

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

12(2) CPC Petition no. 11907/2024

Application / Petition No. _____/2024

Shabir Ahmad Applicant/Petitioner

Versus

Secretary Agriculture and others Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Application		1-4
2.	Affidavit		5
3.	Copy of the Appeal No. 1507/2023 and Order dated 31.10.2022	A & B	6-32
4.	Copy of Order dated 25.04.2024	C	33-34
5.	Copy of requisite seniority list	D	40-50
6.	Copy of Application for interim relief with affidavit	E	51-54
7.	Wakalatnama		55



Applicant/Petitioner

Through

Abdur Rauf Khan
Advocate High Court.

Dated: 14.10.2024

①

BEFORE THE KHYBER PAKHTONKHWA SERVICE TRIBUNAL,
PESHAWAR

12(2) CPC Petition no. 1190/2024

Application/Petition No. _____ of year 2024

1. Shabir Ahmad S/o Ajab Khan Junior Clerk BPS (11) Presently Posted at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.

.....Applicant / Petitioner

VERSUS

1. Secretary Agriculture Civil Secretariate, KPK, Peshawar.
2. Director General Research, Agriculture University, Peshawar.
3. Director Sugar Crops Research Institute, Charsadda Road, Mardan.
4. Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm, Research Institute, Charsadda Road, Mardan.
5. Khaista Gul, Designated as Junior Clerk BPS (11) at Sugar Crops Research Institute, Mardan.
6. Rahat Khan S/o Kareem Khan, Junior Clerk BPS (11) Presently Posted at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar
7. Muhammad Ibrar, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
8. Noor Aziz, Designated as Junior Clerk BPS (11) at Agriculture Research Station, Chitral.
9. Inam Ullah, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.

10. Wajid Khan, Designated as Junior Clerk BPS (11) at Cereal Crops Research Institute, Pirsabak, Nowshera.
11. Ajab Khan Designated as Junior Clerk BPS (11) at Agricultural Research Station, Harichand, Charsadda.
12. Muhammad Basir Designated as Junior Clerk BPS (11) at Agricultural Research Institute, Tarnab, Peshawar.
13. Mudassir Aqeel Designated as Junior Clerk BPS (11) at Director General Agricultural Research, Khyber Pakhtoonkhwa, Peshawar

.....Respondents

APPLICATION UNDER SECTION 12(2) OF CIVIL PROCEDURE (ACT V OF 1908) READ WITH SECTION 151 OF C.P.C AGAINST ORDER DATED 25-04-2024 PASSED IN SERVICE APPEAL NO. 1507/2023 INSTITUTED BEFORE THE HON'BLE TRIBUNAL ON 30-10-2023 WHEREBY THE ORDER DATED 31-10-2022 PASSED BY RESPONDENT NO.3 PERTAINING TO PROMOTION OF THE APPLICANTS/ PETITIONERS HAS BEEN SET-ASIDE ON ACCEPTANCE OF CIVIL APPEAL NO. 1507 OF THE YEAR 2023 FILED BY RESPONDENT NO.1 NAMELY MOHAMMAD ISMAIL IT IS HEREBY PRAYED, THAT AS THE VERY ORDER DATED 25-04-2024 IS BASED ON ACTIVE CONCEALMENT OF MATERIAL FACTS BY RESPONDENT NO. 1 FROM THE COURT, BY NOT IMPLEADING THE APPLICANTS AS NECESSARY PARTIES IN HIS ABOVE APPEAL, THEREFORE UNDER PROVISIONS OF SECTION 12(2) C.P.C, THE ABOVE ORDER/ DECREE PASSED BE SETASIDE

Respectfully Sheweth: -

The Petitioner/ Applicant submits as under:

- I. That in the above civil appeal, the applicant has not been impleaded as necessary party wherein, the respondent

Muhammad Ismail has assailed the order **dated 31-10-2022** passed by respondent No.2 pertaining to promotion of the Applicant/ Petitioner (**Copy of the above appeal No. 1507/2023 and order dated 31-10-2022 are annexed as "A" and "B"**)

- II. That in support of the contents of his civil appeal, the Respondent No. 4 has not produced any documentary or oral evidence and the very impugned decree/ order dated 25-04-2024 is not based on any cogent evidence (**Order dated 25-04-2024 is annexed as "C"**)
- III. That the name of respondent No.4 is at S.NO.68 of the seniority list of the class IV employees while the name of Applicant is at Serial No.21 of the seniority list issued by the Respondent No. 2 meaning thereby, that his promotion is at pre-mature stage and in addition to the applicant, other eligible class 4 employees would also suffer from the impugned judgment dated 25-04-2024 (**The requisite seniority list is annexed as "D"**)
- IV. That the very above-mentioned appeal had been filed by the respondent No. 4 beyond the period of limitation as prescribed for filing of suchlike service appeals and respondent No.4 has also not sought any condonation of delay in filing of his appeal at such delayed stage beyond the period of limitation.
- V. That the impugned decree/ order dated 25-04-2024 has not been passed by this Hon'ble Court by considering the material facts and evidence on record and being so, the case of the petitioner/ applicant is required for inquiry and leading of pro and contra evidence in the matter.

VI. That other grounds in support of this application would be raised at the stage of hearing arguments over this very application with the kind permission of this Hon'ble Court.


PRAYER

In the view of the above circumstances, it is humbly prayed that on acceptance of the instant application under section 12(2) of C.P.C, the impugned order/decree dated 25-04-2024 in appeal No. 1507/2023 maybe kindly set-aside and the order dated 31-10-2022 issued by respondent No.3 be restituted under section 144 or 151 of the civil procedure code.

Any other remedy as deemed appropriate and not specifically asked for, may also be granted to the Applicants/ Petitioners

Petitioners/ Applicants

Through


Abdur Rauf Khan
Advocate High Court

(5)

BEFORE THE KHYBER PAKHTONKHTWA SERVICE TRIBUNAL,
PESHAWAR

Application/Petition No. _____ of year 2024

Shabir Ahmad and Others.....

Applicants/ Petitioners

VERSUS

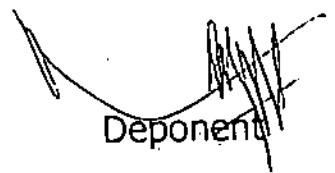
Muhammad Ismail and Others.....

..... Respondents

AFFIDAVIT

It is hereby affirmed on oath that this is the first petition before this Hon'ble Court and contents of this petition, are true and correct as per my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Date: _____


Deponent

Annex "A" (6)

BEFORE THE KHYBER PAKHTUNKHWAH SERVICE TRIBUNAL

PESHAWAR

Appeal No. 1507/23

Muhammad Ismaeel

Versus

Secretary Agriculture and Others

SERVICE APPEAL

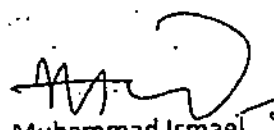
INDEX

Particulars	Page No
Memo of Appeal with Affidavit	1 - 3
Stay Application with Affidavit	4
Copies of Appointment and Promotion order	5 - 6
Copy of Office order dated 20/11/2022	
with Policy & old orders →	7 - 18
Copy of departmental appeal and order	
Copy of Civil suit Mardan	19 - 21
Copy of order Civil Court Mardan	22 - 23
Wakalat Naama	23

Dated



Through Counsel
Alamzeb & Sajjad Ali
Advocates
District Courts Mardan


Muhammad Ismaeel
(Appellant)

21-7-23

ATTESTED

⑦

BEFORE THE KHYBER PAKHTUNKHWAH SERVICE TRIBUNAL

PESHAWAR

①
Appeal No. 1507/2023

Muhammad Ismael S/O Ajab Khan R/o Sugarcane Farm Research Institute
Charsadda Road, Mardan..... (Appellant)

VS

1. Secretary Agriculture Civil Secretariat Peshawar KPK
2. Director General Research Agriculture University Peshawar
3. Admin Officer, DG Office Research Agriculture University Peshawar
4. Director Sugar Crops Research Institute Charsadda Road Mardan

..... (Respondents)

Appeal Under Section 4 of The Service Tribunal Act-1974 against the order dated 20-10-2022 vide which the appellant service is suffered and the promotion of the appellant is further delayed due to illegal inclusion of "Technical Staff Batch" into the promotion structure of "Clerical staff Batch" which is illegal against the law, rules and regulations of the said department.

Respectfully Sheweth,

The appellant submits as under.

- A. That the appellant was recruited in the year dated 13-01-2007 as "Chawkedar" in the agriculture department at Sugarcane Farm Charsadda Road Mardan (SCRI) and was promoted as Naib Qasid On dated 01-10-2010 and is performing his duty with full devotion. Copies are attached.
- B. That the appellant submitted a departmental appeal on dated 5-12-2022 and resultantly departmental order was issued on dated 06-01-2023 for

ATTESTED

(2) (8)

necessary action in favour of the appellant but no action was taken by the respondents. Copies are attached.

- C. That after the departmental appeal and order the appellant instituted a civil suit against the respondents in the court of Civil Judge Mardan on the basis of malafide intentions of the respondents. Copy attached.
- D. That on dated 12-07-2023 the suit of appellant was returned by the Honourable Court of Civil Judge Mardan due to lack of jurisdiction to the Service Tribunal, that's why the instant service appeal is filed before this tribunal on the following grounds amongst others:- Copy attached.

GROUNDS

1. That according to the rules and regulation of the said department every Staff Batch has its own separate promotional structure and promotions are granted accordingly without disturbing other staff batches, but the order dated 20-10-2022 is illegal and against law and rules (Copy of the Promotion structures is attached).
2. That due to the illegality, malafide and mal-practice of the said department they included "Technical Staff Batch" in the promotional structure of "Clerical Staff Batch" although the service structure for both is present and the policy is well defined, the seniority number of the appellant was so much disturbed that the seniority list came back to 1995 from 2014.
3. That the Technical staff has its own promotional structure, but the department has illegally hired "Arts Matriculates" in technical staff due to which they are not eligible for the said post and promotions within the promotional structure of Clerical Staff Batch and it is also a fact that the respondents have no policy and moral standing that how the laboratory

ATTESTED

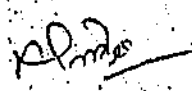
(P) (9)

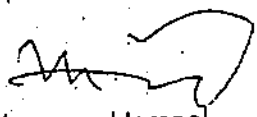
assistants from technical staff can become clerical staff in light of the policy 2022.

4. That the department hired the said staff on their own sweet will and now illegally including them in the promotional structure of clerical staff batch which is a clear cut invasion on the rights of the appellant and the appellant has been deprived of his right of defence.
5. That the dependents should be restrained not to violate from the rules and regulations of the said department and to this effect temporary injunctions should also be granted in favour of the appellant.
6. That the appellant is a poor person and a sole bread earner of his large family and there is no other source of income.

Therefore it is humbly prayed before your honour that the impugned order dated 26/10/2022 may kindly be set aside and the appellant may kindly be reinstated in the said seniority list with all back and benefits.

Any other remedy which is deemed appropriate and not specifically asked for may also be granted to the appellant.


Through Counsel
Alamzeb & Sajjad Ali
Advocates
District Courts Mardan


Muhammad Ismael
(Appellant)

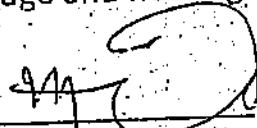
21-7-23


ATTESTED

AFFIDAVIT:

It is certified that the content of the appeal are true and correct with best of my knowledge and nothing has been concealed from the court.

Deponent



2

Oath Commissioner
No. 17
Date: 21-7-23
District Courts Mardan

(10)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

Respondents

INDEX

S. No.	Documents	Annexure	Page No.
1.	Para-wise reply/comments on behalf of Respondents	--	1-4
2.	Affidavit	--	5
3.	Authority	--	6
4.	Copy of Appellant's Appeal	A	7
5	Copy of Forwarding Letter of Respondent No. 04	B	8
6	Copy of Letter of Respondent No. 02	C	9
7	Copy of Notification	D	10
8	Copy of Ministerial Staff Rules	E	11-16
9	Copy of Clerical Staff Rules	F	17-19

ATTESTED

(11) 1

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

Service Appeal No. 1507 of 2023

Muhammad Ismail

Khyber Pakhtunkhwa
Govt. Serv. Trib. Peshawar

C: 8424

Date: 19-10-23
Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary, Agriculture, Department, Peshawar
2. The Director General, Agriculture Research, Peshawar
3. The Administrative Officer, Directorate General Agriculture Research
4. The Director, Sugar Crops Research Institute, Mardan

..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS 1 TO 4

Respectfully Sheweth: -

Preliminary Objections

1. That the instant appeal is baseless and frivolous, based on malafide intentions and for ulterior motive, hence not tenable at all. Consistency warrants dismissal of this appeal.
2. That the instant appeal is based on illegal demands against the defendants, hence, this appeal is strange, alien and not maintainable in its present form and liable to be dismissed.
3. That the appellant wishes to waste the precious time of this Hon'ble Tribunal by filing the instant appeal.
4. That the appellant has got no prima facie to file such appeal.
5. That the appellant has no locus standi and this instant appeal warrants dismissal in limine.
6. That the appellant has deliberately concealed the important facts from this Hon'ble Tribunal.
7. The appeal is barred by law and limitation.
8. That the appeal is bad for mis joinder and non-joinder of necessary parties.

ATTESTED

FACTS:-

- Para: A Pertains to personal information and service history of the appellant. Hence, needs no reply.
- Para: B Not admitted, hence, denied with the remarks that the appellant filed appeal dated 01.01.2023 for adjustment against the post of Naib Qasid, which was duly forwarded by the Director Sugar Crops Research Institute, Mardan vide his letter dated 06.01.2023 (copies of appeal dated 05.01.2023 and letter dated 06.01.2023 are attached as Annex-A&B). The Director General (Agriculture Research) vide his letter dated 10.01.2023 (Annex-C) responded that the Director Sugar Crops Institute Mardan being competent authority for Class-IV employees, may settle such like cases at his own level. Resultantly the appellant was adjusted against a vacant post of Naib Qasid Vide Notification No. 41-44/DSC Dated 30/01/2023 (Annex- D)
- Para: C Pertains to record.
- Para: D Pertains to record.

GROUND

- Para: 1 Incorrect: The appellant is levelling false allegations against the respondent department. The Office Order dated 31.10.2022; regarding promotion of the employees of Agriculture Department Research Wing was issued following prevailing laws and rules in vogue
- Para: 2-4 Incorrect as laid: The assertions of the appellant are misconceived. It is submitted for the convenience of this Hon'ble Tribunal that the respondent department appointed Arts Matriculates as Laboratory Attendants (CLASS-IV) prior to the Government of Khyber Pakhtunkhwa, Agric. Livestock and Cooperation Department's Notification dated August 20, 2015 (Annex-E). Now as the proper Service Rules (including method of recruitment, qualification and other conditions) are framed for the Laboratory Technical Posts vide aforementioned notification, wherein the minimum qualification for the post of Laboratory Attendant is mentioned/specified as Matric with Science, which was obviously the main hurdle for the promotion to higher grade for those Laboratory Attendants having Matric with Arts certificate. So, it was against the natural principle of parity and justice by not providing career progression/promotions to the Laboratory Attendants being Class-IV employees having Matric with Arts certificate. Therefore, to provide prospects of promotion, the arts matriculate Laboratory Attendants (BS-03) were merged to the General Seniority of CLASS-IV.

ATTESTED

It would also be beneficial to mention the method of recruitment, qualification and other conditions specified in column 3-5 which shall be applicable to the post of Junior Clerk in different departments including the Directorate General Agriculture Research as infra:

Junior Clerk	i) At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board; and ii) A speed of thirty words per minute in typing	18-30 years	a) Thirty percent by promotion, on the basis of seniority-cum-fitness from amongst the Daftaries and <u>Class-IV employees</u> who have at least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board with two years service as such; and b) Sixty seven percent (67%) by initial recruitment. Note: for the purpose of promotion there shall be maintained a common seniority list of daftaries and class-iv employees with reference to the date of their acquiring the secondary school certificate:
--------------	---	-------------	---

From the bird's eye view of the above tabulated criteria for the post of Junior Clerk, it is visible that for promotion to the post of Junior Clerk there shall be maintained a general/common seniority maintained for all the Class-IV employees in every Government's Department including Agriculture Department (Research Wing) (Annex- F) The Laboratory Attendant (BS-03), appointed with qualification as Metric with Arts (prior to notification dated 20.08.2015), also comes under the definition of Class-IV employees. Hence, they were merged to the general seniority of Class-IV

Para: 5 Incorrect: The respondent department has not committed any violation of Law & Rules. Similarly, details are given in preceding paras 2-4. Moreover, the appellant is levelling false allegations and have nothing to do, in spite dragging and spoiling the precious time of the department.

Para: 6 Pertains to personal history of the appellant.

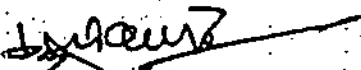
ATTESTED

(14)

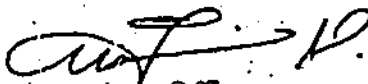
4

It is therefore, most respectfully prayed that on acceptance of the submissions made herein above, the instant appeal may please be dismissed having no legal footings.


Respondent No. 1


Secretary
Agriculture Department
Khyber Pakhtunkhwa, Peshawar


Respondent No. 3


Admn. Officer
o/o the DG: Agric. Research: Khyber
Pakhtunkhwa, Peshawar

Respondent No. 2


Director General
Agric. Research: Khyber Pakhtunkhwa,
Peshawar

Respondent No. 4


Director:
Sugar Crops Research Institute, Mardan

ACCEPTED

13

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR
Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

Respondents

AFFIDAVIT

I Muhammad Arif, Senior Research Officer, Sugar Crops Research Institute, Mardan, do hereby solemnly affirm and declare that the contents of para-wise comments on behalf of respondents are correct and true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defence has been struck off.

Deponent

[Signature]
Muhammad Arif

S/O

Badshah Khan

16101-3096124-5

03469154193

ATTESTED



ATTESTED

16

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR
Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

Respondents

AUTHORITY

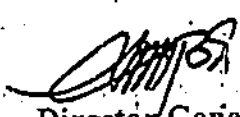
Mr. Muhammad Arif: Senior Research Officer (BS 18), Sugar Crops
Research Institute, Mardan, is hereby authorized to appear on behalf of
respondent(s) before the Hon'ble Khyber Pakhtunkhwa Service Tribunal
court in the instant case and also pursue the case on each and every date.

He is also authorized to submit all relevant documents in connection with the
above case.


On behalf of Respondent No.01

ATTESTED

Respondent No.2:


Director General
Agricultural Research
Department, Peshawar

Respondent No.04


Director
Sugar Crops Research Institute
Mardan

FORM OF ORDER SHEET

(17) (17)

Court of _____

Appeal No. 1507/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	
1	21/07/2023	The appeal of Mr. Muhammad Ismaeel presented today by Mr. Alam Zeb Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on

By the order of Chairman


REGISTRAR

ATTESTED



Ammer "B" 18

DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎091-9221271 web: www.dgagrires.kp.gov.pk ☎091-9221270
E-mail: dgagriresearch@gmail.com



OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion /Selection Committee of Agriculture Research Department in its meeting held on 20.10.2022, the following Class-IV employees are hereby promoted to the post of Junior Clerks BPS-11 on regular basis with immediate effect. The officials who are promoted will be on probation for one year and extendable to another year.

S.#	NAME & DESIGNATION	INSTITUTE/STATION	PROMOTED TO THE POST
1.	Mr. Rahat Khan, Mali	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
2.	Mr. Wajid Khan, Naib Qasid	Cereal Crops Research Institute, Pirsabak, Nowshera.	Junior Clerk (BS-11)
3.	Mr. Ajab Khan Naib Qasid	Agricultural Research Station, Amnawar, Buner.	Junior Clerk (BS-11)
4.	Mr. Muhammad Basir Field Worker	Agricultural Research Station, Kohat	Junior Clerk (BS-11)
5.	Mr. Shabir Ahmad Field Worker	Directorate (SPN), Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
6.	Mr. Inamullah, Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
7.	Mr. Muhammad Ibrar Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
8.	Mr. Noor Aziz Field Worker	Agricultural Research Station, Chitral.	Junior Clerk (BS-11)
9.	Mr. Khalista Gul Laboratory Attendant	Sugar Crops Research Institute, Mardan.	Junior Clerk (BS-11)

On their promotion the transfer /posting of the officials are hereby ordered in the best interest of public service.

S.#	NAME & DESIGNATION	FROM	TO	REMARKS
1.	Mr. Rahat Khan, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy
2.	Mr. Wajid Khan, Junior Clerk (BS-11)	Cereal Crops Research Institute, Pirsabak, Nowshera.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
3.	Mr. Ajab Khan Junior Clerk (BS-11)	Agricultural Research Station, Amnawar, Buner.	Agricultural Research Station, Harichand, Charsadda.	Vice at Sl.No. 10
4.	Mr. Muhammad Basir Junior Clerk (BS-11)	Agricultural Research Station, Kohat	Agricultural Research Institute, Tarnab, Peshawar	Against an existing vacancy.
5.	Mr. Shabir Ahmad Junior Clerk (BS-11)	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy.
6.	Mr. Inamullah, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
7.	Mr. Muhammad Ibrar Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
8.	Mr. Noor Aziz Junior Clerk (BS-11)	Agricultural Research Station, Chitral.	Agricultural Research Station, Chitral.	Against an existing vacancy.

ATTESTED

9.	Mr. Khalsta Gul Junior Clerk (BS-11)	Sugar Crops Research Institute, Mardan.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
10.	Mr. Mudassir Aqeel Junior Clerk (BS-11)	Agricultural Research Station, Harichand, Charsadda.	Directorate General Agricultural Research, Khyber Pakhtunkhwa, Peshawar.	Against an existing vacancy.

Sd/-
DIRECTOR GENERAL

No. 1130-1156 /Estt/DGAR

Dated Peshawar 31/10/2022

Copy to:-

1. The Accountant General Khyber Pakhtunkhwa, Peshawar.
2. The Senior Director, Agricultural Research Institute, Tamab, Peshawar.
3. The Director, (S&PN), Agriculture Research Institute, Tamab, Peshawar.
4. The Director, Cereal Crops Research Institute, Pirsabak, Nowshera.
5. The Director, Sugar Crops Research Institute, Mardan.
6. The Director, Agricultural Research Station, Buner.
7. The Director, Agricultural Research Station, Chitral.
8. The Director, Barani, Agricultural Research Station, Kohat.
9. The Director, Agricultural Research Station, Harichand, Charsadda.
10. The District Accounts Officers, Nowshera, Mardan, Charsadda, Buner, Chitral and Kohat.
11. The Assistant Accounts Officer, H.Q.
12. The officials concerned.

For information and necessary action.


DIRECTOR GENERAL

ATTESTED

DIRECTOR
Sugar Crops Research Inst
Maidan

ATTACHED

ATM

Handwritten text in Urdu script, possibly a title or subject line.

Handwritten text, possibly a date or reference number.

Main body of handwritten text in Urdu script, containing detailed notes or a report.

Handwritten text at the bottom of the page, possibly a signature or additional notes.





SUGAR CROPS RESEARCH INSTITUTE
MARDAN,

Phone # (0937) 828047-521034
Email: ecrl@brain.net.pk.

ANNEX "B"

21

No. 1 /DSC

Dated 6/11 /2023.

To

The Director General
Agriculture Research
Khyber Pakhtunkhwa,
Peshawar.

Subject:
Memo:

APPLICATION FOR ADJUSTMENT.

Enclosed please find herewith the original application in respect of Mr. Muhammad Ismail, Naib Qasid which is self-explanatory for favour of further necessary action please.

Director
Sugar Crops Research Institute,
Mardan

discuss

signed
10/11/23

09/09/23

09/01/2023

discuss

19/01/2023

Attested

ATTESTED

DIRECTOR
Sugar Crops Research Inst.
Mardan

22



DIRECTORATE GENERAL AGRICULTURE RESEARCH

KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎ 091-9221271 web: www.dgrires.kp.gov.pk ☎ 091-9221270
E-mail: dgriresresearch@gmail.com

No 115 /Estt/DGAR

Dated the Peshawar 10/01/20


To

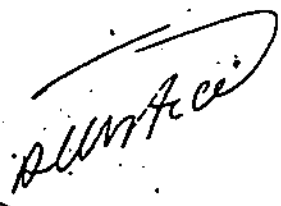
The Director
Sugar Crops Research Institute,
(SCRI); Mardan.

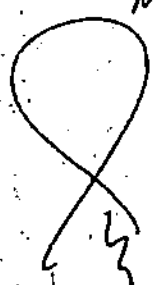
Subject: - APPLICATION FOR ADJUSTMENT.
Memo:-

Please refer to your letter No. 1/DSC; dated 06/01/2023 on the ab-
noted subject.

In this regard, it is stated that being a competent authority for Class
employees such like cases may please be settled at your own level.


DIRECTOR GENERAL
Agriculture Research




DIRECTOR
Sugar Crops Research In-
Mardan

ATTESTED




23



**SUGAR CROPS RESEARCH INSTITUTE
MARDAN,**

Phone # (0937) 929047-521034
Email: directorscri@yahoo.com

OFFICE ORDER

Mr. Muhammad Ismail, Naib Qasid drawing pay against the post of Mali, is hereby adjusted against the existing vacancy of Naib Qasid with effect from 01.02.2023 as per consent of the Director General Agriculture Research office letter No.115/Est/DGAR dated 10.01.2023.

Sd/-
Director,
Sugar Crops Research Institute,
Mardan.

Dated 30-01 /2023.

No. 41-44 /DSC:..

Copy to:

1. The Director General, Agriculture Research, Peshawar.
 2. The District Accounts Officer Mardan.
 3. The Establishment Clerk.
 4. The Pay bill Clerk
- for information and further necessary action.

Director,
Sugar Crops Research Institute,
Mardan.

Attested

ATTESTED

DIRECTOR
Sugar Crops Research Ins
Mardan

24



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK AND COOPERATION
DEPARTMENT

Dated Peshawar, the August 20, 2015

NOTIFICATION

No.SOE(AD)II(2)429/2012.

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 5. of the appendix shall be applicable to the posts in the Agriculture Research Wing of the Agriculture Department specified in column 2 of the said Appendix.

APPENDIX
Single Cadre Posts


S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Audio Video Producer (BPS-17)	At least Second 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.	21-32 years	By initial recruitment.
2.	Care Taker (BPS-16)	At least Second Class Bachelor's Degree from a recognized university.	20-32 years	By initial recruitment.
3.	Agriculture Economic Investigator (BPS-16)	At least Second Class Bachelor's Degree in Economic or Statistics from a recognized university.	20-32 years	By initial recruitment
4.	Professional Assistant (BPS-13)	At least Second Class Bachelor's Degree in Physics or Chemistry from a recognized University.	20-32 years	By initial recruitment
5.	Computer Operator (BPS-12)	(i) At least Second Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT four years), from a recognized university; or (ii) at least Second Class Bachelor's Degree from a recognized university with one year Diploma in Information Technology from a recognized Board of Technical Education.	20-30 years	By initial recruitment.
6.	Script Writer/ Technical Assistant (BPS-11)	(i) At least Second Class Bachelor's Degree in Journalism from a recognized University; and (ii) one year practical experience of writing press Articles and doing translation work.	20-30 years	By initial recruitment. ATTESTED
7.	Classifier/ Cataloguer (BPS-11)	(i) At least Second Class Bachelor's Degree from a recognized University; and (ii) one year experience of Cataloging.	21-30 years	By initial recruitment
8.	Bee Specialist (BPS-11)	At least Second Class B.Sc. In Zoology from a recognized University.	21-30 years	By initial recruitment
9.	Foreman (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) Having one year certificate of Auto Engineering from a technical training Centre.	21-30 years	By initial recruitment
10.	Religious Research Instructor (BPS-9)	Sanad of Shahadat-ul-Alla from a recognized religious Board equivalent with Bachelor's Degree.	20-32 years	By Initial recruitment.
11.	Tobacco Curer (BPS-09)	(i) At least Second Division in Secondary School Certificate or equivalent from a recognized Board; and (ii) having Certificate In Mechanics from a recognized Technical Training Institute/	18-25 years	By Initial Recruitment.

DIRECTOR

S. Parveen

25

12.	Photostat Machine Operator (BPS-07)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board.	18-25 years	By Initial Recruitment.
13.	Telephone Operator (BPS-07)	(i) At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board and (ii) Having Professional Certificate or Diploma in Telephone Operation from a recognized Institution.	18-30 years	By Initial Recruitment.
14.	Book Binder (BPS-06)	(i) At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) Having experience in Book Binding.	18-25 years	By initial recruitment.
15.	Senior Observer (BPS-06)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board	18-30 years	By initial recruitment
16.	Plumber/ Sui Gas Mechanic/ Fitter/ Roller man (BPS-5)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) having experience in machine operating pump.	18-30 years	By initial recruitment
17.	Plant Observer (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By promotion; on the basis of seniority-cum-fitness, from amongst the Field Workers having Secondary School Certificate from a recognized Board with 10 years' service as such; Provided that if no suitable persons are available for promotion then by initial recruitment.
18.	Tube Well Operator (BPS-3)	Preferably literate with proficiency in the relevant trade.	18-40 years	By initial recruitment
19.	Carpenter (BPS-3)	Literate with five years' experience as Carpenter	18-40 years	By initial recruitment
20.	Mistri (BPS-1)	Literate with one year experience in the respective field.	18-40 years	By initial recruitment
21.	Watchman/ Chowkidar/ Sepoy (BPS-1)	Having experience in Watch and Ward duty.	18-40 years	By Initial recruitment
22.	Cattle Attendant/ Bihshi/ Bearer/ Balloon Maker/ Bullock Attendant/ Foreman/ Grass Cutter/ Khadim for Mosque/ Ploughman/ Storeman/ Telephone Attendant/ Library Attendant (BPS-1)	Preferably literate	18-40 years	By Initial recruitment


DIRECTOR
Sugar Crops Research Ins
Mardan

ATTESTED


Field Technical Posts

26

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Research Supervisor (BPS-14)	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Research Inspectors with ten years service as such.
2.	Research Inspector (BPS-11)	-	-	By promotion, on the basis of seniority-cum-fitness from amongst the Field Assistants with five years service as such.
3.	Field Assistant (BPS-9)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Diploma of Field Assistant from an Agriculture Training Institute.	21-30 years	By initial recruitment

Laboratory Technical Posts

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Laboratory Supervisor (BPS-11)	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Technician with five years service as such.
2.	Laboratory Technician (BPS-10)	-	-	By promotion, on the basis of seniority-cum-fitness from amongst Senior Laboratory Assistants with five years service as such.
3.	Senior Laboratory Assistant (BPS-9)	-	-	By promotion, on the basis of seniority-cum-fitness from amongst Laboratory Assistant with five years' service as such.
4.	Laboratory Assistant (BPS-6)	(i) At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board; and (ii) having one year Certificate in Laboratory Techniques from a recognized Institute or Center.	18-32 years	a) Twenty-five percent by promotion, on the basis of seniority cum fitness, from amongst the Laboratory Attendants having Secondary School Certificate in Science from a recognized Board with five years service as such. b) seventy five percent by initial recruitment and
5.	Laboratory Attendant (BPS-1)	At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board.	18-40 years	By initial recruitment.

DIRECTOR
Sugar Crops Research Institute
Muzaffargarh

ATTESTED

Electrical, Electronic Technical Posts

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Sub-Engineer (BPS-16)	At least Second Class Secondary School Certificate in Science or equivalent qualification from recognized Board with Diploma of Associate Engineer in Civil or Electrical or Electronics from a	21-30 years	By promotion, on the basis of joint seniority-cum-fitness list, from amongst the Sub-Engineers, Instrument Technicians, Electricians, Green House Technicians, Tissue

2.	Sub-Engineer, Instrument Technician, Electrician, Green House Technician, Tissue Culture Technician, Cold Storage Attendant (BPS-11)	At least Second Class Secondary School Certificate In Science or equivalent qualification from a recognized Board with Diploma in concerned Engineering Trade from a recognized institute.	21-30 years	By initial recruitment
3.	Electrician (BPS-4)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Certificate in Electrical or Electronics from a recognized Technical Training Institute or Centre	18-32 years	By initial recruitment

Computing Clerical Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Senior Computing Clerk (BPS-6)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Junior Computing Clerks with five years service as such.
2.	Junior Computing Clerk (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with one year diploma in computer or Information Technology from a recognized institute.	18-32 years	By initial recruitment

Photographer's Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Photographer (BPS-13)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Artist-cum-Photographer with five years service as such.
2.	Artist-Cum-Photographer (BPS-11)	--	--	By promotion on the basis of seniority-cum-fitness, from amongst the Artist-cum-Photographers with five years service as such.
3.	Artist-Cum-Photographer (BPS-7)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Diploma in Arts and Photography or Diploma in Graphic Designs from recognized institute.	18-32 years	By initial recruitment

DIRECTOR
Sugar Crops Research Inst.

ATTESTED

Field and Nursery Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Budder (BPS-05)	At least Middle passed, having experience in budding.		By promotion, on the basis of seniority-cum-fitness, from amongst the Males, Field Workers and Data Collectors having experience in budding, grafting, fruit plant nursery.

2.	Mall (BPS-1)	At least Middle Passed, having experience in Floriculture and Horticulture.	18-40 years	By Initial recruitment
3.	Field Worker (BPS-1)	At least Middle Passed, having experience in the relevant field.	18-40 years	By initial recruitment
4.	Data Collector (BPS-1)	At least Middle passed, having experience on daily paid basis in the respective field of Agricultural Research System.	18-40 years	By initial recruitment

Apiary Management Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Bee Assistant (BPS-3)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Bee Attendant with five years service as such.
2.	Bee Attendant (BPS-1)	At least Middle passed with one year experience on daily paid basis in the respective field of Agriculture Research System.	18-40 years	By initial recruitment

Drivers Posts

S.No.	Nomenclature of Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Heavy Vehicle Driver (BPS-6)	At least Middle passed, having experience in Driving with heavy driving license.	18-32 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Tractor Drivers having Certificate in heavy vehicle driving from a recognized Institute and heavy duty driving license with five years experience as such: Provided that if no suitable person is available for promotion then by initial recruitment.
2.	Tractor Driver (BPS-5)	(i) At least Middle passed with five years experience in Tractor Driving; and (ii) having valid Tractor Driving License.	18-32 years	By promotion, on the basis of seniority-cum-fitness from amongst the Vehicle Driver and Drivers with five years service as such: Provided that if no suitable person is available for promotion then by initial recruitment.
3.	Vehicle Driver/Driver (BPS-4)	At least Middle passed, having experience in Driving with LTV license, from a Government Training Institute.	18-30 years	(a) Fifty percent by promotion, from amongst the Helpers and Cleaners with five years' service as such having prescribed qualification as mentioned for initial recruitment; and (b) fifty percent by initial recruitment.
4.	Helper/ Cleaner (BPS-1)	One year experience as cleaner or Helper	18-30 years	By initial recruitment

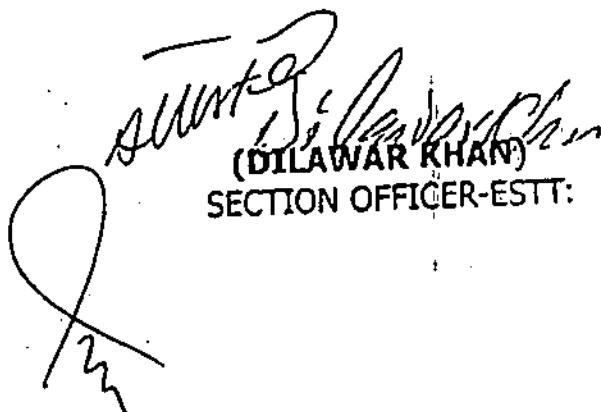
[Signature]
DIRECTOR
Sugar Crops Research Inst.


ATTESTED

Endst. of even No. & Date.

Copy forwarded for information and necessary action to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The PSO to Chief Minister, Khyber Pakhtunkhwa.
7. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
8. The PS to Additional Chief Secretary, FATA, Warsak Road, Peshawar.
9. The PS to Minister for Agriculture, Khyber Pakhtunkhwa.
10. The Director General, Agricultural (Research), Khyber Pakhtunkhwa, Peshawar
11. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
12. PS to Secretary Agriculture.
13. Master file.


(DILAWAR KHAN)
SECTION OFFICER-ESTT:


DIRECTOR
Sugar Crops Research Inst
Mardan

ATTESTED



30

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT**

Dated Peshawar, the April 02, 2019

NOTIFICATION

No. SOE (AD) II (2) 429/2018/Min/RW:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf in the extent of Agriculture Research Wing, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in Column No. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts mentioned in Column No. 2 of the said Appendix borne on the Directorate General Agriculture Research of the Agriculture, Livestock and Cooperation Department.

**APPENDIX
(MINISTERIAL STAFF)**

S. No.	Nomenclature of the post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
	2	3	4	5
1	Assistant Account Officer (BPS-17).			By promotion, on the basis of seniority-cum-fitness, from amongst the Administrative Officers and Superintendents with at least five years service as such.
	Administrative Officer (BPS-17).			By transfer, from amongst the Superintendents.
1	Superintendent (BPS-17).			(a) Ninety percent (90%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with at least five years service as such; and (b) ten percent (10%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with at least five years service as such.
4	Assistant (BPS-16).	At least Second Class Bachelor's Degree or its equivalent from a recognized University.	20-32 years.	(i) Seventy five percent (75%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least five years service as Junior Clerk and Senior Clerk; and (ii) twenty five percent (25%) by initial recruitment.


[Signature]

ATTESTED

**DIRECTOR
Sugar Crops Research Inst.
Mardan**

Senior Scale Stenographer (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Scale Stenographers with at least five years service as such.
Junior Scale Stenographer (BPS-14)	(i) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board; (ii) a speed of fifty words per minute in shorthand in English and thirty five words per minute in typing; and (iii) knowledge of Computer in using MS Word and MS Excel.	18-30 years.	By initial recruitment.
Senior Clerk (BPS-13)			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with at least two years service as such.
Junior Clerk (BPS-11)	(i) At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board; and (ii) a speed of thirty words per minute in typing.	18-30 years.	(a) Thirty three percent (33%) by promotion, on the basis of seniority-cum-fitness, from amongst the Dastaries and Class-IV employees who have at least Second Class Secondary School Certificate or its equivalent qualification from a recognized Board with two years service as such; and (b) sixty seven percent (67%) by initial recruitment. Note: For the purpose of promotion, there shall be maintained a common seniority list of the Dastaries and Class-IV employees with reference to the date of their acquiring the Secondary School Certificate. Provided that: a. If two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.

Attested



DIRECTOR
Sugar Crops Research
Mirdar.

ATTESTED

			b. where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.
9 Naib Qasid (BPS-04)	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board.	18-40 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasid and others equivalent posts with five years service as such, who have at least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board. Provided that if no such candidate is available for promotion, then the vacancy shall be filled by initial recruitment.
10 Naib Qasid (BPS-03)	Literate.	18-40 years.	By initial recruitment.
11 Sweeper (BPS-03)	Literate.	18-40 years.	By initial recruitment.

SD/-
SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
AGRICULTURE, LIVESTOCK AND
COOPERATION DEPARTMENT.

- forwarded for information and necessary action to:-
- 1 The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
 - 2 The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
 - 3 The Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
 - 4 The Accountant General, Khyber Pakhtunkhwa.
 - 5 The Director General, Agriculture Research, Khyber Pakhtunkhwa.
 - 6 The PSO to Chief Secretary, Khyber Pakhtunkhwa.
 - 7 The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
 - 8 P.S to Secretary Agriculture Department, Khyber Pakhtunkhwa, Peshawar.
 - 9 P.A to Deputy Secretary-Admin: Agriculture Department Khyber Pakhtunkhwa, Peshawar.
 - 10 Muster file.

(Signature)
(SHAMS-UL-ISLAM)
SECTION OFFICER-ESTT.

ATTESTED

(Signature)
DIRECTOR
Sugar Crops Research Inst: Mardan
Sugar Crops Research Inst: Mardan

Ammen "C" (33)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1507/2023

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

Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm Research Institute
Charsadda Road, Mardan.
.... (Appellant)

VERSUS

1. Secretary Agriculture Civil Secretariat, Peshawar, KPK.
2. Director General Research Agriculture University, Peshawar.
3. Admin Officer, DG Office Research Agriculture University, Peshawar.
4. Director Sugar Crops Research Institute Charsadda Road, Mardan.
.... (Respondents)

Mr. Alam Zeb
Advocate ... For appellant

Mr. Asif Masood Ali Shah
Deputy District Attorney ... For Respondents

Date of Institution.....30.10.2023
Date of Hearing.....25.04.2024
Date of Decision.....25.04.2024

JUDGMENT

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

“That the impugned order dated 31.10.2022 may kindly be set aside and the appellant may kindly be reinstated in the said seniority list with all back and benefits. Any other remedy which is deemed appropriate and not specifically asked for may also be granted to the appellants.”

ATTESTED

R.

2. Precise facts leading to the instant appeal are that the appellant was appointed as Chowkidar on 13.01.2007 and was promoted to the post of Naib Qasid on 01.10.2010 in the Agriculture Department at Sugarcane Farm Charsadda Road Mardan. On 31.10.2022 respondents issued promotion order of class-iv employees by including Technical Staff Batch into the promotion structure of Clerical Staff Batch. Feeling aggrieved, appellant filed departmental appeal on 05.12.2022, which was not responded, hence the present service appeal.

3. Respondents were put on notice, who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Deputy District Attorney 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 rules. He further argued that as per service rules every staff batch has its own separate promotion structure and promotions shall be granted accordingly without disturbing other staff batches but respondents vide impugned order acted in violation of prevailing law and rules. He further argued that respondents had illegally include technical staff batch in the promotion structure of clerical staff despite the fact both have batches have separate channel of promotion.

ATTESTED

5. Conversely, learned Deputy District Attorney contended that appellant has been treated in accordance with law and rules. He further that respondents appointed Arts Matriculate as Lab Attendants (Class IV) prior to the Government of Khyber Pakhtunkhwa, Agriculture, Livestock and Cooperation Department's Notification dated 20.08.2015. Now as proper service rules are framed for the Laboratory Technical Posts vide aforementioned notification,

wherein the minimum qualification for the post of Laboratory Attendant is mentioned as Matric with Science, which was hurdle for promotion to higher grade for those Lab Attendants, having matric Arts. Therefore, to provide prospect of promotion, the arts Matriculate Lab Attendants were merged to General Seniority.

6. Perusal of record reveals that appellant basically challenged promotion notification dated 31.10.2022 vide which Class-IV employees Technical Staff batch were promoted by including it into Clerical Staff batch to the post of Junior clerk BPS-11.

7. According to the rules both batches have separate promotional structures and post of Junior Clerk will have to be filled 33% by promotion from amongst the Daftaries and other Class-IV of equivalent posts who have at least second division Secondary School Certificate or its equivalent qualification from recognized board with two years of service as such;

"a) Thirty Three percent by promotion, on the basis of seniority cum fitness, from amongst the Daftaries and Class-IV employees who have at least Second Division, Secondary School Certificate or its equivalent qualification from a recognized Board with two years' service as such; and

b) Sixty Seven percent by initial recruitment."

As per department rules Laboratory Attendant have channel of promotion to the post of Laboratory Assistant BPS-6, then to Senior Laboratory Assistant BPS-09, Laboratory Technician BPS-10 and Laboratory Supervisor BPS-11 which are mentioned below in details;

ATTESTED

S.No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1	Laboratory Supervisor (BPS-11)	-		By promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Technician

R

				with five years of service as such.
2	Laboratory Technician (BPS-10)			By promotion, on the basis of seniority-cum-fitness from amongst Senior Laboratory Assistants with five years of service as such.
3	Senior Laboratory Assistant (BPS-9)			By promotion, on the basis of seniority-cum-fitness from amongst Laboratory Assistant with five years' service as such
4	Laboratory Assistant (BPS-6)	(i) At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board, and (ii) having one year Certificate in Laboratory Techniques from a recognized Institute or Center.		a) Twenty-five percent by promotion, on the basis of seniority cum fitness, from amongst the laboratory Attendants having Secondary School Certificate in Science from a recognized Board with five years of service as such. b) seventy five percent by initial recruitment and
5	Laboratory Attendant (BPS-1)	At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board.	18-40 years	By initial recruitment

8. Respondents in their reply mentioned that although channel of promotion is given in the rules for laboratory attendant and field workers but as condition of having matric in science, due to which laboratory attendants, field workers having matric in Arts were included in clerical staff category because they are also Class-IV employees. This contention of the respondents have no logic in it, because when specific channel of promotion is provided in the rules for the post of Lab Attendant and Field Workers then to include them in another batch/cadre is against the rules. The channel is as under;

ATTESTED

S.No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
17	Plant Observer (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By promotion, on the basis of seniority-cum-fitness, from amongst the field workers having Secondary School Certificate from a

[Handwritten signature]


			recognized Board with 10 years' service as such; Provided that if no suitable persons are available for promotion then by initial recruitment.
1	Budder (BPS-05)	At least Middle Passed, having experience in budding.	By promotion, on the basis of seniority-cum-fitness, from amongst the Malies, Field Word and data collector having experience in budding, grafting, fruit plan nursery raising and pruning of orchads.

Rules were framed and issued vide notification dated 20.08.2015, while promotees of order dated 20.10.2022 were initially appointed on 01.12.1999, 3.1.2004, 13.4.2004 and 17.4.2024.

9. Respondent/department is under obligation to provide cushion period to those employees who had done their matric with Arts to improve their qualification, or obtain some sort of diploma etc. By not doing so they discriminate them which is also injustice with them, therefore, now they be also adjusted against their own cadre post.

10. For what has been discussed above, we are unison to accept the appeal as prayed for. Costs shall follow the event. Consign.

11. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 25th day of April, 2024.


(FAREEHA PAUL)
 Member (M)


(RASHIDA BANO)
 Member (J)

*M. Khan

ATTESTED

05.01.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Muhammad Arif, SRO for the respondents present and submitted copies of seniority list, working paper and minutes of DPC meeting held on 20.10.2022 which is placed on file. Preliminary arguments heard.

2. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fees within 10 days. Reply/comments on behalf of respondents have already been submitted through office on 19.10.2023. To come up for arguments on 25.04.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)

SCANNED
FAST
Peshawar

Lanranullul

ORDER
25.04.2024

1. Learned counsel for the appellant present. Mr. Masood Ali Shah learned Deputy District Attorney for the respondents present.

2. Vide our detailed judgment of today placed on file, we are unison to accept the appeal as prayed for. Costs shall follow the event. Consign.

ATTESTED

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 25th day of April, 2024.

(FARUHA PAUL)
Member (M)

(RASHIDA BANO)
Member (J)

SA 1507/23

29th Nov.2023

01. Counsel for the appellant present. Mr. Habib Anwar, Addl. AG alongwith Muhammad Arif, SRO for the respondents present.

02. Reply/comments on behalf of the respondents not submitted. Larned AAG requested for further time. Granted. To come up reply/comments as well as preliminary hearing on ²⁵08.01.2023 before the S.B. Departmental representative is further directed to bring on record the seniority list which was considered in the meeting of DPC held on 20.10.2022 alongwith Working Paper and minutes of that DPC meeting. Parcha Peshi given to the parties.

(Fareeha Paul)
Member(E)

Fazle Subhan, P.S

ATTESTED

SCANNED
KEST
'Peshawar'

Ammer-D

40



DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR
Tel: 091-9221271 Web: www.dgares.kp.gov.pk Fax: 091-9221270
E-mail: dgagrresearch@gmail.com



No. 10015-32 /Estt/DGAR;
To

Dated Peshawar the 29/07/2021

The Senior Director, Agricultural Research Institute, Tarnab, Peshawar.
The Senior Director Outreach, Agri Res. Khyber Pakhtunkhwa, Peshawar.
All Directors of Institute/Station at Agricultural Research Khyber Pakhtunkhwa.



Subject: **DRAFT TENTATIVE SENIORITY LIST OF CLASS-IV EMPLOYEES (HAVING MATRIC OR ABOVE QUALIFICATION)**

Memo:-
Enclosed please find herewith: the draft tentative seniority list of class-IV employees having Secondary School Certificate or above qualification of Agricultural Research, Khyber Pakhtunkhwa as it stood on 30.06.2021. If any omission/error thereon may please be communicated to this office with documentary proof, so that the needful be done and in case there is no omission/error the employee should put their signature in the signature column, that the seniority list is correct and undisputed. Furthermore, wherein the qualification of the officials have not been mentioned in the relevant column, once again directed that attested copies of SSC and above qualification certificates/degree of the officials concerned may be sent to this office to finalize the seniority. The draft tentative seniority list duly signed by the concerned official should be reached to this office through the concerned Senior Director/Director of the Directorate/Institute and Station within seven days positively, otherwise it will be assumed that there is no objection and it will be considered as final. All the Directors will be responsible that the seniority list was circulated amongst the Class-IV matriculate and above qualified employees of their respective Directorate/Institute and Stations.

According to Sr. No. 08 of the ministerial (Appointment, Promotion and Transfer) Rules, 2019 of Agricultural Research Khyber Pakhtunkhwa already circulated by the office, the post of Junior Clerk are to be filled as:-

- a) Thirty three percent by promotion on the basis of seniority-cum-fitness from amongst the Daftaries and Class-IV employees who have at least Second Class Secondary School Certificate from a recognized Board with two years' service as such.
- b) Sixty seven percent by initial recruitment

Note:- For the purpose of promotion, there shall be maintained a common seniority list of Daftaries and Class-IV employees with reference to the date of their acquiring the Secondary School Certificate.

Provided that:

- a. If two or more officials have acquired the Secondary School Certificate in the same session, the inter-se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.
- b. Where a senior official does not possess the requisite qualification at the time of filling of a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

ATTESTED

D-SP/19/21
AS ABOVE

DIRECTOR GENERAL
AGRICULTURAL RESEARCH

S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A./F.Sc Certificate with Division	Home District	Date of Birth	Date of last appointment	Place of present posting	Date of supersession	As per sub. 3rd chapter for promotion	Signature of official
20	Mr. Iftau Bah	13 Field Worker	Matric	1998 3rd		Peshawar	2.10.1940	01.01.2004	ARI, Tarnab	1.10.2040	Not eligible 3rd division	ATTACHED
21	Mr. Shabir Ahmad	14 Field Worker	Matric	2002 2nd		Peshawar	1.5.42	01.01.2004	SPN, ARI, Tarnab	14.4.2042	Not eligible 3rd division	
22	Mr. Parsoo Khan	14 Field Worker	Matric	1996 3rd		ARI, Moga	1.1.1971	05.01.2004	ARI, Tarnab	31.12.2017	Not eligible 3rd division	
23	Mr. Muhammad Farooq	15 Field Worker	Matric			Peshawar	1.1.1987	05.01.2004	ARI, Tarnab	30.06.2042	Not eligible 3rd division	
24	Mr. Fazl Rahim	16 Chowkidar	Matric	2004 3rd		Peshawar	8.4.1983	05.01.2004	ARI, Tarnab	7.4.2043	Not eligible 3rd division	
25	Mr. Muhammad Inam	12 Field Worker	Matric			Peshawar	04.03.1915	05.01.2004	ARI, Tarnab	03.01.2045	Not eligible 3rd division	
26	Mr. Ghulam Ab	18 Chowkidar	Matric			Peshawar	1.1.1965	15.01.2004	Nowhera	30.6.2025		
27	Mr. Najam Khan	19 Field Worker	F.A.	1988 3rd	2016 1st	Nowhera	03.10.1971	16.01.2004 Chaw. 01.04.2009 F/W	ARI, Tarnab	02.01.2031	Not eligible 3rd division	
28	Mr. Inamullah	Chowkidar	Matric	1989 2nd		Peshawar	1.5.1975	07.07.2004	ARI, Tarnab	14.3.2033		
29	Mr. Muhammad Ijaz	Chowkidar	Matric	1997 2nd	2003 3rd	Peshawar	4.1.1981	03.03.2004	ARI, Tarnab	3.1.2041		
30	Mr. Noor Aziz	Field Worker	B.A.	2000 2nd	2018 1st	Chitral	20.02.1982	13.04.2004	ARI, Chitral	19.07.2012		
31	Mr. Khastin Gul	Lab Attendant	M.A.	1998 2nd	2002 3rd	Narain	06.02.1981	17.04.2004	Mardan	05.02.2041		
32	Mr. Sarwarullah	Naib Qasid	Matric			DIChan	1.00.1.1986	10.06.2004	ARI, DIChan	29.01.2046		
33	Mr. Abdul Humam	Chowkidar	Matric	1983 3rd		DIChan	13.08.1985	1.7.2004	ARI, DIChan	12.05.2025	Not eligible 3rd division	
34	Mr. Jinnat Ahmad	Field Worker	Matric			DIChan	04.02.1989	01.07.2004	ARI, DIChan	03.02.2029		
35	Mr. Muhammad Laif	Field Worker	B.A.	1991 1st	1994 3rd	DIChan	15.01.1985	01.07.2004	ARI, DIChan	14.01.2015		
36	Mr. Kazim Hussain	Lab Attendant	Matric	1996 2nd		DIChan	6.10.1978	1.7.2004 F/W 22.03.2013 U/Asst	ARI, DIChan	05.10.2018		
37	Mr. Muhammad Irfan	Field Worker	Matric			DIChan	01.01.1980	01.07.2004	ARI, DIChan	31.12.2019		
38	Mr. Hafiz ur Rahman	Naib Qasid	Matric			Abbottabad	18.1.80	01.07.2004	Abbottabad	17.5.2040		
39	Mr. Shafiqullah	Field Worker	Matric			DIChan	03.01.1981	01.07.2004	ARI, DIChan	02.01.2041		
40	Mr. Salimullah	Chowkidar	Matric			DIChan	13.03.1983	01.07.2004	ARI, DIChan	12.03.2043		
41	Mr. Lutfullah	Naib Qasid	B.A.	2000 2nd	2006 3rd	DIChan	10.04.1984	01.07.2004	ARI, DIChan	09.04.2044		
42	Mr. Nazam Khan	Chowkidar	Matric	1993 2nd		DIChan	17.03.1986	1.7.2004	ARI, DIChan	16.03.2036		

619

81

91

101

111

121

131

141

151

161

171

181

191

201

S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A./St Certificate with Division	Home District	Date of Birth	Date of 1st appointment	Place of present posting.	Date of superannuation
43	Mr Kazim Hussain	Lab. Assistant	M.A	1976 2nd		DIKhan	6 10 1975	17 2004 FAW 27 03 2013 I/And	ARI, Dikhan	05 10 2031
44	Mr Sahbud Din	Field Worker	FA	1993 1st	1995 2nd	DIKhan	24 04 1978	17 2004	JCL DIKhan	25 04 2031
45	Mr. Goulan Rasool	Field Worker	M.A			Mardan	06 05 1974	15 07 2004	SCRI, Mardan	05 05 2034
46	Mr. Muhammad Nawaz Khan	Ploughman	M.A	1973 1st		Mardan	06 01 1976	15 07 2004	SCRI, Mardan	5 01 2036
47	Mr Ibrahim	Bullock and	FA	2001 1st	2007 1st	Banne	17 03 1975	15 10 2004	Sera Naurang	16 3 2048
48	Mr Saadullah	Field Worker	M.A	1987 1st		Laki	15 03 1969	16 10 2004	Sera Naurang	14 03 2029
49	Mr Saadullah	Field Worker	BA	1967 1st	2006 2nd	Banne	14 05 75	01 12 2004	Sera Naurang	13 08 2015
50	Mr Zabeer ur Din	Field Worker	M.A	1973 1st		Mardan	01 01 1970	07 02 2005	CCRI, Peshawar	31 12 2029
51	Mr. Abid Rehman	Sweeper	M.A			Kawal	14 12 1975	01 03 2005	ARS, Nisal	13 12 2043
52	Mr. Saad Ahmad	Field Worker	M.A	1992 1st		Newshera	6 08 82	10 03 2005	ARI, Tarnab	5 6 2042
53	Mr. Nisar Khan	Van Qasid	FA	2002 1st	2009 1st	Peshawar	15 7 77	01 04 2006	Peshawar	14 7 2037
54	Mr. Muhammad Aslam	Van Qasid	BA	1955 1st	1990 1st	Muzaffar	06 12 1969	27 04 2005	ARS, Duffs, Atanshra	06 11 2006
55	Mr. Hakeem Ahmad	Lab. Attendant	M.A	1999 2nd		Newshera	14 5 81	10 01 2004	Newshera	14 5 2041
56	Mr. Jaleel Ahmad	Field Worker	FA	2002 2nd	2013 2nd	Newshera	05 12 1984	07 07 2005	CCRI, Peshawar	
57	Mr. Hidayatullah Sidiq	Van Qasid	M.A	1918 1st		Newshera	01 04 1970	08 07 2005	CCRI, Peshawar	31 12 2030
58	Mr. Ahmad Salam	Field Worker	FA	1996 2nd	2012 2nd	Newshera	06 05 1981	04 07 2005	CCRI, Peshawar	05 07 2040
59	Mr. Ashfaq Ah Mualla-	Field Worker	M.A	1992 2nd		Newshera	14 06 1976	19 07 2005	CCRI Peshawar	13 06 2036
60	Mr. Nisarul Haq	Van Qasid	BA	2003 2nd	2006 2nd	Sera	08 01 1981	16 01 2006	ARI, Mingora	07 03 204
61	Mr. Waqar Ali	Chowkidar	FA	1991 2nd	2001 3rd	Charsadda	02 03 1975	03 01 2006	ARI Tarnab	01 02 2035
62	Mr. Iqbalullah	Chowkidar	D.C	1991 2nd	1997 3rd	Peshawar	01 01 1979	16 03 2006	ARI, Tarnab	31 12 2029
63	Mr. Muhammad Ibrahim	M.A	M.A	2001 2nd		Laki	27 07 1984	11 04 2006	Sera Naurang	26 03 2044
64	Mr. Haider Ali	Field Worker	FA	1967 2nd	2001 2nd	Peshawar	21 09 1983	12 03 2006 Chow 01 12 2006 FAW	ARI, Tarnab	19 08 2043

ATTACHED

Signature of official

Retired from service

محمد نازیر

43

9

10

11

12

13

14

15

16

17

18

19

S.No	Name	Duignation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A./S.Certificate with Division	Home District	Date of Birth	Date of Employment	Place of present posting.	Date of superannuation	As per rules, 3rd divisioner or eligible for promotion	Signature of official
65	Mr. Muhammad Hussain	Field Worker	Matric	2001 2nd		Kurram Agency	11.03.1981	27.11.2006	Orakzai Agency FATA, ARI, Tamab			
66	Mr. Sajid Hussain	Nab Qasid	F.A. (B)	2006 2nd	2010 2nd	Peshawar	08.06.1989	04.01.2007	SFII, ARI, Tamab	05.01.2049		
67	Mr. Ajmal Shah	Nab Qasid	Matric	1997 3rd		Peshawar	04.02.1977	18.01.2007	SPH, ARI, Tamab	01.02.2038	Not eligible as 3rd divisioner	
68	Mr. Muhammad Ismail	Nab Qasid	F.A. (21)	1997 2nd	2003 1st	Mardan	15.12.1979	11.01.2007 Chowkisar	CCRI, Mardan	14.12.2039		
69	Mrs. Fozia Bibi	Nab Qasid	B.A. (22)	2004 2nd	2007 3rd	Peshawar	01.01.1987	01.01.2007	SPH, ARI, Tamab	01.01.2047		
70	Mr. Muhammad Zashud	Field Worker	Matric	1995 1st		Nowshera	09.01.1977	01.05.2007	CCRI, Peshabak	01.01.2037		
71	Mr. Saajidullah Shah	Field Worker	Matric	1995 2nd		Nowshera	04.04.1975	01.05.2007	CCRI, Peshabak	01.05.2035		
72	Mr. Anshud Ali	Field Worker	Matric	1997 3rd		Nowshera	24.07.1979	01.05.2007	CCRI, Peshabak		Not eligible as 3rd divisioner	
73	Mr. Zahid Ali	Field Worker	Matric	1995 2nd		Nowshera	22.07.1978	04.01.2007	CCRI, Peshabak	21.09.2038		
74	Mr. Alam Zeb	Field Worker	Matric	2005 2nd		Bunna	23.10.1976	19.06.2007	Sera Haurang	22.10.2046		
75	Mr. Faleem Dil	Nab Qasid	Matric	1990 1st		Nowshera	28.02.1974	03.01.2007	CCRI, Peshabak	27.02.2034		
76	Mr. Bahi Zaba	Field Worker	Matric	1994 3rd		Nowshera	13.03.1976	03.07.2007	CCRI, Peshabak	14.03.2036	Not eligible as 3rd divisioner	
77	Mr. Zahoor Ahmad	Metric	Matric			Nowshera	13.05.1977	03.07.2007	CCRI, Peshabak	16.05.2037		
78	Mr. Zahid Khan	T/Helper	Matric			Nowshera	05.02.1978	03.07.2007	CCRI, Peshabak	04.02.2038		
79	Mr. Khairul Ibrar	Field Worker	Matric	1996 2nd		Nowshera	03.03.1980	03.07.2007	CCRI, Peshabak	02.03.2040		
80	Mr. Zahir Ahmad	Chowkida	Matric	1997 3rd		Nowshera	07.09.1980	03.07.2007	CCRI, Peshabak	06.09.2040	Not eligible as 3rd divisioner	
81	Mr. Shabir Ahmad	Field Worker	Matric	1998 2nd		Nowshera	19.03.1981	03.07.2007	CCRI, Peshabak			
82	Mr. Jawad Ahmad	T/Helper	Matric			Nowshera	03.04.1981	03.07.2007	CCRI, Peshabak	02.04.2041		
83	Mr. Asif Khan	Ploughman	Matric			Nowshera	15.01.1983	03.07.2007	CCRI, Peshabak	14.01.2043		
84	Mr. Muhammad Tabir	Nab Qasid	M.A. (23)	2002 2nd	2004 3rd	SWA	12.12.1984	07.02.2008	FATA, ARI, Tamab	11.12.2044		
85	S. Sajid Hussain Shah	Nab Qasid	Matric			ARI, DIKhan	15.06.1985	01.03.2006	ARI, DIKhan	14.06.2045		
86	Mr. Jamshaid Arif	Lab Attendant	Matric	1989 2nd		DIKhan	15.11.1977	14.03.2008	ARI, DIKhan	14.11.2032		
87	Mr. Gulam Ali	Field Worker	Matric			Swat	15.08.1982	07.07.2001	ARI, Mugura	14.08.2042		

(M)



Handwritten signature and initials, possibly 'ALISHA'.

S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring I.A.F. Sr Certificate with Division	Home District	Date of Birth	Date of 1st appointment	Place of present posting.	Date of superannuation	Signature of official
81	Mr. Shair Muhammad	Naib Qasid	BA (21)	1992nd	1997rd	Hshawa	24.08.1979	01.01.2009	ARI, Tamab	21.03.2039	
89	Mr. Sharif Khan	Field Worker	Matric	1997rd		DIKhan	03.03.1910	24.07.2009	ARI, DIKhan	03.03.2040	
90	Mr. Tasveer Ahmad	Field Worker	Matric	1997rd		ARS, Baffa	20.11.1978	25.07.2009	ARS, Baffa, Manshera	19.01.2038	
91	Mr. Ashid Fayyaz	Naib Qasid	Matric	2000rd		DIKhan	15.04.1984	27.07.2009	ARI, DIKhan	14.04.2040	
92	Mr. Noor Ullah	Naib Qasid	F.A. (25)	2002nd	2011rd	Swat	13.07.1984	13.04.2010	ARI, Mingora	22.07.2040	
93	Mr. Zahed Hussain	Field Worker	Matric	1999rd		A. Abad	22.01.1982	31.05.2010	HARS, A. Abad	21.01.2042	
94	Mr. Ahmad Zaman	Naib Qasid	B.A. (26)	2007rd	2018rd	Peshawar	15.04.1991	03.06.2010	Directorate General	14.04.2031	
95	Mr. Muhammad Ibrah	Lab. Attendant	Matric	2004rd		Peshawar	23.05.1987	03.06.2010 Multi 30.01.2013 L/Attid	SPH, ARI, Tamab	22.03.2047	
96	Mr. Umar Jamal	Lab. Attendant	F.A. (27)	1999rd		Peshawar	25.10.1982	04.06.2010	SPH, ARI, Tamab	24.10.2042	
97	S. Bilal Hussain Shah	Ch. Aidar	Matric	2004rd		Baffa	03.03.1987	07.06.2010	ARS, Baffa, Manshera	02.03.2047	
98	Mr. Muhammad Awar	Field Worker	Matric	1992rd		Manshera	01.02.1973	06.10.2010	HARS, A. Abad	31.01.2035	
99	Mr. Muhammad Ismail	Lab. Attendant	Matric	2003rd		A. Abad	05.10.1974	11.11.2010	HARS, A. Abad	02.10.2044	Not eligible 3rd division
100	Mr. Waqar Khan	Field Worker	Matric	2000rd		Manshera	02.05.1980	15.12.2010	ARS, Baffa, Manshera	01.03.2040	Not eligible 3rd division
101	Mr. Taza Gul	Field Worker	Matric	1998rd		Nowshera	13.01.1982	30.01.2011	Orakzai Agency FATA, ARI, Tamab	14.01.2042	
102	Mr. Nuzat Ullah Khan	Chowkidar	B.A. (28)	2008rd	2010rd	Karak	01.04.1991	15.02.2011	ARS, Karak	31.03.2031	
103	Mr. Inamullah	Lab. Attendant	F.A. (29)	2008rd	2010rd	Charsadda	13.01.1990	20.05.2011	SPH, ARI, Tamab	12.01.2030	
104	Mr. Akhtar Ali	Field Worker	Matric	1999rd		Peshawar	26.07.1981	08.07.2011	CCRI, Pirsabak	24.07.2041	Not eligible 3rd division
105	Mr. Muhammad Ishaq	Field Worker	Matric	2012rd		Peshawar	5.5.81	05.01.2004	ARI, Tamab	4.3.2043	
106	Mr. Jahanzeb	Lab. Attendant	Matric	1991rd		Peshawar	28.04.1981	08.02.2012	Peshawar	27.04.2041	
107	Mr. Asrar Kamal	Field Worker	F.A. (30)	1991rd	1995rd	Peshawar	01.09.1975	09.02.2012	CCRI, Pirsabak	31.08.2035	
108	Mr. Amir Khan	Field Worker	B.A. (31)	2016rd	2009rd	Nowshera	01.02.1988	13.02.2012	CCRI, Pirsabak	11.01.2048	Not eligible 3rd division
109	Mr. Liaqat Ali	Chowkidar	F.A. (32)	2006rd	2015rd	Mardan	18.02.1989	13.02.2012	SCRI, Mardan	17.02.2049	Not eligible 3rd division

ATTESTED

(25)

[Handwritten Signature]

S.No	Name	Designation	Qualification	Date of acquiring Secondary Certificate with Division	Date of acquiring F.A.T. Sc Certificate with Division	Honorary District	Date of Birth	Date of Appointment	Place of present posting	Date of superannuation	Signature of official
113	Mr. Zameer Khan	Field Worker	F.A	1992 2nd		Nowshera	01.01.1976	01.01.2014	ARI, Tarab	01.01.2036	
114	Mr. Naveed Ahmad Khan	Nab Qasid	F.A	1993 2nd	2001 3rd	Peshawa	46.1971	11.2011	ARI, Tarab	16.2038	
115	Mr. Naveed	Nab Qasid	B.A	2000 2nd	2002 2nd	Peshawa	03.01.1973	01.01.2014	Director General	01.01.2043	
116	Nyed Usman Ali Shah	T.W Operator	F.A	2011 2nd	2015 2nd	Peshawa	05.01.1994	11.2014	ARI, Tarab	4.10.2034	
117	Mr. Asjad Ab	Nab Qasid	B.A	1995 2nd	1999 2nd	Peshawa	13.01.1979	14.01.2014	ARI, Tarab	11.01.2039	
118	Mr. Asjad Ab	Field Worker	Matric	1993 2nd		Swat	05.09.1976	06.02.2014	ARI, Muzra	04.09.2036	
119	Mr. Abdul Wahab	Nab Qasid	Matric	1991 3rd		Bannu	10.10.1974	28.02.2014	ARS, SN, Bannu	09.10.2034	
120	Mr. Muhammad Subhan	Chowkidar	Matric			Lakki		28.02.2014	ARS, SN, Bannu		
121	Mr. Muhammad Khan	Lab Assistant	Matric	1997 2nd		Bannu	18.11.1979	13.03.2011	Bannu	17.11.2039	
122	Mr. Muhammad Ali Shah	Nab Qasid	B.A	1998 2nd	2002 2nd	Bannu	04.02.1981	13.03.2014	Bannu	03.02.2041	
123	Mr. Khalid Hussain	Chowkidar	F.A	2000 2nd	2002 2nd	Swat	03.03.1981	13.03.2011	ARI, Mingora	02.03.2041	
124	Mr. Karamullah	Field Worker	Matric	1999 3rd		Bannu	12.10.1981	13.03.2014	Bannu	11.10.2043	
125	Mr. Khalid Muhammad Khan	Nab Qasid	F.A		2006 2nd	Bannu	01.01.1984	13.03.2014	Bannu	21.01.2046	
126	Mr. Faridullah Khan	Sweeper	Matric	2001 2nd		Bannu	07.03.1983	11.01.2014	Bannu	08.01.2047	
127	Mr. Abdul Hamid Khan	Field Worker	B.A	2006 2nd	2011 2nd	Bannu	04.04.1990	13.03.2014	Bannu	05.04.2050	
128	Mr. Siraj Khan	Watchman	Matric	2001 2nd		Bannu	18.02.1992	13.03.2014	Bannu	09.01.2052	
129	Mr. Mr. Abdul Karim	Nab Qasid	Matric	2006 2nd		Swabi	01.01.1975	01.04.2014	ARI, Swabi	31.12.2034	
130	Mr. Sajjad	Field Worker	M.A			Swabi	01.01.1975	01.04.2014	ARI, Swabi	31.12.2034	
131	Mr. Ashtab	Field Worker	F.A		2015 2nd	Swabi	01.01.1985	01.04.2014	ARI, Swabi	31.12.2044	
132	Mr. Ashraf Naveed	Nab Qasid	Matric			Swabi	01.01.1991	07.04.2014	ARI, Swabi	31.12.2046	
133	Mr. Nishfor ul Haq	Sweeper	Matric	1998 2nd		Swabi	08.04.1977	08.04.2014	ARI, Swabi	07.04.2037	
134	Mr. Harud Ayaz	Nab Qasid	Matric	2008 2nd		Swabi	13.04.1982	08.04.2014	ARI, Swabi	02.04.2042	
						Swabi	16.02.1983	08.04.2014	ARS, Swabi	15.02.2043	

47

Signature of official

Signature of official

S.No	Name	Designation	Qualification	Date of acquiring Secondary Certificate with Division	Date of acquiring F.A/F.Sc Certificate with Division	Home District	Date of Birth	Date of last appointment	Name of present posting	Date of separation	Remarks	Signature of official
155	Mr. Abdur Rehman	Field Worker	Matric			Swabi	01.12.1976	08.04.2014	ARS, Swabi	31.11.2016		
156	Mr. Muhammad Zakria	Field Worker	Matric	2005 1st		Swabi	03.04.1979	08.04.2014	ARS, Swabi	07.04.2019		
157	Mr. Lal Bahadar	Chowkidar	Matric	2006 3rd		Swabi	14.01.1980	09.04.2014	ARS, Swabi	13.01.2010		
158	Mr. Anjad Ah Khan	Chowkidar	BA	2008 2nd	2016 2nd	Swabi	06.04.1991	10.04.2014	ARS, Swabi	05.04.2012		
159	Mr. Musazoor Khan	Lab Attendant	FA	2007 2nd		Swabi	13.04.1990	03.04.2014	ARS, Swabi	12.02.2010		
160	Mr. Fayaz	Sweeper	Matric	2011 2nd		Bucari	25.03.1991	16.05.2014	ARS, Bucari	24.03.2015		
161	Mr. Muhammad Saad	Naib Qaid	MSc (Hons)	2003 2nd	2007 2nd	DT Khan	20.05.1984	20.06.2014	ARI, DT Khan	19.05.2015		
162	Mr. Khatunulish	Field Worker	MA	2007 2nd	2009 3rd	DT Khan	01.01.1981	20.06.2014	ARI, DT Khan	31.12.2017		
163	Mr. Hashmat Ali	Field Worker	Matric	2007 2nd		Orakzai Agency	05.02.1981	01.07.2014	Orakzai Agency	31.12.2014		
164	Mr. Ashiq Nawaz	Chowkidar	F.A			Kohat	1984	09.07.2014	Kohat	2014		
165	Mr. Naveed Ali	Ploughman	Matric	2009 2nd		Swabi	01.03.1992	14.07.2014	ARI, Mingora	02.03.2017		
166	Mr. Latifullah	Grass Cutter	Matric	2000 3rd		Nowshera	13.03.1983	15.07.2014	CCRI, Pinnabik	11.01.2014		
167	Mr. Nuzhen Tariq	Sweeper	Matric	2006 2nd		Peshawar	11.01.1983	23.09.2014	ARI, Tanab	11.01.2013		
168	Mr. Waqar Shah	Naib Qaid	F.A			Peshawar	24.01.1991	04.10.2014	ARI, Tanab	19.01.2011		
169	Mr. Muhammad Shariq	Field Worker	F.A	2005 2nd	2011 3rd	Mardan	02.12.1991	12.12.2014	SCRI, Mardar	01.12.2011		
170	Mr. Abdul Nadeem	Ploughman	F.A	2011 2nd	2013 2nd	Mardan	10.04.1993	12.12.2014	SCRI, Mardar			
171	Mr. Anif Mehmood	Naib Qaid	Matric	2004 3rd	2007 2nd	Peshawar	01.03.1985	31.12.2014	ARI, Tanab	31.12.2017		
172	Mr. Fath Ahmad	Naib Qaid	F.A	2015 1st	2017 1st	Peshawar	21.02.1982	02.11.2019	ARI, Tanab	31.01.2012		
173	Mr. Jaffer Ali	Lab Attendant	Matric	2015 3rd		Swat	05.02.1980	05.06.2014	ARI, Mingora	04.02.2010		
174	Mr. Kamus Saqib Haider	Field Worker	BA	2006 2nd	DBA 2008 2nd	Peshawar	10.03.1991	10.02.2013	ARI, Tanab	09.03.2010		
175	Mr. Khalid Khan	Field Worker	BA			Swat	01.07.1977	21.02.2013	ARI, Mingora	30.06.2017		
176	Mr. Amrah Shah	Field Worker	Matric	2003 3rd		Bucari	01.02.1984	10.05.2015	ARS, Bucari	02.02.2016		
177	Mr. Asad Khan	Naib Qaid	BA	2010 1st	2017 1st	Swat	01.01.1991	09.06.2013	ARI, Mingora	31.12.2014		

81

Handwritten signature and stamp.

Handwritten notes: 16-11, 17-11

Rank	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring I.A.T.Sc Certificate with Division	Home District	Date of Birth	Date of Appointment	Place of present posting	Date of last promotion	Remarks, and Registered Officer's signature
MAJ				Burk	01.05.1996	01.01.2015	Burk	11.01.2015	
MAJ		2011 2nd	2011 2nd	Charsadda	05.01.1996	06.01.2015	NRRI, Faisalabad	04.01.2015	
MAJ		2001 2nd	2001 3rd	Peshawar	20.01.1985	07.09.2015	ARI, Dera Ismail Khan	15.02.2015	Transferred to MAJ, Dera Ismail Khan
MAJ		2003 3rd		Dikhan	02.02.1991	14.01.2015	ARI, Dera Ismail Khan	01.02.2015	
MAJ		2012 1st	2016 2nd	Dikhan	14.04.1990	07.03.2016	ARI, Dikhan	13.04.2016	
MAJ		2010 3rd	2013 3rd	Chitral	13.11.1994	19.11.2015	ASS, Chitral	13.05.2015	
MAJ		2006 3rd	2008 2nd	Buner	15.03.1985	16.05.2015	AES, Buner	14.03.2015	
MAJ		2007 2nd	2012 2nd	Nowshera	10.10.1991	01.01.2016	ARI, Terab	06.10.2015	
MAJ		2010 2nd		Swat	18.01.1990	01.01.2015	ARI, Swat	11.11.2015	
MAJ		2012 1st	2014 1st	Swat	01.01.1997	15.04.2016	ARI, Mingora	02.01.2017	
MAJ		1999 2nd		Nowshera	18.05.1971	21.09.2016	ARS, Swat	29.06.2016	
MAJ				Nowshera	01.01.1982	26.10.2016	QTR, Peshawar	27.01.2017	
MAJ				Swat	08.01.1982	26.10.2016	SRRI, Miran	05.01.2016	
MAJ		2015 3rd		Chitral	15.10.1996	08.11.2016	ARI, Dikhan	14.10.2016	
MAJ		2007 3rd	2009 3rd	Peshawar	15.04.1991	1.12.2016	Decorate General	14.04.2016	Hardly eligible for promotion
MAJ		2008 2nd	2010 2nd	Nowshera	05.01.1992	13.12.2016	ARI, Terab	04.04.2017	
MAJ		1998 3rd	2000 3rd	Buner	25.11.1988	29.11.2016	ARS, SW, Buner	21.11.2016	
MAJ		2017 1st		Peshawar	17.07	01.01.2017	ARI, Terab	30.6.2017	
MAJ		2017 2nd		Mardan	11.02	15.11.2015	MAJ, A. Abdul	31.12.2015	
MAJ				Mardan	02.05.1986	06.02.2017	ARS, Baffi	01.05.2017	
MAJ		2014 2nd	2015 2nd	Chakwal Agency	28.03.1991	10.04.2017	Chakwal Agency	17.03.2017	
MAJ		2014 2nd	2015 2nd	Mardan	03.12.1991	22.02.2017	SRRI, Mardan	02.12.2017	
MAJ		2014 2nd	2014 3rd	Nowshera	20.11.1991	11.01.2017	District Office	19.11.2017	

101

ATTACHED

101



(50)

SUGAR CROPS RESEARCH INSTITUTE

MARDAN,

Phone # (0937) 929047-929013

Email: scri@brain.net.pk.

No. 1590 /DSC

Dated 27-9-2021.

The Director General,
Agriculture Research System,
KPK, Peshawar.

Subject:- DRAFT TENTATIVE SENIORITY LISTS OF CLASS-IV
EMPLOYEES (HAVING MATRIC OR ABOVE QUALIFICATION).

Memo:

Kindly reference your letter No. I1242-52/Estt/DGAR dated 10.09.2021 on the above cited subject.

The attached draft tentative seniority list of class-iv employees dully signed by the officials concerned working at Sugar Crops Research Institute Mardan is sent herewith for favour of further necessary action as desired please.

Director
Sugar Crops Research Instt.
Mardan

ATTESTED

Annex "E" (51)

BEFORE THE KHYBER PAKHTONKHWA SERVICE
TRIBUNAL, PESHAWAR

Application/Petition No. _____ of year 2024.

1. Shabir Ahmad S/o Ajab Khan Junior Clerk BPS (11)
Presently Posted at Agriculture Research Institute (ARI),
Tarnab Farm, Peshawar.

.....Applicant/ Petitioner

VERSUS

1. Secretary Agriculture Civil Secretariate, KPK, Peshawar.
2. Director General Research, Agriculture University,
Peshawar.
3. Director Sugar Crops Research Institute, Charsadda Road,
Mardan.
4. Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm,
Research Institute, Charsadda Road, Mardan.
5. Khaista Gul S/o Wali Gul, Junior Clerk BPS (11) presently
posted at Sugar Crop Research Institute, Charsadda Road,
Mardan.
6. Rahat Khan S/o kareem khan R/o Wazir Ghari, Post Office
Pabbi (RS), Tehsil and District Nowshera.
7. Muhammad Ibrar, Designated as Junior Clerk BPS (11) at
Agriculture Research Institute (ARI), Tarnab Farm,
Peshawar.
8. Noor Aziz, Designated as Junior Clerk BPS (11) at
Agriculture Research Station, Chitral.

9. Inam Ullah, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
10. Wajid Khan, Designated as Junior Clerk BPS (11) at Cereal Crops Research Institute, Pirsabak, Nowshera.
11. Ajab Khan Designated as Junior Clerk BPS (11) at Agricultural Research Station, Harichand, Charsadda.
12. Muhammad Basir Designated as Junior Clerk BPS (11) at Agricultural Research Institute, Tarnab, Peshawar.
13. Mudassir Aqeel Designated as Junior Clerk BPS (11) at Director General Agricultural Research, Khyber Pakhtoonkhwa, Peshawar

.....Respondents

**APPLICATION FOR GRANT OF TEMPORARTY
INJUNCTION TO THE EFFECT THAT OPERATION OF
THE IMPUGNED JUDGEMENT/ ORDER DATED. 25-04-
2024 MAY KINDLY BE SUSPENDED TILL FINAL
DECISION OF THE INSTANT APPLICATION UNDER
SECTION 12(2) READ WITH SECTION 151 OF CIVIL
PROCEDURE CODE**

Respectfully Sheweth: -

- I. That the aforementioned application is to be filed today before this Hon'ble Court.

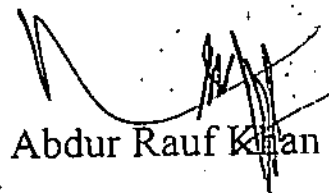
- II. That the contents of the above application be considered as part and parcel of this instant petition for interim relief.
- III. That the prima facie case is in favour of the applicant.
- IV. That the balance of convenience is also in favour of the applicants and irreparable loss is likely to be caused to them, if the interim relief is refused to them.

PRAYER

In view of the above, it is hereby humbly requested that the impugned order/ judgement dated 25-04-2024 may kindly be suspended till the final decision of the application filed under section 12(2) of the Civil Procedure Code.

Applicant

Through



Abdur Rauf Khan
Advocate High Court

(54)

BEFORE THE KHYBER PAKHTONKHWA SERVICE
TRIBUNAL, PESHAWAR

Application/Petition No. _____ of year 2024

Shabir Ahmad and Others.....

Applicants/ Petitioners

VERSUS

Muhammad Ismail and Others.....

..... Respondents

AFFIDAVIT

It is certified that all the contents of this application are true and correct with the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

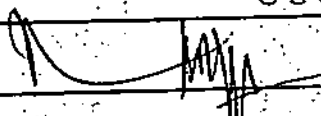
Date: 14/x/24

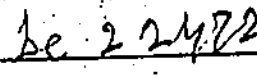
Deponent

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

59586



قیمت 50 روپے

ایڈووکیٹ: 

بار کونسل ایسوسی ایشن: 

رابطہ نمبر: 0312532978

PESHAWAR BAR ASSOCIATION


بعدالت جناب چیئرمین سروسز ٹریڈ یونین صاحبہ حضرت محترمہ خواجہ سیار

مخاطب: سائل	دعویٰ: درخواست زیر دفعہ 12
تاریخ: 22/02/2024	علت نمبر: صفحہ 105/1/25
موضوع: شہداء	مورث: در سروسز
مقام: خیبر پختونخواہ	تاریخ: 15/07/2023

بابت تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام کے لیے عہدہ البروف صاحب کو دیکھ کر مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث ذی فضلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا ایبل کی برآمدگی اور منسوخی، نیز دائر کرنے ایبل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 14/1/2024

Approved 

خواجہ سیار

مقام: سیار

1730115638679-3

سیار

17201-1699279-3-03136254926=

Rohat Khan