


# FORM OF ORDER SHEET

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

**Appeal No. 1428/2024**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09-Sep-24	<p>The appeal of Mr. Sana Ullah presented today by Mr. ALI GOHAR DURRANI Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 19-Sep-24. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman  REGISTRAR</p>

IN THE  
HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. 1428 /2024

Mr. Sana Ullah                      Versus.                      Govt. of KP and others.

I N D E X

S.NO.	Description	Annex	Page No.
1.	Appeal with Affidavit		1 - 12
2.	Memo of address		13
3.	Copy of the Advertisement	A	14 - 17
4.	Copy of the Appointment Orders	B	18 -
5.	Copy of the KP Employees (Regularization of Services Act) 2018	C	19 - 27
6.	Copy of Regularization Notifications	D & E	28 - 29
7.	Copy of the Seniority List dated 14.03.2024	F	30 - 34
8.	Copy of letter dated 25-02-2014	G	35
9.	Copy of Office Memorandum dated 31-01-2014	H	36
10.	Copy of the Departmental Appeal dated 30.07.2024	I	38 - 39
11.	Copy of the Rejection	J	40

	Order dated 13:08:2024		
12.	Vakalatnama	K	41-54

Appellant

Through

(ALI GOHAR DURRANI)  
Advocate Supreme Court  
0332-9297427

①

**IN THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Appeal No. 1428/2024

Mr. Sana Ullah (BPS-17),  
Assistant Director Information/Information Officer, Posted as  
Regional Information Officer, D.I. Khan, Khyber Pakhtunkhwa.  
..... Appellant

Versus

1. The Government of Khyber Pakhtunkhwa,  
Through Chief Secretary Government of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.
2. The Establishment Department, Government of Khyber  
Pakhtunkhwa.  
Through Secretary Establishment, Government of Khyber  
Pakhtunkhwa  
Civil Secretariat, Peshawar.
3. The Information & Public Relations Department,  
Government of Khyber Pakhtunkhwa.  
Through Secretary Information & Public Relations, Government  
of Khyber Pakhtunkhwa  
Civil Secretariat, Peshawar.
4. Mr. Sahibzada Fassar Ali (BPS-17), Assistant Director  
Information/ Information Officer, Directorate General  
Information & PRs, Peshawar, Khyber Pakhtunkhwa.
5. Mr. Saqib Nawaz (BPS-17), Assistant Director Information/  
Information Officer, Directorate General Information & PRs,  
Peshawar, Khyber Pakhtunkhwa.
6. Mr. Rizwan Malik (BPS-17), Assistant Director Information/  
Information Officer, Directorate General Information & PRs,  
Peshawar, Khyber Pakhtunkhwa.

..... Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974  
READ WITH ALL OTHER LAW ENABLING**

JURISDICTION OF THIS HONORABLE TRIBUNAL UNDER ARTICLE 212 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973, TO STRIKE DOWN THE ILLEGAL & UNLAWFULLY ISSUED FINAL SENIORITY LIST DATED 14-03-2024 AND THE REJECTION OF THE APPEAL OF THE APPELLANT AGAINST THE SAID SENIORITY LIST.

RESPECTFULLY SUBMITTED:

The Appellant most earnestly request to submit as under:

That the Appellant is working against the designation mentioned in the heading of the petition in the Information Cadre. The Appellant is a Civil Servant, and is before this Honorable tribunal for the redressal of his grievance in respect of seniority of the appellant, which being part and parcel of the terms and conditions of service, gives exclusive jurisdiction to this honorable tribunal for adjudication of the matter under the Constitution of Pakistan, 1973, the Khyber Pakhtunkhwa Civil Servants Act, 1973, the Khyber Pakhtunkhwa Service Tribunals Act, 1974 and the Rules made under the two Acts.

BRIEF FACTS:

1. That an advertisement was floated by the Khyber Pakhtunkhwa Public Service Commission on 09.02.2018, to which the appellant applied and was successfully appointed on 10.10.2018 as regular civil servant. The appellant is part of the information service cadre. The said appointment of the Appellant was made after proper advertisements, competitive examinations, interview process and subsequent appointment orders in accordance with the law and keeping in view all the codal formalities.

Copy of the Advertisement, Appointment & current posting Orders are Annex-A & B.

2. That the Khyber Pakhtunkhwa Assembly passed the Khyber Pakhtunkhwa Employees (Regularization of Services) Act,

2018 which received the assent of the Governor in March 2018. The said Act resulted in the regularization of services of employees working against project posts.

Copy of the KP Employees (Regularization of Services Act) 2018 is Annex-C.

3. That in light of the KP Employees (Regularization of Services) Act, 2018 three (03) employees of different government projects: (01) Information Officer namely Mr. Sahibzada Hassan Ali and (02) Producers namely Mr. Rizwan Malik and Mr. Saqib Nawaz were regularized in the Directorate General Information & Public Relations, Khyber Pakhtunkhwa.

Copy of Regularization Notifications are Annex -D & E.

4. That the respondents issued a final seniority list dated 14.03.2024, wherein the appellant has been shown at Serial No. 11 of the seniority list of Assistant Director Information/Information Officer/ Producers/ Station Manager (FM Radio)/Assistant Registrar (BPS-17) employees of Directorate General Information & Public Relations, Khyber Pakhtunkhwa whereas, the employees (Respondents No. 4, 5 & 6 of the instant service appeal) who have been regularized through the said Regularization Act, 2018 have been placed at Serial No. 6, Serial No. 7 and Serial No. 8 of the seniority list.

Copy of the Seniority List dated 14.03.2024 is Annex-F.

5. That the afore-mentioned Act in section 3 and 4 provided for the regularization of Ad-hoc and project employees and the said regularization was to take effect from the date of the commencement of the Act. The said sections are reproduced as under:

*3. Regularization of services of adhoc employees.-- Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of subsection (1) of*

*section 2 of this Act, appointed on adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials, by the concerned Government Department.*

*4. Regularization of services of project employees.--- Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department: Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No. XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).*

6. That to protect the service structure and seniority of the already in-service Civil Servants, general conditions for regularizations in Section 6 and seniority in Section 7 were provided for. The two sections read as under:

5. General conditions for regularization.---For the purpose of regularization of the employees under this Act, the following general conditions shall be observed: (i) the service promotion quota of all service cadres shall not be affected; (ii) the employees shall possess the same qualification and experience as required for a regular post; (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. Seniority.—(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the

recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment. (2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre: Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. That the above-mentioned seniority list issuance in its totality go in direct conflict with the principles settled by Honorable Supreme Court of Pakistan in judgment reported 2013 SCMR 1752. This is very relevant also based on the fact that not only this judgment is still in field but also the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) endorsed this judgment and sent it to all the administrative Secretaries of the Province on 25-02-2014. This was in continuation of the Office Memorandum of the Cabinet Secretariat, Establishment Division of the Government of Pakistan dated 31-01-2014.

The following are the essential aspects of the judgment:

- i. *A civil servant, who after passing the Competitive exam in terms of the recruitment rules, is appointed on merits, loses his right to be considered for promotion, when an employee from any other organization is absorbed without competition or undertaking competitive process with the back dated seniority and is conferred the status of a civil servant in complete disregard of recruitment rules.*
- ii. *Absorption of a non-civil servant conferring on him status of a Civil Servant and likewise absorption of Civil Servant from non Cadre post to a cadre post without undertaking the Competitive process under the recruitment rules.*
- iii. *Introduction of any validation law in the nature of multiple or parallel legislation on the subject of service law.*
- iv. *Benefit of 'absorption' extended since 1994, with or without back dated seniority, is declared ultra vires of the Constitution.*
- v. *The re-employment / rehiring of the retired Civil Government Servants being violative of the constitution are declared nullity*

The apex court further held that:

- (a) *No non Civil-servant can be transferred and appointed by way of deputation to any cadre, the procedure provided under Esta*



*Coda has been approved by this court in the case of Muhammad Arshad Sultan.*

- (b) No Civil servant of Non Cadre post can be transferred out of cadre to be absorbed to a cadre post which is meant for recruitment through competitive process.*
- (c) The procedure provided under ESTA CODE requires that a person who is transferred and appointed on deputation must be a govt servant and such transfer should be made through the process of selection. The borrowing government has to establish the exigency in the first place and then the person who is being transferred/ placed on Deputation in Govt must have matching qualifications expertise in the field with required experience.*
- (d) An employ holding a post under any authority or corporation, body or organization established by or under Provincial Government has controlling share or interest, could not conferred status of a civil servant.*
- (e) It is a settle principle of law that if the right of promotion is not blocked by the re-employment then such powers can be exercised, then too in exceptional cases for a definite period, besides it violates the fundamental rights of the serving civil servant, on account of such rehiring on contract are deprived for their legitimate expectancy of promotion to a higher cadre, which is violative of the provision of Article 4, 19 and 25 of the constitution of Pakistan.*
- (f) The absorption and out of turn promotion will also impinge on the self-respect and dignity of the civil servant, who will be forced to work under their rapidly and unduly promoted fellow officers, those who have been included from other service/ cadre regardless of their (inductees) merits and results in the competitive exams (if they have appeared for all exam at all), hence are violative of Art 14 of the constitution.*
- (g) Principle of locus poenitentiae id the power of receding till a decisive step is taken but it is not a principle of law that order once passed become irrevocable and past and closed transaction, if the order is illegal then perpetual rights cannot be gained on the basis of an illegal order.*
- (h) Any backdated seniority cannot be granted to any absorbee and his inter se seniority, an absorption in the Cadre shall be maintained at the bottom as provided under the rules regulating the seniority.*

Copy of letter dated 25-02-2014 is Annex-G.

Copy of Office Memorandum dated 31-01-2014 is Annex-H.

8. The appellant filed a representation against the said seniority list vide departmental appeal dated 30.07.2024 which was filed (Rejected) by the respondent department through letter dated 13.08.2024.

Copy of the Departmental Appeal dated 30.07.2024 & Rejection Order dated 13.08.2024 are Annex- I & J.

9. That now the appellant against the rejection of departmental appeal whereby the representation in respect of seniority has been denied, the appellant now approached this Honorable Tribunal for indulgence of this tribunal amongst others on the following grounds:

GROUNDS:

- a. Because the Appellant is an aggrieved person within the meaning of Article 212 of the constitution of the Islamic Republic of Pakistan 1973.
- b. Because the Fundamental Rights of the Appellant have been violated in relation to Article 4, 8, 9, 18 & 25 of the Constitution of the Islamic Republic of Pakistan, 1973. The said rights flow out of the terms and conditions of service of the appellant and this Honorable tribunal being the custodian of the Rights of Civil Servants as enshrined in the Civil Servants Act, the rules made thereunder as well as the protection afforded by the Constitution of Islamic Republic of Pakistan, 1973, is why the Appellant seeks the redress of their grievances and to bring to an end the ordeal the Appellant is going through due to the illegal, unlawful and unjust acts and inaction of the Respondents.
- c. Because the condition 5 of the Regularization Act *ibid* vindicates the stance of the appellant and most certainly paves way for the allowing of the instant appeal.
- d. Because the honorable Khyber Pakhtunkhwa Service Tribunal in Service Appeal No: 1282/2022 also decided that in a similar matter that, for regularization of employees there are general conditions which will have to be fulfilled before regularization of service of a project or adhoc employees out of which condition No. 4 ((Khyber Pakhtunkhwa Employees Regularization of Services, Act) 2018) is; (iv) *The services of such employees shall be deemed to have been regularized only on the publication of their names in the*

⑧

*official gazette*. So, publication of names of the regularized employees is condition pre-requisite for giving effect of regularization to the service of adhoc/project employees until and unless the names of the regularized employees are not published in official gazette, therefore, they will not be considered regularized in accordance with above mentioned condition. Hence, keeping in view this dictum of this honorable Tribunal and the Regularization Act, 2018 the Respondents of the instant appeal stand regularized later in time then the date of the Regularization Act, 2018 which is 07.03.2018 thus, stands junior in the seniority list then the Appellant.

Copy of Judgment in Service Appeal No. 1282/2022 is Annex-K.

- e. Because the honorable Supreme Court in Civil Appeals No. 290 to 297 of 2022 very clearly decided that the preference in seniority shall be given to those appointed through proper process by the Public Service Commission as against those who are regularized.
- f. Because the Rights of the Appellant are secured under Article 8, and the entirety of Part II of the Constitution of the Islamic Republic of Pakistan, and its redress falls solely within the ambit of Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973. The appellant stand senior to the private respondents and therefore his seniority should be protected as such.
- g. Because the principles of legitimate expectation as expounded by the Honorable Superior Courts and recently reiterated in 2022 SCMR 694 is seriously violated in the instant case. Wherein the petitioner and similarly placed employees are being deprived of their due rights all based on an illegality.
- a. Because "Intelligible differentia" exists between the appellant and the respondents. The principles of "Intelligible differentia"

9

have been vitiated by the respondents. In the case of Dr. Mobashir Hassan Vs. Federation of Pakistan (PLD 2010 SC 265), the Apex Court defined "intelligible differentia" in the following terms:

"As far as 'intelligible differentia' is concerned, it distinguishes persons or things from the other persons or things, who have been left out. The Indian Supreme Court, while relying upon the statement of Professor Willis in *Charanjit Lal v. Union of India* (AIR 1951 SC 41), observed that "any classification which is arbitrary and which is made without any basis is no classification and a proper classification must always rest upon some difference and must bear a reasonable and just relation to the things in respect of which it is proposed". Same principle has been highlighted in *Shazia Batool v. Government of Balochistan* (2007 SCMR 410).

59. Thus, keeping in view the above principles and the definition of classification "intelligible differentia" means, in the case of the law differentiating between two sets of the people or objects, all such differentiations should be easily understood as logical and lucid and it should not be artificial or contrived."

- b. Because when the base is wrong and rooted in a nullity, any superstructure built on the base is wrong. The principle laid down through PLD 1958 SC 104 has been reiterated in PLD 2022 SC 119, 2021 SCMR 637, PLD 2007 SCMR 1835, which essentially forms part of our jurisprudence.
- h. Because the Appellant has not been treated in accordance with law, and their right secured and guaranteed under Law and Constitution have been violated.
- i. Because the Appellant has suffered for no fault of their own and the entire premise of the case is based on the illegality of the respondents to the complete detriment of the Appellants.

- j. Because the famous judgment of Supreme Court of Pakistan in Anita Turab case (PLD 2013 SC 195) clearly lays down that merit has to be followed and the merit in the instant case is clearly setting aside the discriminatory attitude towards the Appellant in bringing the decisions in violation of letter dated 25-02-2014 and office Memorandum dated 31-01-2014.
- k. Because the Appellant has served the department with utmost honesty and clarity and must not be deprived of their due rights.
- l. Because the Respondents cannot be allowed under the law to pass any illegal orders, as valuable Rights of the Appellants are involved, which are guaranteed under the Constitution of Islamic Republic of Pakistan 1973.
- m. Because the Judgment of the Honorable Supreme Court reported as 2013 SCMR 1752 has been specifically violated. The same warrants action from this Honorable Tribunal.
- n. Because the decisions of the provincial government by placing people other than those coming through proper competitive process is illegal, unlawful and without lawful authority.
- o. Because the seniority of the appellant has been literally done away with. The deviation is illegal and unlawful.
- p. Because the Appellant crave for leave to add further grounds at the time of his oral arguments before this Hon'ble Court highlighting further contraventions of the provisions of the Constitution & Laws.

**P R A Y E R:**

In view of the above, it is humbly prayed that this honorable Court may graciously be pleased to:

- a. Declare the Final Seniority list 14.03.2024 to be arbitrary, illegal, unlawful and without any authority and that the Appellant be placed at seniority list above the respondents

11

who were regularized into service- as against regular appointment into service. Furthermore, also declare that any seniority list based on the afore-mentioned seniority subsequent to the instant appeal may also be declared to be illegal, unlawful and without any authority so vested in the respondents.

- b. Direct that the Appellant be treated in accordance with the law and that all actions in negation of the law are to be strike down.
- c. Any other relief deemed appropriate in the circumstance of the case may also be granted.

**Interim Relief:**

For what has been stated in the body of the appeal, may it please this honorable tribunal to direct that no promotion case be processed on the illegally issued impugned seniority list in the respondent department.

*[Signature]*  
Appellant

Through

FNIC# 11201-0225446-3  
Cell# 0336 9434774

ALI GOHAR DURRANI  
Advocate Supreme Court  
aligoahar@sdklaw.org  
+92-332-929-7427

*[Signature]*  
Zarak Arif Shah  
Advocate High Court  
0333-8335886  
Zark41@hotmail.com

*[Signature]*  
Babar Khan Durrani  
Advocate High Court  
0301-8891818  
babardurani@outlook.com

The Law Firm of Shali | Durrani | Khattak (A registered law firm)

[www.sdklaw.org](http://www.sdklaw.org)  
[info@sdklaw.org](mailto:info@sdklaw.org)  
091-3021049

231-A, Street No. 13, New Shami Road, Peshawar.

**Certificate:**

It is certify that no such like APPEAL against the seniority list dated 14.03.2024 has earlier been filed by the Appellant in this Honourable Tribunal.

(12)

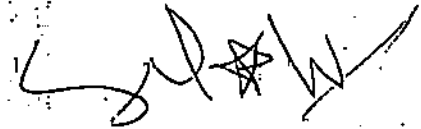
IN THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Appeal No. \_\_\_\_\_/2024

Sana Ullah Versus Govt. of KP and others.

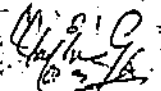
AFFIDAVIT:

I, Sana Ullah (BPS-17), Assistant Director Information/Information Officer, Posted as Regional Information Officer, D.I. Khan, Khyber Pakhtunkhwa (Appellant) do hereby affirm on oath that the contents of the enclosed appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable tribunal.



Deponent

Identified by:

  
Ali Gohar Durrani  
Advocate Supreme Court

CNIC # 11201-0225446

Cell # 0336943477

13

IN THE  
HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL  
PESHAWAR

Appeal No. \_\_\_\_\_/2024

Mr. Sana Ullah Versus Govt. of KP and others.

Memo Of Address:

Appellant:


Sana Ullah (BPS-17), Assistant Director  
Information/Information Officer, Posted as Regional  
Information Officer, D.I. Khan, Khyber Pakhtunkhwa

Respondents:

1. The Government of Khyber Pakhtunkhwa,  
Through Chief Secretary Government of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.
2. The Establishment Department, Government of Khyber  
Pakhtunkhwa.  
Through Secretary Establishment, Government of Khyber  
Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Information & Public Relations Department,  
Government of Khyber Pakhtunkhwa.  
Through Secretary Information & Public Relations, Government  
of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Mr. Salibzada Hassan Ali (BPS-17), Assistant Director  
Information/ Information Officer, Directorate General  
Information & PRs, Peshawar, Khyber Pakhtunkhwa.
5. Mr. Saqib Nawaz (BPS-17), Assistant Director Information/  
Information Officer, Directorate General Information & PRs,  
Peshawar, Khyber Pakhtunkhwa.
6. Mr. Rizwan Malik (BPS-17), Assistant Director Information/  
Information Officer, Directorate General Information & PRs,  
Peshawar, Khyber Pakhtunkhwa.

Appellant

Through,

  
Ali Gohar Durrani  
Advocate Supreme Court.



# KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshwar Cantt:

Website: [www.kppsc.gov.pk](http://www.kppsc.gov.pk)

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 09.02.2018

## ADVERTISEMENT No. 03/2018

Online applications are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by 26.02.2018.

Apply Online Only. Applications other than online will not be accepted. To apply, visit any Jazz Cash/ Easy Paisa Agent, deposit application fee of RS.285/- excluding service charges and get transaction I.D through SMS. Visit PSC website [www.kppsc.gov.pk](http://www.kppsc.gov.pk) and apply online. The candidates are advised to fill all the columns carefully no change will be allowed later on. Unclaimed qualification, experience etc will not be accepted.

Note: Documents are not required at the time of submission of application; candidates who qualified the test will have to submit their documents within a week time after announcement of the result.

### ADMINISTRATION DEPARTMENT

1. TWO (02) POSTS OF PROTOCOL OFFICER.  
QUALIFICATION: (i) Master's Degree in Political Science / History / International Relations / Literature (English / Urdu) / Journalism OR Bachelor's Degree with LLB, from a recognized University; and (ii) Three years experience in Journalism / Publicity in a Government office / News Agency / Newspaper.  
AGE LIMIT: 21 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Both Sexes  
ALLOCATION: One each to Merit & Zone-1.

### AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT

2. TWO (02) POSTS OF SENIOR RESEARCH OFFICER / SENIOR BIOCHEMIST IN LIVESTOCK & DAIR DEVELOPMENT (RESEARCH WING)  
QUALIFICATION: (a) Ph.D in Veterinary / Animal Sciences / Bio chemistry, after basic degree of D.V.M or equivalent qualification recognized by PVMC, OR (b) M.Sc (Hons) / M.Phil / M.S in Veterinary / Animal Sciences / Bio chemistry, after basic degree of DVM or equivalent qualification recognized by PVMC having two years Research Experience with at least two Research Publication. OR (c) Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences recognized by PVMC having five years' experience in the relevant field (Research) with at least two Research Publication.  
AGE LIMIT: 28 to 45 years. PAY SCALE: BPS-18. ELIGIBILITY: Both Sexes.  
ALLOCATION: Merit
3. FOUR (04) POSTS OF RESEARCH OFFICER / FARM MANAGER IN LIVESTOCK & DAIR DEVELOPMENT (RESEARCH WING)  
QUALIFICATION: Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Science recognized by PVMC.  
AGE LIMIT: 22 to 32 years. PAY SCALE: BPS-17. ELIGIBILITY: Both Sexes  
ALLOCATION: One each to Merit, Zone-1, 4 & 5.
4. ONE (01) (LEFTOVER) POST OF RESEARCH OFFICER / FARM MANAGER (MINORITY QUOTA) LIVESTOCK & DAIR DEVELOPMENT (RESEARCH WING).  
QUALIFICATION: Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Science recognized by PVMC.  
AGE LIMIT: 22 to 32 years. PAY SCALE: BPS-17. ELIGIBILITY: Both Sexes  
ALLOCATION: Merit
5. ONE (01) POST OF AUDIO VIDEO PRODUCER IN AGRICULTURE RESEARCH WING.  
QUALIFICATION: At least 2<sup>nd</sup> Class Master's Degree in Journalism or Mass Communication or B.Sc (4 years) or equivalent qualification from a recognized University with two years Experience in the relevant field.  
AGE LIMIT: 21 to 32 years. PAY SCALE: BPS-17. ELIGIBILITY: Both Sexes  
ALLOCATION: Merit
6. ONE (01) POST OF STATISTICAL OFFICER IN AGRICULTURE RESEARCH WING  
QUALIFICATION: M.Sc in Statistics or M.A/M.Sc in Economics or Maths with Statistics as a compuls

122.	ONE (01) POST OF JUNIOR SCALE STENOGRAPHER (FEMALE QUOTA) IN DIRECTORATE (INDUSTRIES & COMMERCE). QUALIFICATION: (i) Intermediate or equivalent qualifications from a recognized Board; and (ii) A speed fifty (50) words per minute in shorthand in English and thirty five (35) words per minute in typing ; and (iii) Knowledge of computer in using MS Word and MS Excel. AGE LIMIT: 18 to 28 years. ALLOCATION: Merit.	PAY SCALE: BPS-14	ELIGIBILITY: Female
123.	ONE (01) POST OF JUNIOR SCALE STENOGRAPHER (DISABLE QUOTA) IN DIRECTORATE (INDUSTRIES & COMMERCE). QUALIFICATION: (i) Intermediate or equivalent qualifications from a recognized Board; and (ii) A speed fifty (50) words per minute in shorthand in English and thirty five (35) words per minute in typing ; and (iii) Knowledge of computer in using MS Word and MS Excel. AGE LIMIT: 18 to 28 years. ALLOCATION: Merit.	PAY SCALE: BPS-14	ELIGIBILITY: Both Sexes
124.	ONE (01) POST OF JUNIOR SCALE STENOGRAPHER (MINORITY QUOTA) IN DIRECTORATE (INDUSTRIES & COMMERCE). QUALIFICATION: (i) Intermediate or equivalent qualifications from a recognized Board; and (ii) A speed fifty (50) words per minute in shorthand in English and thirty five (35) words per minute in typing ; and (iii) Knowledge of computer in using MS Word and MS Excel. AGE LIMIT: 18 to 28 years. ALLOCATION: Merit.	PAY SCALE: BPS-14	ELIGIBILITY: Both Sexes
125.	ONE (01) POST OF JUNIOR SCALE STENOGRAPHER IN PRINTING & STATIONERY DEPARTMENT QUALIFICATION: (i) Intermediate or equivalent qualification from a recognized Board and (ii) Speed of F words per minute in shorthand in English and thirty words per minute in typing and (iii) Diploma in Computer from a recognized Board. AGE LIMIT: 18 to 30 years. ALLOCATION: Zone-1	PAY SCALE: BPS-14	ELIGIBILITY: Both sexes
<b>INFORMATION AND PUBLIC RELATIONS DEPARTMENT</b>			
126.	SEVEN (07) POSTS OF ASSISTANT DIRECTOR INFORMATION / INFORMATION OFFICER QUALIFICATION: (i) At least Second Class Master's Degree in Journalism or Mass Communication from a recognized University; and (ii) Two years practical experience in the relevant field. AGE LIMIT: 21 to 32 years. ALLOCATION: Two to Merit and One each to Zone-1, 2, 3, 4 & 5	PAY SCALE: BPS-17.	ELIGIBILITY: Both Sexes
127.	ONE (01) POST OF ASSISTANT DIRECTOR (I.T.) QUALIFICATION: At least Second class Master degree In Computer Science / Information Technology equivalent qualification from a recognized University. AGE LIMIT: 22 to 35 years ALLOCATION: Zone-1	PAY SCALE: BPS-17	ELIGIBILITY: Both Sexes
128.	TWO (02) POSTS OF ASSISTANT INFORMATION OFFICER / ASSISTANT PRODUCER. QUALIFICATION: (i) At least Second Class Bachelor's Degree from a recognized University, with Journalism as one of the subjects; OR (ii) At least Second Class Bachelor's Degree from a recognized University with two years practical experience in Journalism. AGE LIMIT: 21 to 30 years. ALLOCATION: One each to Zone-3 & 4.	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes
129.	ONE (01) POST OF OFFICE ASSISTANT. QUALIFICATION: At least Second Class Bachelor's Degree from a recognized University. AGE LIMIT: 20 to 30 years. ALLOCATION: Zone-3.	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes.
130.	ONE (01) POST OF JUNIOR TRANSMISSION ENGINEER QUALIFICATION: (i) At least Second Class Bachelor's Degree in Electronics or Electrical Engineering (Telecommunication) from a recognized University; OR (ii) Diploma of Associate Engineering with one year experience in Radio Transmission. AGE LIMIT: 21 to 32 years. ALLOCATION: Merit	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes
131.	ONE (01) POST OF JUNIOR SCALE STENOGRAPHER. QUALIFICATION: (i) Intermediate or equivalent qualification from a recognized board; (ii) Speed		

	<b>QUALIFICATION:</b> 2 <sup>nd</sup> Class Bachelor's Degree from a recognized University. <b>AGE LIMIT:</b> 18 to 30 years. <b>ALLOCATION:</b> One each to Merit, Zone-3 & 4	<b>PAY SCALE:</b> BPS-16	<b>ELIGIBILITY:</b> Both Sexes.
231.	<b>ONE (01) POST OF COMPUTER OPERATOR</b> <b>QUALIFICATION:</b> (i) 2 <sup>nd</sup> Class Bachelor's Degree in Computer Science / Information Technology (BCS/BIT 4 years) from a recognized University; or (ii) Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board or Technical Education. <b>AGE LIMIT:</b> 18 to 30 years. <b>ALLOCATION:</b> Merit	<b>PAY SCALE:</b> BPS-16.	<b>ELIGIBILITY:</b> Both Sexes
232.	<b>ONE (01) POST OF JUNIOR SCALE STENOGRAPHER</b> <b>QUALIFICATION:</b> (i) Intermediate or equivalent qualification from a recognized Board; (ii) Minimum Speed of fifty (50) words per minute in English Shorthand and Thirty Five (35) words per minute in English typing, and (iii) Knowledge of Computer in using MS Word and MS Excel. <b>AGE LIMIT:</b> 18 to 30 years. <b>ALLOCATION:</b> Zone-3	<b>PAY SCALE:</b> BPS-14	<b>ELIGIBILITY:</b> Both Sexes.

### CORRIGENDUM

1. It is for information of all concerned that various posts of Teaching Faculty in Gajju Khan Medical College advertised by the Commission vide Advt. No. 04/2017 Sr. No. 44, 45 & 46 stands withdrawn, as per orders of Establishment Department.

Detail of the posts is given below:-

S.No	Nomenclature of posts	No of Posts
1.	Professor ENT (B-20)	01
2.	Professor Ophthalmology (B-20)	01
3.	Associate Professor Pulmonology (B-19)	01
4.	Associate Professor Anaesthesia(B-19)	01
5.	Associate Professor Cardiology (B-19)	01
6.	Associate Professor Dentistry (Operative) (B-19)	01
7.	Associate Professor Dermatology(B-19)	01
8.	Associate Professor Psychiatry(B-19)	01
9.	Associate Professor Urology(B-19)	01

2. It is for information of all concerned that in Advertisement No. 09/2017 102 posts of Principal / Vice Principal were advertised for General Quota, while 02 posts for disabled & 03 posts for Minority Quota being (BPS-18). These (2+3=5) five posts now have been included in General Quota as per Rules and may be read as 107 instead of 102 posts.

### GENERAL CONDITIONS

- (i) Separate application must be submitted online for each post applied for subject to fulfillment of eligibility criteria given in the advertisement. By hand/ by-post applications will not be entertained.
- (ii) Call letters for test will be placed on KP PSC website. Candidates must keep visiting the PSC website from time to time.
- (iii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates / DMCs are accepted.
- (iv) Candidates are required to make correct entries in the online application which can be documentarily proved as on the basis of their claim/ entries they will be called for screening/ ability test. Documents for unclaimed entries will not be entertained later on.
- (v) Only the qualification possessed on the closing date of the advertisement shall be taken into consideration.
- (vi) Age shall be reckoned on closing date of the advertisement. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Disabled persons / Divorce women/ Widow/ Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the Khyber Pakhtunkhwa Initial Appointment to Civil

general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relaxation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules.

- (vii) Candidates applying against disable quota will be required to submit disability certificates issued by the Provincial Council for Rehabilitation of Disabled Persons as well as from the respective Medical Superintendent / Medical Board showing therein the specific disability and both the certificates must be issued before the closing date fixed for online apply.
- (viii) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates will be required before interview.
- (ix) Applicants married to Foreigners are considered only on production of the Govt. Relaxation Orders.
- (x) A female candidate if married before entry into government service shall acquire the domicile of her husband. If otherwise she will possess her own domicile.
- (xi) Experience wherever prescribed shall be counted after the prescribed qualifications for the post(s) if not otherwise specified in the service rules. The experience certificates should be on prescribed forms available on PSC website.
- (xii) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xiii) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner:
  - (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and/or Professional record as the Commission may decide.

Note: Candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

( GHULAM DASTAGIR AHMAD )  
DIRECTOR RECRUITMENT  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION



GOVERNMENT OF KYRGYZ REPUBLIC  
INFORMATION & PUBLIC RELATIONS DEPARTMENT

№91-0213527  
5104-24

Dated Bishkek the 10<sup>th</sup> October, 2018.

NOTIFICATION  
No. SO LNRP.11/644/2018/13  
Public Service Commission Peshwar, is pleased to appoint the following recommendation of Kyrgyz Republic Information & Public Relations Officer (BPS-17) in the Directorate General as follows:

S.No	Name with Father's Name	Birth / Zone
1.	Sana Urala SO MP Ahmed Khan	FR Labyz
2.	Khan Ghairat SO Dilanar Khas	Mardana
3.	Ara Uliab Khan SO Shaq Wazir	Mardana
4.	Rax Chalar SO Abdul Qadir	Mardana
5.	Amyr Khan SO Nazem Khan	Naryn
6.	Abajid Khan SO Gier Khasymad	Moh. agyl

The officers appointed shall be governed by the Kyrgyz Republic Civil Service Act 1973 and all the laws applicable to the Civil Service and Rules made there under.

- ii. They shall be on probation initially for a period of one year, extendable to another one (01) year.
- iii. Their services will be liable to termination at any time without assigning any reason before the expiry of the period of probation/extended period of probation. If an officer's performance during this period is not found satisfactory, in such an event, the officer will be given one month's prior notice of termination from service in one month's pay in lieu thereof. In case an officer wishes to resign at any time, one month's prior notice shall be necessary or in lieu thereof one month's pay shall be forfeited.
- iv. They will be governed by such rules & regulations as may be issued from time to time by the Government.
- v. They will not be entitled to any TADA or his first appointment as Assistant Director Information/Information Officer (BPS-17) in the Directorate General of Information & PRs, Kyrgyz Republic.

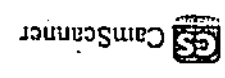
Directorate General information & Public Relations Peshwar within thirty (30) days of this notification. If the above terms and conditions are acceptable in them, they should report to the Secretary to Govt. of Kyrgyz Republic, Information & Public Relations Department.

No. SO LNRP.11/644/2018/13  
Dated Bishkek the 10<sup>th</sup> October, 2018.

Copy forwarded in the:  
1. Accountant General, Kyrgyz Republic, Peshwar.  
2. Director General, Directorate General of Information & Public Relations, Kyrgyz Republic, Peshwar.  
3. Secretary, Kyrgyz Republic Public Service Commission w/r to his letter No. PSCSR-VI/2338 dated 13<sup>th</sup> August, 2018.  
4. PS to Chief Secretary, Kyrgyz Republic, Peshwar.  
5. PS to Secretary, Information Department, Kyrgyz Republic, Peshwar.  
6. PS to Secretary, Information, Kyrgyz Republic, Peshwar.  
7. Officer concerned.  
8. Personal files.

Section Officer (Recruitment)

Station Director  
Pakhunova Raita FALYAZOVA  
Directorate of Information  
Govt of Kyrgyz Republic Peshwar



18

3

*Handwritten mark*

*Handwritten mark*

SCHEDULE

- 1. Short title, application and commencement.
- 2. Definitions.
- 3. Regulation of services of adhoc employees.
- 4. Regulation of services of project employees.
- 5. General conditions for regularization.
- 6. Security.
- 7. Removal of difficulties.
- 8. Overriding effect.

SECTIONS

PREAMBLE

CONTENTS

(KYBER PAKHTUNKHWA ACT NO. X OF 2018)

THE KYBER PAKHTUNKHWA EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2018



*Handwritten mark*

*Handwritten mark*

*Handwritten mark*

41

40 20

THE KHYBER PAKHTUNKHWA EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2018.

(KHYBER PAKHTUNKHWA ACT NO. X OF 2018)

*[First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa (Extraordinary), dated the 7<sup>th</sup> March, 2018].*

AN  
ACT

*to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa.*

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

1. Short title, application and commencement.--(1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions.-- (1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means the appointment of a duly qualified person, for a specific period, made against project posts, in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified:-

(i) one hundred and fifty-eight (158) District Specialists of Health Department who are appointed on adhoc basis against civil posts w.e.f. 4<sup>th</sup> July, 2017 and holding such civil posts till the commencement of this Act; and

(f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;

(g) "law or rule" means the law or rule, for the time being in force, governing the selection and appointment of civil servants;

(h) "project" means a perpetual nature project, the continuation on which and conversion to regular budget is essential for service delivery duty identified by the Departments and reflected in the Schedule;

(i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;

(j) "project post" means a post in the project; and

(k) "Schedule" means a Schedule appended to this Act.

(2) The expression "adhoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of adhoc employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act.

July



subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.--Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

Provided that the terms and conditions of services of employees reflected in the Schedule shall further be governed under the National Disaster

Rescue Services Act, 2002 (63 of 2002) and the rules thereunder.

5. General conditions for regularization.--For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. Seniority.--(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before

43 23

the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

7. Removal of difficulties.--If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. Overriding effect.--Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

*[Handwritten signature]*

44 (24)

SCHEDULE  
See section 2(1)(h)(k)

- (1) Capacity Building of Planning and Development Department.
- (2) Establishment of M&E System in Khyber Pakhtunkhwa.
- (3) Sustainable Development Unit, Planning and Development Department.
- (4) Urban Policy Unit, Planning and Development Department.
- X (5) Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
- X (6) Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
- Y (7) Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 1122) Headquarter.
- 8. Roll Back Malaria Control Program.
- 9. Prime Minister's Program for prevention and control of Hepatitis.
- 10. Establishment of Financial Management Cell in Health Department.
- 11. Establishment of Safe Blood transfusion.
- 12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
- 13. Establishment of Procurement Cell in office of DG Health Services, Peshawar.
- 14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.

*[Handwritten signature]*

45

25

25

15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bachu Khan Medical College Mardan.
17. Integrated HIV, Hepatitis and Thalassemia Control Program.
18. Construction of Shaheed Mohtarma Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.
23. Development of Common Application for Government Departments.
24. ICT Infrastructure for Government of Khyber Pakhtunkhwa.
- 24A. IT Support for Improvement of Health Service Delivery.

26. Provision of free text book to all students of Khyber Pakhtunkhwa upto Intermediate level (Phase-XIV).
27. Strengthening of Planning Cell at Industries Department.
28. Establishment of Special Media Cell in the Directorate of Information.
29. Strengthening of Information Department.

7/11/19

- (46) (26)
30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
  31. Establishment of Planning Cell at Local Government and Rural Development Department.
  32. Retirement Benefit and Death Compensation Cell.
  33. Automation of Pension Payment System (APPS).
  34. Energy Monitoring Unit.
  35. Establishment of Planning Cell in Food Department.
  36. Automation of Food Department.
  37. Operationalization of Redesigned Energy and Power Department.
  38. Establishment of Planning Cell in Energy and Power Department.
  39. Computerization of Land Record.
  40. Creation of MIS Cell in C&W Department.
  41. Enhancement of existing facilities in MIS/GIS for C&W Department.
  42. Strengthening of Planning Cell and Monitoring of Developmental Projects of Agriculture Department.
  43. Project Coordination Unit (PCU) for implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
  44. Afghan Management and Repatriation Cell at Home Department.
  45. Traffic Control Management System and FM Radio 693-120173.
  46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.

7/1/14

(47)

(47)

(27)

(47)

- 47. Establishment of 100 Family Welfare Centers.
- 48. Establishment of Population and Research Training Institute and Social Mobilization.
- 49. Value Addition/Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
- 50. Establishment of Model Coal Mine at Shahkor District Nowshera.
- 51. Establishment of Zoo for Peshwar Division.
- 52. Development and Management of National Park in Khyber Pakhtunkhwa.
- 53. Conservation and Management of Wildlife in Central and Northern Division.
- 54. Establishment of Monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
- 55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
- 56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
- 57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
- 58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and Museums Department.

*[Handwritten Signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION & PUBLIC RELATIONS  
DEPARTMENT  
091-0221827

Annex  
D  
28

Dated Peshawar the 28<sup>th</sup> August, 2018.

**NOTIFICATION**

No. SO.FSU:(INF)2-5/2018/Regularization Cases: In compliance of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to effect regularization of services of the following (03) employees of the project titled "Establishment of Special Media Cell in the Directorate of Information" and "Strengthening of Information Department" in the Directorate General Information & PRs, Khyber Pakhtunkhwa with effect from the date of commencement of the Act i.e. (17-03-2018) as provided under section-4 of the Act but on the condition that it shall not affect the service promotion quota of all service cadres.

S.No.	Name of Officer	BPS	Designation
1.	Hadiz Ghulam Mudassar	17	Assistant Director (I.I)
2.	Ayan Ullah	17	Statistical Data Analyst
3.	Sahibzadi Hassan Ali	17	Assistant Director Information Officer

In case the documents / credentials of the above mentioned employees are found fake / incorrect at any stage, the regularization shall be cancelled.

The inter se seniority of the said employees shall be maintained as per rules.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
INFORMATION & PRS DEPARTMENT

No. SO.FSU:(INF)2-5/2018/Regularization Cases Dated Peshawar the 28<sup>th</sup> August, 2018

Copy of the above is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
5. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
6. Director General, Directorate-General Information & PRs Khyber Pakhtunkhwa for information and necessary action.
7. Controller, Government Printing and Stationary Department for publication in the official gazette at an early date.
8. SPS to Secretary Information & PRs Department for information.
9. Officers concerned.
10. Personal file.

*[Signature]*  
Section Officer (Establishment)

Annex  
E

Q9

**NOTIFICATION**

No. S.O. 1341 (INF) 2-5/2018/Regularization Cases In pursuance of the Khyber Pakhtunkhwa (Appointment of Services) Act, 2018, the competent authority is pleased to regularize the following officers of the project titled "Establishment of three FM Radio Stations at Kohat, Swat and Abbottabad and Strengthening of Pakhtunkhwa FM Radio 92.2 at Peshawar" under the General Intimation & PRs, Khyber Pakhtunkhwa with effect from the date of issue of the Act as provided under section 2 of the Act itself.

No.	Name of Officer	BPS	Designation
1.	Mr. Rizwan Yalil	17	Producer
2.	Mr. Saqib Ali	17	Producer
3.	Mr. Umar Bin Majeed	17	Producer
4.	Mr. Muhammad Akbar Sami	17	Transmission Engineer
5.	Mr. Saqib Mahmood	17	Transmission Engineer
6.	Mr. Altaf Ali	17	Transmission Engineer

They shall remain on probation for a period of one year under sub-section (1) of section 15 of Appointment, Promotion and Transfer Rules, 1989 and amendment made there

in case the documents / credentials of the above mentioned officers are found false / forged then the regularization shall be cancelled.

The seniority of the said employees shall be maintained as per Act and.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
INFORMATION & PRS DEPARTMENT

No. S.O. 1341 (INF) 2-5/2018/Regularization Cases Dated Peshawar the 17<sup>th</sup> October, 2018

Copy of the above is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
5. DSO to Chief Secretary, Khyber Pakhtunkhwa.
6. Director General, Directorate General Information & PRs Khyber Pakhtunkhwa for information and necessary action.
7. Comptroller, Government Printing and Stationery Department for publication in the official gazette at an early date.
8. District Accounts Officer, Abbottabad, Swat and Kohat.
9. P.S to Secretary Information & PRs Department for information.
10. Officers concerned.
11. Personal file.

*(Signature)*  
Section Officer (Establishment)



Annex F  
30



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION & PUBLIC RELATIONS DEPARTMENT  
Dated Peshawar the 14<sup>th</sup> March 2024

NOTIFICATION

No. SO, Estt. (INF) 4(146)/2024/BPS-17: In terms of Section-8 (1) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 and with prior approval of the Competent Authority, final seniority list of Assistant Directors Information/Information Officers / Producers / Station Manager (FM Radio) / Assistant Registrar (DPS-17) of the Directorate General Information & PRs, Khyber Pakhtunkhwa as it stood on 01.01. 2024 is hereby notified for the information of all concerned.

<u>Total Sanctioned strength</u>		<u>35 (Thirty Five) Posts</u>	
1. Assistant Directors Information/Information Officers (Headquarters Office)	22 (Twenty)	Filled Posts: 17	Vacant Posts: 05
2. Producer	11 (Twelve)	Filled Posts: 08	Vacant Posts: 03
3. Station Manager FM 92.6 MHz Mardan	01 (One)	Filled Posts: 01	Vacant Posts: 00
4. Assistant Registrar (Headquarters Office)	01 (One)	Filled Posts: 01	Vacant Posts: 00

S.No	Name of Officer / qualification	Date of Birth/ Domicil	Date of First Entry into Govt. service on regular basis	Date of regular appointment/ promotion to BPS-16	Date of regular appointment/ promotion to BPS-17	Present appointment	Method of recruitment/ appointment	Remarks
1	2	3	4	5	6	7	8	9
1	Mr Habib Ullah Khan M A Journalism & D.I.T	31-03-1986 South Waziristan	31-10-2017 AD/IO(BS-17)		31-10-2017	FM Radio 92.2 MHz Peshawar as a Producer.	By Initial Recruitment	
2	Miss Ayesha Taskeen Gul M A Journalism & Mass Communication	17-02-1985 Peshawar	09-07-2017 AD/IO(BS-17)		09-07-2017	Assistant Director / Information Officer in DGIPR	By Initial Recruitment	

*[Handwritten signature]*

3.	Mr. Nisar Muhammad M.A Journalism & Mass Communication	12-04-1955 Bajour.	31-10-2017 AD/O (BS-17)		31-10-2017	Assistant Director / Information Officer in DGIPR	By Initial Recruitment	
4.	Muhammad Sajad M.A Journalism	10.04.1977 Charsadda	19.03.2005 A.O(BS-16)	19.03.2005	13-11-2017	Assistant Director / Information Officer in DGIPR	By Promotion	
5.	Mr. Zar Wali M.A Journalism & Mass Communication	15.2.1979 Chitral	10.11.2006 A.O (BS-16)	10.11.2006	27.12.2017	Press Secretary to Chief Minister, Khyber Pakhtunkhwa. ( OPS)	By Promotion	
6.	Sahibzada Hassan Ali M.A Journalism	09-12-1987 Swabi	07-03-2018 AD/O (BS-17)		07-03-2018	Assistant Director / Information Officer in DGIPR	Service regularized as Assistant Director under KP Regularization of Services Act- 2018.	
7.	Saqib Nawaz M.Phil in Media Studies	06-07-1986 Peshawar.	07-03-2018 Producer (BS-17)		07-03-2018	Assistant Press Registrar in DGIPR	Service regularized as Assistant Director under KP Regularization of Services Act- 2018.	
8.	Rizwan Malik BS (Hons) Journalism & Mass Communication	06-11-1989 Abbottabad	07-03-2018 Producer (BS-17)		07-03-2018	Assistant Director DGIPR	Service regularized as Assistant Director under KP Regularization of Services Act- 2018.	
9.	Waqar Hussain Shah M.A Arabic and Master of Science in Mass Communication	18-03-1983 Abbottabad	17-06-2011 AIO (BS-16)	17-06-2011	20-06-2018 Assistant Director Information	AD / Information Officer o/o Press Secretary to Chief Minister, Khyber Pakhtunkhwa.	By Promotion	
10.	Syed Aamir Hussain M.Sc Journalism & Mass Communication	10-03-1983 D.I.Khan	29-06-2011 AIO (BS-16)	29-06-2011	20-06-2018 Assistant Director Information	Press Secretary to Governor Khyber Pakhtunkhwa(OPS)	By Promotion	

(31)

(32)

11.	Sana Ullah Master in Journalism & Mass Communication	04-07-1986 FR- Lakki	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	Regional Information Officer DI Khan (OPS)	By Initial Recruitment	
12.	Khan Ghalib B.Ed / MSc Communication & Media Studies	07-12-1987 Mardan	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	On deputation to Food Safety and Halal-Food Authority, Khyber Pakhtunkhwa	By Initial Recruitment	
13.	Ata ullah M.Phil (Mass Communication)	20-03-1987 Malakand	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	Assistant Director /Information Officer DGIPR.	By Initial Recruitment	
14.	Riaz Ghafur MA Journalism & Mass communication	04-04-1992 Mardan	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	Assistant Director Information DGIPR.	By Initial Recruitment	
15.	Anwar Khan M.Phil (Mass Communication)	20-09-1984 Karak	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	FM Radio as a Producer	By Initial Recruitment	
16.	Mujahid Khan M.A Journalism & Mass Communication	10-02-1984 Mohamand.	10-10-2018 Assistant Director Information		10-10-2018 Assistant Director Information	Assistant Director /Information Officer DGIPR.	By Initial Recruitment	
17.	Syed Bilal Hussain MSc Mass Communication	17-09-1986 Abbotabad	15-02-2019 Assistant Director Information		15-02-2019 Assistant Director Information	Assistant Director, PRJO, Islamabad	By Initial Recruitment	
18.	Mr. Masood Ahmad, B.A	15-05-1967 Peshawar	01-01-1987 Calligrapher	22-12-2016	01-03-2021	Assistant Director /Information Officer DGIPR.	By Promotion	
19.	Mr. Sajid Saleem, B.A	06-5-1965 D.I.Khan	01.2.1992 Translator (BPS-6)	22.12.2015	19-01-2022	Assistant Director /Information Officer DGIPR.	By Promotion	

20	Mr. Afrasiab, MA (Journalism & Mass Communication) & MA (IR)	05.4.1984 Mardan	1.8.2012 Telecom Electric Technician (BPS- 12)	18.11.2016	19-01-2022	On deputation to Education Department, Khyber Pakhtunkhwa	By Promotion	
21	Mr. Irshad Ahmad, B.A	21-4-1972 Peshawar	13-12-1994 Translator (BPS-06)	27-12-2016	19-01-2022	Assistant Director /Information Officer DGIPR	By Promotion	
22	Muhammad Daud Khan	05-01-1986 Charsadda	13-01-2022 Producer		13-01-2022	Assistant Director /Information Officer DGIPRs	Service regularized under the Khyber Pakhtunkhwa (Regularization of services of employees of Erstwhile Federally Administered Tribal Areas) Act, 2021	
23	Murad Khan	25-01-1986 Mohmand	13-01-2022 Producer		13-01-2022	FM Radio Mohmand	Services regularized under the Khyber Pakhtunkhwa (Regularization of services of employees of Erstwhile Federally Administered Tribal Areas) Act, 2021	
24	Zahid Ullah	05.08.1984 North Waziristan	13-01-2022 Producer		13-01-2022	FM Radio Wana	Services regularized under the Khyber Pakhtunkhwa (Regularization of services of employees of Erstwhile Federally Administered Tribal Areas) Act, 2021 through Peshawar High Court Peshawar.	
25	Muhammad Quraysh	05-01-1986 Buner	13-01-2022 Producer		13-01-2022	FM Radio Bajaur. Also hold additional charge of the post of Producer in FM Radio Peshawar.	Services regularized under the Khyber Pakhtunkhwa (Regularization of services of employees of Erstwhile Federally Administered Tribal	

33

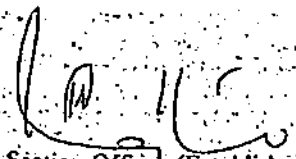
34

							Areas) Act, 2021 .
26.	Khalid Rehman	25-04-1991 North Waziristan	13-01-2022 Producer		13-01-2022	FM Radio Abbottabad as Producer	Services regularized under the Khyber Pakhtunkhwa (Regularization of services of employees of Erstwhile Federally Administered Tribal Areas) Act, 2021 .
27.	Mr. Sajid Khan	28-03-1984 Peshawar	31-07-2018 Assistant Producer, (BPS-16)		05.10.2023	Assistant Director/Information Officer DGIPR	By Promotion .

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
INFORMATION & PRs DEPARTMENT**

Copy of the above is forwarded to:-

1. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. Director General, Directorate General Information & Public Relations, Khyber Pakhtunkhwa.
3. Deputy Director (I.T), Directorate General Information & PRs, Khyber Pakhtunkhwa.
4. Manager, Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar.
5. Section Officer (Reg-1) Establishment Department, Govt. of Khyber Pakhtunkhwa.
6. P.S to Chief Secretary, Govt of Khyber Pakhtunkhwa, Peshawar.
7. Officer Concerned.
8. PS to Secretary, Information & PRs Department, Khyber Pakhtunkhwa.
9. P.A to Additional Secretary, Information & PRs Department, Khyber Pakhtunkhwa.
10. Master file.

  
Section Officer (Establishment)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

(REGULATION WING)

No. SOR-VI/ELAD/1-13/2009  
Dated: 25<sup>th</sup> Feb. 2014

35  
Amex  
E  
O  
O

1. Addl. Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
2. Addl. Chief Secretary (FATA), FATA Secretariat, Peshawar.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.

Subject: CRL ORIGINAL PETITION NO. 89/2011, CMA 309-K/2012, CMA 310-K/2012, CMA 311-K/2012, 30-K/2012, 57-K/2012, 13-K/2013, CMA 243-V/13, CMA 243-K/2013, CMA 131-K/2013, CMA 155-K/2012, 275-2013, 226/2013, 217/2013, CMA 244-K TO 247-K/2013, 257-K & 258-K/2013, CMA 292/2013, CRL MA. 292 IN CRL ORIGINAL PETITION NO. 89/2011 (2013/SC/117/53)

Sir,

I am directed to forward herewith copy of Government of Pakistan Cabinet Secretariat Establishment Division Office Memorandum No. 159/2013-Lit-IV dated 31-01-2014 on the subject noted above for information and compliance.

Yours faithfully,

ZICA  
25-02-14

(QUEERAT UL AIN)

SECTION OFFICER (REG-VI)

Copy forwarded to:

1. All Divisional Commissioners in Khyber Pakhtunkhwa.
2. All Heads of Attached Departments in Khyber Pakhtunkhwa.
3. All Autonomous/ Semi Autonomous Bodies in Khyber Pakhtunkhwa.
4. All Deputy Commissioners Khyber Pakhtunkhwa and Political Agents in FATA.
5. The Registrar, Peshawar High Court, Peshawar.
6. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.

ZINA  
25-02-14

SECTION OFFICER (REG-VI)

M. A. R. R. O. R.

ESTABLISHMENT

*M/LC*

- (ii) Absorption of a non Civil Servant concerning on him status of a Civil Servant and likewise absorption of a Civil Servant from non cadre post to cadre post without undertaking the competitive process under the recruitment rules.
- (iii) Introduction of any validation law in the nature of multiple or parallel legislation on the subject of service law.
- (iv) Benefit of absorptions extended since 1994 with or without backdated seniority, are declared ultra vires of the constitution.

The Honorable Court has declared the following practices as illegal:

A civil servant, who after passing the competitive exam in terms of the recruitment rules, is appointed on merits, loses his right to be considered for promotion when an employee from any other organization is absorbed without competing or undertaking competitive process with the backdated seniority and is conferred the status of a civil servant in complete disregard of recruitment rules.

It was expected that above mentioned judgment was downloaded by all Ministries/Divisions for compliance. However, for the sake of convenience, the following guidelines/principles are highlighted:

The Honorable Court has declared the following practices as illegal:

The undersigned is directed to say that the Honorable Supreme Court of Pakistan has passed judgment on 12-6-2014 on the subject petitions clubbed with a number of other petitions and had ordered that a copy of this judgment be sent to all the Chief Secretaries of the Provinces as well as the Establishment Secretary with the direction to streamline the service structure of civil servants in line with principles laid down in this judgment.

ORIGINAL PETITION NO. 89/2011, CMA 309-K/2012, CMA 310-K/2013, CMA 282/2013, CMA 283 IN CML ORIGINAL PETITION NO. 89/2011 (2013/SGADR/1752)

OFFICE MEMORANDUM

Islamabad, 31 January, 2014

GOVERNMENT OF PAKISTAN  
CABINET SECRETARIAT  
ESTABLISHMENT DIVISION

*Amir*

*36*

*36*

*36*

*36*

S/W  
3/17/2024

Original Submission  
Date: 18.12.2023  
Ref: 30/2/2024

Annex I  
58

To,  
The Secretary to Government of Khyber Pakhtunkhwa Information & Public Relations  
**SUBJECT: APPEAL FOR CORRECTION IN SENIORITY LIST OF ASSISTANT DIRECTORS/INFORMATION OFFICERS**

Respected Sir,

The undersigned officers are writing to bring your kind attention to make necessary correction in the seniority list of Assistant Directors/Information Officers as per rules.

The undersigned officers were appointed through the Khyber Pakhtunkhwa Public Service Commission (KPPSC) via advertisement No. 03/18 dated February 09, 2018 (annex I), while the department notified the undersigned officers through a notification on October 10, 2018 (annex II). However, it is pertinent to note that the department had sent requisition letters for hiring of undersigned officers on December 13, 2017, and January 09, 2018, respectively (annex III). In the same period the Government of Khyber Pakhtunkhwa regularized the project employees through "The Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018 dated March 07, 2018", (annex IV). Resultantly, three (03) employees i.e. 02 Producers and 01 Information Officer were regularized under the mentioned act in the Directorate General of Information & Public Relations (DGIPRs), Khyber Pakhtunkhwa.

Furthermore, the department has placed the mentioned three (03) project regularized officers senior from the undersigned who were recruited through KP Public Service Commission in the seniority list notified by the department (annex V), while the section 6 (Seniority) of the Regularization Act 2018 clearly states:

(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre.

Additionally, Section 5 (General conditions for regularization) sub-section (iv) of the Act read as:

"The services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette". As publication of names in Official Gazette is prerequisite for giving effect to regularization of the project employees.

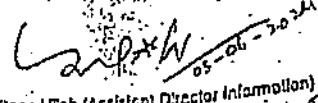
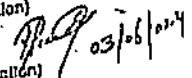
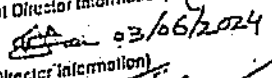
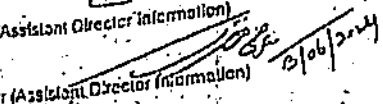

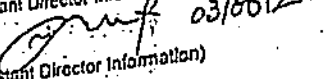


their names are published they will not be considered regularized in accordance with fore-mentioned rules.

39

It is therefore requested to review and make the necessary correction/changes in the notified seniority list of Assistant Directors/Information Officers, please.

Yours Faithfully

-   
Mr Sano Ullah (Assistant Director Information) 03/06/2024
-   
Mr Khan Ghaleb (Assistant Director Information) 03/06/2024
-   
Mr Alta Ullah (Assistant Director Information) 03/06/2024
-   
Mr Rizaz Ghafur (Assistant Director Information) 03/06/2024
-   
Mr Anwar Khan (Assistant Director Information) 03/06/2024
-   
Mr Mujahid Khan (Assistant Director Information) 03/06/2024



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION & PUBLIC RELATIONS DEPARTMENT

AMRD

No. SO (INF)4(146)/2024/Seniority  
Dated Peshawar the 13<sup>th</sup> August, 2024

J

40


To

Mr. Sami Ullah Assistant Director & Others,  
Directorate General Information & Public Relations,  
Khyber Pakhtunkhwa.

Subject: -

APPEAL FOR CORRECTION IN SENIORITY LIST OF ASSISTANT  
DIRECTORS/INFORMATION OFFICERS.

I am directed to refer to your appeal regarding the above cited subject and to convey that the appeal was thoroughly examined and filed by the worthy Secretary IPRs Department Khyber Pakhtunkhwa.

  
Section Officer (Establishment)

Encls: No. & date as above.

Copy of the above is forwarded for information to the:

1. Directorate General Information & Public Relations Khyber Pakhtunkhwa.
2. P.S to Secretary Information & Public Relations Department, Khyber Pakhtunkhwa.
3. Master file.

  
Section Officer (Establishment)

Amor (K)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1282/2022

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)  
MR. MUHAMMAD AKBAR KHAN ... MEMBER (E)

41

Mr. Furqan Shafi (PPS-BS-17), Planning Officer, SF & IT Department,  
Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. The Establishment Department, Government of Khyber Pakhtunkhwa, through Secretary Establishment, Civil Secretariat, Peshawar.
3. The Planning & Development Department, Government of Khyber Pakhtunkhwa, through Secretary P & D, Civil Secretariat, Peshawar.
4. Engineer Nasir Khan (BSC Civil)
5. Mr. Faaz Arbab (MBA)
6. Engineer Naveed Ishtiaq (BS Civil Engineering, BA Law/Political Science)
7. Mr. Ejaz Ahmad (Msc. Hons Agriculture, MA Sociology)
8. Pte. Muhammad Raza Shah (Msc. Hons Agriculture, P.G.D Project Management UK)
9. Ms. Shaista Qaiser (Msc. Hons Agriculture)
10. Mr. Kamran Ali Khan (MBA Marketing)
11. Mr. Changez Alam Durrani (MBA HRM)
12. Mr. Khurshid Alam (Msc. Hons Agriculture, MBA HR)
13. Engineer Arif Ullah Shah (Msc. Electrical Engineering)
14. Mr. Ijaz Ali Shah (Msc. Computer Science)
15. Engineer Muhammad Tariq (BS Civil Engineering)
16. Syed Shoaib Ali Shah (MBA HRM/MA)
17. Ms. Zainab Khatoon (Msc. Economics, EMBA)
18. Mr. Asim Javed (MBA)
19. Mr. Tahir Aman (MBA)
20. Muhammad Irfan (MBA)
21. Mr. Ali Hussain (M.Com/MBA)
22. Pte. Bilal Muhammad (BS IT)
23. Mr. Waqas Ghaus (MBA HR)
24. Mian Ayub Gul (MBA)
25. Arbab Muhammad Taimur (MS)
26. Muhammad Shoaib (MBA HR)
27. Mr. Shuhbaz Khan (MBA)
28. Engineer Yasir Adnan (BS Electrical Engineering)
29. Mr. Junaid (BS Psychology)
30. Mr. Mukhtar Ahmad (Msc. Hons Agriculture)
31. Muhammad Tariq (MBA)
32. Engineering Quazi Muhammad Zohaib (BSc Electrical Engineering, MS Electrical Engineering, MA HR/MBA)
33. Muhammad Khanan (BSc Civil Engineering)

R

- 92
34. Mr. Asrar Ahmad (BE Civil Engineering)
  35. Mr. Aftab Alam (MS GOE Technical Engineering, BSc Civil Engineering)
  36. Muhammad Adeel Khan (BSc Civil Engineering)
  37. Muhammad Yasir-Mehsud (BSc Civil Engineering)
  38. Mr. Naveed Ullah (BSc Civil Engineering)
  39. Mr. Hisbullah Khan (MBA)
  40. Mr. Pir Tariq Shah (MBA-Marketing)
  41. Mr. Amjad Ali Shah (MS/IT Networking)
  42. Mr. Tariq Ikram (MS Environment Sciences)
  43. Mr. Abdul Wadood Shah (MA Political Science)
  44. Mr. Hisbullah Khan (BE Chemical Engineering/MBA)
  45. Mr. Wajid Anwar (MS Computer Science)
  46. Mr. Khan Muhammad (MSc Statistics, MBA Finance & Accounting, MSc Economics)
  47. Engineer-Pir Aimal (MSc Electrical Engineering)
  48. Engineer Waqas Ahmad (MSc Electrical Engineering)
  49. Engineer Muhammad Luqman Hakim Khan (MSc Electrical Engineering)
  50. Engineer-Muhammad Awaiz (BSc Civil Engineering)
  51. Mr. Arbab Wajid Khan (MBA)
  52. Mr. Ozair Rahim (MBA)
  53. Mr. Sami ullah. (MA Environmental Sciences)
  54. Mr. Umar Hussain Khattak (MBA, Project Management/MCS Communication Engineering)
  55. Muhammad Shah Khan (MS Management Science, MPA)
  56. 22Dr. Sardar Ahmad (PhD Sociology)
  57. En2gineer Ubaid Khan (BSc Civil Engineering)
  58. Mr. 22Ijaz Ahmad Khan (BSc Civil Engineering)
  59. Mr. Mujahid Naseer (MSc Construction Engineering, BSc Civil Engineering)
  60. Mr. Zahid Gul (BSc Civil Engineering)
  61. Mr. Babar Naseem (Msc GEO Technical Engineering, BE Hons Civil Engineering)
  62. Muhammad Aamir Rafiq (BSc/ MSc Civil Engineering)
  63. Dr. Tahir Hassan (MBA Hons/ M.Phil/PhD in Management Science HR)
  64. Mr. Ubaid Ur Rehman (MPA/MPA Project Management)
  65. Mr. Taj Muhammad Khan (Bachelors in Civil Technology Hons)
  66. Mr. Jamshed Akram (BSc Civil Engineering)
  67. Mr. Mubashar Muzaffar (BSc Civil Engineering)
  68. Mr. Kifayat Ullah Khan (MS Civil)
  69. Mr. Saif Ullah (BSc Civil Engineering)
  70. Mr. Jalal Ahmad (MBA/ MS Finance)
  71. Muhammad Ismail Mohmand (MBA/MS HRM)
  72. Mr. Alamgir Khan (BS Economics, MBA HRM)
  73. Mr. Hascehullah Khan (MSc Economics/ M.Phil Economics, PhD Development Economics)
  74. Muhammad Kamran (MBA Finance, MS Project Management)

Respondents 4-74 are PPS BS-17 Officers of the planning & Development Department to the Government of Khyber Pakhtunkhwa.

(Respondents)

Mr. Ali Gohar Durrani  
Advocate

For appellant

Mr. Haris Iqbal  
Advocate

For private respondents

Mr. Asad Ali Khan  
Assistant Advocate General

For official respondents

(43)

Date of Institution ..... 18/07/2022

Date of Hearing ..... 13/11/2023

Date of Decision ..... 13/11/2023

JUDGMENT

RASHIDA BANO, MEMBER (D): The instant service appeal has been instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 with the prayer copied as below:

"In view of the above, it is humbly prayed that this honorable Court may graciously be pleased to:

- a) Declare the final seniority list No.SO(E)P&D/3-4/PPS/SL/2020 dated 25-05-2022 to be arbitrary, illegal, unlawful and without any authority and that the Appellant be placed at seniority list above the respondents who were regularized into service as against regular appointment into service.
- b) Direct the respondents that the judgment of the Honorable Supreme Court reported in 2013 SCMR 1752 be implemented in letter and spirit in respect of the Khyber Pakhtunkhwa Provincial Planning Service Cadre and violation of the said judgment be strike down.
- c) Direct that the appellant be treated in accordance with the law and that all actions in negation of the law are to be strike down.
- d) Any other relief deemed appropriate in the circumstance of the case may also be granted."

R

2. Brief facts of the case, as given in the memorandum of appeal, are that appellant are part of the planning Service Cadre of the Government of Khyber Pakhtunkhwa who after getting the appointment in BPS-17 in the said cadre on 03.09.2018. The Government of Khyber Pakhtunkhwa Planning Service Rules 2018 was promulgated which provides to regulate the Planning service cadre and the service structure. The ibid rules were published in through Notification No.SO(E)P&D/6-1/SR/PPD/2018 dated 22.02.2018. Subsequently, the Khyber Pakhtunkhwa (Regularization of Services Act, 2018 was passed and after receiving assent of the Governor in the March, 2018 was promulgated. The said Act resulted in regularization of services of employees working against project post under the P&D Department of Government of Khyber Pakhtunkhwa. The department issued a tentative seniority list, wherein, the appellant already holding the post in regular service of the Planning Cadre and those other officers whose services were regularized on the strength of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, were dealt with by the department in the common seniority list. In the tentative seniority list, so issued on 20.02.2020, the appellant was shown at Serial No.23 which according to him is not a proper place and he filed representation against the said seniority list on 04.03.2020. Subsequently, the respondents issued another seniority list on 23.10.2020 and the appellant, who was initially shown at serial No. 23 of the tentative seniority dated 20.02.2020 for employees in BPS-17, was suddenly sent to Serial No.105 of the subsequent seniority list. The appellant also filed representation against the subsequent seniority list on 29.10.2020 but no response was given from the department. Similarly another tentative seniority was also issued on 11.04.2020 with the similar placement of the appellant at serial No.105. Final seniority list was issued on 25.05.2022 whereby appellant was placed at serial No.101 in negation of the law and rules

44

RC

5  
on the subject. Appellant filed representation against the said final seniority on 08.06.2022, which was regretted on 04.07.2022. He believes that his seniority was disturbed due to encadrement of the outsiders. The appellant concluded factual part of his appeal with the submission in respect of the illegality committed by issuance of the final seniority list dated 25.05.2022 and encadrement of employees notified vide notification dated 09.01.2020 by including them in the Provincial Planning Service Cadre. The appellant has approached this Tribunal for the solicited relief described under the prayer part of his memorandum of appeal at its end.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant, learned counsel for private respondents as well as the learned Assistant Advocate General and perused the case file with connected documents in detail.

4. Learned counsel for the appellant argued that appellant has not been treated in accordance with law and respondents violated Article 4, 8, 9, 18 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. He further argued that appellant under the law is required to be placed at serial No. 23 of the seniority list instead of serial No. 105 and private respondents have wrongly placed senior to the appellant and the appellant has been discriminated against by going in negation of the Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018 and the said deviation and negation is unwarranted and not recognized by the law. He submitted that seniority of the appellant issued by the respondents are substantially against the Regularization of Employees Act, 2018, but also in violation of the Appointment, Promotion and Transfer Rules, 1989.

5. Conversely, learned counsel for private respondents assisted by learned Assistant Advocate General contended that the appellant has been treated in accordance with law and rules and no fundamental rights of the appellant have been violated and no illegal and unjust acts have been done by the respondents. He further contended that respondents by taking into account the PPS Service Rules and in light of the Provincial Cabinet decision made in its meeting held on 09.05.2019, all planning oriented posts in BPS-17 and above of newly regularized components/units of P&D Department and Planning Cells of Administration Departments, Civil Secretariat alongwith incumbents as well as left over posts were included in the Schedule-I of the PPS Service Rules vide Notification dated 09.01.2020. Since the regularized employees were included in the Schedule-I of the PPS Service Rules alongwith posts, therefore, they did not affect promotion quota of the appellant rather inclusion of posts widen/enhanced the promotion prospects of the PPS Officers.

6. Perusal of record reveals that appellant applied for the post of Planning Officer ST & IT Department in response of advertisement of Khyber Public Service Commission dated 29.12.2016, to which after recommendation by Public Service Commission was appointed on 03.09.2018. The Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018 provide method of initial recruitment, promotion and training of planning service cadre and entire service structure of Khyber Pakhtunkhwa Province. Beside these two no other mode and method of recruitment to a post is available/mention in these rules. Khyber Pakhtunkhwa Assembly passed Khyber Pakhtunkhwa Employees (Regularization of Service Act) 2018 which was accented by Governor on 7<sup>th</sup> March 2018. Section 3 and 4 of the Act provides for regularization of the adhoc and project employees which will take effect from the date of commencement of the Act both section are reproduce here for ready reference;



3. Regularization of Service of Adhoc Employees:--

Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on Adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of Service of Project Employees:--

Notwithstanding anything contained in any law or rules, the employees at sub-clause (c) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No.XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No.XV of 2012)."

Protection is given to the service structure and seniority of in service civil

47

servant in section 6 which deals with the seniority which read as;

Seniority---(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed in the respective service or cadre, irrespective of their actual date of appointment.

(48)

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre.

8. In accordance with section 6 civil servant whose services are regulated under this act shall rank junior to all civil servants belonging to same service or cadre. The matter of inter-se-seniority of the civil servants whose services were regularized as result of Act, 2018 is also dealt with in section 6 and which will be determined on the basis of their continuous officiation in such service or cadre. The most important factor is general condition for regularization of services of project/contract/adhoc employees which are prerequisite for regularization and are given in section 6 of the Act which are:

"5. General conditions for regularization:--For the purpose of regularization of the employees under this Act, the following general

conditions shall be observed:

- i) The service promotion quota of all service cadres shall not be affected;
- ii) The employees shall possess the same qualification and experience as required for a regular post;
- iii) The employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- iv) The services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

9. Respondent after promulgation of this Act of 2018 issued notification dated 09.01.2020 whereby newly regularized components/units of Planning & Development Department and Planning Cell of Administrative Department were encadred in planning cadre of BPS-17 and above through addition to schedule 1 of Provincial Service Rules of 2018. The Government of Khyber Pakhtunkhwa vide letter dated 17.05.2019 issue direction to all Administrative Secretaries to the Government for provision of planning related post/officers in BPS-17 and above for assessment/suitability for its inclusion in schedule data of PPS cadre. Respondent after absorption of all the cadres issued seniority list dated 20.02.2020 wherein appellant was shown at serial No.23 of the seniority list upon which appellant filed his objection but instead of answering objection of the petitioner respondent again issued another seniority list on 23.10.2022 which is totally in negation of settled service rules and judgment of apex court reported in 2013 SCMR 1752 which was duly sent to Administrative Department by government of Khyber Pakhtunkhwa, vide letter dated 31.01.2014. Appellant was placed at serial 105 from Serial No.23 in the

(49)

*[Handwritten signature]*

seniority list of BPS-17 issued on 23.10.2020 without any justification. Appellant also filed objection upon this tentative seniority list which was rejected in violation of law and rules which was not responded and final seniority list of BPS-17 was issued on 25.05.2022 upon which appellant filed objection 08.06.2022 which was regretted on 04.07.2022 without giving any reason.

10. For determination of controversy in issue there are three provisions i.e. section 3, 4 and 5 in the Khyber Pakhtunkhwa Employees (Regularization of Service) Act) 2018. Section 3 and 4 of the Act 2018 deals with considering the appointments of all the adhoc and project employees as validly appointed on regular post from the date of commencement of this Act which means post of project employee who hold it under project will be deem to have been regular post and its incumbent will be consider validly appointed on regular basis after commencement of the Act, 2018.

11. For regularization of a employees there are general conditions which will have to be fulfilled before regularization of service of a project or adhoc employee out of which condition No.4 is;

*(iv) The services of such employees shall be deemed to have been regularized only on the publication of their names in the official gazette.*

So publication of names of the regularized employees is condition pre-requisite for giving effect of regularization to the service of adhoc/project employees, until and unless names of the regularized employees are not published in official gazette, therefore, they will not be considered regularized in accordance with above mentioned condition. This condition is embodied in the statute which will have to be given preference upon all others decision or policy if any on the subject. Respondent names were published in the official gazette on 29<sup>th</sup> June, 2022 even after issuance of final seniority list on

50

R

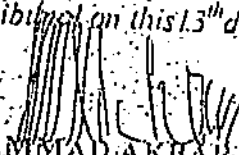
25.05.2022. At the time of issuance of seniority list service of the project and adhoc employees were not considered as regularized, keeping in view condition No.4 mentioned in general condition of section 5 of the Act 2018, therefore in our humble view respondent are not senior to the appellant who came through passing competitive exam in year 2018 who in accordance with judgment of apex court will rank senior to the regularized employees.

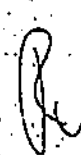
12. It is also pertinent to mention here that appellant was appointed upon recommendation of Public Service Commission as a consequence of requisition of the same by the government in year 2016 because posts of the appellant were advertised vide advertisement No.6 of 2016 dated 29.12.2016 which means that government has sent requisition much earlier than promulgation of Khyber Pakhtunkhwa Employees Regularization of Service Act, 2018 which was promulgated on 07.03.2018. So in accordance with Rules 17 of (APJ) Rules of 1989 appellant is senior from the respondents because process of their recruitment/appointment was initiated on 29.12.2016 and Act on the strength of which services of the respondent were regularized was promulgated on 07.03.2018.

13. For what has been discussed above, it is held that appellant is senior from private respondent No. 4 to 74 and final seniority list dated 25.05.2022 is not in accordance with rules on the subject, hence respondents are directed to place appellant at due and proper place in the seniority. Costs shall follow the event.

Consign.

14. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 13<sup>th</sup> day of November, 2023.*

  
(MUHAMMAD AKBAR KHAN)  
Member (I)

  
(RASHIDA BANO)  
Member (J)

ORDER

13.11.2023

Learned counsel for the appellant present. (Mr. Mohammad Jan learned Asad Ali Khan learned Assistant Advocate General alongwith Mr. Asad Khan, S.O for the respondents present..

2. Vide our detailed judgement of today placed on file, the appeal in hand is allowed as prayed for. Costs shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 13<sup>th</sup> day of November, 2023.*

(MUHAMMAD AKBAR KHAN)  
Member (I)

(RASHIDA BANO)  
Member (I)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1282/2022

BEFORE: MRS. RASHIDA BANO ..... MEMBER (J)  
MR. MUHAMMAD AKBAR KHAN ..... MEMBER (E)

Mr. Furqan Shafi (PPS-BS-17), Planning Officer, ST & IT Department,  
Khyber Pakhtunkhwa, Peshawar.

..... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. The Establishment Department, Government of Khyber Pakhtunkhwa, through Secretary Establishment, Civil Secretariat, Peshawar.
3. The Planning & Development Department, Government of Khyber Pakhtunkhwa, through Secretary P & D, Civil Secretariat, Peshawar.
4. Engineer Nusr Khan (BSC Civil)
5. Mr. Faaz Arbab (MBA)
6. Engineer Navced Ishliaq (BS Civil Engineering, BA Law/Political Science)
7. Mr. Ejaz Ahmad (Msc. Hons Agriculture, MA Sociology)
8. Pir Muhammad Raza Shah (Msc. Hons Agriculture, P.G.D Project Management UK)
9. Ms. Shaista Qaiser (Msc Hons Agriculture)
10. Mr. Kamran Ali Khan (MBA Marketing)
11. Mr. Changez Alam Durrani (MBA HRM)
12. Mr. Khurshid Alam (MSc. Hons Agriculture, MBA HR)
13. Engineer Arif Ullah Shah (Msc Electrical Engineering)
14. Mr. Ijaz Ali Shah (Msc Computer Science)
15. Engineer Muhammad Tariq (BS Civil Engineering)
16. Syed Shoaib Ali Shah (MBA HRM/MA)
17. Ms. Zainab Khatoon (Msc Economics, EMBA)
18. Mr. Asim Javed (MBA)
19. Mr. Tahir Aman (MBA)
20. Muhammad Irfan (MBA)
21. Mr. Ali Hussain (M.Com/MBA)
22. Pir Bilal Muhammad (BS IT)
23. Mr. Waqas Ghaus (MBA HR)
24. Mian Ayub Gul (MBA)
25. Arbab Muhammad Taimur (MS)
26. Muhammad Shoaib (MBA HR)
27. Mr. Shahbaz Khan (MBA)
28. Engineer Yasir Adnan (BS Electrical Engineering)
29. Mr. Junaid (BS Psychology)
30. Mr. Mukhtar Ahmad (Msc Hons Agriculture)
31. Muhammad Tariq (MBA)
32. Engineering Qazi Muhammad Zohaib (BSc Electrical Engineering, MS Electrical Engineering, MA IR/MBA)
33. Muhammad Khanan (BSc Civil Engineering)

- (54)
34. Mr. Asrar Ahmad (BE Civil Engineering)
  35. Mr. Aftab Alam (MS GOE Technical Engineering, BSc Civil Engineering)
  36. Muhammad Adeel Khan (BSc Civil Engineering)
  37. Muhammad Yasir Mehsud (BSc Civil Engineering)
  38. Mr. Naveed Ullah (BSc Civil Engineering)
  39. Mr. Hisbullah Khan (MBA)
  40. Mr. Pir Tariq Shah (MBA Marketing)
  41. Mr. Amjad Ali Shah (MS/IT Networking)
  42. Mr. Tariq Ikram (MS Environment Sciences)
  43. Mr. Abdul Wadood Shah (MA Political Science)
  44. Mr. Hisbullah Khan (BE Chemical Engineering/MBA)
  45. Mr. Wajid Anwar (MS Computer Science)
  46. Mr. Khan Muhammad (Msc Statistics, MBA Finance & Accounting, MSc Economics)
  47. Engineer Pir Aimal (MSc Electrical Engineering)
  48. Engineer Waqas Ahmad (MSc Electrical Engineering)
  49. Engineer Muhammad Luqman Hakim Khan (MSc Electrical Engineering)
  50. Engineer Muhammad Awais (BSc Civil Engineering)
  51. Mr. Arbab Wajid Khan (MBA)
  52. Mr. Ozair Rahim (MBA)
  53. Mr. Sami ullah (MA Environmental Sciences)
  54. Mr. Umar Hussain Khattak (MBA, Project Management/MCS Communication Engineering)
  55. Muhammad Shah Khan (MS Management Science, MPA)
  56. Dr. Sardar Ahmad (PhD Sociology)
  57. Engineer Ubaid Khan (BSc Civil Engineering)
  58. Mr. Ijaz Ahmad Khan (BSc Civil Engineering)
  59. Mr. Mujahid Naseer (MSc Construction Engineering, BSc Civil Engineering)
  60. Mr. Zahid Gul (BSc Civil Engineering)
  61. Mr. Babar Naseem (Msc GEO Technical Engineering, BE Hons Civil Engineering)
  62. Muhammad Aamar Rafiq (BSc/ MSc Civil Engineering)
  63. Dr. Tahir Hassan (MBA Hons/ M.Phil/PhD in Management Science HR)
  64. Mr. Ubaid Ur Rehman (MPA/ MPA Project Management)
  65. Mr. Taj Muhammad Khan (Bachelors in Civil Technology Hons)
  66. Mr. Jamshed Akram (BSc Civil Engineering)
  67. Mr. Mubashar Muzaffar (BSc Civil Engineering)
  68. Mr. Kifayat Ullah Khan (MS Civil)
  69. Mr. Safi Ullah (BSc Civil Engineering)
  70. Mr. Jalal Ahmad (MBA/ MS Finance)
  71. Muhammad Ismail Mohmand (MBA/MS HRM)
  72. Mr. Alamgir Khan (BS Economics, MBA HRM)
  73. Mr. Hasechullah Khan (MSc Economics/ M.Phil Economics, PhD Development Economics)
  74. Muhammad Kamran (MBA Finance, MS Project Management)

Respondents 4-74 are PPS BS-17 Officers of the planning & Development Department to the Government of Khyber Pakhtunkhwa.

..... (Respondents)



# POWER OF ATTORNEY

BEFORE THE Service Tribunal Peshawar  
57 Appeal No. \_\_\_\_\_ of 2024

Mr. Samiullah

VERSUS

Govt

I/we Appellant do hereby appoint &

constitute The Law Firm Of **SHAH | DURRANI | KHATTAK**

(a registered law firm) as counsel in the above mentioned case, to do all or any of the following acts, deeds and things:-

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal or any other court/tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file Plaint/Written Statement or withdraw all proceedings, petitions, suit appeals, revision, review, affidavits and applications for compromise or withdrawal, or for submission to arbitration of the said case, or any other document, as may be deemed necessary or advisable by him for proper conduct, prosecution or defence of the said case at any stage.
3. To do and perform all other acts which may be deemed necessary or advisable during the course of the proceedings.

### AND HEREBY AGREE:-

- a) To ratify whatever the said Advocates may do in the proceedings in my interest, Not to hold the Advocates responsible if the said case be proceeded ex-parte or dismissed in default in consequence of their absence from the Court/Tribunal when it is called for hearing or is decided against me/us.
- b) That the Advocates shall be entitled to withdraw from the prosecution of the said case if the whole OR any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Power of Attorney/Wakalat Nama hereunder the contents of which have been read/explained to me/us and fully understood by me / us this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

Samiullah  
Signature of Executant(s)

11201-0225446-3

Accepted subject to term regarding payment of fee for/on behalf of The Law Firm of Shah | Durrani | Khattak.

Zarak Arif Shah

Zarak Arif Shah  
Advocate High Court  
0333-8335886

Ali Gohar Durrani  
ALI GOHAR DURRANI  
Advocate Supreme Court (6232)  
aligo@sdclaw.org  
+92-332-929-7427

Hannah Zahid Durrani  
Hannah Zahid Durrani  
Advocate High Court

Babar Khan Durrani

Babar Khan Durrani  
Advocate High Court  
0301-8891818

Shah | Durrani | Khattak  
(A registered law firm)

[www.sdclaw.org](http://www.sdclaw.org) [info@sdclaw.org](mailto:info@sdclaw.org)  
231-A, Street No. 13, New Sharni Road, Peshawar.