


01.02.2022

Counsel for the appellant present.

Learned counsel for the appellant seeks adjournment. Adjourned. To come up for preliminary hearing on 05.04.2022 before S.B.


(Mian Muhammad)
Member(E)

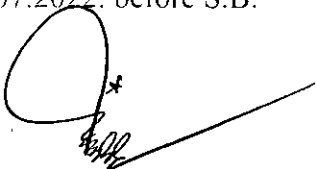
06.04.2022

Junior to counsel for the appellant present and requested for adjournment due to engagement of learned senior counsel before the Hon'ble Peshawar High Court. Adjourned. Last opportunity is granted. To come up for preliminary hearing on


Chairman

26.05.2022

Clerk to counsel for the appellant present and requested for adjournment on the ground that counsel for the appellant is not available today due to general strike of the Bar. Adjourned. to come up for preliminary hearing on 22.07.2022. before S.B.


(Mian Muhammad)
Member (E)

07.07.2021

Nemo for the appellant. Notice be issued to appellant/counsel. To come up for preliminary hearing on 30.09.2021 before S.B.

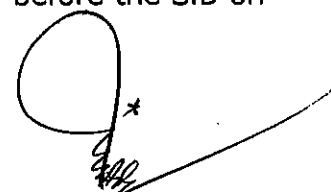


Chairman

30.09.2021

None for the appellant present.

Notices be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing before the S.B on 29.11 .2021.

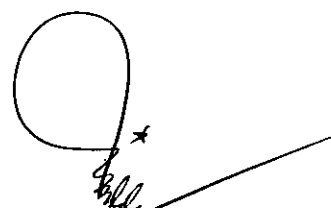


(MIAN MUHAMMAD)
MEMBER (E)

29.11.2021

None for the appellant present.

Notices be issued to the appellant and his counsel. To come up for preliminary hearing on 01.02.2022 before S.B.




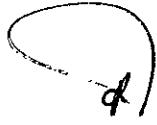


(MIAN MUHAMMAD)
MEMBER (E)

FORM OF ORDER SHEET

Court of _____

Case No.- 15609 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/11/2020	<p>The appeal of Mr. Sajjid Akhtar resubmitted today by Mr. Muhammad Idrees Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04.01.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/01/2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	04.01.2021	<p>Junior to counsel for the appellant present.</p> <p>Requests for adjournment as learned senior counsel for appellant is not available today due to some private engagement.</p> <p>Adjourned to 31.03.2021 for hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>
	31.03.2021	<p>Nemo for appellant.</p> <p>Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant case is adjourned to 07.07.2021 for hearing before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member(J)</p>

The appeal of Mr. Sajjad Akhtar Junior Clerk resident of Gaju Khan Road Mardan received today i.e. on 07.10.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Addresses of appellant and respondent no. 8 are ~~illegible which may be replaced by legible/better ones~~ ^{incomplete.}
- 2- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Copy of order dated 01.04.2019 against which appellant preferred departmental appeal is not attached with the appeal which may be placed on it.
- 4- Copy of salary slip mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 5- Annexures of the appeal may be attested. ?
- 6- Annexures of the appeal may be flagged.
- 7- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 8- Ten more copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal.

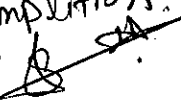
No. 2869 /S.T.

Dt. 08/10 /2020.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Idrees Adv. Pesh.

Note:

Re-submission after
necessary completion.
22/10/2020 

26/10/2020
= Request for grant of further time for re-submission
of service appeal and remove all the objections.


26-10-2020

10 days time further extended.


26/10/2020

BEFORE KHYBER PUKHTONKHWA SERVICE TRIBUNAL,

PESHAWAR

Appeal No **15609** / 2020.

Sajjad Akhtar

----- (Petitioner)

Versus

Government of Khyber Pukhtonkhwa and Others

----- (Respondents)

INDEX

S.NO	PARTICULARS OF DOCUMENTS	ANNEX	PAGES
1.	Service Appeal		1-6
2.	Copy of Appointment letter Dated 27/11/1990	A	7
3.	Order of Additional commissioner Dated 02/01/2020	AB	8-9
4.	Copy of order Dated 03/01/2013	B	10-13
5.	Copy of Pay slip	C	14
6.	Copy of No objection Certificate	D	15
7.	Other relevant documents		15-A- 18 20
8.	Wakalatnama		-----

Dated: ____/____/2020

Sajjad Akhtar

Petitioner

Through

Muhammad Idrees Khan

Advocate High Court

(12) (1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. _____ / 2020

Sajjad Akhtar Junior Clerk resident of Gaju Khan Road Mardan

(Appellant)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11317

Dated 07/10/2020

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary, Establishment & Administration Civil Secretariat, Peshawar.
- 2- The Additional Commissioner Mardan.
- 3- The Deputy Commissioner, Mardan.
- 4- The District Officer (Revenue & Estate), Peshawar.
- 5- Samiullah, Junior Clerk, District Office (R & E) Mardan.
- 6- Muhammad Sohail Junior Clerk, District Office (R & E) Mardan.
- 7- Ghulam Sarwar, Junior Clerk, DCO Office, Mardan.
- 8- Zahoor Ahmad, Secretary U/C Rustam/Senior Clerk, Mardan.

=====

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE ORDER DATED 02-01-2020, WHEREBY DEPARTMENTAL APPEAL FOR REPATRIATION TO PARENT DEPARTMENT FILED BY THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS

PRAYER:-

ON ACCEPTANCE OF THE INSTANT APPEAL THE IMPUGNED ORDERS DATED 02-01-2020, MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO REPATRIATE THE APPELLANT TO HIS PARENT DEPARTMENT.

ANY OTHER CONSEQUENTIAL RELIEF/ REMEDY WHICH THIS HONOURABLE TRIBUNAL MAY DEEM FIT AND PROPER UNDER THE

(Better Copy)

②

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. _____ / 2020

Sajjad Akhtar Junior Clerk resident of Gaju Khan Road Mardan

(Appellant)

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary, Establishment & Administration Civil Secretariat, Peshawar.
- 2- The Additional Commissioner Mardan.
- 3- The Deputy Commissioner, Mardan.
- 4- The District Officer (Revenue & Estate), Peshawar.
- 5- Samiullah, Junior Clerk, District Office (R & E) Mardan.
- 6- Muhammad Sohail Junior Clerk, District Office (R & E) Mardan.
- 7- Ghulam Sarwar, Junior Clerk, DCO Office, Mardan.
- 8- Zahoor Ahmad, Secretary U/C Rustam/Senior Clerk, Mardan.

=====

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ANY OTHER CONSEQUENTIAL RELIEF/ REMEDY WHICH THIS HONOURABLE TRIBUNAL MAY DEEM FIT AND PROPER UNDER THE

**CIRCUMSTANCES OF THE INSTANT APPEAL MAY ALSO BE AWARDED
IN FAVOUR OF THE APPELLANT.**

Respectfully Sheweth,

ON FACTS :-

Brief facts giving rise to the instant appeal are as under

- I. That the appellant is a bona fide, resident of Gaju Khan Road, Tehsil & District Mardan.
- II. That the appellant has unblemished service record and no complaint has ever been filed against him.
- III. That the appellant was appointed as Junior Clerk in D.C Office Mardan vide Letter No. 7629-32/ G.EA. Dated 27/11/1990. (copy of the letter is annexure-A)
- IV. The department has also maintained service book of the appellant wherein necessary entries have been made from time to time.
- V. That at the time the appellant has almost 19 years of service to his credit.
- VI. That in the year 2001 the Devolution System was introduced under which the Commissionerate System was abolished, resultantly appellant and others were declared surplus and were placed under the surplus pool.
- VII. That later on the appellant was adjusted in Education Department Mardan as Junior Clerk at Govt: Girls Higher Secondary School Toru Mardan where he has been performing his duties till date.
- VIII. That recently four vacancies of Junior Clerks in the office of Respondent No. 3 became vacant whereby the appellant filed departmental representation for his adjustment against one of the posts, which was rejected vide impugned order communicated vide letter dated 02-01-2020.

(Annexure - AB)

- IX. That other colleagues of the appellant who were similarly declared surplus due to the Devolution Plan 2001 and then adjusted in other departments were repatriated and readjusted in their parent department.
- X. That the respondent No. 8 namely Muhammad Zahoor filed an **Appeal No. 999/2012** before this Honorable Tribunal which was accepted and this Honorable Tribunal was pleased to Order the repatriation of respondent No. 8 to his Parent Department in an exactly similar appeal to the appeal in hand. (Copy of the Order dated 03.01.2013 is Annexure-B).
- XI. That the private respondents' no. 5 to 7 were also repatriated to their Parent Department from the Education Department who were working there as Junior Clerks, which finds mention in the said appeal decided by this Honorable Tribunal.'
- XII. That the applicant possess the same qualification and the same criteria/status submit this appeal to the respondents for equal treatment under **Article 25 of Constitution of Pakistan** and also extending benefits of the same order of the services tribunal with request to be repatriated to his Parent Department.
- XIII. That the applicants appeal was rejected vide order dated **02.01.2020**.
- XIV. That the said order is wrong illegal against the law and ineffective upon the rights of the appellants on following amongst other grounds
- XV. That the appellant is still deriving his salary and G.P Fund from his Parent Department and deserves to be repatriated to the Parent Department. (Copy of the Pay Slip is Annexure-C)
- XVI. That the appellant is being compelled to suffer illegally because in the Education Department he has no prospects of promotion and Upgradation to the next grade which is clear violation of the rights of the appellant.

XVII. That the Education Department has issued a letter dated 29.05.2019 whereby the Education Department has given its assent to the repatriation of the appellant to his Parent Department and has clearly stated that the Department will have no objection over the repatriation of the appellant to his Parent Department.

(Copy of the letter is Annexure-D).

XVIII. That the Appellant deeply aggrieved by the impugned Order of the Respondent No. 2, as the impugned Order is in violation of the policy, rules, service law, Fundamental Rights of the Appellant, having no other adequate speedy, alternate and efficacious remedy preferred the instant Appeal inter-alia, on the following amongst many other grounds

GROUND:

1. Because the impugned orders are against the law, facts norms of natural justice and material on the record, hence not tenable in the eye of law therefore liable to be set aside.
2. Because the appellant has not been treated in accordance with law and rules and as such the respondents has violated **Article 4 & 25 of the Constitution of Islamic Republic of Pakistan 1973.**
3. Because the impugned Order of the respondent No.2 is cursory in nature and warrants interference of this Honorable Tribunal.
4. Because the appellant is also entitled so that the benefits of the order of this Honorable Tribunal dated 03.02.2013 may also be extended to him, as per the judgments of the **Honorable Supreme Court of Pakistan 2009 SCMR page 1, PLD 2010 SC page 878, 2014 PLC page 806 Peshawar.**
5. Because the impugned order whereby the appellants repatriation to his parent department has been rejected is arbitrary and mala fide manner, therefore not tenable in the eyes of law..

- 6. Because as per law the appellant is entitle to be equally treated and the benefit of Zahoor Ahmad case may also be extended to the appellant...impugned order has been suspended of this Honorable Tribunal in another appeal filed by Zahoor Ahmad, therefore the appellant is entitled for equal treatment and the said order may also be suspended to the extent of the appellant.
- 7. That the Appellant seeks leave of this august Tribunal to claim further grounds also;

It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 07-10-2020

Sajjad Akhtar
 APPELLANT

Sajjad Akhtar

Through

Muhammad Idrees Khan
 Muhammad Idrees Khan
 Advocate High Court.

A T T E S T E D

① 7/10/2020

...
 ...
 ... COMMISSIONER

02/05/2019
02/01/2020
2019

**IN THE COURT OF ABDUL KABIR KHAN ADDITIONAL COMMISSIONER
MARDAN DIVISION MARDAN.**



Sajjad Akbar, junior Clerk

Appellant

Vs

Deputy Commissioner Mardan

Respondent

Case No..... /ARMC
Date of institution: 02/05/2019
Date of Decision: 02/01/2020

**DEPARTMENTAL APPEAL AGAINST THE ORDER DATED
01/04/2019 PASSED BY THE DEPUTY COMMISSIONER
MARDAN.**

ORDER:-

This is an appeal against the order dated 01/04/2019 passed by the Deputy Commissioner Mardan vide which an application of the appellant for repatriation to Deputy Commissioner Office Mardan was regretted. Feeling aggrieved from the said order, the present appellant filed an appeal before this court.

Amir

Concisely stated facts of the case are that the appellant was the appointed in the office of the Deputy Commissioner Mardan in the year 1990. In the year 2004, the commissionerate system was abolished due to which the present appellant was surplus and was placed in the surplus pool. The appellant was adjusted in education department as junior clerk in 2006. In this regard, the present appellant filed an appeal/application for repatriation before the court of Deputy Commissioner Mardan which was regretted vide order dated 01/04/2019. Feeling aggrieved from the said order, the present appellant filed an appeal before this court.

Today counsel for the appellant made arguments stated that the present appellant appointed in the DC, office Mardan as junior clerk vide office order during the year 1990. After the devolution of power during the year 2004, the official/appellant was declared as a surplus. Later on during the year 2006, the official was adjusted in the education department. Now as the office of the defunct DC, office has been restored in the year

2013. The learned counsel further argued that the appellant is entitled to be re-adjusted in the office of DC, Mardan. The present appellant has moved an application for re-adjustment in the office of Deputy Commissioner Mardan.

From perusal of the available record and arguments of the respective counsel, it transpires that the official was appointed a junior clerk in the office of the Deputy Commissioner Mardan. As and when devolution plan during the year 2001 was implemented, the official was declared as surplus. And later on, he was adjusted in the education department. The surplus pool policy was specific for some time. After lapse of round about 20 years, re-adjustment of the present appellant in the office of the Deputy Commissioner Mardan is not according to law. Moreover, the application of the present appellant was re-adjustment is also barred by time.

As a sequel to the above discussion, the instant appeal has no force and is devoid of merit. The order passed by the Deputy Commissioner Mardan dated 01/04/2019 is based on merit, fulfill the ends of justice, warrant no interference. Consequently, the appeal in hand is hereby dismissed. Parties are left to bear their own cost.

File be consigned to record room after necessary completion.

Announced.
02/01/2020

This order consists of two pages. Each and every page has been read and signed by me.

Jmm
Abdul Kabir Khan
Additional Commissioner
Mardan Division, Mardan

Abdul Kabir Khan
Abdul Kabir Khan
Additional Commissioner
Mardan Division, Mardan

241
Date of Application... 18-3-20
Name of Applicant...
Ward No... Fee...
Grant Fee...
Dist of Copyist...
Date of Preparation... 21/10/20

ATTESTED
[Signature]
Examiner/Reader
Additional Commissioner's Court
Mardan Division, Mardan

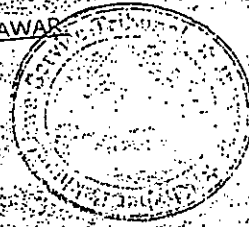
01/10/20

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 999/2012

Date of Institution: 11.9.2012
Date of Decision: 3.11.2013

Zahoor Ahmad, Secretary U/C Rustam/Senior Clerk,
Mardan. (Appellant)



(10)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Secretary, Establishment & Administration Civil Secretariat, Peshawar.
2. The District Coordination Officer, District, Mardan.
3. The District Officer (Revenue & Estate) Peshawar.
4. Samiullah, Junior Clerk, Distt. Officer (P&E) Mardan.
5. Muhammad Sohail, Junior Clerk, District Officer (R&E) Mardan. (Respondents)
6. Ghulam Sarwar, Junior Clerk, DCO office, Mardan.

Attested
[Signature]

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT 1974, AGAINST THE IMPUGNED ORDER COMMUNICATED VIDE LETTER DATED 4.9.2012 ISSUED BY RESPONDENT NO. 2, VIDE WHICH THE DEPARTMENTAL REPRESENTATION OF THE APPELLANT WAS REJECTED/FILED.

MR. KHALID RAHIMANI,
Advocate

For appellant

MR. SHERAFGAN KHATTAK,
Addl. Advocate General

For official respondents

MR. AMJAD ALI,
Advocate

For private respondents

MR. NOOR ALI KHAN,
SYED MANZOOR ALI SHAH,

MEMBER
MEMBER

JUDGMENT

MR. NOOR ALI KHAN, MEMBER. This appeal has been filed by Zahoor Ahmad, the appellant under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, against the order dated 4.9.2012 issued by respondent no.2 whereby his departmental appeal for repatriation to parent department has been rejected. It has been prayed that on acceptance of the appeal, the impugned order may be set aside and the appellant be repatriated to his parent department and adjusted against the vacant post of Senior Clerk with all other consequential benefits.

ATTESTED

[Signature]

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11

Brief facts of the case are that the appellant was initially appointed as Junior Clerk on 3.6.1982 in the office of the then Deputy Commissioner Mardan and later on promoted to the post of Senior Clerk. The department has also maintained service book of the appellant wherein necessary entries have been made from time to time. At the moment appellant has at his credit more than 29 years service. In the year 2001 the Devolution system was introduced under which the Commissionerate System was abolished resultantly appellant and others were declared surplus and were placed under the surplus pool. Vide order dated 8.9.2001 appellant was adjusted as Secretary Union Council Maho Dheri Mardan and later on posted to Union Council Rustam (Mardan) where he has been performing his duties till date. Recently three vacancies of Senior Clerks in the office of respondent No. 3 became vacant. The appellant filed departmental representation to respondent No. 2 on 25.6.2012 for his adjustment against one of the posts which was rejected/filed vide impugned order communicated vide letter dated 4.9.2012, hence the present appeal.

The appeal was admitted to regular hearing on 20.9.2012 and notices were issued to the respondents. The respondents have filed their written replies and contested the appeal. The appellant also filed rejoinder in rebuttal.

Arguments heard and record perused

The learned counsel for the appellant argued that the appellant has not been treated in accordance with the law, rules and policy on the subject. In similar circumstances other colleagues of the appellant namely Malak Junaid, Israr Muhammad, Liaqat Ali, Kifayatullah, Junior Clerks working in Defunct Deputy Commissioner office became surplus due to devolution plan and then adjusted in other departments. On creation of posts, they were repatriated and readjusted in their parent department. Mr. Liaqat Ali and Kifayatullah, who were adjusted in the Education Department, Malak Junaid and Israr Muhammad in Excise & Taxation Department were repatriated and readjusted in DOR office Mardan. Similarly private respondent No. 4 namely Samiullah, who was adjusted as Secretary Union Council, has been transferred mutually and adjusted as Junior Clerk in DOR office Mardan vide order dated 26.1.2006. Likewise, M/S Murad Ali, Assistant, adjusted in Fisheries/Agriculture Department, Khalid Pervez, Senior Clerk in Education Department, Aftab Ali Junior Clerk in Health Department, Syed Shah Hussain, Junior Clerk in Education Department, Syed Maqbool Shah, Lab. Assistant in Education Department, and Feroz Hussain, Lab. Assistant in Education Department were repatriated and re-adjusted in Commissioner office Mardan, vide order dated 8.7.2009. On 1.8.2009, six more officials of various categories adjusted in other

4
12

departments permanently have been repatriated and re-adjusted in their parent Department i.e. Commissioner's office Mardan. He further argued that no policy regarding adjustment of ex-staff had been framed by the respondents as yet, and they are trying to adjust them through pick and chose, the practice against the law/rules. All the citizens are equal before law and should be treated equally in accordance with the law as per Articles 4 and 25 of the Constitution of Islamic Republic of Pakistan. The appellant being adjusted against a wrong post was more deserving for repatriation and adjustment in his parent department but he has been discriminated. He requested that the appeal may be accepted as prayed for.

6. The learned counsel for private respondents No. 5 to 6 opposed the plea taken by the appellant regarding repatriation of his other colleagues to the office of District Officer (Revenue & Estate) Mardan because the persons as referred to above are almost Junior Clerks and Assistants while the appellant is a Senior Clerk. The appellant while serving as Senior Clerk in the defunct Deputy Commissioner Office Mardan became surplus due to devolution plan. He was then adjusted as Secretary Union Council and after 11 years service under District Government, he could not ask for his repatriation to his parent department. In fact there are three posts of Senior Clerk lying vacant in the District Officer (R&E), DCO and Finance & Planning offices Mardan against which DPC meeting was called to consider the promotion cases of Junior Clerks including the private respondents and if the appellant is repatriated, the private respondents would suffer irreparable loss and would be deprived of their legitimate rights of promotion. He requested that the appeal may be dismissed. The learned AAG also adopted the arguments advanced by the learned counsel for the private respondents.

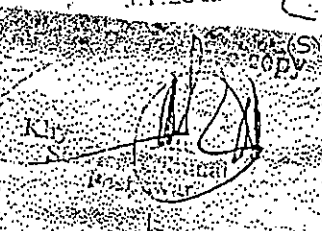
7. The Tribunal observes that after devolution plan in the year 2001, officials of various categories serving in the defunct Commissioner and Deputy Commissioner offices became surplus. The appellant while serving as Senior Clerk in the office of Defunct Deputy Commissioner office Mardan had also been declared surplus. He was then adjusted as Secretary Union Council in his own pay and scale. On creation of DCOs, DOR offices and restoration of commissionerates, the official respondents inflicted repatriation/adjustment of their ex-staff without framing policy/instructions. They must frame a unified policy for adjustments of their old staff on the basis of experience and other factors, but no such policy framed and adopted the practice of pick & chose. The appellant being adjusted against the wrong post as Secretary Union Council in his own pay and scale was more deserving for adjustment in his parent department but he has been denied for no plausible reason.

In view of the above discussion, the No. 2 and 3 are directed to repatriate the appellant to his parent department and adjust him against the vacant post of Senior Clerk. It is further observed that Devolution plan of General Musharraf (ii) had played havoc upon and broken the back-bone of Administrative set up. Since government is again restoring Commissionerate system, therefore instead of fresh recruitments and repatriating the then experience staff at random, government should make amendment in surplus staff adjustment policy specially with respect to Ex-Commissioner and Deputy Commissioner offices staff only for readjustment to facilitate smooth running of the above referred offices.

This order will also dispose of Service Appeal No. 1002/2012 titled "Hamid Ali Taj Versus the Government of Khyber Pakhtunkhwa through Secretary Establishment & Administration Department, Peshawa etc.", in the same manner.

ANNOUNCED
11.1.2013

Mr. Noor Ali Khan
Member
Mr. Sajid Mansoor Ali Khan
Member



Date of Issuance 10.1.2013
1600
10
10
12.2.2013
12.2.2013

District Accounts Office Mardan
Monthly Salary Statement (September-2020)



Personal Information of Mr SAJJAD AKHTAR d/w/s of FAZLI NABI

Personnel Number: 00168385 CNIC: 12887100530 NTN:
Date of Birth: 17.02.1967 Entry into Govt. Service: 01.12.1990 Length of Service: 29 Years 10 Months 001 Days

Employment Category: Active Permanent

Designation: JUNIOR CLERK 80003527-DISTRICT GOVERNMENT KHYBE
DDO Code: MR6134-PRINCIPAL G.G.H.S.S TORU MARDAN
Payroll Section: 003 GPF Section: 002 Cash Center:
GPF A/C No: GAMR000562 Interest Applied: Yes GPF Balance: 588,279.00
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 11 Pay Stage: 25

Wage type		Amount	Wage type		Amount
0001	Basic Pay	34,570.00	1000	House Rent Allowance	1,853.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	790.00	2199	Adhoc Relief Allow @10%	526.00
2211	Adhoc Relief All 2016 10%	2,679.00	2224	Adhoc Relief All 2017 10%	3,457.00
2247	Adhoc Relief All 2018 10%	3,457.00	2264	Adhoc Relief All 2019 10%	3,457.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-600.00
3609	Income Tax	-258.00	4004	R. Benefits & Death Comp.	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 3,086.95 Recovered till September-2020: 774.00 Exempted: 0.95- Recoverable: 2,313.90

Gross Pay (Rs.): 55,145.00 Deductions: (Rs.): -2,748.00 Net Pay: (Rs.): 52,397.00

Payee Name: SAJJAD AKHTAR

Account Number: 7482-5

Bank Details: NATIONAL BANK OF PAKISTAN, 230365 MARDAN MAIN BRCH MARDAN MAIN BRCH, MARDAN

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: MARDAN

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

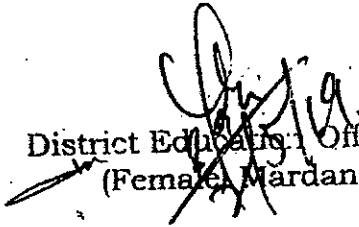


OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230150

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

NO OBJECTION CERTIFICATE

Certified that this office has no objection on the deputation of Mr: Sajjad J/Clerk GGHSS Toru Mardan to Deputy Commissioner Office Mardan applied for the post of J/Clerk.


District Education Officer
(Female Mardan)

15-A

The Deputy Commissioner,
Mardan.

Subject: APPLICATION FOR TRANSFER FROM EDUCATION
DEPARTMENT TO D.C.OFFICE MARDAN.

Respectfully Sir.

It is submitted for your kind information that
I, was appointed in 1990 by the then Deputy Commissioner
Office Mardan as Junior Clerk.

After that I have performed duty in various Courts/Offices i.e.
Judicial/Executive Magistrate and Revenue Officer as Reader/
Muharrir and Typist.

in 2004 the Ex-President dismissed Deputy Commissioner/
Commissioner, Mardan Division Mardan. Due this reason
all staff were pushed into Surplus Pool. I was adjusted in
2006 in Education Department as Junior Clerk and still
waiting for repatriat to my parent office.

In this respect I request your honour to please I may kindly be
transferred from Education Department.

Your Obedient



(SAJJAD AKHTAR)

To, 02/01/20

02/05/2019



The Commissioner,
Mardan.

Subject: Departmental Appeal against Order
of Deputy Commissioner Dated 1/4/2019.

Respected Sir;

- 1- That the Petitioner was appointed to the D.C. Office, Mardan in 1990 as Junior Clerk.
(Appointment letter is Annex-A)
- 2 - That the Petitioner has performed his duties in various Courts/offices, i.e., Judicial/Executive Magistrate as Reader/muharrir and typist.


3) That in the year 2004, the ex-President abolished the Commissionerate system and majority of the staff including the Petitioner were placed in the surplus pool.

4) That the Petitioner was adjusted in Education Department as Junior Clerk in 2006 and is still working in Education Department without any prospects of promotion/Upgradation to the next scale.

5) That the Petitioner is still receiving his Salary/G.P. Fund etc from his Parent Department, i.e., the D.C. Office.

6) That in this regard, the Petitioner filed an appeal before the Deputy Commissioner, Morodan for his repatriation to his Parent Department which was dismissed vide Order dated 1/4/2019.

(Copy of the Order is attached).

ATTESTED

Attesting Officer
Morodan, Commissioner's Office

21/10/20

That it is pertinent to mention here that other colleagues of the petitioners after having appealed to the Honorable Service Tribunal were repatriated to their Parent Department, therefore, the Petitioner has every right to be treated alike to his other colleagues (Copy of Order of Service Tribunal is Annex - C)

It is, therefore, humbly prayed that on acceptance of the instant appeal, the Petitioner may kindly be re-patriated to his Department.

Petitioner Sajjad Akhtar
Sajjad Akhtar

through

M. Idrees Khan Advocate

M. Idrees Khan

Dated: 30/4/19

241
Date of Application: 18-7-20
Name of Applicant: Sajjad Akhtar
No. of D.O. Rec: 122
Signat Fee
Name of Copyist
Date of Presentation: 01/10/20

ATTESTED
[Signature]
Examiner/Reader
Sessions Judge's Court
Muzaffargarh
01/10/20



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(19)

OFFICE OF THE
DEPUTY COMMISSIONER
MARDAN
No. 27 /DC (M)/EA-04
Date Mardan the 01/10/2019.

To:-

✓
Mr. Sajjad Akhtar Junior Clerk,
Govt: Girls Higher Secondary
School Toru Mardan.

Subject:- APPLICATION FOR TRANSFER FROM EDUCATION
DEPARTMENT TO DCPUTY COMMISSIONER OFFICE
MARDAN.

Memo:- This is with reference to your application dated Nil on the subject
noted above.

You are working as junior Clerk in Education Department and want
to be transferred/repatriated to Deputy Commissbner office Mardan being your
parent department, which is against the Khyber Pakhtunkhwa (Appointment,
Promotion & transfer) Rules, 1989, coupled with Board of Revenue Notification
No.2074/Estt:I,II/135/SSRC, dated 23-01-2015. Under the ibid rules, an explicit
procedure is in place for appointment of junior Clerks i.e initial recruitment
through the prescribed procedure or by promotion from amongst the Class-IV
employees, and there is no provision for repatriation of an employee in the said
rules.

In view thereof, your request is hereby regretted.

Deputy Commissioner
Mardan

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OFFICE OF THE DEPUTY COMMISSIONER MARDAN

(POSITIONS ANNOUNCEMENT)

Online Applications are invited from qualified candidates domiciled in District Mardan for filling the following vacant positions in office of the Deputy Commissioner Mardan.

S#	Name of Post	No of Posis	Eligibility	Minimum Prescribed Qualification	Age Limit
1	Assistant (BPS-16)	01	Both sexes	At least Second Class Bachelor's Degree from a recognized University.	20-30 Years
2	Junior Clerks (BPS-11)	03	Male: 01 Female: 02	i. At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and ii. A speed of 30 words per minute in typing.	13-30 years
3	Sub Engineer (BPS-11)	01	Both sexes	Diploma in Associate Engineering in Civil Technology from Board of Technical Education with certificate in Computer Aided Design (CAD) from a recognized Institution.	18-30 years

TERMS & CONDITIONS:

- i. Recruitment shall be carried out in accordance with policy provided by Govt of Khyber Pakhtunkhwa.
- ii. Candidate who apply for the post(s), are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules even after conduct of all tests. Candidates are required to make correct entries in the online application form which must be documentary proved. Documents for unclaimed entries will not be entertained later on and such unclaimed qualification, experience etc will not be accepted.
- iii. The qualification & age possessed only on the closing date of the advertisement shall be taken into consideration.
- iv. Only relevant experience will be admissible.
- v. Incomplete applications will not be entertained.
- vi. Relaxation in age is admissible as per rules.
- vii. Employees of Official/Semi-Official/Autonomous Bodies/Corporations should send their applications through proper channel.
- viii. ETEA shall hold screening/typing test and only shortlisted candidates, on the basis of marks in screening test, will be called for the interview. No TA/DA will be admissible for test/interview.
- ix. The competent authority reserves the right not to fill any or fill more or less than the advertised post(s).

How to Apply

- (i) Please keep your documents and passport size scanned picture (Soft Copy) with you for filling online Application Form. Read the instructions thoroughly before filling the online Application Form.
- (ii) A candidate intending to apply for more than one post shall apply separately for each post.
- (iii) Interested candidates should visit any UBL Branch and deposit processing fee of Rs: 500/- in ETEA UBL Account NO. 247812729.
- (iv) Get printed Receipt from the Bank Counter having 09 or 10 digit transaction number, 04 digit bank branch code and date of transaction. (Deposit fee on your Name & CNIC. fee deposited on someone else Name/CNIC shall not be verified).
- (v) Give the information on the bank printed receipt in the respective fields on online application form.
- (vi) ETEA shall verify deposited fee at any stage; if your payment is verified, your candidature shall be rejected.
- (vii) Online application form will be available on www.etea.edu.pk from 27th March, 2019
- (viii) Last date for submission of Online Applications will be 11th April, 2019.
- (ix) Candidates will be informed through SMS by ETEA to download and print their Roll No Slips from www.etea.edu.pk. Candidates should Keep visiting the ETEA website from time to time.
- (x) Test date, time and venue will be mentioned in the Roll No. Slip.
- (xi) Provision of testimonials, with the online application will not be required at the time of submission of forms/before the test. Copies of testimonials documents will, however, be provided by the short-listed candidates on the basis of screening test as and when required by ETEA/Appointing Authority for scrutiny purposes after the screening test.
- (xii) All applications are accepted provisionally. Candidates will be responsible for wrong apply and can be excluded from the recruitment process at any stage.
- (xiii) Leaving any part in the application form unfilled or any mis-information will automatically disqualify the candidate from the whole recruitment process at any stage.

MUHAMMAD ABD KHAN WAZIR

مورخہ 7 اکتوبر 2020ء منجانب سائل احمدی
مقدمہ بعنوان سجاد افتر نام لکھنؤ و عشرہ
مقدمہ نمبر Service Appeal رجوع
نوعیت مقدمہ
مقدمہ علت نمبر مورخہ
جرم تھانہ

50
روپے

باعث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ مسعود المصوبہ نکلے و کورٹ کو وکیل مقرر ایڈووکیٹ ہائی کورٹ
آن مقام پشاور کیلئے محمد ادریس خان ایڈووکیٹ ہائی کورٹ

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر
ی ثالث و فیصلہ بر حلف دینے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، عذر داری، درخواست زیر دفعہ (2) 12
ض د، درخواست برآمدگی و سہولت کی درخواست، برآمدگی کاروائی و ڈگری کی طرفہ دائر کرنے جواب، جواب
الجواب وغیرہ درخواست کاروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق زراس پر دستخط وغیرہ
کرنے کا اختیار ہوگا۔ اپیل، اپیل ذرا اپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرانے کا بھی اختیار ہوگا۔ اور بصورت
ضرورت مذکورہ کے عمل یا جزوی کاروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب
مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداشتہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر
جانہ التوائے مقدمہ کے سبب سے ہوگا اسے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی
تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا حد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ
پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سند رہے۔

المرقوم: 07/10/2020

مقام پشاور کے لئے منظور ہے۔

نوٹ: اس وکالت نامہ کو کوئی ناقابل قبول ہوگی۔

Advocate I.D:
Bar Council 16-6887
Bar Association Mardan
Contact #: 0313-9918759.

Attested & Accepted
بعد الت

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. *SI*

No.

APPEAL No. *15609* of 20 *20*

Sajjad Akhtar

Appellant/Petitioner

Versus

the Court of KPK through Secy: Estab Peshawar.

RESPONDENT(S)

✓
Notice to Appellant/Petitioner

*Sajjad Akhtar Junior Clerk
Resident of Gaju Khan Road Mardan.*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *29/11/21* at *9: am.*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

[Signature]
~~Registrar~~
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

APPEAL No..... 15609 of 20 20

Sajjad Akhtar

Appellant/Petitioner

Versus

The Govt of KP through Secy. Estab

RESPONDENT(S)

✓
Notice to Appellant/Petitioner

Sajjad Akhtar Junior
clerk Resident of Maju Khan
Road Mardan.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 1/2/22 at 9 am.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.



Registrar,

2 Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

