

EXTRAORDINARY
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KHYBER PAKHTUNKHWA

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA **ESTABLISHMENT DEPARTMENT.**

NOTIFICATION

Dated: 23rd February, 2016.

No. SO(E-V) E&AD/14-2(2)/2016--- In exercise of the powers conferred by section 50 read with sub-section (4) of section 11 of the Khyber Pakhtunkhwa Ehtesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. I of 2014), the Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA AEHTESAB COMMISSION EMPLOYEES **SERVICE RULES, 2016**

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Ehtesab Commission Employees Service Rules, 2016.

(2) These rules shall apply to all the regular employees of the Directorate General of the Commission including those employees regularized by the Commission on the recommendation of Scrutiny Committee in accordance with sub-section (7) of section 11 of the Act.

(3) These rules shall come into force at once.

2. **Definitions.**---In these rules unless the subject or context otherwise requires, the following expressions shall have the meanings as assigned to them hereunder,-

- (a) "Act" means the Khyber Pakhtunkhwa Ehtesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. I of 2014);
- (b) "Appendix" means the Appendix appended to these rules;
- (c) "employee" means an employee of the Directorate General of the Commission, appointed on regular basis or regularized under these rules;
- (d) "initial recruitment" means appointment made otherwise than by promotion or transfer;
- (e) "post" means a post as specified in column No. 2 of the Appendix;
- (f) "Selection and Promotion Board" means the Selection and Promotion Board constituted under rule 6 of these rules; and
- (g) "Selection and Promotion Committee" means a Selection and Promotion Committee constituted under rule 7 of these rules.

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3. Method of appointment.---(1) Appointment to various posts in connection with the affairs of the Commission shall be made by initial recruitment, promotion or by transfer in the manner as specified in the Appendix.

(2) The qualification and other conditions applicable to a post shall be such as specified in the Appendix.

(3) All posts required to be filled by initial recruitment shall be duly advertised in at least two known daily newspapers of wide circulation.

(4) A candidate for initial recruitment to a post must possess the qualification and experience and must be within the age limit as specified in the Appendix.

(5) Notwithstanding anything contained in rules 6 and 7, if a vacuum occurs in the constitution of the Selection and Promotion Board or Selection and Promotion Committee, as the case may be, in pursuance of rule 4, the Director General may directly recommend the names of suitable candidates to the various posts to the Commission for their appointment.

4. Status of existing employees.---(1) The Commission shall constitute a Scrutiny Committee consisting of such number of persons as deemed appropriate to scrutinize the existing employees of the Directorate General for their suitability for appointment on regular basis under these rules.

(2) The Scrutiny Committee shall recommend the names of persons to the Commission for their appointment on regular basis under these rules on the basis of their credentials and other qualifications as provided in these rules.

(3) All persons regularized under these rules shall be deemed to be the regular employees of the Directorate General and shall be subject to all the provision of these rules.

5. Appointing Authority.---The Commission shall be the Appointing Authority for the purpose of appointment to various posts on the recommendation of the Director General as required under sub-section (4) of section 11 of the Act.

6. Selection and Promotion Board.---(1) There shall be a Selection and Promotion Board for the propose of initial recruitment, promotion and transfer of the officers in BPS 17 and above.

(2) The Selection and Promotion Board shall consist of --

- (a) Director General of the Chairman
Commission;
- (b) two Directors to be nominated by Member
the Commission (one shall be from
the concerned Wing); and
- (c) Additional Director, Human Member-cum-
Resource Wing. Secretary

(3) The Selection and Promotion Board shall, in case of initial recruitment, submit the list of the successful candidates to the Director General for its further recommendation to the Commission for appointment, as per provision of sub-section (4)

(4) The Selection and Promotion Board in case of promotion shall submit panel of employees eligible for promotion under these rules to the Director General for its further recommendation to the Commission for appointment, as per provision of sub-section (4) of section 11 of the Act.

7. Selection and Promotion Committee.--- (1) There shall be a Selection and Promotion Committee for the propose of initial recruitment, promotion and transfer in BPS 16 and below.

(2) The Selection and Promotion Committee shall consist of –

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| (a) | Director, Human Resource Wing; | Chairman |
| (b) | Director of the concerned Wing; and | Member |
| (c) | Assistant Director Human Resource Wing. | Member-cum-Secretary |

(3) The Selection and Promotion Committee shall, in case of initial recruitment, submit the list of the successful candidates to the Director General for its further recommendation to the Commission for appointment, as per provision of sub-section (4) of section 11 of the Act.

(4) The Selection and Promotion Committee in case of promotion shall submit panel of employees eligible for promotion under these rules to the Director General for its further recommendation to the Commission for appointment, as per provision of sub-section (4) of section 11 of the Act.

8. Age relaxation.---The Commission may relax the upper age limit upto five years on case to case basis, based on merit.

9. Seniority.---(1) The Appointing Authority shall maintain a proper seniority list for each wing of its employees and shall notify the same once in every calendar year, preferably in the month of January.

(2) The inter-se-seniority of the employees in the respective wing shall be determined,-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Selection and Promotion Board and Selection and Promotion Committee, as the case may be, provided that persons selected for appointment in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of persons appointed other than by initial recruitment, with reference to the dates of their continuous regular appointment to the post; provided that persons selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

(3) Seniority inter-se of the employees in the respective wing appointed by initial recruitment vis-à-vis those appointed otherwise shall be determined with reference to the dates of their appointment to a post in the wing; provided that if the two dates are the same, the person appointed by promotion shall rank senior to the one appointed by initial recruitment.

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10. Eligibility.---(1) A candidate for appointment shall be a citizen of Pakistan and bonafide resident of the Khyber Pakhtunkhwa.

(2) No person, who has been married with a foreign national or have dual nationality, shall be appointed to a post under these rules.

(3) No person, not already in Government service, shall be appointed to a post unless he produces a certificate of character from the principal, academic officer of the academic institution last attended and also certificate of character from two responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

(4) No candidate shall be appointed to a post unless he is found, after such medical examination as per Government rules in vogue, to be in good mental and bodily health and free from physical defect/s likely to interfere in the efficient discharge of his duties.

(5) Where a person appointed by initial recruitment to a post under these rules to produce any documentary proof regarding his age, the Commission may send him to its medical officer or to any other Registered Medical Practitioner, selected by the Commission for this purpose and his opinion with regard to the age of the employee shall be final. Age of the employee as registered at the time of his employment shall be recorded as final and shall not be questioned by the employee.

11. Retirement.---An employee shall retire from service of the Directorate General of the Commission on attaining the sixtieth year of his age.

12. Probation.---(1) A person appointed to a post shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year, if appointed otherwise, provided that if his work or conduct during the period of probation has, in the opinion of appointing authority, not been found satisfactory, the appointing authority may, notwithstanding that the period of probation has not been expired,-

- (a) dispense with his service, if he has been appointed by initial recruitment; or
- (b) revert him to his former post, if he has been appointed otherwise or if there will be no such post, dispense with his services; or
- (c) extend the period of probation for a period not exceeding one year in all and during or on the expiry of such extended period, pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation.---Officiating service or service spent on transfer to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended, and if no orders have been made by the day on which the maximum period of probation expires, the employee shall be deemed to have satisfactorily completed his period of probation.

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13. Confirmation.---On satisfactory completion of the probationary period, the employee shall be confirmed against a regular post.

14. Job descriptions.---The Commission shall, by regulations, make and notify job descriptions for all officers and officials, which shall be duly intimated to the Government within a period of one month after notification of these rules.

15. Resignation.---(1) An employee may resign from the service of the Commission after giving one month prior notice in writing to the Appointing Authority, failing which he shall be liable to pay an amount equal to one month's salary in lieu of the notice.

(2) In case the services of an employee are to be dispensed with for any reason, the Commission shall give one month's prior notice or one month's pay in lieu of the notice.

16. Other matters.---In all other matters not specifically provided for in these rules, the rules made by Government on those matters for civil servants shall be deemed to apply mutatis mutandis to the employees.

APPENDIX

Investigation Wing				
1.	Director.	(i) At least 2 nd Class Master's Degree in Criminology or Law in relevant field from a recognized University/ Institution; and (ii) 17 years experience in the field of Investigation.	45-50 years	By promotion, on the basis of seniority cum fitness from amongst the Additional Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-20 having relevant experience.
2.	Additional Director.	(i) At least 2 nd Class Master's Degree in Criminology, Law, Business Administration or Economics from a recognized institution/ university; and (ii) 12 years experience in the field of investigation.	35-45 years	By promotion, on the basis of seniority cum fitness from amongst the Deputy Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-19 having relevant experience.

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3.	Deputy Director.	<p>(i) At least 2nd Class Master's Degree in Criminology, Law, Business Administration, Economics or Defense and Strategic Studies from a recognized institution/ university; and</p> <p>(ii) Seven (07) years experience in the field of investigation.</p>	30-35 years	<p>By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors having at least 05 years service as such:</p> <p>Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.</p>
4.	Assistant Director.	<p>At least 2nd Class Master's Degree in criminology, Economics, Law or Business Administration from a recognized institution/ university; and</p> <p>Two years experience in the field of investigation.</p>	21-30 years	<p>By promotion on the basis of seniority cum fitness from amongst Junior Investigation Officers BPS-16 with five years service as such and having relevant experience. The officer must qualify the examination as specified by the Commission from time to time:</p> <p>Provided that if not suitable person is available for promotion then by initial recruitment.</p>

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5.	Junior Investigation Officer.	At least 2 nd class Bachelor's Degree with Law, Economics, Commerce or Business Studies as one of the subjects from a recognized University.	21-25 years	By initial Recruitment.
6.	Field Operator.	At least 2 nd Division FA or its equivalent with Economics, Commerce or Business Studies as one of the subjects from a recognized University.	21-25 years	By initial Recruitment.

Prosecution Wing				
1	Deputy Prosecutor General	i. L.L.B ii. Enrolled as Advocate High Court with 15 years experience in criminal cases. Experience in Anti-Corruption and financial crime cases may be considered as additional qualification. iii. Enrolment as Advocate Supreme Court may be given preference. iv. Shall have at least 20 successfully conducted criminal cases.	40-50 Years	By initial recruitment.
2	Special Prosecutor	i. L.L.B ii. Enrolled as Advocate High Court with 10 years experience including that of criminal trials. Experience in Anti-Corruption and financial crime cases may be considered as additional qualification. iii. Shall have at least 15 successfully conducted criminal trials.	30-45 Years	By initial recruitment.
3	Law Officer	i. L.L.B ii. Enrolled as Advocate High Court with 10 years experience including that of criminal trials. Experience in Anti-Corruption and financial crime cases may be considered as additional qualification. iii. Having conducted successfully at least 10 criminal trials.	35-40 Years	By initial recruitment.

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Human Resource Wing				
1.	Director	At least 2 nd class Master's Degree in Business Administration (HR), Public administration or equivalent qualification from recognized University/Institute with 20 years of human resource management experience in Govt / private sector (reputed) / international organization	45-50 years	By promotion, on the basis of seniority cum fitness from amongst the Deputy Directors having at least 17 years service as an Assistant Director and Deputy Director: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-20 having relevant experience.
2.	Principal Staff Officer	At least 2 nd Class Master's Degree in Public Administration from a recognized university with five years experience in the relevant field in any government department.	30-35 years	By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors (Admn) having at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.

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3.	Deputy Director	At least 2 nd class Master's Degree Business Administration (HR), Public administration or equivalent qualification from recognized University/Institute with 7 years human resource experience in Government / private sector(reputed) / international organization	30-35 years	By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.
4.	Assistant Director (Admn)	i. At least 2 nd Class Master's Degree in Public Administration from a recognized university; and ii. 3 years experience in administration in Government/reputable private sector / international organization.	30-35 years	By promotion, on the basis of seniority cum fitness from amongst Admin Officers having at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-17 having relevant experience.
5.	Assistant Director	At least 2 nd class Master degree Business Administration (HR), Public administration or equivalent qualification from recognized University/Institute.	21-30 years	By initial recruitment

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6.	Admin Officer	At least 2 nd Class Bachelor's Degree from a recognized University, with 5 years relevant experience in Govt. / reputed Private Organization.	25-30 years	By initial recruitment
7.	Public Relations Officer	At least 2 nd Class Bachelor's Degree from a recognized University with 2 years experience in the relevant field.	25-30 years	By initial recruitment
8.	Transport Supervisor	At least FA/FSc in 2 nd Division from a recognized Board with diploma in Auto Mobiles from a recognized Institution.	25-30 years	By initial recruitment

Finance and Audit Wing				
1	Director	i. At least 2 nd class Master's Degree in Business Administration (Finance) or ACMA/CA or its equivalent from recognized University, and ii. 15 years experience in Audit, Accounts and Finance.	45-50 years	By promotion, on the basis of seniority cum fitness from amongst the Deputy Directors having at least 17 years service as an Assistant Director and Deputy Director: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-20 having relevant experience.
2	Deputy Director Finance	i. At least 2 nd class Master's Degree in Business Administration (Finance) or its equivalent qualification from recognized University/Institute ii. 07 years post qualification experience in the field of finance and accounts.	30-35 years	By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.

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3	Deputy Director Forensic Accounting	i. at least 2 nd class Master's Degree in Business Administration, ACCA or its equivalent qualification from recognized University/Institute. ii. 05 years post qualification experience in the field of finance and accounts.	30-35 years	By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.
4	Assistant Director Audit	i. At least 2 nd class Master's Degree Business Administration, ACCA or its equivalent qualification from recognized University/Institute; and ii. 02 years relevant experiences in field of audit and accounts.	21-30 years	By initial recruitment
5	Assistant Director Procurement	i. At least 2 nd Class Master's Degree in Business Administration or Commerce or its equivalent qualification from a recognized University/Institution; and ii. 02 years relevant experiences in field of audit and accounts.	21-30 years	By initial recruitment
6	Assistant Director Budgets & Accounts	2 nd Class Master's Degree in Business Administration or Commerce or its equivalent qualification from a recognized University/Institution; and ii. 02 years relevant experiences in field of audit and accounts.	21-30 years	By initial recruitment

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7	Assistant Director Payments	2 nd Class Master's Degree in Business Administration (Finance), Commerce or its equivalent qualification from a recognized University/ Institution; and ii. 02 years relevant experiences in field of audit and accounts.	21-30 years	By initial recruitment
8	Accountant	2 nd Class Master's Degree in Business Administration or Commerce or its equivalent qualification from a recognized University/ Institution.	21-30 years	By initial Recruitment.

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Information and Data Processing Wing				
1	Director	i. At least 2 nd Class Master's in Information Technology, Computer Science or its equivalent qualification from a recognized University/Institution; and ii. 15 years experience in relevant field	40-50 years	By initial recruitment: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-20 having relevant experience.
2	Assistant Director- (Web)	i. At least 2 nd Class Master's Degree in Computer Sciences, Information Technology, or BS (Computer Science 04 years) or its equivalent qualification from a recognized University/Institute; and ii. 02 years experience in the relevant field.	21-30 years	By initial recruitment
3	Assistant Director- (Software)	i. At least 2 nd Class Master's Degree in Computer Sciences, Information Technology, or BS (Computer Science 04 years) or its equivalent qualification from a recognized University/Institute. ii. 02 years experience in the relevant field.	21-30 years	By initial recruitment

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4	Assistant Director- (Network)	<p>i. At least 2nd Class Master's Degree in Computer Sciences, Information Technology, or BS (Computer Science 04 years) or its equivalent qualification from a recognized University/Institute.</p> <p>ii. 02 years experience in the relevant field.</p>	21-30 years	By initial recruitment
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Internal Monitoring and Public Complaints Wing				
1	Deputy Director	i. At least 2 nd Class Master's Degree in Law, Economics, or its equivalent qualification from a recognized University/Institution; and ii. 5 Years experience in investigation in administrative capacity.	30-35 years	By promotion, on the basis of seniority cum fitness from amongst the Assistant Directors having at least 05 years service as such: Provided that if no suitable officer is available for promotion then by initial recruitment or by transfer of Government officer in BPS-18 having relevant experience.
2	Assistant Director	At least 2 nd Class Master's Degree in Business Administration or its equivalent qualification from a recognized University or Institute.	21-30 years	By initial recruitment.

Miscellaneous (Support Staff)				
1	Private Secretary	i. At least 2 nd Class Bachelor's Degree or its equivalent qualification from a recognized University/ Institution having at least 3 years relevant experience in any institution or organization of a repute; and ii. Knowledge of MS Office.	21-30 years	By initial recruitment.
2	Superintendent	i. At least 2 nd Class Bachelor's Degree or its equivalent qualification from a recognized University/ Institution; and ii. 12 years relevant experience in Govt / private organization (reputed).	21-30 years	By initial recruitment.
3	Computer Operator	At least 2 nd Class Bachelor's Degree in Computer Science, Information Technology or BCS/BIT 04 years from a recognized University/institute; or Bachelor degree from a recognized University with one Year Diploma in Information Technology from a recognized Board of Technical Education.	21-30 years	By initial recruitment.
4	Senior Clerk	i. At least 2 nd Class Bachelor's Degree from a recognized University/Institution. ii. 05 years relevant experience in Govt / private organization (reputed).	21-30 years.	By promotion on the basis of seniority-cum-fitness amongst Junior Clerks having at least 03 years service as such: Provided that if no suitable official is available then by initial recruitment.

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5	Junior Clerk	i. At least 2 nd Division FA/FSc from a recognized Board/Institution. ii. 2 years relevant experience in Govt / private organization(reputed).	21-25 years	By initial recruitment.
6	Telephone Operator	i. At least 2 nd Division FA/FSc from a recognized Board /Institution with knowledge of Computer. ii. Experience in the relevant field will be given preference	21-28 years	By initial recruitment.
7	Drivers	i. Literate. ii. Having a valid driving license and shall qualify the driving test conducted by the commission	21-28 years	By initial recruitment.
8	Naib Qasid	Literate	18-40 years	By initial recruitment.
9	Mali	Literate having relevant experience	18-40 years	By initial recruitment.
10	Sweeper	Literate	18-40 years	By initial recruitment.
11	Chowkidar	Literate	18-40 years	By initial recruitment.

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Ehtesab Courts				
1	Registrar	i. L.L.B ii. Judicial Officer working in BPS-18 OR has been a Judicial Officer for at least 5 years OR has the experience of being the Registrar with any Court or Tribunals	40-50 years	i. By initial recruitment; or ii. By transfer of suitable Judicial officer to be nominated by the Chief Justice Peshawar High Court.
2	Superintendent	i. At least 2 nd Class Bachelor's Degree from a recognized University/Institution. ii. 05 years relevant experience in Govt / private organization of a repute.	32-40 years	i. By initial recruitment; or ii. By transfer of suitable Govt.official.
3	Accounts Officer	i. At least 2 nd Class Master's Degree in Business Administration or M.Com ii. At least 5 years experience as Accountant OR iii. Account Assistant, preference will be given to the candidates who have worked in the Court Accounts.	30-40 years	i. By initial recruitment; or ii. By transfer of suitable Govt. officer.
4	Reader / Assistant	i. At least 2 nd Class Bachelor's Degree from a recognized University/Institution. ii. At least 10 year experience in the Court Works	30-35 years	i. By initial recruitment; or ii. By transfer of suitable Govt. official.
5	Senior Scale Stenographer	i. At least 2 nd Class Bachelor's Degree from a recognized University/Institution. ii. 100 words per minute in shorthand and 50 words per minute in typing in English. Preference will be given to the candidates having experience of work in the Courts and knowledge of MS Office and other Computer Programs relevant to the field.	21-30 years.	i. By initial recruitment; or ii. By transfer of suitable Govt. official.

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6	Key Punch Operator	At least 2 nd Class Bachelor's Degree in Computer Science, Information Technology or BCS/BIT 04 years from a recognized University/institute; or Bachelor degree from a recognized University with one Year Diploma in Information Technology from a recognized Board of Technical Education.	21-30 years	i. By initial recruitment; or ii. By transfer of suitable Govt. official.
7	Junior Clerk	i. At least 2 nd Division FA/FSc. ii. At least 30 words per minute typing speed; candidates having experience in dealing with court record shall be preferred	21-30 years	i. By initial recruitment; or ii. By transfer of suitable Govt. official.
8	Record Keeper	i. At least 2 nd Division FA/FSc. ii. At least 30 words per minute typing speed, candidates having experience in dealing with court record shall be preferred.	21-30 years	i. By initial recruitment; or ii. By transfer of suitable Govt. official.

Sd/-xxx
CHIEF SECRETARY
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