

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

**12 (2) R/w 151 CPC  
Petition No. 883 /2024**

**In  
Service Appeal No.1900/2022**

Sher Wahab, Assistant Accountant, District Comptroller of Accounts, Dera Ismail Khan  
and others.

..... (APPELLANT)

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Finance, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Director, Treasuries and Accounts, Khyber Pakhtunkhwa Peshawar.
4. Mir Azam Khan, Assistant Accountant (BPS-16), Treasury Establishment,  
Finance Department, Peshawar.

..... (RESPONDENTS)

**JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1 TO 3.**

**INDEX**

| S# | Description of Documents | Annexure | Page |
|----|--------------------------|----------|------|
| 1  | Joint Para Wise Comments |          | 1-2  |
| 2  | Service Rules            | I        | 3-7  |
| 3  | Affidavit                | II       | 8    |
| 4  | Authority                | III      | 9    |

**Deponent**



(Shahid Hassan )  
Superintendent BPS-17  
o/o the Director Treasuries & Accounts  
Khyber Pakhtunkhwa  
CNIC No. 17301-94381585

Identified By:

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

**12(2) R/w 151 CPC**

**Petition No. 883/2024**

**In**

**Service Appeal No. 1900/2022**

Sher Wahab, Assistant Accountant, District Comptroller of Accounts, Dera Ismail Khan and others.  
..... (Petitioners)

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Finance, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Director, Treasuries and Accounts, Khyber Pakhtunkhwa Peshawar.
4. Mir Azam Khan, Assistant Accountant (BPS-16), Treasury Establishment, Finance Department, Peshawar

..... (Respondents)

**JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1 AND 3.**

**RESPECTFULLY SHEWETH**

1. That without prejudice to the following, the petition is bad, both in form as well as in substance.
2. That the petition is not at all maintainable in its present form.
3. That the petitioners neither has any locus standi nor a cause of action to approach this Honorable Tribunal against the respondents.
4. That the petition is bad for mis-joinder and non-joinder of necessary parties.

**FACTS**

1. Pertains to record.
2. Pertains to record.
3. Para-3 is incorrect, hence vehemently denied.
4. No comments, being legal.

*Attested*

*Asad Shah*  
 Assistant Director  
 Treasuries & Accounts  
 Khyber Pakhtunkhwa  
 Peshawar


**GROUND:**

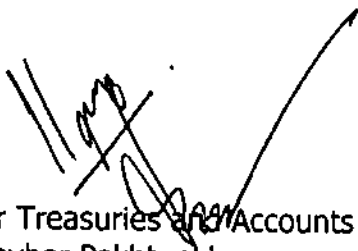
- A. Incorrect, hence vehemently denied.
- B. Incorrect. The honorable Tribunal has a judgement on the subject matter in Service Appeal No.301/2009 dated 16.07.2009 where para-7 clearly stipulates that **the vacancies of S.A.S qualified Assistant Accountants shall be filled through them on the basis of their seniority fixed with respect to the dates of their passing of the S.A.S examination, and not on their simple seniority as Assistant Accountants.** Hence, the respondent departments are

following the same in respect of promotion of Assistant Accountants who have qualified S.A.S examination since the ibid judgement and the instant judgement dated 25.04.2024 in Service Appeal No.1900/2022 has not clarified the status of employees who had been promoted under the honorable Tribunal judgement dated 16.07.2009 as well as status of the judgement itself decided in Appeal No.301/2009.


- C. Incorrect. The honorable Tribunal may hear all those Assistant Accountants who had/had qualified S.A.S examination and either being promoted or waiting for promotion.
- D. Pertains to record.
- E. Correct. The respondent departments are making promotions of the Assistant Accountants who have qualified PIPFA or SAS examination, not on the basis of simple seniority but with respect to their seniority on the basis of passing of PIPFA or SAS examination, duly reflected year of passing of SAS Examination against each Assistant Accountant in the seniority list **(Annex-I)**.
- F. Pertains to record.
- G. Pertains to record.
5. Pertains to record.
6. The respondents seek permission to raise additional grounds during arguments.

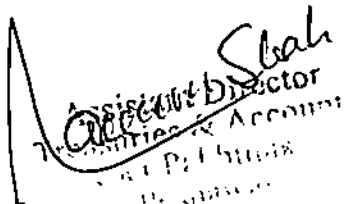
It is, therefore, respectfully prayed for that on acceptance of this reply/comments the instant petition be rejected.

  
 Secretary Finance,  
 Govt: of Khyber Pakhtunkhwa  
**(RESPONDENT NO. 2)**  
 (Ikramullah Khan)

  
 Director Treasuries and Accounts  
 Khyber Pakhtunkhwa  
**(RESPONDENT NO. 3)**  
 (Kamran Khan)

Attested.

  
 Chief Secretary,  
 Khyber Pakhtunkhwa  
**(Respondent No.1)**  
 (Nadeem Aslam choudry)

  
 Assistant Director  
 Treasuries & Accounts  
 Khyber Pakhtunkhwa



# NOTIFICATION

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
Dated Pesh: the 10-08-2018

3

NO.SO(ESTD)FDA-16/2014/SSRC/Vol-III/Try/ 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 Finance Department, in consultation with Establishment Department, and in supersession of previous notifications issued in this behalf, hereby directs that in the Khyber Pakhtunkhwa Treasuries (Recruitment and Appointment) Rules, 1981, the following further amendments shall be made, namely:-

## APPENDIX

| S.No. | Nomenclature of post                    | Minimum qualification prescribed for appointment by initial recruitment or by transfer | Minimum qualification prescribed for appointment by promotion | Age limit | Method of recruitment.  |
|-------|---|--|---|-----------|---|
| 1     | 2                                       | 3  | 4   | 5         | 6   |
| 1.    | Director, Treasuries & Accounts.        |  |   |           | By selection on merit from amongst the District Comptrollers of Accounts having three (03) years service as such:<br><br>Provided that if no suitable person is available for promotion then by transfer from amongst officers of equivalent grade having three (03) years experience in finance and accounting.  |
| 2.    | District Comptroller of Accounts        |  |   |           | By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Directors, District Accounts Officers and Agency Accounts Officers and Treasury Officer with at least twelve (12) year service in BPS-17 and above.<br><br>Note: For the purpose of promotion, a joint seniority list of the Officers mentioned above shall be maintained. |
| 3.    | Deputy Director, Treasuries & Accounts. |  |   |           | By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Directors Treasuries & Accounts having five (05) years service as such;<br><br>Provided that if no suitable person is available for promotion then by transfer from amongst the District Accounts Officers, Agency Accounts Officers or Treasury Officers.              |

Account

Attested.

Assistant Director  
Treasuries & Accounts  
Khyber Pakhtunkhwa  
Peshawar

|    |   |  |  |                |  |
|----|---|--|--|----------------|--|
| 4. | District Accounts Officer / Agency Accounts Officer / Treasury officer. |  |  |                | <p>(a) Fifty per cent by promotion on the basis of seniority-cum-fitness, from amongst the Assistant Treasury Officers and Sub-Treasury Officers with at least five (05) year service as such.</p> <p><b>Note:</b> For the purpose of promotion, a joint seniority list of the Assistant Treasury Officers and Sub-Treasury Officers shall be maintained; and</p> <p>(b) fifty per cent by deputation, for a specified period, from amongst Accounts Officers of the Audit Department of Government of Pakistan.</p> |
| 5. | Assistant Director, Treasuries & Accounts.                              |  |  |                | <p>By promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents having five (05) year service as such:</p> <p>Provided that if no suitable person is available for promotion then by Transfer from amongst the Assistants / Sub-Treasury Officers.</p>  |
| 6. | Assistant Treasury Officer / Sub-Treasury Officer.                      | At least Second Class Master's Degree in Statistics, Economics, Business Administration or Commerce, from a recognized University. |  | 22 to 30 years | <p>(a) Sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Accountants, who have qualified PIPFA or SAS Examination;</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Accountants.</p> <p>(c) twenty per cent by initial recruitment;</p>   |
| 7. | Superintendent.   |  |  |                | <p>By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants and Senior Scale Stenographers, having five (05) years service as such.</p> <p><b>Note:</b> For the purpose of promotion a joint seniority list of Assistants and Senior Scale Stenographers shall be maintained.</p>  |
| 8. | Assistant Accountant.   |  |  |                | By promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Accountants; having five (05) years service as such.   |
| 9. | Senior Scale Stenographer.  |  |  |                | <p>By promotion on the basis of seniority-cum-fitness, from amongst the Junior Scale Stenographers with at least five (05) years service as such:</p> <p>Provided that if no suitable candidate is available for promotion then by transfer of a suitable officer.</p>   |

Account

Attested

*M. Qasim Shah*  
 Assistant Director  
 Treasuries & Accounts  
 Khyber Pakhtunkhwa  
 Peshawar

|     |                           |   |  |                |  |
|-----|---------------------------|---|--|----------------|--|
| 10. | Assistant.                | Atleast 2 <sup>nd</sup> class Bachelor Degree from a recognized University.   |  | 20 to 32 years | (a) Seventy-five per cent by promotion, on the basis of cum-fitness, from amongst the Senior Clerks five (05) years service, as Junior Clerk and Senior Clerk.<br>(b) twenty-five per cent by initial recruitment. |
| 11. | Sub-Accountant.           | At least 2 <sup>nd</sup> Class Bachelor's Degree in Commerce / Business Administration or ACMA or MBA from a recognized University.   |  | 21 to 35 years | By initial recruitment.  |
| 12. | Junior Scale Stenographer | i. At least 2 <sup>nd</sup> Division Intermediate or equivalent qualification from a recognized Board;<br>ii. a speed of seventy (70) words short hand in English and forty five (45) words per minute in typing; and<br>iii) knowledge of Computer in using M.S. Words and M.S. Excel.                     |  | 18 to 30 years | By initial recruitment.  |
| 13. | Computer Operator         | (i) Second Class Bachelor's Degree in Computer Science / Information Technology (BCS/ BIT four years), from a recognized University, or<br>(ii) Second class Bachelor's Degree from a recognized University with one year diploma in Information Technology from a recognized Board of Technical Education. |  | 21 to 32 years | By initial recruitment.  |

*Handwritten signature*

*Assistant Director*  
 Assistant Director  
 Treasuries & Accounts  
 Khyber Pakhtunkhwa  
 Peshawar

|     |              |   |  |                 |  |
|-----|--------------|---|--|-----------------|--|
| 14. | Senior Clerk |   |  |                 | By promotion, on the basis of seniority-cum-fitness, from the junior clerks with at least three (03) years service as such;  |
| 15. | Junior Clerk | i) At least 2 <sup>nd</sup> division Intermediate or its equivalent qualification from a recognized Board; and<br>ii) a speed of thirty (30) words per minute in typing.  |  | 18 to 30 years  | i) Thirty three (33) per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaries who possess qualification for initial recruitment having at least two (02) years service as such; and<br>ii) sixty seven per cent by initial recruitment.                          |
| 16. | Driver       | i) Secondary School Certificate from a recognized Board; and<br>ii) Valid LTV/HTV Licence with three years practical experience as Driver.<br><b>Note:</b><br>Preference shall be given to those who have sufficient experience in driving, repair and maintenance of vehicles. |  | 18 to 30 years  | By initial recruitment.  |
| 17. | Daftari      | At least second division Secondary School Certificate from a recognized Board.  |  | 18 to 30 years. | By promotion, on the basis of seniority-cum-fitness, from amongst Naib Qasids and other Class-IV employees of the Department having Secondary School Certificate from a recognized Board.<br><br>Provided that if no suitable person is available for promotion then by initial recruitment. |
| 18. | Naib Qasid   | Literate.   |  | 18 to 40 Years  | By initial recruitment.  |
| 19. | Bahishiti    | Literate.   |  | 18 to 40 Years  | By initial recruitment.  |

*[Handwritten signature]*

*Attested*

*[Handwritten Signature]*  
 ASSISTANT DIRECTOR  
 Finance & Accounts  
 Khyber Pakhtunkhwa  
 Peshawar

|     |            |           |  |                |                         |
|-----|------------|-----------|--|----------------|-------------------------|
| 20. | Chowkidar. | Literate. |  | 18 to 40 years | By initial recruitment. |
| 21. | Sweeper.   | Literate. |  | 18 to 40 years | By initial recruitment. |
| 22. | Mali       | Literate. |  | 18 to 40 years | By initial recruitment. |

**SECRETARY**  
**Government of Khyber Pakhtunkhwa**  
**Finance Department**

Dated 10-08-2018

No. NO.SO(ESTT)FD/1-16/2014/SSRC/Vol-III/Tr/.

Copy of the above is forwarded for information to:-

1. The Secretary to Govt:of Khyber Pakhtunkhwa, Establishment Deptt., Peshawar.
2. The Secretary to Govt:of Khyber Pakhtunkhwa, Law Department, Peshawar.
3. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
4. The Secretary Public Service Commission, Peshawar.
5. The Director Treasuries & Accounts, Peshawar.
- ✓ 6. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
7. PS to Finance Secretary.
8. The Manager, Govt: Printing Press, Peshawar for publication in official Gazette. Fifty copies of the Gazette Notification when published may be supplied.

  
SECTION OFFICER(ESTT)

*Asstkd* E.Name.Role 1981 (P/162)

*Assistant Director*  
Treasuries & Accounts  
Khyber Pakhtunkhwa  
Peshawar  
*Supdt.*  
15/8/18  
9578



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

12 (2) R/w 151 CPC  
Petition No. 883 /2024

In  
Service Appeal No.1900/2022

Sher Wahab, Assistant Accountant, District Comptroller of Accounts, Dera Ismail Khan and others.

..... (APPELLANT)

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Finance, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Director, Treasuries and Accounts, Khyber Pakhtunkhwa Peshawar.
4. Mir Azam Khan, Assistant Accountant (BPS-16), Treasury Establishment, Finance Department, Peshawar.

..... (RESPONDENTS)

JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1 TO 3.

AFFIDAVIT

I, Kamran Khan, Director Treasuries & Accounts, Khyber Pakhtunkhwa do hereby solemnly affirm and declare on Oath that the contents of joint para wise comments / reply to 12 (2) R/w 151 CPC Petition No. 883/2024 in service appeal No.1900/2022 on behalf of the respondents are true and correct to the best of my knowledge & belief and that nothing has been concealed from this Honorable Tribunal.

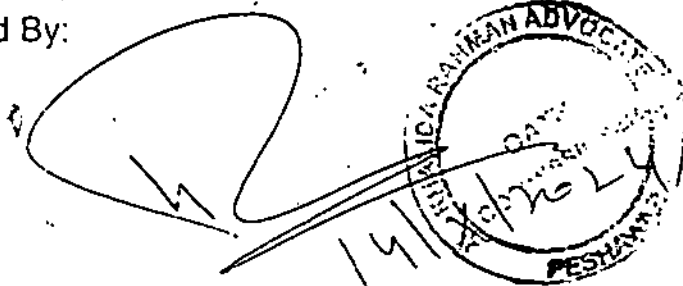
*It is further stated on oath that in this appeal, on swearing respondent neither has been placed ex parte nor their defence has been struck off/lost.* Deponent



(Kamran Khan)  
Director Treasuries & Accounts,  
Khyber Pakhtunkhwa  
Treasuries & Accounts,  
Khyber Pakhtunkhwa  
Peshawar

**ATTESTED**

Identified By:

  
14/11/2024  
MIRAZAM KHAN ADVOCATE  
PESHAWAR



**Directorate of Treasuries &Accounts  
Khyber Pakhtunkhwa**

Treasury Block, District Courts Compound, Behind Jamia Masjid, Khyber Road,  
Peshawar, Phone & Fax: 091-9211856

**AUTHORITY LETTER**

Mr, Shahid Hassan, Superintendent (BS-17)..... o/o the  
Director, Treasuries & Accounts Khyber Pakhtunkhwa /DCA, Peshawar is hereby  
nominated and authorized to attend the Honorable Khyber Pakhtunkhwa Service  
Tribunal Peshawar on ..... in service appeal No. **12(2) CPC  
Petition No.883 2024 In Service Appeal No 1900/2022** titled Sher Wahab  
& 07 other Vs Government of Khyber Pakhtunkhwa through Chief Secretary &  
others on behalf of Respondent **No.03** i.e. Director Treasuries & Accounts,  
Khyber Pakhtunkhwa, Peshawar.

He is also authorized to submit all sort of documents, statements,  
comments and replies etc in the said court, on behalf of Director Treasuries and  
Accounts, Khyber Pakhtunkhwa.

**Director  
Treasuries & Accounts  
Khyber Pakhtunkhwa**

Director  
Treasuries & Account:  
Khyber Pakhtunkhw:  
Peshawa