleemüllal

20th Sep,2023

- 1. Junior to counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Dr. Shahid Ullah, Veterinary Officer for the respondents present.
- 2. Junior to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Last opportunity is granted. To come up for arguments on .15.01.2024 before D.B. P.P given to the parties.

SCANNED KOUT Peshawar

(Muhammad Ákbar Khan) Member (E) (Kalim Arshad Khan) Chairman

Kamramillah

15.01.2024

Clerk of learned counsel for the appellant present.

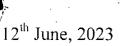
Mr. Shahid Ullah, Veterinary Officer alongwith Mr. Asad Ali
Khan, Assistant Advocate General for the respondents
present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal due to strike of lawyers. Adjourned. To come up for arguments on 01.03.2024 before the D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan) Member (E)

(Salah-ud-Din) Member (J)

Naeem Amin



- 1. Clerk of counsel for appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.
- 2. Lawyers are on strike. Therefore, case is adjourned to 20.09.2023 for arguments before D.B. P.P given to the parties.

SCANNED! KPST

(Fareella Paul) Member (E)

(Kalim Arshad Khan) Chairman

*Mutazem Shah '

20th Sep,2023

SCANNED KP3T

- 1. Junior to counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Dr. Shahid Ullah, Veterinary Officer for the respondents present.
- 2. Junior to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Last opportunity is granted. To come up for arguments on 15.01.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan) Member (E) (Kalim Arshad Khan) Chairman

Kamramdlah

05.01.2023

Learned counsel for the appellant present. Mr. Muhammad - Adeel Butt, Addl. AG for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Last opportunity is granted to argue the case on the next date, failing which the case will be decided on available record without arguments. Adjourned. To come up for arguments on 03.04.2023 before D.B.

CIOIC D.D.

(Mian Muhammad) Member (E) (Kalim Arshad Khan) Chairman

03.04.2023 Junior to counsel for appellant present.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Furqan Ahmad Assistant for respondents present.

File to come up alongwith connected Service Appeal No.1563/2019 titled "Ejaz Ullah Vs Government of Khyber Pakhtunkhwa" on 12.06.2023 before D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan) Member (E) (Rozina Rehman) Member (J)

CANAGED

7 14.09.2022

Learned counsel for the appellant present. Dr. Noor Badshah, Veterinary Officer and Dr. Shahid Ullah, Farm Manager alongwith Mr. Asir Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 17.11.2022 before the D.B.

(Mian Muhammad) Member (E) (Salah-Ud-Din) Member (J)

17th Nov. 2022

Clerk of counsel for the appellant present.

Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

SCANNED KOST Pesnawar

Lawyers are on general strike. To come up for arguments on 05.01.2023 before the D.B.

(Fareera Paul) Member(E) (Rozina Rehman)
Member(J)

7-3-22

Due to Retriement of the Homble To chairman the case is adjansened to 9-5-22

Reader

09.05.2022

Appellant in person present. Dr. Sajjad Ullah alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is out of station today. Adjourned. To come up for arguments on 14.07.2022 before the D.B.

(Mian Muhammad) Member (E) (Salah-ud-Din) Member (J)

14.07.2022

Mr. Imran Khan, Advocate (junior of learned counsel for the appellant) present. Dr. Anwar Bakhsh and Dr. Shahid Ullah alongwith Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 14.09.2022 before the D.B.

(Rozina Rehman) Member (J) (Salah-ud-Din) Member (J) 11.11.2020

Appellant in person present. Mr. Usman Ghani learned District Attorney alongwith Jamshaid Legal Officer for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 27.01.2021 for hearing before the D.B.

-Rehman Wazir) Member (E)

27.01.2021 Due to pandemic of Covid-19, the case is adjourned to 15.04.2021 for the same.

15.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 04.08.2021 for the same as before.

04.08.2021 Appellant present through counsel.

> Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Shahid Ullah Form Manager for respondents present.

> File to come up alongwith connected Service Appeal No. 1563/2019 titled Ejaz Ullah Vs. Government of Khyber Pakhtunkhwa on 29.11.2021 before D.B.

(Atiq-Ur-Rehman Wazir)

Member (E)

(Rozina Rehman) Member (J)

29.11.2021 Due to unavailability of DB, the case is adjourned to 07-03-2022.



16.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 16.07.2020 before D.B.

16.07.2020

Due to COVID-19, the case is adjourned for the same on 01.09.2020 before **\$**.B.

01.09.2020

Appellant present in person.

Mr. Muhammad Jan learned Deputy District Attorney alongwith Dr. Shahid Ullah Veterinary Officer for the respondents present.

Appellant submitted rejoinder and requested for adjournment as his counsel is not available. Adjourned. To come up for arguments on 11.11.2020 before D.B.

(Attiq ur Rehman) Member (E)

(Rozina Rehman) Member (J)

W

23.12.2019

Appellant with counsel present. Preliminary arguments heard.

SCANNED

Appellant Deposited

The appellant (Class-IV) has filed the present service appeal being aggrieved against the promotion orders dated 15.05.2019 and 22.07.2019 on the ground that through the said promotion orders Class-IV colleagues junior to the appellant were promoted to the post of Junior Clerk in violation of relevant rules for promotion of Class-IV against 33% vacancies of Junior Clerks.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 21.02.2020 before S.B

Member

21.02.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith M/S Jamshad Akhtar, Legal Officer and Shahid Ullah, Veterinary Office for the respondents present. Representatives of the department submitted para-wise comments on behalf of respondents No. 1 to 3. The same is placed on record. Case to come up for rejoinder and arguments on 16.04.2020 before D.B.

(MUHAMMAD AMIN KHAN KUNDI) MEMBER

Form- A

FORM OF ORDER SHEET

Court of	
Case No	1565/ 2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/11/2019	The appeal of Mr. Wazir Gul presented today by Mr. Zartaj Anwa Advocate may be entered in the Institution Register and put up to the
1		Worthy Chairman for proper order please.
,		REGISTRAR
]-' · ,		This case is entrusted to S. Bench for preliminary hearing to be put up there on 2312119
•		CHAIRMAN
:		

01.09.2020

Appellant present in person.

Mr. Muhammad Jan learned Deputy District Attorney alongwith Dr. Shahid Ullah Veterinary Officer for the respondents present.

Appellant submitted rejoinder and requested for adjournment as his counsel is not available. Adjourned. To come up for arguments on 11.11.2020 before D.B.

(Attiq ur Rehman) Member (E)

(Rozina Rehman) Member (J)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1565/2019

SCANNED KPST Peshawar

Wazir Gul S/O Noorab Gul R/o Village Zore Mandi Tehsil Dargai Malakand Agency.

(Appellant)

VERSUS

Director General (extension) Live Stock & dairy Development Bacha Khan Chowk Peshawar, Khyber Pakhtunkhwa and others (Respondents)

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3	Copy of appointment orders is attached	A	7
4	Copy of educational testimonials are attached	В	
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5	Copy of recruitment/ promotion rules is	С	
	attached		10-12
6	Copy of application to RTI is attached	D	10-12-
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7	Copy of the departmental appeal is	E	111
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Through

Zartaj Anwar

Advocate High Court

Office FR, 3 Forth Floor

Bilour Plaza Peshawar Cantt.

Cell: 0331-9399185

Email: Zartaj 9@yahoo.com

(15)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Sayber Pakhtukhwa Service Tribunal

Appeal No. 1565/2019

Dated 18/11/2019

Wazir Gul S/O Noorab Gul R/o Village Zore Mandi Tehsil Dargai Malakand Agency.

(Appellant)

VERSUS

- 1. Director General (extension) Live Stock & dairy Development Bacha Khan Chowk Peshawar, Khyber Pakhtunkhwa.
- 2. Director Breed Improvement & Reforms, Bacha Khan Chowk Peshawar, Khyber Pakhtunkhwa.
- 3. Director Cattle Breeding & Dairy Farm, Harichand District Charsadda.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the promotion Orders dated 15.05.2019 and 22.07.2019 which is not communicated, whereas the junior colleagues Class-IV promoted to the post Junior Clerk, against which his departmental Appeal dated 02.08.2019 has not been responded after a lapse of statutory period of 90-days.

Filedta Viny Registrar

<u>Prayer in Appeal:</u> -

On acceptance of this Service Appeal declaring the Appellant fit and eligible to be promoted to the post of junior clerk against the reserve 33% quota for promotion from amongst the Class IV employees on the basis of seniority-cum-fitness, but quit illegally junior colleagues of the Appellant were promoted to the post of Junior Clerk

in violation of rules for promotion, against the reserve quota of Class-IV. The reluctance on the part of the respondents by not promoting the appellant to the post of Junior Clerk is thus to be declared illegal, unlawful, without lawful authority and in violation of the method of recruitment for the post in question and to be declared void ab-initio and need to be set aside. The Appellant has got prior right for the purpose of promotion against reserve quota with all back and consequential benefits. Or

Any other remedy deemed proper may also be allowed.

Respectfully Submitted:

- 1. That the Appellant was appointed on 09.03.2011 in the respondent department, as Class IV and posted at Civil Veterinary Hospital, Harichand District Charsadda. (Copy of appointment orders is attached as annexure A)
- 2. That the Appellant is performing his duties at Civil Veterinary Hospital, Harichand District Charsadda for the last 8 years 4 months with no complaints what so ever from the superiors till date.
- 3. That as per law and rules of the respondent department any Govt. Servant working as Class IV having the requisite qualification has the right to be promoted to the post of Junior Clerk from Class IV with 33% reserve quota on the basis of seniority-cum-fitness. (Copy of educational testimonials are attached as annexure B)
- 4. That according to the method of recruitment / promotion in the respondent department all the Class IV having the requisite Qualification may be promoted to the post of Junior Clerk according to the 33 % promotion quota. (Copy of recruitment/promotion rules is attached as annexure C)
- 5. That the petitioner since their appointment as Class IV performing their duties as with great zeal and devotion and with the passage of time improved his abilities and made himself eligible for promotion according to the rules.

- 6. That according to the promotion policy, prescribe quota for promotion from the post of Class IV to the post of Junior Clerk, which include all the Class IV employees.
- 7. That the Appellant since his appointment requested the department for his inter-se seniority through which he can understand his promotional turn according to the prescribed procedure as he has to be promoted on the basis of seniority-cum-fitness but the same is till date not provided to the Appellant with their ulterior and Malafide intention to adjust their own blue eyed ones, which they almost achieved by promoting juniors to the Appellant to the next higher post i.e. Junior Clerk and left behind the present Appellant without any proper and just reason.
- 8. That the Appellant when not succeeded by getting the information regarding his seniority position and also came to know about the promotion process of the junior colleagues submit applications to the respondent department and when the efforts were fruitless also approached to the RTI (Right to Information) by submitting application vide DD NO.5087 dated 27.09.2019, and also to the respondent department vide DD No.6511 dated 23.09.2019, requesting on the same plea which is also without any result and all the efforts is till date without any success. (Copy of application to RTI is attached as annexure D)
- 9. That cases were prepared and placed before the departmental promotion committee meeting in respect of Class IV employees promotion to the post of junior clerks, where the name of the Appellant was not included but promoted the junior most employees/ colleagues of the Appellant.
- 10. That the Appellant submitted appeal for promotion but the same is not being the responded and junior most colleagues were consider for promotion and promoted to the post of junior clerks violate the clear rules and laydown procedure. (Copy of the departmental appeal is attached as annexure E)
- 11. That the act and omission of the respondents by not promoting the present Appellant is illegal, unlawful without lawful authority and against the law and facts, hence liable to be set aside inter alia on the following grounds.

GROUNDS:

- A. That the Appellant has not been treated in accordance with law, his rights secured and guaranteed under the law and Constitution has been violated.
- B. That the respondents are not acting in accordance with law by not promoting the appellant to the post of junior clerk.
- C. That the conduct of the respondents is apparently tainted with malice, malafide and bias, similarly favoritism, nepotism & political interference prevailed in the process of promotion, thus the promotion with immediate effect so made is discriminatory.
- D. That according to the method of recruitment/Promotion all the Class-IV have the requisite qualification and most important the seniority in the cadre are to be consider for promotion under the 33% reserved quota of promotion to the post of junior clerk which is badly violated in the case of the present appellant as the junior most were promoted. (Copies of the their promotion orders are attached as annexure F)
- E. That the appellant has not been treated as per notified gazetted rules by the respondents which deprived the appellant from his due rights of promotion since his fulfillment of the required qualifications and experience.
- F. That the state is bound to ensure the elimination of all forms of exploitation and the gradual fulfillment of the fundamental principles. It is also the duties of the state to remove disparity in the income and earning of individuals under Article 37 & 38 of the Constitution.
- G. That under Article 25 of the Constitution of the Islamic Republic of Pakistan 1973, all citizen are equal before law, and that no discrimination is permitted in the similarly placed citizens, thus the discrimination meted out to the Appellant in the grant of regularization is illegal, highly discriminatory and not sustainable.
- H. That inaction on the part of respondents is adversely affecting the appellant career; hence the proprietary demands that the appellant should be promoted from the initial date of promotion as allowed to the similarly placed colleagues whom been promoted to higher posts.

- I. That the Appellant while posted in the respondents department performing their duties with honesty great zeal and devotion to the entire satisfaction of the superiors without any complaint what so ever.
- J. That the Superior Courts have repeatedly held that where a point of law is decided by the Superior Courts that cover the cases of all those civil servants who have not litigated than the good governance require that the benefit of such judgment should also be given to those who may not be parties to the litigation instead of compelling them to approach the Service Tribunal or any other Reference can be made to case reported as SCMR 1996Page 1185, 2009 SCMR Page 1, the Appellant being similarly placed is also entitled to similar treatment meted out to their counter parts.
- K. That the appellant seeks the permission of this honourable Court to rely on additional grounds at the hearing of this appeal.

It is, therefore, prayed that the service appeal as prayed for in the heading of this Appeal may please be accepted in favour of the Appellant and against the respondents.

Through

ZARTAJ ANWAR

Advocate Peshawar

Advocate Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.____/2019

Wazir Gul S/O Noorab Gul R/o Village Zore Mandi Tehsil Dargai Malakand Agency.

(Appellant)

VERSUS

Director General (extension) Live Stock & dairy Development Bacha Khan Chowk Peshawar, Khyber Pakhtunkhwa and others

(Respondents)

AFFIDAVIT

I, Wazir Gul S/O Noorab Gul R/o Village Zore Mandi Tehsil Dargai Malakand Agency, do hereby solemnly affirm and declare on oath that the contents of the above service appeal are true and correct and that nothing has been kept back or concealed from this Honourable Court.

Deponent

реропен

346-5385940



OFFICE OF THE DIRECTOR CATTLE BREEDING & DAIRY FARM HARICHAND DISTRICT CHARSADDA PH & FAX #: 091 – 6640187

Axilizate 14

ORDER

As per Government of Khyber PakhtunKhwa Policy, on the death of Mr.Noorab Gul Milk man, the Competent Authority is pleased to appoint Mr.Wazir Gul S/O Noorab Gul Village Zore Mandi Tehsil Dargai Malakand Agency as Milk Man (BPS-01) at the permissible pay scale Rs.2970-90-5670/- plus regular allowances from the date of taken over the charge of the post on regular basis.

His appointment shall be governed by the following terms and conditions.

a. His appointment shall be on regular basis but with out pension & gratuity in terms of section 19 of the Khyber PakhtunKhwa Services act 1973 as amended vide Khyber PakhtunKhwa civil servant(Amendment) act 2005.

b. His appointment shall be subject to the medical fitness by the concerned

Medical Superintendent.

c. He will be governed by such rules regulation orders acts and ordinance etc relating to appointment/transfer leave efficiency and discipline and conduct as have been /may be prescribed by the Government

d. His service shall be liable to termination of the following condition:

1) At any time with out notice and with out assigning any reason during the period of his appointment on probation.

i) Two-years if their work during this period was not found satisfactory.

- On one-month notice by government on one side and by him on the other. In case the notice on either side is less then one month, a sum of equivalent to one month pay for the period by which the notice falls short of one month will be paid by government to them or in lieu of their of one month pay shall be forfeited.
- By Government with out provision notice if at satisfied on material evidence that they are unfit and/or likely to remain unfit for a considerable period by reason of it health or physical disability to discharge their duties. The decision on of the government as to what constitute considerable period shall be final.

iv) He shall not be entitled to any traveling allowance/daily allowance while joining first appointment.

v) He shall not contribute to provident fund in such a manner and it such as my

be prescribed by the government.

3. If he is willing to accept the above-mentioned terms & condition, he should report to concerned officer with within 15-days.

Director, Cattle Breeding & Dairy Farm Halichand

						1	
No.	384 - 87	11/6	dated	Harichand	the _	9-3	/ 2011

Copy of the above is forwarded to:

- 1. The Director General (Extension) Livestock & Dairy Development Khyber Pakhtun Khwa Peshawar, with reference to vérbal discussion dated 08/03/2011.
- 2. The Director Breed Improvement & Farms Khyber Pakhtun Khwa Peshawar for information.
- 3. The District Accounts Officer Charsadda for information and further necessary action.

4. Mr. Wazir Gul S/O Noorab Gul village Zore Mandi Tehsil Dargi.

Director,
Cattle Breeding & Dairy
Farm Harichand



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND (CHAKDARA) N.W.F.P PAKISTAN

INTERMEDIATE CERTIFICATE EXAMINATION



S.No.MB

021770

INTERMEDIATE (PART-II ANNUAL) EXAMINATION, 2010

Roll No:

39042

Group:

Pre-Medical

Wazir Gul

Son of

Noorah Gul

: 4:1

of _ MALAKAND AGENCY

has secured the marks shown against each subject in the H.S.S.C Examination held in the month of

<u>April/May</u> as <u>Private</u> candidate.

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			Marks Obtained						
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English		200	52		59	 ·	111	One Hundred Eleven	
Urdu		200	71		70		141	One Hundred Forty-One	
Islamic Education		50	34				34	Thirty-Four	
Pakistan Studies	-	50			37	;	37	Thirty-Seven	
Physics		200	63	15	49	15	142	One Hundred Forty-Two	
Chemistry		200	41	9	30	10	90	Ninety Only	
Biology		200	47	14	41	12	114	One Hundred Fourteen	
	Total:	1100			Marks	s :	669-B	Six Hundred Sixty-Nine Onty	

Remarks:

Prepared By: Wagar- DPS

Checked By: Shahid- KPO

Note: Errors / Ommissions excepted. Any mistake in Name etc must be intimated within 30 days after

receiving the above certificate.

O.W.S. BISE, Malakand,

Date: 27.07.2010, 11:22 AM

Controller of Examinations B.I.S.E, Malakand.

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ALLISTED

Arabali C



GOVERNMENT OF THE KITYBER PARTITIONAL ESTABLISHMENT AND ADMINISTRATION DEPARTMENT (ESTABLISHMENT WING)

MOTIFICATION

Peshawar, dated the 6th December 2012.

No SOE IV(E&AD)/1-35/2012:- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

APPENDIX

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
·1.	Superintendent.	_	-	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant with atleast five years service as such.



S.No.	Nomenclature of	Minimum qualification for	Age	Method of recruitment.
,	posts.	appointment by initial	limit.	
	· · · · · · · · · · · · · · · · · · ·	recruitment.		
1.	2.	3.	4.	5.
2.	Assistant.	Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks with atleast five years service as Junior and Senior Clerk.
				(b) twenty-five per cent by initial recruitment.
3.	Senior Clerk.	_	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerk with atleast two years service as such.
4.	Tursor Clerks	(i) Matriculation with second division or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty-three per cent by promotion, contine basis of seniority-cum-fitness, from amongst Daftains, Cestetner Operators, Quasids and Naib Quasids including holders of other courseless for the Secretarist with two years service as such, who have passed S.S.C. Examination, and (b) sixty-seven per cent by initial recruitment. Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Quasids, Naib Quasids etc., with reference to the dates of their acquiring the Secondary School Certificate:

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	<u>5</u>
		· · · · · · · · · · · · · · · · · · ·	;	Provided that-
				(a) if two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower
	. `			post shall be maintained for the
				purpose of determining seniority
				in the higher post; (b) where a senior official does not
				possess the requisite
				qualification at the time of
ĺ				filling up a vacancy, the official
	1	İ	J .	next junior to him possessing the
				requisite qualification shall be
				promoted in preference to the senior official or officials.
.	"L.		1	Sellor official of officials.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA.

Page 3 of 4

13 Mal: D

23/9/10

To,

The Director General,
Department of Livestock & Dairy Development KPK Peshawar,

Subject: -

INFORMATION REGARDING SENIORITY LIST FOR THE YEAR 2018-2019 UNDER RTI ACT 2013.

Memo,

It is for your kind information that we have much needed seniority list of (Class –IV) for the year 2018-2019 for some personal use.

It is therefore requested that please provide us the above mention list for the year 2018-2019 under RTI Act 2013 we will be thankful for your favorable consideration.

Yours Obediently,

Wazir Gul, Mahmood Razza, Shamshad, Muhammad Ijaz (Class-iv) Govt Dairy Faram Jamal Abad Harichand

Copy is forwarded to the Information Officer RTI Commission KPK benevolent fund building Saddar Peshawar for information and further necessary action please.

. Wazir Gul, Mahmood Razza,
Shamshad, Muhammad Ijaz u

(Class-iv) Govt Dairy Faram Jamal Abad Harichand

cell # 0346 9338307

ATTESTED

28 28 July 14 خدید و از ارش می مرسره قرب مای العید می کست در جوداد) والرزن الرواح و الرزم و المرادم و المرادم و المرادم و المروم والمروم و و المرابع و المر منره كارار حل منزي - كواليه من ل الوم السي طرف منزل دران وال المسروالي المرى حلى المورار مدراع المسلال العياميال ف فروت من المرمادها في ع المسين المسل المعزر برمام مبزه كو دعا دريكا دوقع زائم رواس GBN 1-8-2019 .2019 5187 540/21/3 ind Start eing Just it is shown date 2-8-019 حاليس . ميران الناء TESTED .



ORATE GENERAL (EXTENS

LIVESTOCK & DAIRY DEVELOPMENTKEYBER PAKHTU Becha Khan Chowk, Charadda Road Peshawar, Email ddiddexl@Yah Tel. 091-9210276, 9210249, Fax: 091-9210285

On recommendation of the Departmental Promotion Committee (DPC) in the meeting dated 30.04.2019, the competent authority is pleased to approve promotion of the following officials (Däftaries & Class-IV) to the post of Junior Clerk (BS-II) of the Livestock and Dairy Development Department (Extension Wing) Khyber Pakhtunkhwa, with immediate effect.

(Daftaries)

΄, '	Dantains	on the second of the second	,
	S.No	Name of Officials	Promoted to the post of
	<u> </u>	Fayaz Ahmed (Daftari B-05)	Junior Clerk (BPS-1/1)
	2	Asad Iqbal (Daftari B-04)	Junior Clerk (BPS 11)
	3	Aftab Anwar (Daftari B-04)	Junior Clerk (BPS-11)
•	4	Adnan Ahmad (Daftari B-04)	Junior Clerk (BPS 11)
ŀ	5.	Sareer Khan (Daftari B-G4)	Junior Clerk (BES (1))
	(Class-IV		
^ _	1.	Mr. Zahid Jamal (Lab: Attendant BS-03)	Junior Clerk (BPS-11)
	2	Mr. Muhammad Zain-ul-Abiddin (Cattle Attendant BS-03)	Junior Clerk (BPS-11)
, •	3	Mr. Saced-ul-Hassan . (Cattle Attendant BS-03)	Junior Clerk (BPS-11)
	. 4	Mr: Muhammad Ismail (Chowkidar BS-03)	Junior Clerk (BPS-1.1)
	· 5 6	Mr RahateShah (Naib Qasid BS 03)	Junior Clerk (BPS-11) : 117 (19
19 1 3	- 6	Mary Luitaminia Sharees of Kataman (Chowkidar BS 03) 42	Junior Clark (BES 11)
1 C) 12 Um 2	7	Mir Wali Ullah (Behishth BS-03)	Junior Clerk (BPS-11)
	. 8	Mr. Muhammad Asif	Junior Clerk (BPS-11)
را بازر مالی!	2 -5	Mr. Dil Jan Khan (Cattle Attendant BS 03)	Junior Clerk (BPS-11)
2 7/2018	o;	Mr. Muhammad Junaid Jahler	Junior Clerk (BPS-1.1)
10/1 /2018	ر 11 .	Mr. Khanullah (Naib Qasid BS-03)	Junior Clerk (BPS-11)
11-1-2019	تخسيان	1. V. 2	

tion for a period of one year in terms of Section 6 (2) of the SoffKhyber Pakhtunkhwa Civil Servants (Appointment, Khyber Pakhtunkhwa Act, 1973 read

. Sd/- .

(Dr. SHER MUHAMMAD) DIRECTOR GENERAL

arsadda and Hangu.

sadda, Orakzai and Hangu.

Assistant Director, L





On recommendation of the Departmental Promotion Committee (DPC) of the promotion of the following officials (Daftaries, & Class IVA) is the fost of Junior Clerk (BS-II), vide Directof General; Livestock and Dairy Development Department (Extension Wing) Khytter-Pakhtunkhwa, order No. 2226-51 dated; 15.32019 their further transfer / posting is hereby made as under in the best interest of public service with immediate effect.

٠.	paping,	The second second second second second	Present Person and a service of the Parish of Sanda.	TO TO
١.	S:No.	Name of official Activity	S. Bolle M. From Y.	Office of the District Director Livestock;
- 1	1000	Mr-Eaizan Khan		Torgar, against the vacant post of Junior Clerk
·		Junion Clerk (BUS VIDE)		
ij			The state of the s	BS-11
;		2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	The second of th	Office of the Director General, Livestock &
]	Mr. Favaz Ahmed	Livestock & Dairy Development	Dairy Development, Khyber Pakhtunkhwa,
	•	Junior Clerk (BPS-11)	Livestock & Daity Development	Peshawar vice S.No L.
	ŀ	·	Chyool Laditarion, City	Office of the Director General, Livestock &
•		Mr. Zahid Jamal	Office of the Director General,	Office of the Director Octobra Calcharachura
•		Junior Clerk BS-11		Dairy Development, Kliyber Pakhtunkhwa,
-	٠ ,٠ أ	Julior Clerk D3-11	Khyber Pakhtunkhwa Peshawar	Pesnavar against vacant post of Junior Clerk
	ì		[1] [1] [1] [1] [1] [1] [1] [1] [1] [1]	BSHE SKY SACTOR STATE
			Care Company and California and Care Control	Office of the Director, Livestock Experiment
	· ∔.	Mr. Tariq Iqbal	Office of the District Director.	Station, Jaba District Manschra against the
ĺ		Junior Clerk BS-11	Livestock Peshawar	vacant post of Junior Clerk BS-11
-			A. 新疆的数据,1000年1000年1000年1000年1000年	Vacant post of fundir Cierk bosts
	5	Mr. Muhammad Ismail	Officelofithe District Director	Office of the District Director-Livestock,
	3		allivestock Peshawan death	Reshawar against S. No. 4
	·	Junior Clark BS: 1455 22	Office of the Director General	Office of the District Director Livestock,
:	- 6	Mr. Masdoo Shan ray	il vestock & Dairy Development,	Nowshera, against the vacant post of Junior
		Junior Cleat BS 11 To	Threstocker pair, Development	Clerk BS-11.
٠.		e la para la value	s Shyben Pakhtunkhwa. Peshawar	Office of the Director General, Livestock &
	3. 1. 3 1. 7	Mr. Saccoult Hassan	Onice of the District Director	Office of the Director Concern, Division of
:		Tunior Clerk BS The Co.	Bluestock Peshawar	Dairy Development, Khyber Pakhtunkhwa,
ż	والميدين والمتلالة مهدو			Peshawar vice S.No. 6
	A CONTRACTOR	e viješveteMiliammadišv	OF Ecotthe Director General	Office of the District Director Livestock,
	1 2 地震		Dring of the control	Frank agains the vacant post of Junior Clerk
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7	637.5	HERUMOR COOKEDS EL 1970		#Office of the Director General Livestock &
•]°. ~9.∵`	MraRahauShah	Tornes of Heinirector Carile 17	Dairy Development Khyber Pakhtunkhwa.
٠,		Junior Clerk BS 1123	Breeding and Dairy Earns	Dairy Development, Nayoeth as non-
		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	计图形的图像图像图像	Peshawar Vice S.No. 8
•	10	Mr. Romail Mahfooz	And the Britis Director General.	Office of the Director, Livestock Experiment
]. 10.	Junior Clerk BS-1.1	ell Vesibek & Dairy Development.	Station; Jaba District Mansehra against the
		Junior Clerk B3-11	khaje aga hunkhwa. Peshawar	vacant post of Junior Clerk BS-11.
	-			Office of the Director General, Livestock &.
	4 .41 %	Mr: Muhammad 2	General.	Dairy Development, Khyber Pakhtunkhwa,
	:	Shakeeb-ur-Rehman	Businestick & Dairy Development.	Dairy Development, Knyoer random var
		Junior Clerk BS 2014 2	sieheberaflakhtunkhwa, Peshawar	Peshawar Vice S.No. 10
	: 12 :	Mr Sajidur Rehmand	Office Office Director General.	Office of the District Director Livestock.
	1.	Junior Clerk BS 118	Mula Nestooki& Dairy Development.	Kohat, against the vacant post of Junior Clerks
•	100		Kanbernakhtunkhwa, Peshawar	BS-11.
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		Mi-Wahi Ullan (17)	国创造的运动员 的特殊的	Dairy Development, Khyber Pakhtunkhwa.
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5	1.9	MARKET THE PROPERTY OF	Windershine Director General.	Office of the District Director Livestock,
•		Jenier Clades 11.38	Burnstoel & Dairy Development.	Karak against the vacant post of Junior Clerk
•			Bahyner Bakhneikhwa. Peshawar	BS-LL.
	!5	Mr. Muhammad Asif		Office of the Director General, Livestock &
	.1	Junior Clerk BSH	Land West ook a Karas West Acta	Dairy Development: Khyber Pakhtunkhwa.
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ľ	16.5	学员会社员会员及		BS/11/4
Ċ,		Mr. MuhammadyZain u	ESCOMECTOL THE DISTRICT DIFFECTOR	Office of the Director General, Livestock &-
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Ċ	中整體	zeporensad robalit A Sumor Gerk (BIRS VIII)	A share and the same of the sa	Road Peshawar:
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	The second second	iji jo - SLa Estock & Daury Develormen	Division Hassan Khel, Peshawar against the
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(Dr. SHER MUHAMMAD)
DIRECTOR GENERAL

Copy of even number and date

Forwarded to the:

- Accountant General, Khyber Pakhtunkhwa Peshawar

- Accountant General, Knyber Pakhtunknwa, Pespawar.
 Director, Cattle Breeding and Dairy Farm Harichand.
 Director, Livestock and Dairy Development Newly, Marged Area, Warsak Road, Peshawar.
 Director, Livestock Experiment Station, Jaba District Wanseling.
 District Director Livestock, Torgar, Peshawar, Nowshera, Tank, Swabi, Kohat, Karak, Charsadda and Hangu.
 District Accounts Officer, Forgar, Peshawar, Nowshera, Tank, Swabi, Kohat, Karak, Charsadda, Manschra and Hangu. and Hangu.

 Assistant Director Livestock & Dairy De Sheep Development officer, sub Division Chie Szzn (Local).

 Unicale concerned.
- & Dairy Development: Iribal District, Orakzai.

Government of Khyber Pakhtunkhwa District Accounts Office Charsadda Monthly Salary Statement (July-2019)



Personal Information of Mr WAZIR GUL d/w/s of NOORAB GUL

Pumnel Number: 00572221

CNIC: 1540151701957

Date of Birth: 12.03.1990

Entry into Govt. Service: 12.03.2011

Length of Service: 08 Years 04 Months 021 Days

Employment Category: Active Temporary

Designation: MILK MAN

80000993-GOVERNMENT OF KHYBER PAKH

DDO Code: CA4145-DEPUTY DIRECTOR CATTLE BREEDING DAI FORM HARICHND CHARSADDA

Payroll Section: 001

GPF Section: 001

Interest Applied: Yes

Cash Center:

GPF Balance:

31,877.00

GPF A/C No: Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil

Pay Stage: 8

Wage type	Amount	Wage type	Amount
0001 Basic Pay	12,730.00	1300 Medical Allowance	1,500.00
2148 15% Adhoc Relief All-2013	277.00	2199 Adhoc Relief Allow @10%	196.00
2211 Adhoc Relief All 2016 10%	999.00	2224 Adhoc Relief All 2017 10%	1,273.00
2247 Adhoc Relief All 2018 10%	1,273.00	2264 Adhoc Relief All 2019 10%	1,273.00

Deductions - General

	Wage type	Amount		Wage type	Amount
3003	GPF Subscription - Rs 770	-770.00	3501	Benevolent Fund	-300.00
3620	House Rent Deduction 5%	-636.00	3630	Water Charges	-20.00
4004	R. Benefits & Death Comp:	-451.00		•	0.00

Deductions - Loans and Advances

Loan	Description		Principal amount		Dec	luction	Balance	
Deductions Payable:	s - Income Tax 0.00		d till JUL-2019:	0.00	Exempted	1: 0.00	Recoverabl	e: 0.00 .
Gross Pay	(Řs.): 19,5	21.00	Deductions: (Rs.):	-2,177.00		Net Pay: ()	Rs.): 17,34	4.00
Account N	ne: WAZIR GUI lumber: 4138330 ils: NATIONAL	0220	PAKISTAN, 230410	TEHSIL BAZ.	AR, Charsa	adda. TEHS	IL BAZAR, Cha	arsadda., Charsadda
Leaves:	Opening B	alance:	Availed:	Earne	d:	E	Balançe:	

Permanent Address:

City: F.

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: wazirgulkpk@gmail.com



POWER OF ATTORNEY	
In the Court of Char Pukhtwon Chuc Corns	Txitud lastra
Muzis Gul	For SCANNED Report
}	Appellant Petitioner Complainant
}	Defendant Respondent Accused
Appeal/Revision/Suit/Application/Petition/Case No. of Fixed for I/W, the undersigned, do hereby nominate and appoint	
ZARTAJ ANWAR ADVOCATE my true and lawful attorney, for me in on my behalf to appear at to appear, plead, act and above Court or any Court to which the business is transferred in the above agreed to sign and file petitions. An appeal, statements, accounts, exhibits, to other documents whatsoever, in connection with the said matter or any matter from and also to apply for and receive all documents or copies of documents, and to apply for and issue summons and other writs or sub-poena and to get issued and arrest, attachment or other executions, warrants or order and proceeding that may arise there out; and to apply for and receive payment sums or submit for the above matter to arbitration, and to employee are Practitioner authorizing him to exercise the power and authorizes hereby conducts wherever he may think fit to do so, any other lawyer may be appeared and conduct the case who shall have the same powers. AND to all acts legally necessary to manage and conduct the same spects, whether herein specified or not, as may be proper and expedient. AND I/we hereby agree to ratify and confirm all lawful acts done on under or by virtue of this power or of the usual practice in such matter. PROVIDED always, that I/we undertake at time of calling of the Court/my authorized agent shall inform the Advocate and make him appear it case may be dismissed in default, if it be proceeded ex-parte the said couns held responsible for the same. All costs awarded in favour shall be the right of his nominee, and if awarded against shall be payable by me/us IN WITNESS whereof I/we have hereto signed at day to the year alapsoid and the payable to the terms regarding fee	answer in the e matter and is Compromise or er arising there ats, depositions to apply for and to conduct any at of any or all any other Legal conferred on the pointed by my aid case in all my/our behalf e case by the an Court, if the el shall not be of the counsel

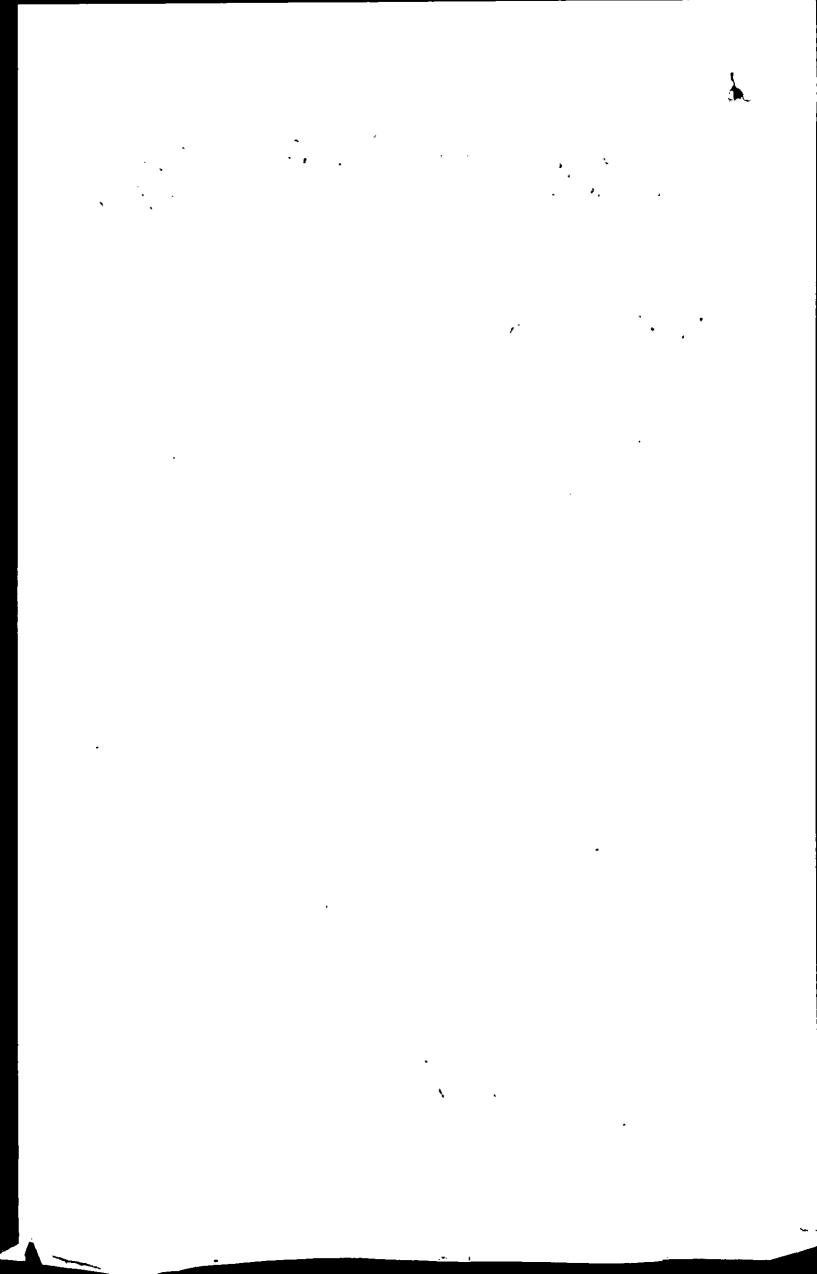
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POWER OF ATTORNEY	
In the Court of Khyps 19 Khuu (Voca Soy)	in tolber
W102180 Gul	For RSW8
	Appellant Petitioner
TITE OTTO	Complainant SCANNED
VERSUS	KPST Peshawar
1. G and others.	}Defendant
	}Respondent
	Accused
Appeal/Revision/Suit/Application/Petition/Case No. of	,
Fixed for 23	12/26
MUBARAK ZEB ADVOCATE HIGH COURT PESHAW lawful attorneys, for me in my same and on my behalf to appear and plead, act and answer in the above Court or any Court to we is transferred in the above matter and is agreed to sign and file petit statements, accounts, exhibits. Compromise or other documents whatsoes with the said matter or any matter arising there from and also to apply for documents or copies of documents, depositions etc, and to apply for an and other writs or sub-poena and to apply for and get issued and arrest, at executions, warrants or order and to conduct any proceeding that may are to apply for and receive payment of any or all sums or submit for the arbitration, and to employee any other Legal Practitioner authorizing his power and authorizes hereby conferred on the Advocate wherever he me so, any other lawyer may be appointed by my said counsel to conduct the have the same powers. AND to all acts legally necessary to manage and conduct the respects, whether herein specified or not, as may be proper and expedient.	at
under or by virtue of this power or of the usual practice in such matter.	on my/our behan
PROVIDED always, that I/we undertake at time of calling of Court/my authorized agent shall inform the Advocate and make him appears may be dismissed in default, if it be proceeded ex-parte the said counted responsible for the same. All costs awarded in favour shall be the rigor his nominee, and if awarded against shall be payable by me/us	ar in Court, if the
IN WITNESS whereof I/we have hereto signed at	
the day to the year	
Executant/Executants Accepted subject to the terms regarding fee	
Milher	
MUBARAK ZEB	• *

Advocates High Court Peshawar

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt

Mobile-0334-4274247



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR SERVICE APPEAL NO.1565/2019

Wazir Gul		Appellant
	VERSUS	
Director General (Ext), Livestock	and Others	Respondents

INDEX

S.No.	Description of Documents	Annexure	Page No
1.	Parawise comments on behalf of		1-3
	Respondent No.01, 02 & 03.		
2.	Affidavit.		4
3.	Minutes of the DPC Dated 30/04/2019.	A	5-6
4.	Service Rules of the Department.	B	7-10
5.	Attendance of all the candidates of	С	11-12
	Charsadda appeared for an interview.		
6.	Seniority List of Class-IV considered for the	D	13-14
·	test.		
7.	Typing test result of all the successful	Е	15-44
	candidates.		
8.	Anthonis letter		45



BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR SERVICE APPEAL NO. 1565/ 2019

Wazir	Gul S/O	Noorab	`Gul	Appell	ant
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VERSUS

Director General (Ext), Livestock & Dairy Development Department, Peshawar & Others

Respondents

Para-wise comments on behalf of the respondent No. 01, 02 & 03.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

- 1. That the Appellant has got no locus standai for filing this Service Appeal.
- 2. The Appeal is wrong and based on illegal and unlawful presumptions.
- 3. The Appellant has got no cause of action to file the present Appeal.
- 4. The Appeal is not maintainable in this present form.

FACTS

- 1. Correct to the extent that the appellant was appointed as Class-IV on the mentioned date by the office of Director Cattle Breeding and Dairy Farm Harichand, District Charsadda (Respondent No.03).
- 2. Pertains to record.
- 3. Correct to the extent that as per service recruitment rules of the Department, 33% reserved quota of Class-IV/Daftari for promotion to Junior Clerk should be filled in as per the eligibility criteria along with seniority, i.e. only candidate with matriculation and having typing speed of 30 words per minute (Annexure A & B).
- 4. Correct to the extent that all the Class-IV/Daftari of the Department having the requisite Qualification along with typing speed of 30 words per minute are eligible for promotion to 33% reserved quota against the post of Junior Clerk, subject to seniority cum fitness.
- 5. Pertains to record.
- 6. Correct to the extent that the 33% promotion quota of Class-IV/Daftari to the post of Junior Clerk includes all the Class-IV employees subject to seniority cum fitness.
- 7. Incorrect: The appellant has never requested for their inter- se seniority list as per official record, Moreover, all the promotions have been made according to the service recruitment rules prescribed for 33% promotion of the Class-IV/Daftari to the post of Junior Clerk. It is pertinent to mention here that Appellant's name was included in the seniority list issued by the office of respondent No. 03, did not appear for the interview on the mentioned date. (Annexure-C):



- Correct to the extent that the application of the Appellant received was considered by the office of respondents as per rules. Meanwhile, the Appellant filed the instant Appeal in the Khyber Pakhtunkhwa Service Tribunal, Peshawar; therefore, the said documents are hereby annexed in the parawise comments. (Annexure-D).
 - 9. Incorrect. The Appellant was considered to appear for an interview, but he did not appear for the said interview. It is worth to mention here that all the candidates promoted to the post of junior clerk appeared and qualified the typing test. (Annexure-E).
 - 10. Incorrect. As stated above.
 - 11. Incorrect. The act and omission of the respondents are quiet legal and based on service recruitment rules of the Department.

Grounds

- A. Incorrect. The action of respondents is based on facts and law and the Appellant's opinion regarding violation of his secured rights is totally biased and based on false presumptions.
- B. Incorrect. The respondents have acted according to Law and service recruitment rules prescribed for 33% promotion of the Class-IV/Daftari to the post of Junior Clerk.
- C. Incorrect. The conduct of respondents is not tainted with any intension to harm someone, and the unlawful blaming of the Appellant toward respondents is totally based on malafide intension.
- D. Incorrect. No violation has been made in case of 33% reserved quota of promotion, According to the service recruitment rules framed for said promotion of Class-IV/Daftari to the post of Junior Clerk, only candidate with matriculation and having typing speed of 30 words per minute were considered for promotion.
- E. Incorrect. The Appellant has been dealt as per rules laid down for the said promotion.
- F. No Comments.
- G. Incorrect. No Violation of Article 25 of the constitution of the Islamic Republic of Pakistan 1973 and discrimination have been made by the respondents and the Appellant has been treated as per rules.
- H. Incorrect. The Unlawful actions by the Appellant towards respondents clearly demands for the dismissal of the instant Appeal with cost.
- I. As replied above.
- J. Correct to the extent that the Appellant's case being not similarly placed to the mentioned SCMR, ordered by the August Supreme Court of Pakistan, Islamabad as the Appellant has been treated according to the Service Recruitment Rules of the Department.
- K. The respondents seek permission to raise additional grounds at the times of arguments

It is, therefore, most humbly prayed that the Service Appeal may kindly be dismissed in favor of the respondents against the Appellant with cost.



Respon Director General (1) Dairy Development Department Peshawar

Respondent No. 02
Director Breed Improvement & Farms, Peshawar

Respondent No.03

Director Cattle Breeding & Dairy Farm Harichand District

Charsadda

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(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR SERVICE APPEAL NO. 1565/2019

<u>Appellan</u>	Wazir Gul
VERSUS	
xt), Livestock and Others	Director General (Ext), L
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AFFIDAVIT

I, Dr. Shahid Ullah, Veterinary Officer (H)/Farm Manager, Cattle Breeding & Dairy Farm Harichand, District Charsadda, do hereby solemnly affirm on oath that the contents of the parawise comments related to the above mentioned case are true and correct to the best of my knowledge and belief, and that nothing has been concealed from this Honorable Tribunal.

DEPONENT



DIRECTORATE GENERAL (EXTENSION)

LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA

Becha Khan Chowk, Charsadda Rosz Peshawar, Email: dglddext@yahoo.comTel: 091-9210276, 9210249, Fax: 091-9210285

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING FOR PROMOTION OF DAFTARIS / CLASS-IV SERVANTS TO THE POST OF JUNIOR CLERKS HELD ON 30.04.2019 AT 10.00 AM, IN THE DIRECTORATE GENERAL (EXTENSION) LIVESTOCK & DAIRY DEVELOPMENT, KHYBER PAKHTUNKHWA, PESHAWAR.

the Directorate General (Extension). Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar. The following committee members attended the meeting.

- 2. Mr. Ajmal, Section Officer (Litig).
 Representative of Administrative Department.
 Member.
 - 3. Dr.Sajjad Wazir, Aşsistant Director (HØs), L&DD. Newly Merged Member
- 4. Dr. Alam Zeb, Director (HQs)

 L&DD, Klyber Pakhtunkhwa, Peshawar

 Member
- 5. Dr. Ahmed Kamat, Director-Breed Improvement & Farms,
 L&DD, Peshawar, Annual Company of the Co
- 6. Dr. Ansar, Veterinary Officer (H) Establishment Member / Secretary

The committee was informed that 16-posts of Junior Clerks were lying vacant in Livestock & Dairy Development (Extension), Khyber, Pakhtunkhwa due to promotion of the incumbent of the posts to higher posts, and needed to be filled in from amongst the Daftari / Class-IV employees under 33% promotion quota. As per service recruitment rules of the department, the selection was to be made as per the eligibility criteria along with seniority, i.e only a candidate with matriculation and having typing speed of 30 words per minute would be considered for promotion.

In the previous Departmental Promotion Committee meeting held on 27.12.2018, it was decided to scrutinize all the documents of the eligible officials, from the concerned institutions before considering them for promotion to the next higher scales.

Consequently, the committee after examining the SSC Certificate, of the eligible candidees excommends the following officials for promotion to the post of Junior Clerk BPS-11 against the available clear vacant posts in Livestock & Dairy Development (Extension Wing) Kliyber Pakhtunkhwa.

<u>Daftari</u>

	Fayaz Ahmed (Daftari B-05)	-
2.	Asad Iqbal (Daftari B-04)	
3	Aftab Anwar (Daftari B-04)	
-4	Adnan Ahmad (Daftari B-04)	-
5. •	Sarger Khan (Daftari B-04)	

Class-IV

1	Mr. Muhammad Shakeeb-ur-Rehman. Chowkidar BPS-03
2 .	Mr. Muhammad Junaid Jan, Chowkidar BPS-03
3	Mr. Zaib-ul-Abkleen, Cattle Attendant BPS-03
4	Mr. Saeed-ul-Hassan, Cattle Attendant BPS-03
5	Mr. Zahid Jamal, Lab Attendant BPS-03
6	Mr. Rahat Shah, Naib Qasid BPS-03
7	Mr. Muhammad Ismail, Chowkidar BPS-03
8	Mr. Khanullah. Naib Qasid BPS-03
9	Mr. Dil Jan Khan, Cattle Attendent BPS-03
:0	Mr. Wali Ullah, Behishti BPS-03
11.	Mr. Muhammad Asif, Cattle Attendant BPS-03

Meeting ended with vote of thanks.

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(Dr. Sajjad Wazir) Representative of Administrative Department Assistant Director, L&DD, Merged Areas (Member) (Member) (Dr. Ansar) (Dr. Ahmad Kamal) Veterinary Officer (H) Estab (Dr. Alam Zeb) . Director Breed Improvement & Farms Director Headquarter (Member/ Secretary) L&DD (Ext), Peshawar Khyber, Pakhtunkhwa (Member) (Member) Director General (Chairman)

Arasil XX

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GOVERNMENT OF NORTH WEST FROM THE PROVINCE.
AGRICULTURE, LIVESTOUR & COOPERATIVE DEPARTMENT

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HOTIFICATION

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No.SO(L&DD)AD-E-1(236)/2006/Ext In pursuance of the provisions contained in sub-rule (2) of culc 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of this Department's Notification No.SO(L&DD)AD E-1 (236)/2006/Ext dated 30.9.2003 the Agriculture, Livestock and Cooperatives Department, In consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions as specified in column 3 to 5 of the Appendix to this Notification which shall be applicable to the posts specified in column 2 of the said Appendix in Extension Wing of Livestock and Dairy Development Department of the North-West Frontier

"APPENDIX

PART-

PROFESSIONAL STAFF

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	Examination if any; and
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	18 to 32 - By initial recruitment.
in statistics, economics, mathematics,	years Thread recruitment:
in physics of computer science as one of	
othe subjects; and	
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(b) one year, diploma or equivalent qualification by Computer or	
qualification win Computer or	
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6. Sterios Typist a) - Intermediate or equivalent 20	0 to 32 By initial regruitment
qualification from a recognized	
Board; and and an analysis	ears
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(b) A speed of Sixty words per minute in	
Showshanding English and Thiere Rive	
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c) Knowledge of Computer a using MS-Word MS-Excet & In-page.	
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-144	Nomenclature of the	Qualifications for Appointment by fultful Recruitment	Age Lights	Method of Recruitment
i.	Farm Manager	B.Sc. (Hons) Agriculture with Animal Science as major subject or equivilent	21 to 35 years	By initial recruitment.
2.	A State of the state of the state of	qualification from a large recognized University. Diplome in Mechanical		
	Supervisor: (Liquid Nitrogen : Rlant)	Ungineering from de 3	20 to 32 years	By initial recruitment.
	Tield-Massyangs-angles	Secondary School Certificate -	18 to 32 years	a) By initial reoruitment.
	A STATE OF THE STA	Two years prescribed as training/ course grown and		b) If no suitable candidate is available, then by transfer from any other

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	,	Le Electricia ittolizatione	Middle puss and proficiency	18 to 32	By initial recruitment.
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	7,5		from a recognized Board and	years	
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Ι.	6	Tube Well Operator	Preferably literate with	18 to 32	By initial recruitment.
- j.	1	WAS THE FIRST	proficiency in the trade.	years	Dy miliai recruitment.
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SECRETARY TO GOVERNMENT OF NORTH-WEST FRONTIER PROVINCEAGRICULTURE, LIVESTOCK AND COOPERATIVE DEPARTMENT

Copy forwarded for information and necessary action to:

Secretary to Government of NWFP, Establishment Department.

Secretary to Government of NWFP, Finance Department.

Secretary to Government of NWIP Law, Parliamentary Affairs & Human Rights Department w/r to his letter No. LD/REG I/(6)/1976/6019-20 dated 18-06-2007.

Director, Livestock & Dairy Development, NWFP Peshawar.

Manager, Government Printing Press, NW. Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, Finance, Establishment & Law Departments alongwith details of gazette in which it is

PSO to Chief Minister NWIP

PSO to Chief Secretary NWPP

PS to Minister Aggiculture NWFP

(NAEEMUE Section Officer (L&DD)

At 10 cance Speet

(Junior Clerk)

Dated:15/08/2018្ត

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Attendance Sheet

(Junior Clerk)

Dated:15/08/2018

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OFFICE OF THE DIRECTOR CATTLE BREEDING & DAIRY FARM

The Director General (Extension) Livestock & Dairy/Development Department Khyber, Pakhtunkhwa Peshawar.

LIST OF METRICULATE AN ABOVE QUALIFICATION OF CLASS-IV STAFF

Memo:

Kindly refer your office telephonically message on 11/07/2018 on the above noted subject.

The requisite information is as under:

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Director, Cattle Breeding & Dairy Farm Harichand

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The Livestock Research and Development Department is also striving for the betterment of Livestock Sector of the Province. However, in the current scenario, tack of freed-based research and effective coordination among relevant stakeholder is the key limiting factor in critical issue identification and solving. Though the Universities and the department are playing their role, it is not at the level it is supposed to be.

In this regard the following issues are related to Veterinary Education and Research:

- The existing infrastructure of the faculties and laboratories are not sufficient according to the requirements of the degree/certificate programs, thus the graduates are facing difficulties in the field conditions.
- The existing infrastructure of the research establishment is below the required. international standards

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Earlier, the Livestock and Dairy Development Department was mandated to provide extension services through its Animal Health work force. Of late, a separate Directorate of Livestock Production Extension and Communication has been established to look after the field extension services. The Directorate of Livestock Production Extension and Communication is also we king on human resource management and its development. Due to increased productivity and efficiency of livestock, importance of knowledge in human resource management cannot be underestimated.

Livestock Extension Services and Human Resource Development is constrained by the following issues:

- o. Inadequate extension services to address the needs of farming communities
- e. Lack of the use of conventional and modern tools of communication
- Lack of resources to strengthen Farmer Field Schools approach, Livestock Extension through wonien workers, and need-based trainings.

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देव महोतार अपने १ ८ कार्यो । १ व्यक्तियाँ त्राम् १९ १४ वृक्त दूरा रहते । with the late the or liver is some the liver's Earlies, the Livestock and Dairy Development Department was mandated to provide extension services through its Animal Health work force: Of late, a separate Director of Livestock Production Extension and Communication has been established to look after the field extension services. The Director of Livestock Production Extension and Communication is also working on human resource management and its development. Due to increased productivity and efficiency of livestock, importance of knowledge in human resource management cannot be underestimated. Livestrick Extension Service and Human Resource Development is constrained by the following issue: Incdequate extension services to address the needs of farming communicates Lack of use of conventional and modern tools of communication Lack of resources of strengthen Farmer Field School approach, Livestock Extension through women workers and need, based trainings Earlier, the Livestock and Dairy Development Depar was mandated to provide extens services through it enimal Health work force. of late, a separate Director of Livestock Production Extens ف نالند ولد سند ب دست 6 NICNO 21601.0386314-7 Mob. 0333-50 14 662

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The Livestock Research and Development Department is also striving for the betterment of Livestock Sector of the Province. However, in the current scenario, lack of need-based research and effective coordination among relevant stakeholders is the key limiting factor in critical issue effective cocadination among relevant stakeholders is the key limiting factor in playing their role, it is not at the vel it is supposed to be In this regard the following issues are related to Vetering y Education and Research: The existing infrastructure of the facilities and laboratories are not sufficient according to the requirements of the degree/certificate programs, thus the graduates are facing difficulties y\in the field conditions. The existing infrastructure of the research establishment is below the required international standards. AFTAB ANWAR S/O GOHAR ZAMA Contact No. 0333-9373735 17301-1673193-5 mmake

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- (c) Laboratory diagnosis shall be the mandate of the L&DD Department with certain diagnostic responsibilities being assigned to research institutes.

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

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dglddext@yahoo.com

Web: www.livestockextkp.gov.pk

No 2033

Dated Peshawar, the 31 / 01/2020

AUTHORITY LETTER

Dr. Shahid Ullah, Veterinary Officer (H)/Farm Manager, Cattle Breeding & Dairy Farm Harichand, District Charsadda, is hereby authorized to submit/pursue Service Appeal No.1565/2019, filed by Wazir Gul Versus Director General (Ext) Livestock Dairy Development Department Peshawar & Others, on behalf of (Respondents No. 01, 02 & 03).

(DR. SHIER MUHAMMAD)

DIRECTOR GENERAL

BEFORE THE KHYBER PAKHTUNKWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1565/2019

Wazir Gul S/O Noorab Gul

(Appellant)

VERSUS

Director General (Ext), Livestock & Dairy Development Department, Peshawar and Others

(Respondents)

REJOINDER ON BEHALF OF THE APPELLANT

Respectfully Submitted:

The appellant submit his rejoinder as under:

Preliminary Objections:

- 1. That the appellant has locus standi and got cause of action to file the instant appeal
- 2. That the appeal is legal and based real facts.
- 3. That the appellant has cause of action against the respondents.
- 4. That the Appeal is maintainable in its present form.

ON FACTS:

- 1. Contents of Para No 1 needs no reply, as admitted by the respondents..
- 2. Contents of Para 2 needs no reply.
- 3. Contents of Para 3 needs no reply as admitted correct by the respondents.
- 4. Contents of Para 4 needs no reply as admitted correct by the respondents.
- 5. Contents of Para No 5 need no reply.

- 7. Contents of Para 7 is incorrect and misleading, the appellant has the requisite qualification along with the seniority for promotion, but to adjust their own blue eyed ones, the respondents ignored the case of the appellant and promoted junior to appellant, which clearly shows the Malafide intention of the respondents.
- 8. Contents of Para 8 needs no reply as admitted correct by the respondents.
- 9. Contents of Para 9 is incorrect and misleading, the case of the appellant for promotion was not sent to the departmental promotion committee, no interview and no typing test were conducted by respondents department from the appellant.
- 10. Contents of Para 10 is incorrect, As explained in Para No 9.
- 11. Contents of Para 11 is Incorrect, As clearly explained in the main appeal.

Grounds

All the grounds are taken are legal and will be argue at the time of hearing

It is, therefore, Most humbly prayed that the *Service Appeal*, of the appellant may please be accepted as prayed for.

Appellant

Through

ZARTAJANWAR

Advocate Peshawar

Affidavit

I, do hereby solemnly affirm and declare that the contents of the *above Rejoinder* are true and correct and that nothing has been kept back or concealed from this Honourable Court.

Deponent