

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

**Appeal No. 1129/2024**

**Hidayat Shah, Senior Village Secretary (BPS-11), Village Council Balkor, Union Council Pashta, District Dir Upper.**

.....Appellant.

**VERSUS**

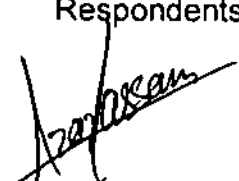
1. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Local Government Elections & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
4. The Secretary Finance, Department, Khyber Pakhtunkhwa, Peshawar.
5. Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

.....Respondents.

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Respondents  
Through:

  
Assistant Director (Litigation)  
Directorate General LG&RDD  
Khyber Pakhtunkhwa

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.....Appellant.

**VERSUS**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 17987

Dated 18-11-24

1. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Local Government Elections & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
4. The Secretary Finance, Department, Khyber Pakhtunkhwa, Peshawar.
5. Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

.....Respondents.

**JOINT PARA WISE REPLY BY THE RESPONDENT NO.1 TO 5.**

**Respectfully Sheweth!**

**PRELIMINARY OBJECTIONS:**

- i. The Appellant has no locus standi and cause of action.
- ii. The Appellant has not come to the Service Tribunal with clean hands.
- iii. The Appellant has concealed the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.

**ON FACTS:**

1. Pertains to record.
2. Pertains to record.
3. Pertains to record.

4. Correct, the necessary amendments were incorporated into the Service Rules, keeping in view the needs of the respondent department and fulfill the gap of Assistant Directors LG&RDD arisen from promotion of the Progress Officers LG&RDD in the respondent department.
5. Correct to some extent, but the only objective of the amendment was to fill the gap and producing / posting Assistant Directors LG&RDD for the newly created Tehsils in the Province to address shortage issue of Assistant Directors LG&RDD being faced by the respondent department.
6. Correct, but as explained above, objective of the amendments was to address the issue of HR shortage.
7. Irrelevant, hence denied.
8. Incorrect. The grievances of the applicant have already been forwarded to the administrative department for further course of action, wherein, among others the instant issue has been highlighted for the redressal.
9. Incorrect, similar notifications issued by the administrative department cannot be revoked by the attached Directorate without fulfilling the required formalities. However, a case has been forwarded to the administrative department, wherein besides others, the instant issue has been highlighted for correction and restoring the 20% quota instead of 30% as prayed for in the appeal. Ensuing Standing Service Rules Committee (SSRC) will decide the fate of the proposed amendment.
10. Correct to some extent, the appellant filed Appeal No. 9150 titled Hidayat Shah and others, challenging the service rules. However, it is pertinent to mention that the case was withdrawn on 13.11.2023, before the issuance of the impugned notification dated 17-04-2024.
11. As explained in Para-8 & 9 of above.

**ON GROUNDS:**

- A. Denied in light of above explanation.
- B. Denied, the amendment was made in the larger public interest.
- C. As explained above, the case has already been forwarded to Standing Service Rules Committee (SSRC) for remedial action.
- D. As explained above.

E. As explained above in para-C.


F. As explained above.

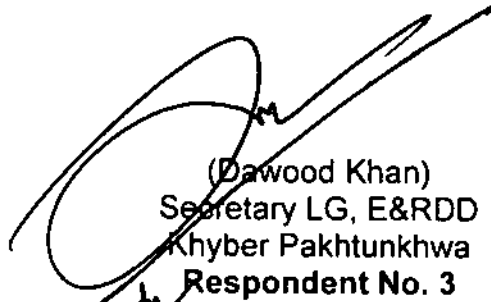
G. As explained above.


H. As explained above.


**PRAYER:**

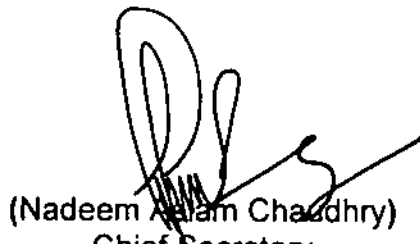
It is, therefore, humbly prayed that the instant Service Appeal being devoid of merit may be dismissed with cost please.

  
(Juniad Khan)  
Director General LG&RDD  
Khyber Pakhtunkhwa  
Respondent No. 5

  
(Dawood Khan)  
Secretary LG, E&RDD  
Khyber Pakhtunkhwa  
Respondent No. 3

  
(Ikramullah Khan)  
Secretary Finance Department  
Khyber Pakhtunkhwa  
Respondent No. 4

  
(Zulfikar Ali Shah)  
Secretary Establishment Department  
Khyber Pakhtunkhwa  
Respondent No.2

  
(Nadeem Alam Chaudhry)  
Chief Secretary  
Khyber Pakhtunkhwa  
Respondent No. 1

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.....**Appellant.**

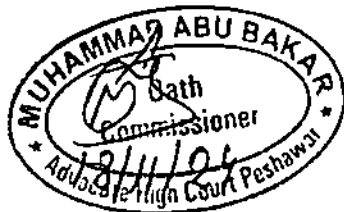
**VERSUS**

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5. Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

.....**Respondents.**

**AFFIDAVIT**

I, Junaid Khan, Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa solemnly affirm and declare on oath that Joint Para wise reply / comments in **Appeal. No. 1129/2024, Hidayat Shah VS Government of Khyber Pakhtunkhwa etc** are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Tribunal. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off.



*[Handwritten Signature]*  
Deponent

CNIC # 17301-1409293-7  
Cell # 0333-9137808

Identified By

**Advocate General  
Khyber Pakhtunkhwa**



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**DIRECTORATE GENERAL  
LOCAL GOVERNMENT & RURAL DEVELOPMENT  
DEPARTMENT KHYBER PAKHTUNKHWA**

**AUTHORITY LETTER**

**Mr. Azaz-ul-Hassan**, Assistant Director Litigation (BPS-17) in Directorate General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar is hereby authorized to submit Joint Parawise Comments / Reply in **Service Appeal No. 1129 / 2024 Hidayat Shah VS Government of Khyber Pakhtunkhwa etc.** in the Khyber Pakhtunkhwa Service Tribunal, Peshawar on behalf of all respondents.

**Director General  
LG&RDD, Khyber Pakhtunkhwa**

**Director General  
Local Govt: Rural Development  
Khyber Pakhtunkhwa**