



Sports are essential for the development of a happy, healthy & vigorous society

**DIRECTORATE GENERAL OF SPORTS
KHYBER PAKHTUNKHWA**

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.
Ph: # 9212767, Fax # 9212766

No: 1/Court Case/ Shakeel Ahmad/446/2024

Dated Peshawar the, 30th of August, 2024

AUTHORITY LETTER

Mr. Ishfaq Ahmad, Assistant Director (Litigation) is hereby authorized to attend Khyber Pakhtunkhwa Service Tribunal, Peshawar on the behalf of Secretary Sports & Youth Affairs Department & Director General Sports Khyber Pakhtunkhwa regularly in the case titled "*Shakeel Ahmad vs Govt. of Khyber Pakhtunkhwa*" Service Appeal No. 446/2024 till the decision of the case.

DIRECTOR GENERAL

**DIRECTOR GENERAL
Sports Khyber Pakhtunkhwa
Peshawar.**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 446/2024

Shakeel Ahmad

Appellant

VERSUS

Govt of Khyber Pakhtunkhwa & Others

Respondents

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 & 4.

PRELIMINARY OBJECTIONS.

- (1) That the appellant has no cause of action.
- (2) That the appeal is not maintainable in its present form.
- (3) That the applicant has not come to the court with clear hands.
- (4) The appellant has deliberately kept the facts concealed in his appeal and has not produced/ annexed the relevant documents. This honorable Tribunal has no jurisdiction to entertain the appeal.
- (5) That no injustice has been done to the appellant and the appeal is based on malafide intentions and incorrect/ incomplete information.
- (6) That the appeal is bad for misjoinder and non joinder of necessary parties.
- (7) That the appeal is barred by law and limitation.

Sheweth: -

Facts: -

1. The appellant was appointed as an Assistant (BPS-14) at the District Sports Office in Buner, as per Office Order No. 34-39/Estt:/8(main file) dated January 18, 2008, issued by the then District Coordination Officer, Buner. (**Annexure-I**)
2. Correct. "Seniority" refers to the official seniority list that has been finalized and published in compliance with relevant laws and regulations.
3. Para-3 of the appeal is misleading. The final joint seniority of the Assistant Directors, District Sports Officers and Administrators (BPS-17) was issued 13.5.2019 wherein the private respondents stand at serial No. 14 - 21. The appellant, if aggrieved, was required to file departmental appeal to the Departmental Authority within a period of 30 days or in case no reply to the departmental appeal was responded after lapse of ninety days, the appellant was required to file appeal before the Tribunal on the expiry of limitation period. The appellant had neither submitted departmental appeal filed appeal before this Tribunal within the limitation period i.e till 15.08.2019 in accordance with law hereinafter mentioned.

Section 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974 (Khyber Pakhtunkhwa Act No.1 of 1974). provides that;—

Appeal to Tribunal,— Any civil servant aggrieved by any final order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him or within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal having jurisdiction in the matter; provided that (a) where an appeal, review or a representation to a departmental authority as provided under the Khyber Pakhtunkhwa Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety ' days has elapsed from the date of such appeal, application or representation was preferred. (2)

(KP Service Tribunal Act, 1974 is attached as Annexure- II).

In view of the above provision of law, the final order (original or appellate i.e final seniority) had been issued on 13.05.2019) (Annexure- III) and has never been impugned at any competent forum to the extent of private respondents within the limitation period of 90 ddays. Therefore, valuable rights have been established in favour of private respondents. The final seniority list issued or to be issued afterward in respect of the private respondents in calendar years following the year 2019, cannot be impugned until and unless the seniority list in respect Of the private respondents are altered.

The appeal of the appellant is not maintainable in light of the final order issued on 15.8.2019 and the same is also hopelessly time barred. The appellant has to explain delay of each day and every day, because of delay valuable rights have been accrued in favour of private respondents with passage of time, which should not be disturbed. Reliance is placed on 2013 CLC 403, PLD 2011 SC 657 and PLD 2011 SC 174.

4. Para-4 of the appeal is misleading. All the posts of Deputy District Officers/District Sports Officer (BPS-16) in the province were upgraded to BPS-17 in accordance with Upgradation Policy, 2010 on permanent basis. The Competent Authority (Chief Secretary) approved the proposal of the up-grdation of Deputy Sports Officers/Sports Officers from BPS-16 to BPS-17 (Annexure-IV) and no such post remained in BPS-16 as evident from subsequent Notification issued on 08.03.2018 (Annexure-V). Hence, lien remained intact of the incumbent against the posts in lower scale of Deputy Sports Officers/Sports Officers (BPS-16). Similar is the case of the appellant. The appellant was appointed as Assistant (BPS-14) and upon general upgradation of the posts of Assistant from BPS-14 to BPS-16 vide Finance Department Notification No. FD/SO(FR)10-22/2014, dated 20.05.2014 (Annexure- VI), the appellant was placed in BPS-16. The appellant was promoted to the post of Assistant Director (BPS-17) vide Sports Department Notification dated 28.5.2019. (Annexure-VII). If, the upgradation of the private respondents is not justified then the upgradation of the appellant from BPS-14 to BPS-16 is also not justified.

It is further submitted that Rule-17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 provides that:

“Seniority” :- (1) the seniority inter se of civil servants appointed to a service, cadre or post shall be determined;-

in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission or as the case may be, the Departmental Selection Committee; provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and

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- (a) in the case of civil servants appointed otherwise: with refererice to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post (**Annexure-VIII**).

The word “otherwise” connote civil servants appointed through promotion transfer or upgradation.

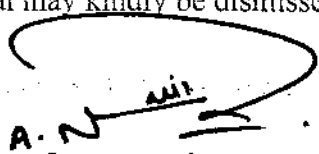
5. As explained in answering paras 3 and 4 above that the appeal is time barred. Moreover, the circulation of tentative seniority list is not the final/original order against which departmental appeal or appeal before the Tribunal can be filed. In such circumstances, the appellant cannot invoke jurisdiction of this Honourable Service Tribunal. In this regard reliance is placed on the judgment of the Apex Court (1998 SCMR 60) which provides that “ the only objection in the context could be that an appeal to the Service Tribunal is competent only against final order and such a regulatory periodic order as of suspension does not qualify as final order and hence is not amenable to the jurisdiction of Service. In terms of Section-8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989, the Department, after the year 2019, has now issued the final seniority list as stood on 10.10.2023 (**Annexure IX**). However, the appellant has no vested rights to impugn the Final Seniority list dated 18.8.2023 to the extent of Private Respondents as the appellant failed to invoke jurisdiction of this Honorable Tribunal against the Final Seniority' list issued on 13.05.2019.
6. Para- 6 of the appeal is incorrect. The final seniority list has been issued on 10.10.2023 as referred in answering para 5 above. (**Annexure- IX ibid**).
7. In the meanwhile the meeting of the committee constituted for fixation of seniority of all the employees of the Directorate General of Sports, Khyber Pakhtunkhwa held on 27-07-2023 (**Annexure-X**) in which it was decided that the seniority lists of all the employees of BPS-03 to BPS-17 including the merged employees of erstwhile FATA Sports Directorate may be prepared as fresh in accordance with Sub-Rule (3) of Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989 and subsequent advice of the Establishment Department dated 06.04.2021 conceveyed vide Sports & Youth Affairs Department, Khyber Pakhtunkhwa letter No. (Sports)2-75/Merged Areas/2021/7315-19, dated 07-05-2021 (**Annexure-XI**). A copy of a reported judgment titled “Tikka Khan & others vs Syed Muzaffar Hussain Shah & others” (2018 SCMR 332). sub para (4) of para-6 read with para-7 of which is very relevant to the case in hand, is also attached for your information / guidance. In another words, the said judgment has interpreted sub rule (3) of the Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989 (**Annexure-XII**).

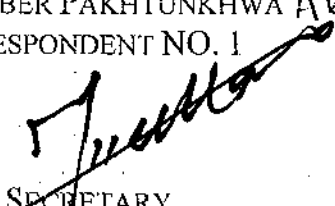
8. Furthermore, no restraining order was issued by the Honorable Service Tribunal due to which the process was continued for fixation of the employees. It is further added that he was responded according to rules & laws as and when he raised objections. (Annexure-XIII).
9. Pertains to record.
10. The private respondents entire promotion process was conducted in strict adherence to the relevant rules and regulations, with all requisite formalities and procedures as mandated by the government.

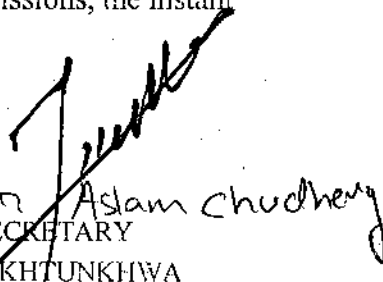
GROUND: -


- A. As explained in the preceding paras.
- B. As explained in the preceding paras.
- C. As explained in the preceding paras.
- D. The Honorable Service Tribunal's decision not to issue a restraining order allowed the employee fixation process to proceed. Moreover, it was noted that the appellant's objections were addressed in a timely and lawful manner, in accordance with established rules and regulations, whenever they were raised.
- E. As explained in the preceding paras that the appellant was promoted to BPS-17 on 28.5.2019 whereas the private respondents were upgraded to BPS-17 on 08.03.2018.
- F. As explained in the preceding paras.
- G. As explained in the preceding paras.
- H. As explained in the preceding paras.
- I. As explained in the preceding paras.
- J. As explained in the preceding paras.

It is therefore humbly prayed that keeping in view the above submissions, the instant service appeal may kindly be dismissed with costs.


A. N.
DIRECTOR GENERAL SPORTS
KHYBER PAKHTUNKHWA
RESPONDENT NO. 1


SECRETARY
TO GOVT. OF KHYBER PAKHTUNKHWA
SPORTS & YOUTH AFFAIRS
DEPARTMENT, PESHAWAR
RESPONDENT NO. 3


Nadeem Aslam Chudhery
CHIEF SECRETARY
KHYBER PAKHTUNKHWA
RESPONDENT NO. 2


M. Zaid
DEPUTY DIRECTOR SPORTS
DIRECTORATE GENERAL OF SPORTS
KHYBER PAKHTUNKHWA
RESPONDENT NO. 4

Muhammad Ismail 4/4

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWAPESHAWAR

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Comments In Service appeal no. 446 of 2024

Shakeel Ahmad

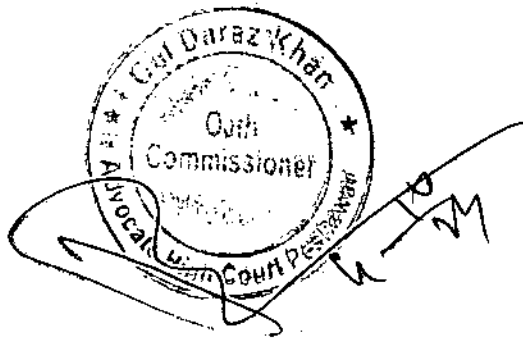
Versus

Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar
and others

AFFIDIVIT

I, Ishfaq Ahmad Assistant Director Litigation (Directorate General of Sports of KP), do hereby solemnly affirm and declare that the contents of the above comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable tribunal.


DEPONENT



OFFICE OF THE DISTRICT COORDINATION OFFICER BUNER.

No. _____ /Estt./8(Main file)

Dated Daggar the 18/1/2008.

OFFICE ORDER.

Consequent upon the recommendations of the District Selection Board Buner (as contained in the minutes of the meeting held on 18/01/2008) Mr. Shakeel Ahmad S/o Khurshaid Ali resident of village Nawagai District Buner is hereby appointed as Assistant (BPS-14) in the District Sports Office, Buner on the terms and conditions given below with immediate effect.

Terms & Conditions.

- i. He will be placed in minimum of BPS-14 with usual allowances as permissible to the Government Servant of the same pay scale.
- ii. His appointment is purely temporary and on contract basis and his service can be terminated at any time without assigning any reason.
- iii. His services will be governed under Govt. of NWFP Civil Servant Act 1973 except with the special provision of C.P. Fund instead of pension in the Government of NWFP E&A Department Circular letter No. SO-VI/E&AD/1-13/2005, dated 10/8/2003.
- iv. For all other purposes such as pay, TA and Medical attendance etc He will be governed by rules applicable to the Government Servant of their category.
- v. His service will be subject to their medical fitness.
- vi. He will be provided same facilities under Benevolent Fund as admissible to the Government Servants at the rates to be prescribed by the Government.
- vii. He will avail the benefit of Contributory Provident Fund through 5% contribution of minimum of their pay and 5% contribution to be made by the government.
- viii. He will not contribute to GPF and shall not be entitled for Pension and Gratuity benefits.
- ix. No TA/DA will be admissible to them on joining his first appointment.
- x. He can not resign the service immediately but he has to put in writing at least one month prior and in lieu thereof, one month pay shall be forfeited from him.
- xi. If he accept the appointment on the above terms and conditions, he may report to the office/place of duty mentioned above.
- xii. On assuming duties it will be taken for that he has accepted all the above terms and conditions.
- xiii. His appointment is subject to fulfillment of all the conditions laid down in the service rules.

DISTRICT COORDINATION OFFICER,
BUNER.

No. 34-39 /Estt./8(Main file)

Copy forwarded to :-

1. The Executive District Officer, Finance & Planning, Buner.
2. The District Officer, Revenue & Estate, Buner.
3. The Assistant Coordination Officer, Buner.
4. The District Accounts Officer, Buner.
5. The District Sports Officer, Buner.
6. Official concerned for compliance.

ASSISTANT DIRECTOR
Sports Kyber Pakhtunkhwa
Peshawar.

DISTRICT COORDINATION OFFICER,
BUNER.

(7)

Annex I

(4)

(2)

(10)

OFFICE OF THE DISTRICT COORDINATION OFFICER BUNER.

No. _____ /Estt/8(Main file)

Dated Duggar the 12/01/2008

OFFICE ORDER.

In exercise of the Power conferred upon me vide Establishment & Administration Department Peshawar letter No.SO-VI(B&AD) 1-10/2003, dated 9/8/2003, I being the appointing/competent authority hereby relax the upper age limit for 04 years 11 months and 15 days in respect of Mr. Shukeel Ahmad S/o Khurshaid Ali, resident of village Nawagai District Buner, appointed vide this office order No.34-39/Estt/8(Main file), dated 18/01/2008 as Assistant(BPS-14) in the office of District Sports Officer, Buner, with immediate effect in the interest of public service

DISTRICT COORDINATION OFFICER,
BUNER.

No. 41-46 /Estt/8(Main file)

Copy forwarded to:-

1. The Executive District Officer, Finance & Planning, Buner.
2. The District Officer, Revenue & Estate, Buner.
3. The Assistant, Coordination Officer, Buner.
4. The District Accounts Officer, Buner.
5. The District Sports Officer, Buner.
6. Official concerned.

DISTRICT COORDINATION OFFICER,
BUNER.

ASSISTANT DIRECTOR
Sports (Higher Pakistankhwa)
Peshawar.

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Annexus-II

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¹[(4) The Chairman and members of a Tribunal shall be appointed by the Governor in consultation with the Chief Justice of the Peshawar High Court.]

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the Governor.

(6) The Chairman or a member of a Tribunal may be appointed by name or by designation.

²[3-A Adhoc appointment.—The Governor may, if necessary or expedient, for a particular case or cases, make an ad hoc appointment on the Tribunal of person qualified to be Chairman or a member as the case may be.]

³[3-B Tenure, Terms and conditions of service of Chairman and members. (1) The Chairman and a member shall hold office for a period of three years or until he attains the age of sixty years, whichever is earlier, and shall not be eligible for re-appointment:

Tenure, Terms and conditions of service of Chairman and members.

Provided that if a judge of the High Court is appointed as Chairman, he shall hold office for a period of three years or until he attains the age of superannuation as judge of the High Court whichever is earlier.

(2) In case, a retired judge of the High Court is appointed as Chairman under clause (a) of sub-section (3) of section 3, he shall hold office for a period of three years and shall not be eligible for re-appointment.

(3) The other terms and conditions of service of the Chairman and members shall be such as may be determined by the Governor.]

4. Any civil servant aggrieved by any final order, whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him ⁴[or within six months of the establishment of the appropriate Tribunal, whichever is later], prefer an appeal to the Tribunal having jurisdiction in the matter:

Appeals to Tribunals.

Provided that ---

¹ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.2(b).

² Inserted vide Khyber Pakhtunkhwa Act No. XIII of 1976, S.2.

³ Inserted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.3.

⁴ Inserted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3 (a).

ASSISTANT DIRECTOR
Special Audit
Peshawar

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- (a) Where an appeal, review or representation to a departmental authority is provided under the¹[Khyber Pakhtunkhwa]Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was preferred;²
- (b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining-
 - (i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade; or
 - (ii) the quantum of departmental punishment or penalty imposed on a civil servant as a result of a departmental inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement³ [; and].
- ⁴[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.]

Explanation.—In this section, "departmental authority" means any authority other than a Tribunal which is competent to make an order in respect of any of the terms and conditions of service of civil servants.

- 5. (1) There may be constituted one or more Benches, each consisting of— Constitution of Benches.
 - (a) the Chairman alone; or
 - (b) the Chairman and one or more members; or
 - (c) ⁵{one preferably judicial member} or more member,

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
² Omitted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3(b)(i).
³ Replaced vide Act No IX of 1974, S.3 (b)(ii).
⁴ Added vide Khyber Pakhtunkhwa Act No IX of 1974, S.3 (b) (iii).
⁵ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(i)(a)


ASSISTANT DIRECTOR
 Sports Khyber Pakhtunkhwa
 Peshawar.

(10)

Annexure III

(10)

P. 78



GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS & YOUTH AFFAIRS DEPARTMENT.

Dated Peshawar, the 13/05/2019

NOTIFICATION

G.O.SO(S)11-41/2017:- In pursuance of Section-8 (1) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, joint final seniority list of Assistant Directors, District Sports Officers and Administrators (BS-17) as stood on 05-03-2019 is notified / circulated.

FINAL SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BS-17)

S.#	Name of Officer and Designation	Academic Qualification	D.O.B	Domicile	Date of 1 st Entry into Govt. Service	Regular appointment / promotion to the present posts			Present appointment	Remarks
						Date	BPS	Method of recruitment / appointment		
1)	Syed Muhammad Saqlain Shah (District Sports Officer)	B.A./LLB	01-04-1962	D.LKhan	26-2-1987	11-02-2004	17	By promotion	DSO	Working against the post of Director (Operations) in OPS
2)	Mr. Muhammad Saleem Raza, (District Sports Officer)	M.A. (M.Ed) / M.Sc. (HPE)	12-09-1969	Charsadda	08-10-1995	01-08-2009	17	By initial	DSO	Working against the post of Administrator Abdul Walikhan Sports Complex Charsadda.
3)	Mr. Naimatullah Khan, (Assistant Director)	M.Sc	05-01-1981	Lakki Marwat	27-6-2009	27-06-2009	17	By initial	AD	Working against the post of Deputy Director in OPS
4)	Mr. Mir Bashir Khan, (District Sports Officer)	B.A.	23-03-1965	Peshawar	01-02-1996	01-10-2009	17	By promotion	DSO	Working against the post of Administrator Mardan Sports Complex.
5)	Mr. Azizullah Jan, (Assistant Director)	M.A.	03-05-1965	Charsadda	30-04-1983	28-05-2010	17	By promotion	AD	Working against the post of Deputy Director in OPS
6)	Muhammad Tariq (Assistant Director)	F.A.	10-09-1963	Peshawar	11-03-1987	03-12-2012	17	By promotion	AD	Working against the post of Deputy Director in OPS
7)	Mr. Sikandar Shah (District Sports Officer)	M.Sc.	25-04-1963	Kohat	04-06-1991	10-01-2017	17	By promotion	DSO	Working against the post of RSO Kohat in OPS

(Contd. P/2)

13/05/2019

SECRETARY
Sports, Tourism, Archaeology, Museums & Youth Affairs
Peshawar.

(H) (W)

7.79 (U)

	Name of Officer and Designation	Academic Qualification	D.O.B	Domicile	Date of 1 st Entry into Govt. Service	Regular appointment / promotion to the present posts			Present appointment	Remarks
						Date	BPS	Method of recruitment / appointment		
8)	Muhammad Jamshid (District Sports Officer)	M.Sc.	05-05-1978	D.I.Khan	01-01-2005	20-12-2017	17	By promotion	DSO	Working against the post of RSO Peshawar in OPS
9)	Muhammad Suleman (District Sports Officer)	M.Sc.	01-04-1971	Dir	06-06-1990	20-12-2017	17	By promotion	DSO	DSO Buner
10)	Mr. Anwar Kamal (District Sports Officer)	B.A.	27-03-1975	D.I.Khan	29-09-2005	20-12-2017	17	By promotion	DSO	Working against the post of Administrator DIKhan Sports Complex
11)	Mr. Amir Zahid Shah (District Sports Officer)	M.Sc.	05-09-1967	Bannu	29-06-1992	20-12-2017	17	By promotion	DSO	Working against the post of RSO Bannu in OPS
12)	Mr. Zakir Ullah (District Sports Officer)	M.A.	22-04-1977	Peshawar	29-09-2005	20-12-2017	17	By promotion	DSO	Working against the post of Assistant Director
13)	Mr. Razi Ullah Khan (District Sports Officer)	M.Sc.	01-10-1979	Tank	02-09-2002	20-12-2017	17	By promotion	DSO	Working against the post of RSO DIKhan in OPS
14)	Muhammad Ismail Khan (District Sports Officer)	M.Sc.	02-06-1977	Bannu	19-06-2005	08-03-2018	17	By Upgradation	DSO	DSO Karak
15)	Mr. Tariq Muhammad (District Sports Officer)	M.Sc.	22-10-1972	Swabi	26-06-1997	08-03-2018	17	By Upgradation	DSO	DSO Swabi
16)	Mr. Asad Khan (District Sports Officer)	M.A.	20-05-1968	Mardan	20-03-2006	08-03-2018	17	By Upgradation	DSO	Working against the post of Assistant Director
17)	Mr. Ahmad Zaman (District Sports Officer)	M.Sc.	17-04-1980	Haripur	17-06-2009	08-03-2018	17	By Upgradation	DSO	DSO Haripur
18)	Mr. Munir Abbas (District Sports Officer)	MBA	10-3-1984	Hangu	09-08-2006	08-03-2018	17	By Upgradation	DSO	Working against the post of Dy Director in OPS
19)	Kashif Farhan (District Sports Officer)	M.Phil	11-04-1986	Bannu	31-08-2017	08-03-2018	17	By Upgradation	DSO	Working against the post of RSO Mardan.
20)	Hazarat Ullah (District Sports Officer)	MS	01-01-1984	Karak	31-08-2017	08-03-2018	17	By Upgradation	DSO	Working against the post of RSO Swat.

12/11/2019

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Name of Officer and Designation	Academic Qualification	D.O.B	Domicile	Date of 1 st Entry into Govt. Service	Regular appointment / promotion to the present posts			Present appointment	Remarks
					Date	BPS	Method of recruitment / appointment		
321) Gul Rukh Gulfam (District Sports Officer)	M.Sc	01-06-1991	Abbottabad	29-09-2017	08-03-2018	17	By Upgradation	DSO	DSO Mansehra

Encls. NO.SO(S)1-41/2017:-

Copy forwarded for information to the:-

1. Director, General Sports, Khyber Pakhtunkhwa.
2. All the officers concerned.
3. PS to Secretary Sports, Youth Affairs, Culture, Tourism, Archeology and Museum Department, Khyber Pakhtunkhwa.

Sd/x

Secretary to Government of Khyber Pakhtunkhwa
Sports, Tourism, Archaeology, Museums &
Youth Affairs Department

Dated Peshawar the 13th May, 2019



(Sajid Nawaz)
SECTION OFFICER
(Sports & Youth Affairs)





(B) - A-IV (B)
GOVERNMENT OF KHYBER PAKHTUNKHWA
SPORTS, CULTURE, TOURISM, ARCHAEOLOGY,
MUSEUMS & YOUTH AFFAIRS DEPARTMENT

No. SO(Sports)1-24/2018
Dated Peshawar, the 7th March, 2018

To

The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department

Subject:- UPGRADATION OF POST OF DUPLY DISTRICT SPORTS
OFFICER FROM BPS-16 TO BPS-17

Dear Sir,

I am directed to refer to your letter No. So(FR)FD//7-34/2014/Sports
Deptt./17434 dated 22-01-2018 on the subject noted above and to enclose
herewith a copy note approved by the Chief Secretary Khyber Pakhtunkhwa
further necessary action at your end, please.

Encl: as above.

Yours faithfully,

Section Officer (Sports)

Copy is forwarded for information to the Director General Sports,
Khyber Pakhtunkhwa.

Section Officer (Sports)

Assistant Director
Sports



GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS
& YOUTH AFFAIRS DEPARTMENT

(124)

NOTE FOR CHIEF SECRETARY, KHYBER PAKHTUNKHWA

subject: UPGRADATION OF THE POST OF DEPUTY DISTRICT SPORTS OFFICER
BPS-16 TO DISTRICT SPORTS OFFICER BPS-17

The Directorate General of Sports Khyber Pakhtunkhwa proposed upgradation of the post of Deputy District Sports Officer/ District Sports Officer BPS-16 to the post of District Sports Officer BPS-17 working at District level under the Directorate General of Sports, Khyber Pakhtunkhwa. The case was submitted to upgradation committee of the Finance department for the purpose.

2- The case was included as agenda item No.1 in the meeting of Upgradation Committee held on 25-01-2018 under the chairmanship of Secretary Finance Department Khyber Pakhtunkhwa in his office. The committee unanimously agreed to the proposed upgradation of all the District Officer Sports/ Deputy District Sports Officers from BPS-16 to BPS-17, permanently with the same nomenclature of District Sports Officer (BPS-17), working under the Directorate General of Sports Khyber Pakhtunkhwa. Minutes of the meeting are at (Annex-I).

3- The Chief Secretary Khyber Pakhtunkhwa being the competent authority in respect of civil servants in BPS-17 requested to approve the upgradation of the Deputy District Sports Officer/ District Sports Officer (BPS-16) to the post of District Sports Officers (BPS-17) in the Directorate General of Sports Khyber Pakhtunkhwa on permanent basis with the same nomenclature of District Sports Officer (BPS-17).

4- Para 3 is submitted for approval, please.

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**

(MUHAMMAD TARIQ)
Secretary

Secretary to Government
Khyber Pakhtunkhwa
Sports, Culture, Tourism Youth Affairs
Archaeology & Museums Department

CHIEF SECRETARY
Govt. Of Khyber Pakhtunkhwa

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

SECTION OFFICER

STD-1417

133
22-2-18

22-2-18

Date: 23/2/18
28/2/18

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SUBJECT: UPGRADATION OF THE POST OF DEPUTY DISTRICT SPORTS OFFICER BPS-16 TO DISTRICT SPORTS OFFICER BPS-17

06. Finance Department endorses the proposal of the Administrative Department contained in para-03 of the Note being in line with the recommendations of the Upgradation Policy (Annex-I).

Shakeel Qadir Khan
28.2.18.
Shakeel Qadir Khan
Secretary, Finance Department

Chief Secretary

M
6/2/18
CHIEF SECRETARY
Govt. of Khyber Pakhtunkhwa

Secy Sports

Shakeel
6/2/18

SECRETARY
NO. 391
28/2/18

8/5/18
2/3-29/8


ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

SECTION OFFICER (FR)



GOVERNMENT OF KHYBER
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS
& YOUTH AFFAIRS DEPARTMENT

Annex

16

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16

Dated 08-03-2018

NOTIFICATION

No.SO(Sports)2-2/2018: In pursuance of the Finance Department Khyber Pakhtunkhwa letter No. SO (FR)FD/7-34/2014/Sports Dept/17434, dated 08-03-2018, the competent authority has been pleased to accord sanction to the up-gradation of the post of Deputy District Sports Officer/ District Sports Officer working in BPS-16 to the post of District Sports Officer BPS-17 on permanent basis with immediate effect.

The expenditure involved shall be debatable to functional cum object classification 08- Recreational Culture and Religion, 081- Recreational and Sporting Services, 0811- Recreational and Sporting Services, 081120- Others, during the current Financial Year.

Secretary to Government of Khyber Pakhtunkhwa
Sports, Culture, Tourism, Archaeology and
Youth Affairs department

No. SO (FR)FD/7-34/2014/Sports Dept/

Dated 08-03-2018

Copy forwarded for information and necessary action to:

- 1- The Accountant General, Khyber Pakhtunkhwa.
- 2- All the District Accounts Officers, Khyber Pakhtunkhwa.

Section Officer (FR)
Finance Department

No.SO (S) No.SO(Sports)2-2/2018:

Copy Forwarded to:

- 1- The Secretary to Govt of Khyber Pakhtunkhwa, Finance Department.
 - 2- The Secretary to Govt of Khyber Pakhtunkhwa, Establishment Department.
 - 3- All the Deputy Commissioners of Khyber Pakhtunkhwa.
 - 4- The Director General Sports Khyber Pakhtunkhwa.
 - 5- The Principal Staff Officer to Chief Secretary, Govt of Khyber Pakhtunkhwa.
 - 6- Section Officer (FR) Finance Department Khyber Pakhtunkhwa with respect to his letter No. SO (FR)FD/7-34/2014/Sports Dept/17434 dated 08-03-2018
- Budget Officer-III Finance Department Khyber Pakhtunkhwa for information and necessary action.
- Manager Government Printing Press Peshawar.
Budget and Accounts Officer w/o DG Sports Khyber Pakhtunkhwa
All the District Sports Officers Khyber Pakhtunkhwa

AD (FR) 16/3
16/3

Section Officer (Sports)

ASSISTANT DIRECTOR
Sports, Khyber Pakhtunkhwa
Peshawar.



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

No.SO(FR)FD/7-34/2014/Sports Deptt./17434
Dated Peshawar, the 08-03-2018

To

The Secretary to Govt: of Khyber Pakhtunkhwa,
Sports & Youth Affairs Department.

Subject: UPGRADATION OF THE POST OF DEPUTY DISTRICT
SPORTS OFFICER BPS-16 TO DISTRICT SPORTS
OFFICER BPS-17

Dear Sir,

I am directed to refer to your department letter No.SO(Sports)1-24/2018 dated 07-03-2018 on the subject noted above and to state that the competent authority has been pleased to upgrade the post of Deputy District Sports Officer/ District Sports Officer (BPS-16) to the post of District Sports Officer (BPS-17) in the Directorate General of Sports Khyber Pakhtunkhwa on permanent basis with immediate effect.

2. Audit copies may be prepared and sent to this department for authentication.

Yours faithfully,

Section Officer (FR)

Endt No. & Date even

Copy of the above is forwarded to Budget Officer-III, Finance Department for information and necessary action.

Section Officer (FR)

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar, the 20-05-2014

18

Amendment-VI

18

NOTIFICATION

NO.FD/SO(FR)10-22/2014: The competent authority has been pleased to accord sanction to the upgradation of pay scales of the following posts, wherever exist, in all the Departments (Officers except Civil Secretariat) of the Government of Khyber Pakhtunkhwa with immediate effect:

21

S. No.	Nomenclature of the post	Existing Scale	Upgraded Scale
1	Superintendent	BS-16	BS-17
2	Assistant	BS-14	BS-16
3	Senior Clerk	BS-09	BS-14
4	Junior Clerk	BS-07	BS-11

- The pay of the existing incumbents of the posts shall be fixed in higher pay scales at a stage next above the pay in the lower pay scale

All the concerned Departments will amend their respective service rules to the same effect in the prescribed manner.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Encls. No. & Date even.

Copy of the above is forwarded for information and necessary action to the:-

- BS to Additional Chief Secretary, FATA
- All Administrative Secretaries Government of Khyber Pakhtunkhwa.
- Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
- Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- Secretary Provincial Assembly, Khyber Pakhtunkhwa.
- All Heads of Attached Departments in Khyber Pakhtunkhwa
- Registrar, Peshawar High Court, Peshawar.
- All Deputy Commissioners, Political Agents, District & Sessions Judges / Executive District Officers in Khyber Pakhtunkhwa.
- Chairman, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
- Registrar, Service Tribunal Khyber Pakhtunkhwa
- All the Autonomous and Semi Autonomous Bodies in Khyber Pakhtunkhwa
- Secretary to Govt. of Punjab, Sindh and Baluchistan, Finance Department, Lahore, Karachi and Quetta
- The District Comptroller of Accounts, Peshawar, Mardan, Kohat, Bannu, Abbottabad, Swat and Dir Lower
- For Senior District Accounts Officer Nowshera, Swabi, Charsadda, Haripur, Muzaffargarh and Dir Lower
- The Treasury Officer, Peshawar.
- All District Agency Accounts Officers in Khyber Pakhtunkhwa - FATA
- BS to Senior Member for Finance, Khyber Pakhtunkhwa
- Executive Secretary, Khyber Pakhtunkhwa
- Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar
- PS to Finance Secretary
- PS to All Additional Secretaries/ Deputy Secretaries in Finance Department
- All Section Officers/Budget Officers in Finance Department
- Abbas Khan President of Khyber Pakhtunkhwa Civil Secretariat Superintendents, Assistant Clerks Association with reference to his application No. PR/KPSACA/2-1/2013 dated 8-01-2014

(Signature)
ASSTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

(Signature)
(SHAUKAT ULLAH)
SECTION OFFICER



GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, TOURISM, ARCHAEOLOGY, MUSEUMS & YOUTH
AFFAIRS DEPARTMENT.

No. SO(Sports)1-7/2018
Dated Peshawar, the 20th May, 2019.

19
Annexure - VII
19

NOTIFICATION:

No. SO(Sports)1-7/2018: On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following officials/ officers of Directorate General of Sports Khyber Pakhtunkhwa, to the next higher posts, on regular basis, with immediate effect as mentioned against each:-

1. Mr. Hamid Ali, Assistant (BPS-16) promoted as Superintendent (BPS-17).
2. Mr. Riza Hussain, Assistant (BPS-16) promoted as Superintendent (BPS-17).
3. Mr. Zeeshan Faheem Qureshi, Assistant (BPS-16) promoted as Superintendent (BPS-17).
4. Mr. Asghar Khan, Assistant (BPS-16) promoted as Superintendent (BPS-17).
5. Mr. Arshad Ullah, Assistant (BPS-16) promoted as Superintendent (BPS-17).
6. Mr. Ibad Ullah Khan, Assistant (BPS-16) promoted as Superintendent (BPS-17).
7. Miss Haya Naz, Assistant (BPS-16) promoted as Superintendent (BPS-17).
8. Mr. Amjad Iqbal, Superintendent (BPS-17) promoted as Assistant Director (BPS-17).
9. Mr. Shakil Ahmad, B & A.O (BPS-16) promoted to the post of Assistant Director (BPS-17).

2. The officers concerned will remain on probation for a period of one year in terms of rules 6(2) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule 15(1) & (2) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules, 1989 as amended vide Notification No. dated 07-12-2017.

3. Consequent upon the promotion of the above, the following postings/ transfers are hereby made with immediate effect in the best public interest:

S. #	Name	From	To
1.	Mr. Hamid Ali	Assistant (BPS-16), o/o Director General Sports Khyber Pakhtunkhwa	Superintendent (BPS-17) o/o Director General Sports Khyber Pakhtunkhwa against the vacant post
2.	Mr. Riza Hussain	Assistant (BPS-16), o/o District Sports Officer Chitral	Superintendent (BPS-17) o/o Regional Sports Officer Malakand against the vacant post
3.	Mr. Zeeshan Faheem Qureshi	Assistant (BPS-16), o/o Regional Sports Officer Kohat	Superintendent (BPS-17) o/o Regional Sports Officer Kohat against the vacant post
4.	Mr. Asghar Khan	Assistant (BPS-16), o/o District Sports Officer Lakki Marwat	Superintendent (BPS-17) o/o Regional Sports Officer Mardan against the vacant post
5.	Mr. Arshad Ullah	Assistant (BPS-16), o/o Director General Sports Khyber Pakhtunkhwa	Superintendent (BPS-17); o/o Director General Sports Khyber Pakhtunkhwa against the vacant post

Contd.. Page '2'

ASSISTANT DIRECTOR
Sports, Tourism, Archaeology, Museums & Youth
Affairs Department
Peshawar.

ASSISTANT DIRECTOR
Sports, Youth & Peshawar

SECTION OFFICER (SPORTS)
(SAJID NAWAZ)

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Managing Director Tourism Corporation, Khyber Pakhtunkhwa, Peshawar.
3. The Director, General Sports, Khyber Pakhtunkhwa, Peshawar.
4. The Regional Sports Officer, Peshawar, Kohat / Marjam.
5. The District Accounts Officer, Chitral, Kohat, Lakki Marwat, Peshawar, Swat, Dir, FATA, Islamabad, Government of Khyber Pakhtunkhwa, Islamabad, Finance Department.
6. The Section Officer (Reg-1), Government of Khyber Pakhtunkhwa, Finance Department.
7. The District Sports Officer (Reg-1), Government of Khyber Pakhtunkhwa, Lakki Marwat.
8. The District Sports Officer (Civil / Lakki Marwat).
9. PS to Secretary Sports and Youth Affairs, Khyber Pakhtunkhwa.
10. All Officers concerned.

Copy forwarded for information to:-

Encl: No. SO (Sports) 1-7/2019 Dated Peshawar the 28th May, 2019

Secretary to Government of Khyber Pakhtunkhwa
Sports, Tourism, Archaeology, Museums &
Youth Affairs Department

Sd/-

0.	Mr. Iqbal Ullah Khan o/o Director General Sports Khyber Pakhtunkhwa	Assistant (Reg-10), Peshawar	Supervisor (Reg-17), Peshawar
1.	Miss Hayat Noor, o/o Regional Sports Officer Khyber Pakhtunkhwa	Assistant (Reg-10), Peshawar	Supervisor (Reg-17), Peshawar
2.	Mr. Anjum Iqbal o/o Director General Sports Khyber Pakhtunkhwa	Assistant (Reg-17), Peshawar	Supervisor (Reg-17), Peshawar
3.	Mr. Saikat Ahmad o/o Director General Sports Khyber Pakhtunkhwa	Assistant (Reg-17), Peshawar	Supervisor (Reg-17), Peshawar

(23)

(20) (9)

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PART-V

PROBATION AND CONFIRMATION

¹⁵15. Probation. ----- (1) Persons appointed to posts by initial recruitment, promotion or transfer shall be on probation for a period of one year.

(2) The appointing authority, if considers necessary, may extend the probation period for one year as may be specified at the time of appointment.

(3) On the successful completion of probation period, the appointing authority shall, by specific order, terminate the probation:

Provided that if no specific order is issued on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended under sub-rule (2):

Provided further that if no specific order is issued on the expiry of the extended period of probation, the period of probation shall be deemed to have been successfully completed.

16. Confirmation:-After satisfactory completion of the probationary period, a civil servant shall be confirmed; provided that he holds a substantive post, provided further that a civil servant shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section (3) of Section 6 of the North West Frontier Province Civil Servants Act, 1973.

PART-VI

SENIORITY

17. Seniority :- (1) the seniority inter se of civil servants ⁵⁵(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ⁵⁶[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-I:- If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher

⁵⁴ Rule-15 substituted vide Notification No. SOR-VI/E&AD/1-3/2009/Vol-VIII dated 16-2-2010.

⁵⁵ Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(S&GAD)4-1/80, dated 17-05-1989.

⁵⁶ The words inserted by Notification No. SOR-I(S&GAD)4-1/80/11, dated 04-02-1996.

ASSISTANT DIRECTOR
Sports Kryber Paktunkhwa
Peshawar.

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

KEYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 10th OCTOBER, 2023.

**GOVERNMENT OF KHYBER PAKHTUNKHWA
SPORTS & YOUTH AFFAIRS DEPARTMENT**

NOTIFICATION

Peshawar Dated: the 10th October, 2023.

NO. SG (Sports)1-41/2023/1975-82: In pursuance of Section-8 (1) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following final seniority list of Assistant Directors, District Sports Officers and Administrators (BS-17) of Directorate General of Sports, Khyber Pakhtunkhwa as it stood on 18-08-2023 is hereby notified.

FINAL JOINT SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BPS-17) OF THE DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA

Total sanctioned posts: 55 Eleven (11) Assistant Directors, Thirty-Five (35) District Sports Officer and Thirteen (13) Administrators (BPS-17)
i. Filled: 27
ii. Vacant: 32

[Signature]
ASSISTANT DIRECTOR
Sports, Khyber Pakhtunkhwa
Peshawar.

FINAL JOINT SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BPS-17) OF THE DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA AS STOOD ON 18-08-2023

S.#	Name of Officer with academic Qualifications	Date of birth	Date of 1 st entry into Govt. Service	Regular appointment / promotion to the present posts			Present appointment with date	Remarks
				Date	BPS	Method of recruitment / appointment		
1)	Mst. Nazia Zaki, M.PED/MSA	05-06-1936 Kurram	09-09-2013	09-09-2013	17	By regularization	Assistant Director: 09-09-2013	Dy. Director (Etab) of DG Sports
2)	Mr. Muhammad Jamshid, M.Sc	05-05-1978 D.I.Khan	01-01-2005	20-12-2017	17	By promotion	DSO 20-12-2017	Administrator of DSO Charsadda
3)	Mr. Muhammad Suleman, M.Sc	01-04-1971 Dir Lower	05-06-1990	20-12-2017	17	By promotion	DSO 20-12-2017	District Sports Officer, Mohmand
4)	Mr. Anwar Kamal, B.A	27-03-1975 D.I.Khan	29-09-2005	20-12-2017	17	By promotion	DSO 20-12-2017	Regional Sports Officer, D.I. Khan
5)	Mr. Amir Zahid Shah, M.Sc.	05-09-1957 Bannu	29-06-1992	20-12-2017	17	By promotion	DSO 20-12-2017	Dy. Director (operation) Of Director General Sports
6)	Mr. Zakir Ullah, M.A/M.Sc.	22-04-1977 Peshawar	29-09-2005	20-12-2017	17	By promotion	DSO 20-12-2017	Regional Sports Officer, Peshawar
7)	Mr. Razi Ullah Khan, M.A/M.Sc.	01-10-1979 Tank	02-09-2002	20-12-2017	17	By promotion	DSO 20-12-2017	District Sports Officer, Tank
8)	Mr. Muhammad Ismail Khan, M.A/M.Sc.	02-06-1977 Bannu	19-06-2005	08-03-2018	17	By Upgradation	DSO 08-03-2018	District Sports Officer, Lakki Marwal
9)	Mr. Tariq Muhammad, M.A/M.Sc	22-10-1972 Swabi	25-06-1997	08-03-2018	17	By Upgradation	DSO 08-03-2018	District Sports Officer, Swabi
10)	Mr. Asad Khan, M.A	20-05-1968 Mardan	20-03-2006	08-03-2018	17	By Upgradation	DSO 08-03-2018	AD of DG Sports Khyber Pakhtunkhwa
11)	Mr. Ahmad Zaman, M.Sc.	30-04-1980 Haripur	17-06-2009	08-03-2018	17	By Upgradation	DSO 08-03-2018	Regional Sports Officer, Abbottabad

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

(24)

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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 10th OCTOBER, 2023 364

FINAL JOINT SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BPS-17) OF THE DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA AS STOOD ON 18-08-2023

121	Mr. Munir Abbas, MBA	12-03-1984 Hangu	09-08-2005	08-03-2018	17	By Upgradation	DSO 08-03-2018	D.D (Dev) (BPS-18) (OPS) o/o DG Sports Pakhtunkhwa Khyber
13)	Mr. Kashif Farhan, M Phil	13-04-1984 Bannu	31-08-2017	08-03-2018	17	By Upgradation	DSO 08-03-2018	District Sports Officer, Khyber
14)	Mr. Hazrat Ullah, PhD	01-01-1984 Karak	31-08-2017	08-03-2018	17	By Upgradation	DSO 08-03-2018	District Sports Officer, Karak having additional charge Hangu
15)	Mrs. Gul Rukh Guliam, M Sc	01-06-1991 Abotribad	29-09-2017	08-03-2018	17	By Upgradation	DSO 08-03-2018	District Sports Officer, Peshawar
16)	Mr. Anjad Iqbal, MSc Botany (Gold Medalist)	19-6-1967 Peshawar	15-8-1992	28-05-2019	17	By Promotion	Assistant Director 28-05-2019	AD (Accounts) o/o DG Sports Khyber Pakhtunkhwa
17)	Mr. Shakil Ahmad, MA	04-1-1971 Buner	15-1-2008	28-05-2019	17	By Promotion	Assistant Director 28-05-2019	Regional Sports Officer, Swat
18)	Mr. Hamid Ali BIT (Hons.)	16-06-1985 Charsadda	14-07-2008	04-01-2022	17	By Promotion	Assistant Director 04-01-2022	Administrator, Mardan Sports Complex, Mardan
19)	Mr. Taj Idhammad, M Sc (HPE)	07-07-1984 South Waziristan	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	Administrator, Swabi Sports Complex
20)	Mr. Noor Ullah, M.Sc (HPE)	09-06-1984 Sub- Division Bannu	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	District Sports Officer, South Waziristan
21)	Mr. Rahid Gul, M.Sc	24-08-1985 Khyber	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	AD (HO) o/o DG Sports Khyber Pakhtunkhwa
22)	Mr. Saeed Akhtar, M.Sc (HPE)	10-03-1975 Mohmand	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	District Sports Officer, Mardan
23)	Mr. Anjad Hussain, MSc. (Agriculture)	07-04-1977 Kurram	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	District Sports Officer, Kurram
24)	Mr. Sajid Khan, M.Sc (HPE)	15-01-1986 Sub- Division Kohat	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	DSO Kohat having additional charge of RSO Kohat
25)	Mr. Muhammad Hussain, BBA (Hon) & M.Sc (HPE)	04-04-1990 Orakzai	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	District Sports Officer, Orakzai

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

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FINAL JOINT SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BPS-17) OF THE DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA AS STOOD ON 18-06-2023

25)	Mr. Sheraz Khan Wazir MCS	15-03-1995 North Waziristan	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	District Sports Officer, North Waziristan
27)	Mr. Irfanullah MSc	10-09-1977 Sub-Division Tank	13-01-2022	13-01-2022	17	By initial recruitment via Regularization Act-2021	DSO 13-01-2022	Administrator, D.I Khan Sports Complex

Note: - The said seniority list is final, undisputed and not sub-judice in any court of law.

Secretary to Government of Khyber Pakhtunkhwa
Sports & Youth Affairs Department

Printed and published by the Manager,
Story & Pk Dept., Khyber Pakhtunkhwa, Peshawar

ASSISTANT DIRECTOR
Khyber Pakhtunkhwa
Peshawar



(111)

Sports are essential for the development of a happy, healthy & vigorous society

DIRECTORATE GENERAL OF SPORTS
KHYBER PAKHTUNKHWA
 PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.
 PH# 091-9212767, FAX# 091-9212766



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MINUTES OF THE MEETING REGARDING FIXATION OF SENIORITY OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BS-17) AND OTHER EMPLOYEES IN BPS-03 TO BPS-16 OF DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA.

A meeting of the Committee under the chairmanship of Director General Sports was held on 27-07-2023 in his office to examine the long standing issue of fixation of inter se seniority of all the employees of the Directorate of Sports in BPS-03 to BPS-17 including the employees of the Directorate of sports of erstwhile FATA merged in the said Directorate. The following attended the meeting:

1. Director General Sports, Khyber Pakhtunkhwa-----In Chair
2. Director Operation, Khyber Pakhtunkhwa-----Member
3. Director Sports Merged Areas-----Member
4. Director Development Khyber Pakhtunkhwa-----Member
5. Deputy Director (P&M), Various Playing Facilities Project-----Member.

2. Before reaching any conclusion, the committee took into consideration the following legal instruments on the subject of fixation of inter-se-seniority:

- i. The 25th constitutional amendment published on 05-06-2018 with regard to merger of FATA into the Province of Khyber Pakhtunkhwa.
- ii. Presidential Order No-13 of 1972 dated 12-04-1972 defining status of the Employees of the erstwhile FATA read with Article-269(1) of the constitution.
- iii. The Notification of the Provincial Government dated 31-05-1979 with regards to integration of employees of the State of Armb with the employees of the Provincial Government and subsequent fixation of inter-se-seniority of the employees integrated with each other with reference to the date of their continuous appointment.
- iv. Notification dated 01-01-1971 with regards to the integration of the employees of the states of Dir, Swat and Chitral with the employees of the Provincial Government and subsequent fixation of inter-se-seniority of the employees

[Signature]

ASSISTANT DIRECTOR
 Sports Khyber Pakhtunkhwa
 Peshawar.



(112) (27)

Sports are essential for the development of a happy, healthy & vigorous society.

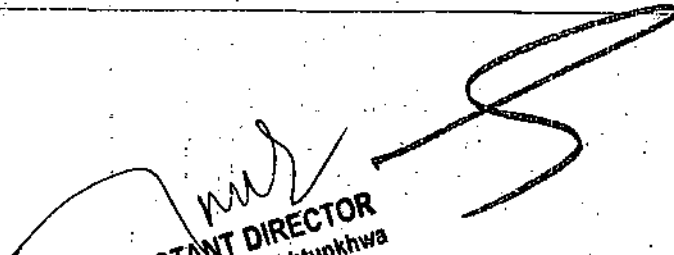
DIRECTORATE GENERAL OF SPORTS
KHYBER PAKHTUNKHWA
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.
PH# 091-9212767, FAX# 091-9212796



(30)

integrated with each other with reference to the date of their continuous appointment.

- v. Notification No. SO(Sports)1-41/2020/2913-16, dated 10.09.2021 of the Government of Khyber Pakhtunkhwa, Sports & Youth Affairs Department with regard to fixation of joint tentative seniority of District Sports Officers/Assistant Directors/Administrators.
 - vi. Sub Rule (3) of Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989 read with Section-8 of the Khyber Pakhtunkhwa Civil Servants Act-1973 and subsequent advice of the Government of Khyber Pakhtunkhwa Establishment Department dated 06-04-2021 conveyed vide Government of Khyber Pakhtunkhwa Sports & Youth Affairs Department letter No. SO (Sports)2-75/Merged Arcas/2021/7315-19, dated 07-05-2021 for implementation.
 - vii. Clauses (a), (b), (d), (f) of Sub Section (1) read with Sub Section(2) of Section-2 of the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021. M
 - viii. Sub Section (1) of Section-3 and Sub Section (1) and Sub Section (2) of Section-5 of the Regularization Act, 2021 referred to above. Sub Section (2) of Section-5 of the Regularization Act, 2021 has specially described the fixation of inter se seniority of the employees by referring Section- 8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989.
3. In view of what has been stated in the preceding para, the committee unanimously decided that:-
- i. The tentative seniority lists so prepared of all the employees of BPS-3 to BPS-17 including the merged employees of the Erstwhile PATA Sports Directorate may be prepared as fresh in accordance with Sub-Rule (3) of Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989 and subsequent advice of the Establishment Department dated 06-04-2021 conveyed vide Govt of


ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.



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Khyber Pakhtunkhwa, Sports & Youth Affairs Department letter No. SO (Sports)3-75/Merged Areas/2021/7315-19, dated 07-05-2021.

- ii. The tentative seniority lists may be circulated amongst all for raising objections thereon within 15 days as well as the same be uploaded on the official website of the Directorate General of Sports, Khyber Pakhtunkhwa for information.
- iii. The above exercise along with approval of the Director General may be accomplished within a period of 15 days of the circulation of these minutes.
- 4. The meeting ended with a vote of thanks to and from the chair.

(Muhammad Nouman)

Deputy Director (P&M)
Various Playing Facilities
Khyber Pakhtunkhwa

(Azizullah Khan)

Director Operation
Directorate General of Sports
Khyber Pakhtunkhwa

(Saleem Raza)

Director Development
Directorate General of Sports
Khyber Pakhtunkhwa

(Abdullah Shah)

Director Sports
Merged Areas

(Capt. @ Khalid Mahmood)

Director General Sports
Khyber Pakhtunkhwa

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

Annexure - XI



GOVERNMENT OF KHYBER PAKHTUNKHWA
SPORTS, TOURISM, CULTURE, ARCHAEOLOGY, MUSEUMS
& YOUTH AFFAIRS DEPARTMENT

No. SO (Sports) 2-75/Merged Areas/2021/7315-19

Dated Peshawar the 7th May, 2021.

D. No. 678 Ex-Fata
Dated 18/5/21
Director General of Sports
KPK Peshawar Cantt

To

The Director General Sports,
Khyber Pakhtunkhwa,
Peshawar.

Subject: APPEAL FOR ABSORPTION/ADJUSTMENT OF EMPLOYEES OF ERSTWHILE
FATA SPORTS DIRECTORATE INTO SPORTS DEPARTMENT KHYBER
PAKHTUNKHWA AGAINST REGULAR POSITIONS

Dear Sir,

I am directed to refer to subject noted above and to enclose
herewith a copy of letter No. SOR-(E&AD)4-1/2018 dated 6th April, 2021 received
from Section Officer (R-I), Establishment & Administration Department, Khyber
Pakhtunkhwa for implementation of the said advice, please.

Yours faithfully,

Section Officer (Sports)

Encl: as above.

Copy is forwarded to the:

1. Director Sports Merged Areas, Peshawar (along-with a copy of above quoted letter).
2. Section Officer (R-I), Establishment Department, Khyber Pakhtunkhwa.
3. PS to Secretary, Sports Department, Khyber Pakhtunkhwa.
4. PA to Additional Secretary-I, Sports Department, Khyber Pakhtunkhwa.

Section Officer (Sports)

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMIN. DEPARTMENT
(Regulation Wing)

NO.SOR-(EE&A)4-1/2018
Dated Peshawar the 6th April, 2021

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To,

The Secretary to Govt. of Khyber Pakhtunkhwa,
Sports, Culture, Tourism, Archaeology, Museum & Youth Affairs Department.

Subject:

APPEAL FOR ABSORPTION/ADJUSTMENT OF EMPLOYEES OF ERSTWHILE
FATA SPORTS DIRECTORATE INTO SPORTS DEPARTMENT KHYBER
PAKHTUNKHWA, AGAINST REGULAR POSITIONS

Dear Sir,

I am directed to refer to your letter NO.SO(Sports)2-75(Merged Areas)2021/3849-54 dated 01.03.2021 on the captioned subject and to advise to examine and dispose-off the case at your own level in light of Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 which stipulates that "In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post".

Yours faithfully,

SECTION OFFICER(R-1)
Phone # 9210860

5-IV/DSA
Dijar
84-2021

5/25/21

put up on file
MMA
MMA/01/01

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

[Handwritten signature]

(Ejaz Afzal Khan, J)

(31)

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Hafiz S. A. Rehman, Senior Advocate Supreme Court and
Mehmood A. Sh., Advocate-on-Record (Absent) for Petitioners
(In C.Ps. 3577-3583 of 2016).

Syed Nayyab Hassan Gardezi, Standing Council and Faiz-ur-
Rehman, Advocate-on-Record (Absent) for Petitioners (In C.Ps. 3889-
3895 of 2016).

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Nemo for Respondents.

Date of hearing: 19th April, 2017.

ORDER

EJAZ AFZAL KHAN, J.--These petitions for leave to appeal
have arisen out of the judgment dated 20.10.2016 of the Federal Service
Tribunal, Islamabad whereby appeals filed by respondents Nos. 3 to 11
were allowed.

2. Learned Senior ASC appearing on behalf of the petitioners in
C.Ps. Nos. 3577 to 3583 of 2016 contended that respondents Nos. 3
to 11 cannot rank senior to the petitioners whether they were appointed
in the Ministry of Religious Affairs by transfer or on deputation and that
their seniority would continue to be regulated by Rule 4 of the Civil
Servants (Seniority) Rules, 1993.

3. Learned Standing Council appearing on behalf of Federation in
C.Ps. Nos. 3889 to 3895 of 2016 also reiterated the arguments addressed
by the learned Sr. ASC for the petitioners in Civil Petitions Nos. 3577 to
3583 of 2016.

4. Two of the respondents appearing in person defended the
impugned judgment by contending that their case is fully covered by SL
No. 33(6) of the Esta Code Vol. I; that their transfer to the Ministry of
Religious Affairs could not be considered as appointment by transfer or
appointment on deputation and that the impugned judgment being free
from any legal infirmity is not open to any interference.

5. We have gone through the record carefully and considered the
submissions of the learned Sr. ASC for the petitioners, the learned
Standing Council for the Federation as well as the respondents appearing
in person.

6. Before we discuss the rules cited above, let us see whether case
of the respondents is covered by Rule 4, Rule 4-A of the Civil Servants
(Seniority) Rules, 1993, or Sl. No. 33(6) of Estacode, Vol-I, Edition
2007, a reference to the said rules would thus be necessary which read
as under:-

*4. Seniority on appointment by transfer.- Seniority in a


ASSISTANT DIRECTOR
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Peshawar.

acquitted of the charge against him. He shall be released forthwith if not required to be detained in any other case -

MWA/Z-1/SC

Appeal allowed

2018 S C M R 332

(Supreme Court of Pakistan)

Present: Ejaz Afzal Khan,
Maqbool Haqar and Mozhar Alam Khan Mankhel, JJ

TIKKA KHAN and others---Petitioners

versus

Syed MUZAFFAR HUSSAIN SHAH
and others---Respondents

Civil Petitions Nos. 3577 to 3583 and 3889 to 3895 of 2016, decided on 19th April, 2017.

(On appeal against the judgment dated 20.10.2016 of the Federal Service Tribunal, Islamabad passed in Appeals Nos. 1778(R)CS/2015 = 1783(R)CS/2015 and 2095(R)CS/2015)

Civil Servants' (Seniority) Rules, 1993

—Rr. 4 & 4-A—Seniority on transfer from one office to another—Civil servants transferred from one Ministry to another after abolition of the former—Numerous Ministries were abolished and reorganized in the wake of a Constitutional amendment and the respondents being the employees of an abolished Ministry were transferred to a re-organized Ministry—Case of the respondents was thus, not one of appointment by transfer or absorption or appointment on deputation in the re-organized Ministry—Transfer of the respondents to the re-organized Ministry, therefore, could not be seen through the prism of R. 4 of the Civil Servants' (Seniority) Rules, 1993—Respondents' case was more akin to R. 4A of the Civil Servants' (Seniority) Rules, 1993 and was fully covered by Serial No.33(6) of Estacode, Vol-1, Edition 2007—No cannons of interpretation would scratch or strike off past service of the respondents when they on abolition of the Ministry, were compulsorily transferred to the re-organized Ministry—Past service of the respondents had to be respected and recognized for determining their seniority, and it would, thus, be unfair and unjust to treat the respondents junior to the junior most civil servants in the re-organized Ministry—Petition for leave to appeal was dismissed accordingly. [p. 335] A

ASSISTANT DIRECTOR
Sports Ministry of Pakhtunkhwa
Peshawar.

service, cadre or post to which a civil servant is appointed by transfer shall take effect from the date of regular appointment to the service, cadre or post:

Provided that -

(a) persons belonging to the same service, cadre or post selected for appointment by transfer to a service cadre or post in one batch shall, on their appointment, take inter se seniority in the order of their date of regular appointment in their previous service, cadre or post; and

(b) persons belonging to different services, cadre or posts selected for appointment by transfer in one batch shall take their inter se seniority in the order of the date of their regular appointment to the post which they were holding before such appointment and, where such date is the same, the person older in age shall rank senior."

4A. In the event of merger of Ministries, Divisions, Attached Departments or Subordinate Offices, the inter se seniority of civil servants, other than those belonging to regularly constituted Occupational Groups and Services, shall be determined in accordance with the date of regular appointment to a cadre or post".

"Sl. 33(6). Seniority on transfer from one office to another.-

(i) The instructions in the foregoing paragraphs regulate the position of a deputationist in his parent office. As regards his seniority in the office to which he is transferred, it should be determined in the following manner:-

a) When it is open to the person concerned to accept or refuse an offer of appointment in another office, he should count his seniority in the new office from the date of his transfer to that office;

b) When a person is compulsorily transferred to another office as a result of conscription, or along with the post and his work, he should be allowed to count his previous continuous service in the grade towards seniority in that grade in the new office.

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ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.

It may be pointed out that separate seniority lists should be prepared in respect of (i) persons appointed on a permanent or a quasi permanent basis; and (ii) persons appointed on a purely temporary basis, and the person obtained by transfer from another office should be assigned his appropriate place, in

accordance with the above instructions, in the list of the persons to which category he belongs."

A look at the rules reproduced above would reveal that one deals with determination of seniority on appointment by transfer and the other deals with the determination of seniority on merger. A bare reading of the Rule 4 reveals that the case of the respondents is not of appointment by transfer or appointment on deputation. It is not even a case of absorption by any attribute. The case of the respondents precisely is that many Ministries were abolished and reorganized in the wake of the Constitution (18th) Amendment) Act, 2010 and that they being the employees of the Ministry abolished were transferred to the Ministry reorganized. Transfer of the respondents to the Ministry reorganized cannot be seen through the prism of Rule 4 of the Rules mentioned above. Their case is fully covered by serial No. 33(6) of Estacode, Vol-I, Edition 2007. In this context, their case would be more akin to Rule 4A rather than Rule 4 of the Rules. No canons of interpretation would scratch or strike off their past service when they on abolition of the Ministry, were compulsorily transferred to the Ministry of Religious Affairs and Interfaith Harmony. Their past service has to be respected and recognized for determining their seniority. It would, thus, be unfair and unjust to treat the respondents junior to the junior most civil servants in the Ministry for none of their faults. The view taken by the Service Tribunal is, therefore, not amenable to any change or modification.

7. For the reasons discussed above, these petitions being without merit are dismissed and the leave asked for is refused.

MWA/T-8/SC

Petitions dismissed.

2018 S C M R 335

[Supreme Court of Pakistan]

Present: Gulzar Ahmed and
Sajjad All Shah, JJ

TARIQ IQBAL and others---Petitioners

versus

MILITARY LAND AND CANTONMENTS DEPARTMENT

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.



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DIRECTORATE GENERAL OF SPORTS
KHYBER PAKHTUNKHWA
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.
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No. 17/Seniority List/2023/831

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Dated: Peshawar 12th September, 2023

To

Mr. Shakeel Ahmad
Regional Sports Officer

Subject: - TENTATIVE SENIORITY LIST OF ASSISTANT DIRECTORS, DISTRICT SPORTS OFFICERS AND ADMINISTRATORS (BPS-17) DIRECTORATE GENERAL OF SPORTS, KHYBER PAKHTUNKHWA.

Reference to your application dated 01-09-2023 on the subject cited above. A copy of the minutes of the meeting of the committee constituted for finalization of seniority of all the employees of the Directorate of Sports Khyber Pakhtunkhwa dated 27-07-2023 (duly signed by the members of the committee) is enclosed in this regards to the observations raised by your good-self in your application. All the relevant laws with regard to fixation of seniority have been referred in the said minutes of the meeting in view of which your objections upon seniority list are not sustainable. Moreover, the incumbents at Serial No.08 to 16 of the tentative seniority list have been upgraded with the approval of the competent forum/authority. Hence, regretted.

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DIRECTOR GENERAL

ASSISTANT DIRECTOR
Sports Khyber Pakhtunkhwa
Peshawar.