

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
AT CAMP COURT SWAT.

Service Appeal No. 756/2018

Date of institution 30.05.2018

Karim Bakhsh (Ex-Sweeper) Presently posted at Zilla Council Bunir.

VERSUS

Secretary Local Council Board, Khyber Pakhtunkhwa, Peshawar and
three others.

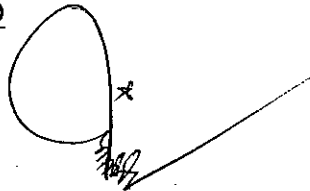
ORDER
11.05.2022

Appellant namely Karim Bakhsh in person present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Appellant stated at the bar that he does not want to pursue his appeal further and requested for withdrawal of the same. In this respect, he also submitted an application, which is placed on file.

In view of the above, the appeal in hand stands dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
11.05.2022



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT SWAT



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT SWAT

بعد الٹ جتا۔ اس طرز پر جو خط لکھا گیا ہے اور اس صورت

ایم جی ایف سوئیڈ (نام) اسٹریٹ ڈاکٹر کمر کا لوگ گورنمنٹ ہسپتال لاہور وغیرہ

مردہ ایس آر 756/2018

درخواست مراد :- والدی ایس فزکرس مالہ

ختم علی :- حسب ذیل عرض ہے

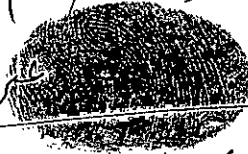
1 :- میں ایس فزکرس مالہ عدالت حضور صوبہ لاہور سے

جسٹس آئی آر 756/2018 تاریخ پیشی منظور ہے

2 :- میں سے سائل ایسٹ فزکرس مالہ ایس کو والدی لینا چاہتا ہوں

منہ پر کارروائی کی ضرورت ہے

لہذا استدعا ہے کہ منظور فرمایا جائے اور ایس فزکرس مالہ کو
والدی کرنے کی اجازت اخذ فرما کر جانے



ایم جی ایف سوئیڈ

ایسٹریٹ

CNIC Number

1801-2329982-3

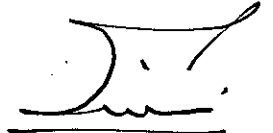
04.04.2022

Clerk of learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Clerk of learned counsel for the appellant submitted an application, whereby Shams-ul-Hadi Advocate, who is representing the appellant, has requested for withdrawal of his Wakalatnama. Application is allowed and Wakalatnama of Shams-ul-Hadi Advocate stands withdrawn. Notice for prosecution of the appeal be issued to the appellant through registered post and to come up for arguments on 09.05.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)
Member (J)
Camp Court Swat



(Salah-ud-Din)
Member (J)
Camp Court Swat

09.05.2022

Tour of Swat has be rescheduled from 10.05.2022 to 13.05.2022, therefore, to come up on 11.05.2022 for the same as before.

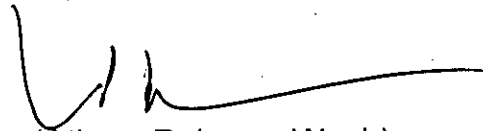
Reader

06.12.2021

Appellant present through counsel.

Muhammad Rasheed learned Deputy District Attorney for respondents present.

Request for adjournment was made on behalf of appellant. Opportunity is granted and case is adjourned. To come up for arguments 07.02.2022 before D.B at Camp Court, Swat.



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Swat.



(Rozina Rehman)
Member (J)
Camp Court, Swat

07.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 04.04.2022 for the same as before at Camp Court Swat.

Reader

Due to covid, 19 therefore to come
up for the same on 05/10/21

Jim
Reader

05.10.2021

Nemo for appellant.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

Preceding date was adjourned on a Reader's note, therefore, appellant/counsel be put on notice for 06.12.2021 for arguments, before D.B at Camp Court, Swat.



(Atiq ur Rehman Wazir)
Member(E)
Camp Court, Swat



(Rozina Rehman)
Member(J)
Camp Court, Swat

4-1 .2020

Due to COVID19, the case is adjourned to

1/3/2021 for the same as before.

Reader 


01.03.2021

Junior to counsel for appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before Hon'ble Peshawar High Peshawar; granted. To come up for arguments on 02.03.2021 before D.B at Camp Court, Swat.


(Mian Muhammad)
Member (E)
Camp Court, Swat

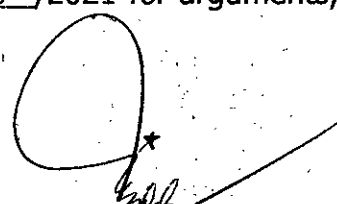

(Rozina Rehman)
Member (J)
Camp Court, Swat


02.03.2021

Appellant in person present.

Noor Zaman Khan Khattak learned District Attorney for respondents present.

Lawyers community is on strike, but appellant requested for disposal of his case. He has not engaged any counsel and at the same time unable to plead his case. He attended the Tribunal at morning but, thereafter, he did not turn up till rising of the Tribunal, therefore, case is adjourned to 4/5/2021 for arguments, before D.B at Camp Court, Swat.


(Mian Muhammad)
Member (E)
Camp Court, Swat

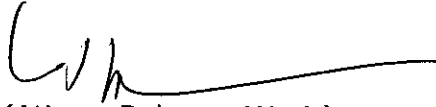

(Rozina Rehman)
Member (J)
Camp Court, Swat

02.11.2020

Appellant in person present.

Muhammad Jan learned Deputy District Attorney for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 04.01.2021 for arguments, before D.B at Camp Court, Swat.

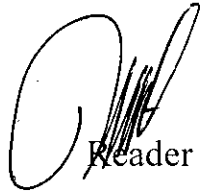


(Atiq ur Rehman Wazir)
Member(E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

03.06.2020 Due to Covid-19, the case is adjourned. To come up for the same on 08.07.2020, at camp court Swat.


Reader

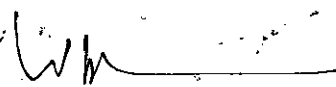
08.07.2020 Bench is incomplete. Therefore, the case is adjourned. To come up for the same on 09.09.2020, at camp court Swat.



Reader

09.09.2020 Appellant ~~in person~~ present.

Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

Former requests for adjournment as his counsel is busy before Darul-Qaza; adjourned. To come up for arguments on 02.11.2020 before D.B at Camp Court, Swat.


(Attiq ur Rehman)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

04.02.2020

Clerk to counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Lawyers are not attending the courts today on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 04.03.2020 before D.B at Camp Court Swat.

Swat.


Member


Member
at Camp Court Swat

04.03.2020

Appellant in person present. Mr. Riaz Paindakheil learned Assistant Advocate General present. Appellant seeks adjournment as his counsel is not available. Adjourn. To come up for arguments on 08.04.2020 before D.B at Camp Court, Swat.


Member


Member
Camp Court, Swat.

Due to corona virus
tour to camp court swat
has been cancelled. To come up
for the same on 03/06/20


Reader

07.11.2019

Counsel for the petitioner present. Record reveals that the main service appeal was dismissed in default on 01.07.2019. The petitioner submitted application for obtaining certified copy of order dated 01.07.2019 on 10.07.2019, the certified copy of order was given to the petitioner on 17.07.2019 and on the same day the appellant filed restoration application therefore, the restoration application is well within time. As such, the application is accepted and the main service appeal is restored. Case to come up for proceeding already in main service appeal on 06.01.2020 before S.B at Camp Court Swat.



(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

06.01.2020

Appellant in person and Mr. Usman Ghani, District Attorney for the respondents present. Appellant submitted application for adjournment on the ground that his counsel has gone to principal seat Peshawar High Court, Peshawar and cannot attend the Tribunal today. Application is placed on record. Case to come up for rejoinder, if any, and arguments on 04.02.2020 before D.B at Camp Court Swat.



(Hussain Shah)
Member
Camp Court Swat






(M. Amin Khan Kundi)
Member
Camp Court Swat

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 275/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	17/07/2019	<p style="text-align: center;">The Restoration application submitted by Karim Bakhsh through Shams ul Hadi Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR ²⁰ 17/7/19</p>
2-	09.10.2019	<p style="text-align: center;">This Restoration application be put up before S. Bench on <u>09-10-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;">Clerk of counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Dar-ul-Qaza. Adjourned to 07.11.2019 for arguments on restoration application before S.B at Camp Court Swat.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member Camp Court Swat</p>

01.07.2019

Appellant absent. Learned counsel for the appellant absent. Case called but no one appeared on behalf of appellant. On the previous date too i.e. on 06.05.2.019 no one was present on behalf of appellant. Consequently the present Service appeal is dismissed in default. No order as to costs. File be consigned to the record room.




(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

ANNOUNCED.
01.07.2019

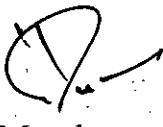
04.03.2019

Clerk to counsel for the appellant present. Mian Amir Qadar, District Attorney alongwith Mr. Aman Ullah, AD for the respondents present. Written rely/comments not submitted. Representative of the respondents seeks time to submit the same. Granted. Case to come up for written reply/comments on 01.04.2019 before S.B at camp court, Swat.


Member
Camp Court, Swat


01.04.2019

Clerk to counsel for the appellant present. Written reply not submitted. Aman Ullah AD representative of the respondent department present and seeks time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 06.05.2019 before S.B at Camp Court Swat.


Member
Camp Court, Swat.

06.05.2019

No one present on behalf of appellant. Aman Ullah Assistant Director representative of the respondent department present and submitted written reply/comments. To come up for rejoinder if any, and arguments on 01.07.2019 before D.B at Camp Court, Swat.


Member
Camp Court, Swat.

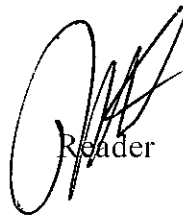
03.10.2018

Counsel for the appellant present. Mr. Usman Ghani, District Attorney for the respondents present. Learned District Attorney requested for adjournment. Granted. To come up for written reply on 08.11.2018 before the S.B at camp court, Swat.


Chairman
Camp Court Swat


08.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 07.01.2019 at camp court Swat.


Reader

07.01.2019

Clerk of the counsel for appellant present. Mr. Mian Amir Qadir, District Attorney for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 04.03.2019 before S.B at Camp Court Swat.


(Muhammad Amin Khan Kund
Member
Camp Court Swat


06.07.2018

Appellant Karim Bakhsh in alongwith counsel for the appellant Mr. Shamsul Hadi, Advocate present. Preliminary arguments heard.

The main contention of the appellant is that the appellant's services were regularized but with immediate effect and the services he rendered prior to that has not been considered towards pensionery benefits.

Points raised need consideration. The appeal is admitted for regular hearing, subject to all legal objections, if raised by the respondents. . The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 07.08.2018 alongwith similar service appeal No. 208/2018 before S.B at camp court; Swat.

Appellant Deposited
Security & Process Fee


Chairman
Camp court, Swat

07.08.2018

Clerk to counsel for the appellant present. Due to summer vacations, the case is adjourned. To come ur for the same on 05.09.2018 at camp court Swat.


Reader

05.09.2018



Clerk to counsel for the appellant present. Mr. Usman Ghani, District Attorney for respondents present. Written reply not submitted. Requested for adjournment. Granted. Case to come up for written reply on 03.10.2018 before S.B at camp court Swat.


Member
Camp Court Swat

Form -A
FORM OF ORDER SHEET

Court of _____

Case No. _____ 756/2018 _____

S.No.	Date of Order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/05/2018 31-05-2018	<p>The appeal of Mr. Karim Bakhsh presented today by Mr. Shams Ul Hadi Advocate may be entered in the Institution register and put up to the Wrothy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 30/5/18</p> <p>The case is entrusted to Touring S Bench at Swat for preliminary hearing to be put up there on <u>06-07-2018</u></p> <p style="text-align: center;"> CHAIRMAN</p>

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.**

Service Appeal No. 756/2018.

Karim Baksh.....Appellant

V E R S U S

Asst Director Local Govt Bunir and others.....Respondents

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S.N	Description of Documents ●	Annex	Pages
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3.	Addresses of the Parties.		5
4.	Copy of impugned order dated:01.01.2018 and service Book.	A	6-14
5.	Copy of regularization Notification.	B	15-17
6.	Copy of departmental appeal.	C	18-
7.			
8.	Wakalat Nama.		19

Appellant

Through



Shams ul Hadi

Advocate, Peshawar.

Dated: 25/05/2018.

Office: Near Al-Falah Mosque, Hayat
Abad, Mingora.

Cell No. 0347-4773440.

**BEFORE THE KHYBER PAKHTOON KHWA SERVICES
TRIBUNAL, PESHAWAR.**

Service Appeal No. 756/2018.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1016

Dated 30-5-2018

Karim Bakhsh (Ex-Sweeper)

Presently posted at Zilla Council Bunir.....(Appellant)

VERSUS

1. Secretary Local Council Board, Khyber Pakhtunkhwa Peshawar.
2. Secretary Local Council/District Nazim office Bunir.
3. Secretary LGE & RDD, Khyber Pakhtunkhwa Peshawar.
4. Director General LGE & RDD Khyber Pakhtunkhwa, Peshawar.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICES TRIBUNAL ACT 1974
AGAINST THE IMPUGNED OFFICE ORDER
DATED:01.01.2018.**

PRAYER IN APPEAL:

On acceptance of this appeal the impugned order :01.01.2018 regarding non sanctioning after retirement benefits i-e pension etc of appellant may kindly be set aside and the appellant may kindly be awarded pension etc of appellant of his service with all back benefits of after retirement of service.

Filed to-day

Registrar

20/5/18

Respectfully Sheweth:

1. That the appellant served as Class-IV Employee in the respondent/department Bunir in the year 2003 and as such got his retirement on the said post on 01.01.2018.(Copy of retirement order and Service Book are annexure-A)
2. That keeping in view the agonies and the financial constrains of the family of the low grade retiring

employees, the provincial government was pleased to regularized the services/Posts of the appellants in the year 2008 and as such they were declared civil servants and further the said order was confirmed according to "Regularization Act,2010" and as such the appellant performed his duties as permanent employees of Education Department in Bunir, till date of their retirement.(Copy of regularization notification is annexure-B)

3. That the appellant keeping in view of the above circulation was hopeful to get pension benefits etc after his retirement and as such waited for the same when they were taken by surprise when the Respondents No.1 informed the appellant, that they are not qualifying for pension benefits and others benefits after retirement.

4. That against the illegal order dated:01.01.2018 the appellant filed departmental appeal but the same was not decided within the statutory period.(Copy of departmental appeal is annexure-C)

That being aggrieved the appellants prefer this appeal on the following grounds amongst others inter-alia.

GROUNDS:

A. That actions and inactions of the respondents are violative of the constitution and the relevant laws laid down for the purpose, hence needs interference of this august Court.

B. That the appellant has a poor financial background and served the department for long considerable period with the hopes of further benefits after retirement but the respondents did not observe the prescribed rules, regulations and denied the benefits in shape of pension to the appellant.


C. That the issue in hand has now already been decided by this august court through a similar nature cases hence the appellant deserve for the same treatment.

It is, therefore, humbly prayed that *On acceptance of this appeal the impugned order :01.01.2018 regarding non sanctioning after retirement benefits i-e pension etc of appellant may kindly be set aside and the appellant may kindly be awarded pension etc of appellant of his service with all back benefits of after retirement of service.*


Or

Any other relief which this august Court deems appropriate may kindly be awarded to meet the ends of justice.

Appellant


Karim Baksh

Through


Shams ul Hadi
Advocate, Peshawar.

Dated: 25/05/2018

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2018.

Karim Baksh.....Appellant

V E R S U S

Asst Director Local Govt Bunir and others.....Respondents

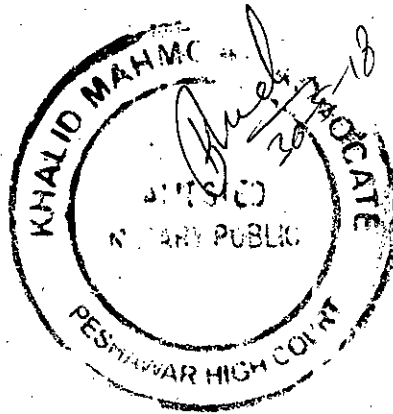
AFFIDAVIT

I, **Karim Baksh S/o Said Baksh** do hereby solemnly affirm and declare that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Karim Baksh

NIC:15101-2329982-3



(5)

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.**

Service Appeal No. _____/2018.

Karim Baksh.....Appellant

V E R S U S

Asst Director Local Govt Bunir and others.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Karim Bakhsh (Ex-Sweeper)

Presently posted at Zilla Counc Bunir

RESPONDENTS:

1. Secretary Local Council Board, Khyber Pakhtunkhwa Peshawar.
2. Secretary Local Council/District Nazim office Bunir.
3. Secretary LGE & RDD, Khyber Pakhtunkhwa Peshawar.
4. Director General LGE & RDD Khyber Pakhtunkhwa, Peshawar.

Appellant

Through

Shams ul Hadi

Advocate, Peshawar.

Dated: 25/05/2018

Am
(6) A²

SANCTION.

Sanction is hereby accorded to the grant of retirement from service on attaining the age of superannuation in R/O ~~Mr. J. S. Chaturvedi~~ ~~Contract Classified as C-18~~ with effect from ~~01/01/2018~~

(12)
(18)

NOTE:

Sanction of Retirement without pension and gratuity.

1/18

CHIEF SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF DEFENSE

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C-1-C
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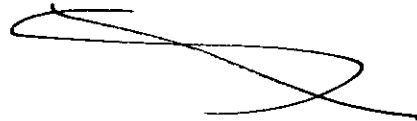
Notification

SANCTION.

Sanction is hereby accorded to the grant of retirement from service on attaining the age of superannuation in R/o karim Bakhsh S/o Saeed Bakhsh sweeper with effect from 01/01/2018.

Note: Sanction without pension and gratuity.

A-C



(7) Amen
& B,

OFFICE ORDER

In Exercise of the power conferred upon me vide Government of NWFP, Local Government Department Peshawar Sanction of Zilla Council staff letter No. AO-LG/LCB/5-36/2002, dated 23/8/2002 and operation and maintenance of Zilla Local fund No. AOi/LCB/EGTT/1-1/2002, dated 4/9/2002 Mr. Karim Bakhish S/O Said Bakhish R/O Pirbaba Buner is hereby appointed as Sweeper on fixed pay @ Rs. 2000/-P.M on purely contract basis. This order shall not entitle the appointee to any claim for permanent service etc. His services can be terminated on short notice without assigning any reason.

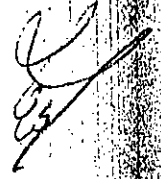
Zilla Naib Nazim
Buner

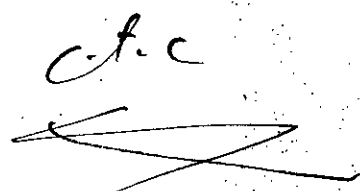
No. 903-71 (B)

Dated 7-4-03

Copy forwarded to:-

1. TMO, TMA Daggar.
2. T.O (F) TMA Daggar.
3. R.A.O TMA Daggar
4. Official concerned.
5. Personal file


Zilla Naib Nazim
Buner



Note:— The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

1. Name: MR. KARIM BAKHASH (8)

2. Race: Afghan

3. Residence: Village & P.O. Pacha Kalay Teh: Daggar
Distt: Buner.

4. Father's name and residence: SAID BAKHASH.

5. Date of birth by Christian era as nearly as can be ascertained: 1st November N.H & Fifty Eight
(01-01-1958)

6. Exact height by measurement: 6-00

7. Personal marks for identification:

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:



Ring Finger:



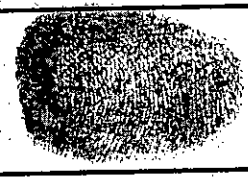
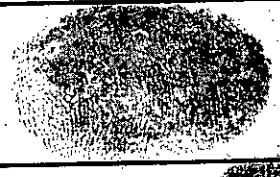
Middle Finger:



Fore Finger:



Thumb:



9. Signature of Government Servant:

10. Signature and designation of the Head of the Office, or other Attesting Officer



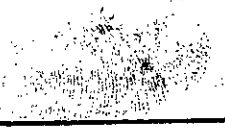
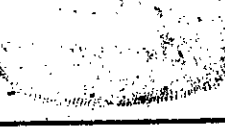


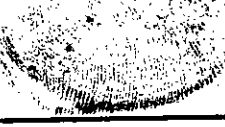






SECRETARY
Tilla Council Buner

etc

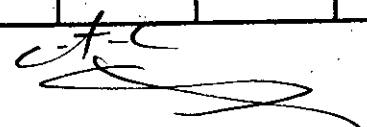
1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant	Sig of or
Sweeper	fixed		Rs. 2000/-			4 7/2003		
~	~		Rs. 2300/-			4 7/2003		
	Contr:		Rs. 4000/-			11 1/2006		
Sweeper	Regular	BPS-1 (1870-55-3520)	Rs. 1870/-			4 7/2003		
- Ad -	- Ad -		Rs. 1925/-			12 1/2003		
- Ad -	- Ad -		Rs. 1980/-			12 1/2004		
Sweeper	Regular	BPS-1 (2150-65-4100)	Rs. 2280/-			7 1/2005		
- Ad -	- Ad -		Rs. 2345/-			12 1/2005		
- Ad -	- Ad -		Rs. 2410/-			12 1/2006		
- Ad -	- Ad -	BPS-1 (2475-75-4725)	Rs. 2775/-			7 1/2007		
- Ad -	- Ad -		Rs. 2850/-			12 1/2007		
- Ad -	- Ad -	BPS-1 (2970-90-5670)	Rs. 3420/-			7 1/2008		
- Ad -	- Ad -	BPS-1 (2970-90-5670)	Rs. 3510/-		etc	12 1/2008		

9	10	11	12	13		14	15	
				Leave		(10)	Reference to any recorded punishment or censure, or reward or praise of the Government Servant	
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
SECRETARY Zilla Council Buner	7 2003	Inc: 300/- paid			Appointed as Sweeper as fixed against vacant post vide DC(B) memo Endst: No 903-7/DC(B) dated 7-4-2003.			
SECRETARY Zilla Council Buner	11 2006	pay fixed			SECRETARY Zilla Council Buner			
SECRETARY Zilla Council Buner	4 2003	Entry Revised due to award BPS-1			Awarded Basic pay Scale No-1 vide Govt. of NWFP Finance Department (Regulation wing) Notification No. B.O-1/1-22/2007-08 dated Peshawar the 29-07-2008.			
SECRETARY Zilla Council Buner	30 2003	An/gmc						
SECRETARY Zilla Council Buner	30 2004	An/gmc			SECRETARY Zilla Council Buner			
SECRETARY Zilla Council Buner	30 2005	Scale Revised			pay from 1-11-2006 Rs-4000/- vide order No. B.O-1/1-22/2006-07, EP dated: 15-11-2006.			
	30 2005	An/gmc			SECRETARY Zilla Council Buner		✓	
SECRETARY Zilla Council Buner	30 2006	An/gmc						
SECRETARY Zilla Council Buner	30 2007	Scale Revised			Service verified w.e.f 7-4-2003 to 30-11-2003 from Acquaintance Roll and other record kept in this office			
SECRETARY Zilla Council Buner	30 2007	An/gmc						
SECRETARY Zilla Council Buner	30 2008	Scale Revised			SECRETARY Zilla Council Buner			
SECRETARY Zilla Council Buner	30 2008	An/gmc	SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner	30 2009	An/gmc						

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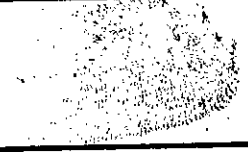



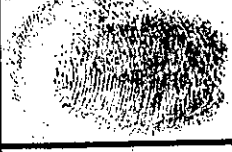
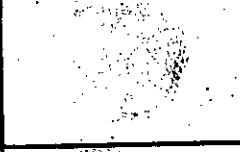

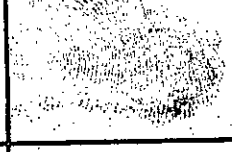
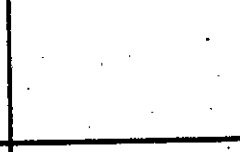
1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Sweepers	Permanent		Rs. 3600/-			12/2009	
- 100 -	- 100 -		Rs. 3690/-			12/2010	
- 100 -	- 100 -	BPS-1 (4800-150-9300)	Rs. 6000/-			7/2011	
- 100 -	- 100 -		Rs. 6150/-			12/2011	
- 100 -	- 100 -		Rs. 6300/-			12/2012	
- 100 -	- 100 -		Rs. 6450/-			12/2013	
Sweepers	Sub/Perm:	BPS-2 (2530-85-5080)	Rs. 2700/-			7/2007	
- 100 -	- 100 -		Rs. 2785/-			9/2007	
- 100 -	- 100 -		2 Rs. 2870/-			13/2007	
- 100 -	- 100 -	BPS (3035-100-6035)	Rs. 3435/-		✓	7/2008	
- 100 -	- 100 -		Rs. 3535/-			12/2008	
- 100 -	- 100 -		Rs. 3635			12/2009	
- 100 -	- 100 -		Rs. 3735/-			12/2010	

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9	10	11	12	13		14	15	
				Leave				
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government			
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Period	Government to which debitible	Signature of the head of the office or other attesting officer	Reference to an recorded punishment or censure, or rewa or praise of the Government Servant	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₀	An/gmc						Service verified w.e.f 1-12-2003 to 30-11-2011 from Acquaintance Rd and other record kept in this office
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₁₁	Scale Revised					SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₁	An/gmc						
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₂	An/gmc						
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₃	An/gmc						Service verified w.e.f 1-12-2011 to 30-11-2014 from the records of this office
SECRETARY Zilla Council Buner		Entry Revised due to allowing up-gradation B-2.						
SECRETARY Zilla Council Buner	31 ⁸ / ₂₀₀₇	one pre-mature gmc					SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₇	An/gmc						
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₀₈	Scale Revised						Service verified w.e.f 1 ¹² / ₂₀₁₄ to 30-11-2015 from the records of this office
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₈	An/gmc						
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₉	An/gmc					SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₀	An/gmc						
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₁₁	An/gmc						

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Sweepers c/o)	Sub/perm	BPS-2 (4900-170-14000)	Rs. 6090/-			7 1/2011	
do	do		Rs. 6260/-			12 1/2011	
do	do		Rs. 6430/-			12 1/2012	
do	do		Rs. 6600/-			12 1/2013	
do	do		Rs. 6770/-			12 1/2013	
do	do		Rs. 6940/-			12 1/2014	
do	do	BPS-2 (8385-220-12935)	6995/-			7 1/2014	
do	do	BPS-4 (1730-300-15730)					
do	do		Rs. 7330/-			7 1/2014	
do	do		Rs. 7630/-			12 1/2015	
do	do	BPS-4 (8280-370-19380)	9390/-			7 1/2016	
				etc			

(14)

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as Promotion, transfer, dismissal, etc)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to: recorded punishment censure, or re or praise of t Governmen Servant	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
SECRETARY Zilla Council Buner	30/11/2011	Am/gmc			One premature leave vide Finance Deptt. Notific. (SO) dated 14/7/2014			
SECRETARY Zilla Council Buner	30/11/2012	Am/gmc			2-123	SECRETARY Zilla Council Buner		
SECRETARY Zilla Council Buner	30/11/2013	Am/gmc						
SECRETARY Zilla Council Buner	1/12/2013	One pre- mature leave allowed	SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner	30/11/2014	Am/gmc			up graded to BPS-4 vide G.O. of KPR Finance Deptt Notification No. FD/SO(FR)			
SECRETARY Zilla Council Buner	1/7/2015	upgraded to BPS-4	SECRETARY Zilla Council Buner		7-20/2015 dated 30/6/2015			
SECRETARY Zilla Council Buner	1/7/2015	Scale Revised & upgraded to BPS-4	SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner		
SECRETARY Zilla Council Buner	30/11/15	Am/gmc	SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner	30/6/2016	Scale Revised	SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner					
SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner					

etc

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رابطہ نمبر: ۸۷۲۲-۱۰۷-۲۰۰۷-۱۰۷-۱۰۷-۱۰۷
موضوع: ۲۹ جنوری، ۲۰۰۸ء

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- ۱- تمام انتظامی معتمدین حکومت صوبہ سرحد۔
- ۲- مہتمم برائے گورنر صوبہ سرحد، پشاور۔
- ۳- پرنسپل سٹاف آفیسر برائے ڈیڑھائی صوبہ سرحد۔
- ۴- تمام سربراہان ماتحت نگر۔ جات صوبہ سرحد۔
- ۵- تمام سٹافی رابطہ افسران صوبہ سرحد۔
- ۶- رجسٹرار پشاور ہائی کورٹ، پشاور۔
- ۷- رجسٹرار، سرحد ٹریبیونل، صوبہ سرحد، پشاور۔
- ۸- سیکرٹری، صوبائی پبلک سروس کمیشن، صوبہ سرحد، پشاور۔
- ۹- سیکرٹری، یوزر آف ریویو صوبہ سرحد۔

ATTESTED

[Signature]

Head Master
Govt. High School
Bath Malakand

بحث تقریر ۰۸-۲۰۰۷ء، چارم کے مقررہ تنخواہ پانے والے (Fixed pay) ملازمین کے لئے کیا ہوگی۔ نقد کا اعلان۔

عنوان:-

جناب عالی!

جیسے حدایت کی گئی ہے کہ عنوان بالا کا حوالہ دیتے ہوئے عرض کروں کہ صوبائی حکومت نے تمام درجہ چارم (مقررہ تنخواہ Fixed pay) پانے والے ملازمین کو یکم جولائی ۲۰۰۸ء سے این ڈبلیو ایف پی سول ملازمین ایکٹ ۱۹۷۳ء کے تحت سول ملازمین کا درجہ دیکر بنیادی سکیل-۱ (BPS-1) دینے کی منظوری دی ہے۔

۲- مذکورہ ملازمین کی تنخواہوں کا تعین (Fixation of pay) ان کی بھرتی کے تاریخ (Date of Appointment) سے کیا جائے گا۔ تاہم یہ ملازمین تنخواہوں اور الاؤنسز وغیرہ کی بد میں کسی قسم کی بتایا جات (arrears) کے مقدار نہیں ہو گئے۔

۳- اس سلسلے میں پہلے سے جاری شدہ تمام پالیسی ہدایات یکم جولائی ۲۰۰۸ء سے متعلقہ تصدیق ہو گئے۔

آپ کا تخلص

[Signature]

مسٹر شرافت خان پٹانی

سربراہ تعلیم (سرحدی ایجوکیشن بورڈ)

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[Signature]

[Signature]

[Signature]

(16)

(16)

نمبر و تاریخ الضم:

نقل برائے اطلاع:

- (۱) اکاؤنٹنٹ جنرل، صوبہ سرحد، بمبجہ گزارش، کہ مندرجہ بالا اقدامات کی نافذ العمل کو یقینی بنایا جائے۔
- (۲) جملہ ایگزیکٹو ڈسٹرکٹ آفیسرز، فنانس اینڈ پلاننگ، صوبہ سرحد۔
- (۳) جملہ ضلعی آفیسران حساب داری، صوبہ سرحد۔

فہرست ضمیمہ

میزانیہ افسر (۱) محکمہ خزانہ

تظہیر نمبر و تاریخ الضم:

نقل برائے اطلاع:

- (۱) سٹی معتمد برائے چیف سیکرٹری صوبہ سرحد۔
- (۲) جملہ اضافی معتمدین و نائب معتمدین محکمہ خزانہ، صوبہ سرحد۔
- (۳) جملہ بچٹ آفیسرز ریکشن آفیسرز محکمہ خزانہ، صوبہ سرحد۔
- (۴) ڈائریکٹر، FMIU، محکمہ خزانہ، صوبہ سرحد۔
- (۵) سٹی معتمد برائے فنانس سیکرٹری، صوبہ سرحد۔

فہرست ضمیمہ
میزانیہ افسر (۱) محکمہ خزانہ

OFFICE OF THE ACCOUNTANT GENERAL, NWFP PESHAWAR.

No. H-24(113)/RBPs-2006-07/Prov. Central Correspondence File 734 Dated: 20-02-2008

Copy of the above is forwarded for information and necessary action to all concerned.

1. All DAOs/AAOs in NWFP.
2. All Payrolls Section (L)
3. PAs to DAGs.

Asstt. Accounts officer (HAE),
NWFP, Peshawar

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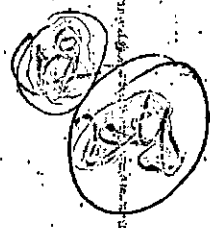
A. L.

A. L.



Office of the
Accountant General
Khyber Pakhtunkhwa Peshawar
Phone: 091- 9211915

(17)



No. HAD/Fixed Employees / Corrp./2011-12/ 7773

Dated: 24-01-2012

The Secretary,
to Govt. of Khyber Pakhtunkhwa,
Finance Department (Regulation Wing).

01 FEB 2012

Subject: AWARD OF REGULAR BPS-1 TO CLASS -II

Kindly refer to your office letter in Urdu vide No. B.O-I/1-22/80-2008/FD dated: 29/01/2008 and letter containing clarification vide No. FD(SR-I)Miss/2008 dated: 13/07/2009 on the above subject.

Policy for appointment of class -IV on fixed salary was introduced w.e.f. 04/11/1992, hence several class-IV were working against the contract post on fixed salary, till in the refer letter they first were regularized from the date of their first appointment without any arrears.

In light of policy 2008, their pay was fixed just like a regular employee from the date of initial appointment without any arrears of pay prior to 01/07/2008, however while fixing their salary the following points need clarification, that whether,

- 1) The employees appointed prior to 31/12/2001, having qualification over and above the prescribed qualification are entitled for advance increments in light of para-5 pay Revision 1991.
- 2) The Employees regularized in the refer letter from the date of initial appointment and appointed prior to 01/07/2007 are entitled for up-gradation in light of General up-gradation order vide your office letter No. FD/SO(FR)7-2/2007 dated: 01/07/2007.

This office is of the view that as the employees have been regularized from the date of their initial appointment hence they are entitled for the benefit of increments, revisions and up-gradation allowed from time to time as general on notional basis but no arrears is admissible prior to 01/07/2008.

The views of this office if correct may kindly be confirmed.

ACCOUNTS OFFICER (HAD)

c.t.c
c.t.c
c.t.c

Better copy of page No. 17

Office of the
Accountant General
Khyber pakhtunkhwa Peshawar
Phone :091-9211915



No-Had/Fixed Employee/Corrp/2011-12/

Dated 24-01-2012.

To,

The Secretary,
To. Govt of Khyber pakhtunkhwa,
Finance Department (Regulation Wing)

Subject: **AWARD OF REGULAR BPS-1 TO CLASS.**

Kindly refer to your office letter in urdu vide No. B.O-1/1-22/80-2008/FD dated. 29/01/2008.
And letter containing clarification vide FD/SR-1) Miss/2008 dated 13/07/2009 on the above subject.

Policy for appointment of class-IV on fixed salary was introduced w.e.f 04/11/1992. hence several class-IV were working against the contract post on fixed salary. till in the refer letter they first were regularized from the date of their first appointment without any arrear.

In the light of policy, 2003, their pay was just like a regular employee from the date of initial appointment without any arrear of pay prior to 01/07/2008, however while fixing their salary the following points need clarification that whether.

- 1) The employee appointed prior to 31/12/2001 having qualification over and above the prescribed qualification are entitled for advance increments in light of para-5 pay Revision-1991.
- 2) The employee regularized in the refer letter from the date of initial appointment and appointed prior to 01/07/2007 are entitled for up-gradation in light of General up-gradation order vide your office letter No. FD/SO (FR)7-2, 2007 dated: 01/07/2007.

This office is of the view that as the employee have been regularized from the date of their initial appointment hence they are entitled for the benefits of increments, revisions and up-gradation allowed from time to time as general on national basis but no arrear is admissible prior to 01/07/2008.

The views of this office if correct may be confirmed.

ACCOUNTS OFFICER (IAD)

cte

کمیٹی جنہاں سے سیکرٹری لوگوں کو نسیل / لوگوں کو نسیل / لوگوں کو نسیل
Annexure (18)
ص ۱۸

۱۔ یہ کہ سندھ ہاؤسنگ بورڈ سے 2002 سے لے کر
۲۰۰۸ سے لے کر 2008 سے لے کر عوامی فونڈ
رنگر کاسی

۲۔ یہ کہ سندھ ہاؤسنگ بورڈ سے 2018
حکم عوامی فونڈ سے 2018
مزاحمت سے لے کر 2018

تعمیراتی کاموں کے لیے عوامی فونڈ (سینکڑوں
مزاحمتوں کے ساتھ) اور لوگوں کو نسیل / لوگوں کو نسیل / لوگوں کو نسیل

ایم جی ایس
ایم جی ایس

20
2018

۲۰۱۸

بعدالت سروس ریجنل شاور سیرٹیفکٹ

کوٹ فیس	قیمت ایک روپیہ
---------	----------------

21 مئی ۲۰ گھنٹہ منجانب

کریم بخش نام گورنمنٹ و سرن

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی
 متعلقہ آن مقام سروس ریجنل کے گورنمنٹ کے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل
 اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جو اب
 دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراں پر دستخط کرنے کا اختیار ہوگا نیز بصورت
 عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و
 نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی
 کاروائی کے واسطے اور 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 اسکا ساختہ
 برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے
 سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا خرچہ کی وصولی کرتے
 وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل
 صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سدر ہے

گورنمنٹ و سرن

المرقوم 21 ماہ مئی ۲۰ گھنٹہ

العبد گواہ شہادہ العبد
 کے لئے منظور ہے
 سروس ریجنل
 بمقام

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service appeal No. 756/2018


KARIM BAKSH (Sweeper).....

Versus

- 1- Secretary Local Council Board, Khyber Pakhtunkhwa Peshawar.
- 2- Secretary Local Council/District Nazim Office Buner.
- 3- Secretary, LGE & RDD, Khyber Pakhtunkhwa Peshawar.
- 4- Director General LGE & RDD, Khyber Pakhtunkhwa Peshawar.....(Respondents)

Index

S.No	Description of Documents	Annex	Pages
1	Para wise comments of respondent No. 2		1-2
2	Affidavit		3
3	CPLA & Peshawar High Court Darul Qaza Swat decision	A	
4	Appointment order	B	
5	Deputy Commissioner order	C	
6	Service Book	D	


Aman Ullah Khan
Assistant Director
LG&RDD Buner

Service Appeal No. 756/2018

Karim Bakhsh (Sweeper)

Appellant

Versus

- 1- Secretary Local Council Board.
- 2- Secretary Zilla Council District Buner.
- 3- Secretary, LG, E & RDD.
- 4- Director General LGE & RDD **(Respondents)**

PARA-WISE COMMENTS OF THE RESPONDENTS:

Respectfully Sheweth:

Preliminary Objections:

- i. That the appellant has got no cause of action to file an appeal/ petition.
- ii. That the appellant has not come to Honorable Tribunal with clean hands.
- iii. That this Tribunal has got no jurisdiction. The subject case is already decided by honorable High Court (Darul Qaza), Swat. Now the respondents have submitted a CPLA in honorable Supreme Court (**Anne-A**).
- iv. That the appellant has concealed the material facts from this honorable Tribunal.
- v. That the appellant Mr. Karim Bakhsh was appointed as sweeper on fixed pay @ 2000 rupees on 07-04-2003 in defunct Zilla Council. (**Annexure-B**).
- vi. That the appellant has not exhausted departmental remedy.
- vii. That the appellant has not impleaded the necessary party i.e. TMO, TMA, Daggar as respondent.
- viii. That after the set-up of the newly elected local Government, Deputy Commissioner Buner vide letter No. 1578 dated 29 April, 2015, transferred the services of Mr. Karim Bakhsh to newly created District Council only for the purpose of pay. (**Annexure-C**).
- ix. Moreover, the service book provided by the appellant is unsigned from the date of his initial appointment. (**Annexure-D**).
- x. With the passage of time the appellant was paid salary (fixed pay) as per government policy in vogue till the completion of sixty years age.

ON FACTS:

Para No.1 Incorrect. The appellant Mr. Karim Bakhsh was appointed as Sweeper on fixed pay @ 2000 rupees on 07-04-2003 in defunct Zilla Council by the Naib Nazim Zilla Council Buner whereas the Naib Nazim was not competent to do so. However, on completing the age of superannuation which is sixty years, the appellant could not continue his services. The respondent department (AD LG&RDD Buner) has not issued any retirement order of the appellant as he was not regular employee of the respondent department.

Para No.2 Incorrect. In response to Para 2, it is clarified that by promulgation of Khyber Pakhtunkhwa Regularization Act 2010, all employees who were working against the civil posts were regularized under the said Act. The appellant could not be benefited of this Act as he was fixed pay employee of TMA Daggar, which is an autonomous entity. As such the appellant has never been confirmed as Civil Servant of LG&RDD and his status remained the same.

Para No.3 Incorrect. In response to Para 3, it is submitted that the appellant being fixed pay employee, is not entitled to get pensionary benefits of the services rendered by him in TMA Daggar.


Para No.4 Incorrect. The order of 01-01-2018 as annexed 'C' to the appeal of the appellant is fake/bogus as the same does not bear any number, date as well as signature of the officer concerned. Hence the same is denied.


On Grounds:

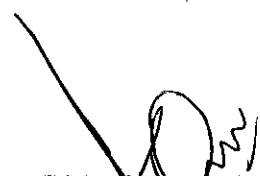
- A. Incorrect. The actions of the respondents are strictly in accordance with the rules as well as the policies of the Provincial Government which does not entitle a fixed pay employee of an autonomous body (TMA) for getting pensionary benefits.
- B. Incorrect. The status of the appellant was a fixed pay employee. Neither Service Book of the appellant was maintained by TMA concerned nor he has drawn pay from Provincial consolidated fund (District Account Office). Moreover, no GP Fund as well as benevolent fund have been deducted from the salary of the appellant as done in the cases of Civil servants/regularized employees.
- C. Incorrect. The appellant has not provided/annexed documentary proofs in support of Para 'C' statement.


It is brought on the record of this honorable Tribunal that this appellant, being fixed pay employee has invoked the jurisdiction of Peshawar High Court Darul Qaza Swat vide Writ Petition No 521/2017 dated 20 July, 2017 which was decided by the learned High Court dated 26-02-2019. However, on the advice of Law Department, Government of Khyber Pakhtunkhwa has filed CPLA in the Supreme Court of Pakistan which is pending in the Apex Court.

In view of above, it is requested that this Hon'ble Services Tribunal may graciously dismiss appeal of the appellant with cost.


 Secretary Local Council Board
 (Respondent No.1)
 Local Council Board
 LG & RDD K.P.K. Pesh


 Secretary (SECRETARY)
 Govt. of Khyber Pakhtunkhwa
 (Respondent No.2)
 Local Council Board
 Department


 Secretary Zilla Council, Bannu
 (Respondent No.2)
 ASSISTANT DIR. TOR
 Local Govt. & R
 Deptt. Bu.
 Devi


 Director General
 Local Govt. Rural Development
 (Respondent No.3)
 Khyber Pakhtunkhwa

Valled
 DISTRICT ATTORNEY
 SWAT
 6.5.19

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service appeal No. 756/2018

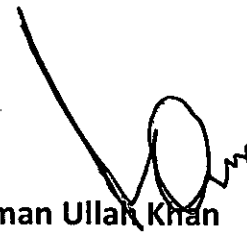
KARIM BAKSH (Sweeper)

VS

- 1- Secretary Local Council Board, Khyber Pakhtunkhwa Peshawar.
- 2- Secretary Local Council/District Nazim Office Buner.
- 3- Secretary, LGE & RDD, Khyber Pakhtunkhwa Peshawar.
- 4- Director General LGE & RDD, Khyber Pakhtunkhwa Peshawar.....(Respondents)

Affidavit

I, Aman Ullah Khan Assistant Director LG&RDD Buner, do hereby solemnly affirm and declare on oath that the contents of accompanying para wise comments by the respondent 2 is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honorable Court.



Aman Ullah Khan
Assistant Director
LG&RDD Buner

POWER OF ATTORNEY
IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

CPLA No.....-P/2019

Govt of Khyber Pakhtunkhwa through Chief
Secretary, Peshawar & others

PETITIONER(S)

VERSUS

Karim Bakhsh

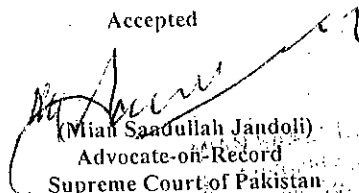
RESPONDENTS

I (we) Petitioner (Govt. of KPK) in the above suit/Appeal/Petition/Reference, do hereby appoint and constitute Mian Saadullah Jandoli, Advocate-on-Record, Supreme Court, for Govt. of Khyber Pakhtunkhwa the Attorney for the aforesaid appellant [or plaintiff(s) or Petitioner(s) or Respondent (s) or defendant (s) or opposite party] to commence and prosecute (or to appear and defend this action/appeal/suit/petition/reference on my/our behalf and all proceeding that may be taken in respect on any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take back documents, to accept the process of the Court, to appoint and instruct counsel, to represent the aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party] in the above matter and to do all things incidental to such acting for the aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party]. The aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party] agree (s) to ratify all acts done by the aforesaid Advocate-on-Record in pursuance of this authority

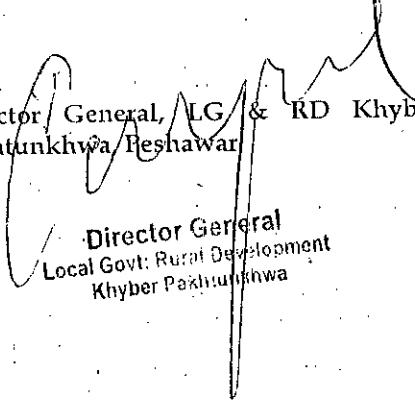
In witness whereof I/we do hereunto set my/our hand (s) this day of

Signed with Official seal stamp

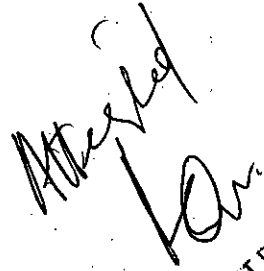
Accepted


(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
(for KPK) Advocate General's Office
Office KPK, High Court Building, Peshawar.
Office Tel. # 091-9210312, 9210119

6. Director General, LG & RD Khyber
Pakhtunkhwa, Peshawar


Director General
Local Govt: Rural Development
Khyber Pakhtunkhwa

7. Chief Coordination Officer, District
Council Bunir.


ASSISTANT DIRECTOR
Local Govt: Bunir
Distt. Bunir

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POWER OF ATTORNEY
IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

CPLA No.....-P/2019

Govt of Khyber Pakhtunkhwa through Chief Secretary, Peshawar & others

PETITIONER(S)

VERSUS

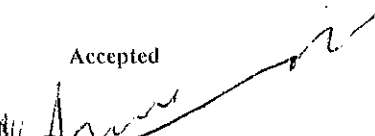
Karim Bakhsh

RESPONDENTS

I (we) Petitioner (Govt. of KPK) in the above suit/Appeal/Petition/Reference, do hereby appoint and constitute Mian Saadullah Jandoli, Advocate-on-Record, Supreme Court, for Govt. of Khyber Pakhtunkhwa the Attorney for the aforesaid appellant [or plaintiff(s) or Petitioner(s) or Respondent (s) or defendant (s) or opposite party] to commence and prosecute (or to appear and defend this action/appeal/suit/petition/reference on my/our behalf and all proceeding that may be taken in respect on any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take back documents, to accept the process of the Court, to appoint and instruct counsel, to represent the aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party] in the above matter and to do all things incidental to such acting for the aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party]. The aforesaid appellant [or plaintiff (s) or petitioner(s) or respondent (s) or defendant (s) or opposite party] agree (s) to ratify all acts done by the aforesaid Advocate-on-Record in pursuance of this authority

In witness whereof I/we do hereunto set my/our hand (s) this day of

Accepted


(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
(for KPK) Advocate-General's
Office KPK, High Court Building, Peshawar.
Office Tel. # 091 9210312, 9210119

Signed with Official seal stamp

1. Govt of Khyber Pakhtunkhwa through Chief Secretary, Peshawar
CHIEF SECRETARY
Govt. of Khyber Pakhtunkhwa

2. Assistant Director Local Government & Rural Development Department, Bunir

ASSISTANT DIRECTOR
Local Govt. & R. Devt
Deptt. Bunir

3. Nazim District Govt, Bunir

NAZIM
Distt. Govt. Bunir

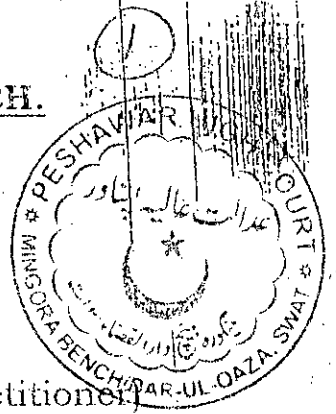
4. Secretary Local Council Board, Khyber Pakhtunkhwa, Peshawar
Secretary
Local Council Board
LG & RDD KPK, Nesl

5. Govt of KPK through Secretary Local Government and Rural Development, Khyber Pakhtunkhwa, Peshawar.
(SECRETARY)
Govt. of Khyber Pakhtunkhwa
Local Govt: Elections & Rural Dev:
Department

ASSISTANT DIRECTOR
Local Govt. & R. Devt
Deptt. Bunir

BEFORE THE PESHAWAR HIGH COURT, MINGORA BENCH.

W.P. No. 521 /2017



Karim Bakhsh (Sweeper)

Presently posted at Zilla Council Bunir.....(Petitioner)

V E R S U S

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Assistant Director LGE & RDD, Bunir.
3. Nazim District Govt, Bunir.
4. Secretary Local Council Board, Khyber Pakhtunkhwa Peshawar
5. Secretary LGE & RDD, Khyber Pakhtunkhwa Peshawar.
6. Director General LGE & RDD Khyber Pakhtunkhwa, Peshawar.
7. Chief Coordination Officer, District Council Bunir.

.....(Respondents)

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973.**

ATTESTED

FILED TODAY

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

21 JUL 2017

Additional Registrar

Respectfully Sheweth:

Brief facts of the instant Writ Petition are as under:

1. That initially the petitioner joined the respondent's department in the year 2003 as a "Sweeper" on fixed pay vide office order dated:07.04.2003.(Copy of Appointment order and Service Book are annexure-A)
2. That latter on through an Act,2005 i-e Civil servant amendment Act,2005 services of the petitioner and such like other were declare as Civil servant and the same was further notified through Notification

Assistant Director
Local Govt. of Bunir
Deptt. Bunir

1

**JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT,
MINGORA BENCH (DAR-UL-QAZA), SWAT
(Judicial Department)**

W.P. No. 521-M/2017

Karim Bakhsh.....(Petitioners)

vs

*Government of Khyber Pakhtunkhwa &
others*.....(Respondents)

Present: *Mr. Shams-ul-Hadi, Advocate for the
petitioner.*

*Mr. Wilayat Ali Khan, A.A.G for the
respondents.*

Date of hearing: 26.02.2019

JUDGMENT

SYED ARSHAD ALI, J.- Through the instant Writ
Petition under Article 199 of the Constitution of
Islamic Republic of Pakistan 1973, Karim Bakhsh
the petitioner seeks the Constitutional jurisdiction
of this Court with the following prayer:-

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

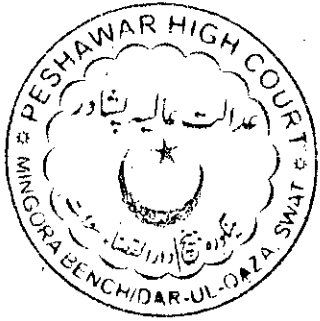
*"It is therefore, humbly prayed that on
acceptance of this writ petition this
august Court may please to direct the
respondents to regularize services of
the petitioner from the date of initial
appointment like other employees in
light of the relevant law and
judgments of this august Court and
Apex Court as well.*

Or

Abdul Sabooch/

(D.R.) Hon'ble Mr. Justice Muhammad Chazanfar Khan
Hon'ble Mr. Justice Syed Arshad Ali

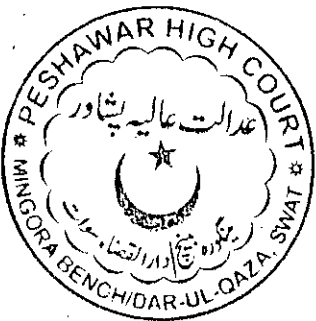
Arshad Ali
Ar
ASSISTANT DIRECTOR
Local Govt. & Rural Devt.
Deptt. Bui. & R.



Grant other relief, not specifically asked for, which is flowing from the instant petition and inevitable in the interest of justice”.

2. It is averred in the petition that initially the present petitioner was appointed in the respondents department as Sweeper on fixed pay and purely on contract basis vide office order dated 07.04.2003. However, later through an amendment Act i.e. the then NWFP Civil Servants (Amendment) Act, 2005, the services of all the contract employees were regularized. In this regard, Notifications were also issued by the then Provincial Government for regularization of services of the contract employees but till date neither services of the present petitioner have been regularized nor benefits of the said notifications have been extended to the present petitioner. For this purpose, the petitioner had approached the respondents/department but to no avail.

3. Respondents were put to notice, out of whom the respondents No. 2 & 3 contested the claim of the present petitioners by filing their para-wise comments. In the said comments, they have



ATTESTED

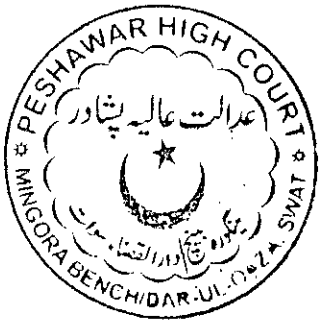
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

Assistant Director
Local Govt. & Rural Devt.
Dera Ismail Khan

stated that the petitioner has not submitted any application for regularization of his service according to Civil Servants (Amendment) Act, 2005.

4. Arguments heard and record of the case was perused.

5. In essence the claim of the present petitioner is that he was entitled to regularization of his service in view of the Civil Servants (Amendment) Act, 2005 ('The Amendment Act') and The Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 ('The Act'). In order to comprehend the issue, it would be appropriate to reproduce both the laws envisaging for regularization of the employees who were appointed pursuant to the contract policy, 2001 which are as under:-



ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

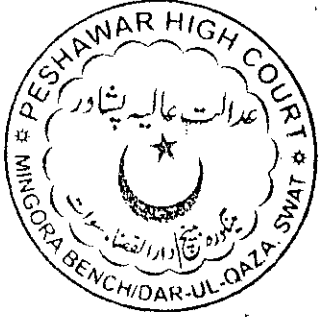
Section 19(2) of the Amendment Act:

A person though selected for appointment in the prescribed manner to a service or post on or after the 1st day of July, 2001, till the commencement of the said Act, but appointed on contract basis, shall,

Attested
5/12

ASSISTANT DIR. TOR
Local Govt. & R. I. Dev.
Deptt: Bun. ar

with effect from the commencement of the said Act, be deemed to have been appointed on regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servant, except for the purpose of pension or gratuity. Such a civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said Fund, in the prescribed manner.



Section 3 of the Act of 2009:

Regularization of services of certain employees.---

All employees including recommendees of the High Court appointed on contract or adhoc basis and holding that post on 31st December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

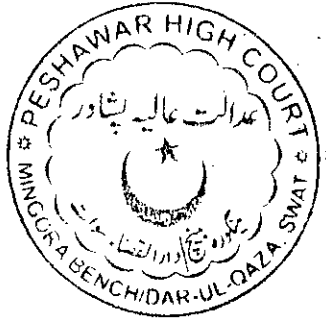
ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

Assistant Dir
Local Govt. & RI
Deptt. Swat
ICR
Dev.

6. The fact that the petitioner was serving at the relevant time against a sanctioned post but on a fixed pay which has not been denied by the department. The only objection raised by the respondents No. 2 & 3 in their comments is that the present petitioner did not file any application for regularization of his service. However, the close perusal of the aforesaid Act and the instructions of the Department dated 29.01.2008 as well as the Department letter dated 23.06.2009 clearly show that the Department had issued instructions across the board for regularization of all the employees who were working against the substantive/sanctioned strength. Even otherwise, it is evident from record that the present petitioner had filed an application on 20.08.2009 before the District Naib Nazim, Buner for his regularization in government service but without any progress.

7. Indeed the Department could not put forward a single reason for dis-allowing the benefits of regularization to the present petitioner as envisaged by the Amendment Act of 2005 and the Act of 2009.



ATTESTED

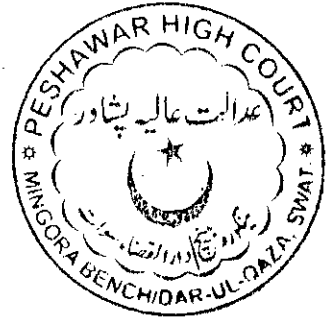
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

Abdul Sabooh
AS
ASSISTANT DIR. FOR
Local Govt. & Ru. J. Devt.
Deptt. Buner

Abdul Sabooh/*

(D.B.) Hon'ble Mr. Justice Muhammad Ghazanfar Khan
Hon'ble Mr. Justice Syed Arshad Ali

8. In view of the above, we direct the respondents to regularize the services of the present petitioner w.e.f. 23.07.2005 (the date when the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005 came into force) with all consequential benefits i.e. seniority etc excluding the financial benefits as the petitioner did not approach this Court within time and accordingly his pay be also re-fixed keeping in view his length of service.



Announced
Dt: 26.02.2019

[Signature]
JUDGE

[Signature]
JUDGE

S.No..... 14
 Name of Applicant..... *Khursheed Icheen*
 Date of Presentation of Applicant..... *07-03-19*
 Date of Completion of Copies..... *07-03-19*
 No of Copies..... *07*
 Urgent Fee.....
 Fee Charged..... *14/-*
 Date of Delivery of Copies..... *07-03-19*

Certified to be true copy

[Signature]
07-03-19

EXAMINER

Peshawar High Court, Mingora/Dar-ul-Qaza, Swat
 constituted under Article 17 of Qanoon-e-Shahadat Order, 1984

[Signature]

ASSISTANT DIR
 Local Govt. & R
 Deptt: Bun. & Devt.

Office
04/03/2019

OFFICE ORDER

In Exercise of the power conferred upon me vide Government of NWFP Local Government Department Peshawar Sanction of Zilla Council staff letter No. AO-LG/LCB/5-36/2002, dated 23/8/2002 and operation and maintenance of Zilla Local fund No. AO/LCB/EGTT/1-1/2002, dated 4/9/2002 Mr. Karim Bakhsh S/O Said Bakhsh R/O Pirbada Buner is hereby appointed as Sweeper on fixed pay @ Rs.2000/- M on purely contract basis. This order shall not entitle the appointee to any claim for permanent service etc. His services can be terminated on short notice without assigning any reason.

Zilla Naib Nazim
Buner

Dated 7-4-02

Zilla Naib Nazim
Buner

- 1. TMO, TMA Daggat.
- 2. T.O.(F) TMA Daggat.
- 3. R.A.O TMA Daggat.
- 4. Official concerned.
- 5. Personal file

No. 903-21 DC (B)

ASSISTANT DIR. FOR
Local Govt. & RU
Dept. Buner

[Handwritten signature]

[Handwritten signature]

4

A

B

No. 1574/2015
April 29, 2015

5

Minutes of the Meeting Held for the Division of Rights, Assets, Liabilities & Adjustment of Staff Amongst the Local Councils.

In order to pursue the directions contained in the Secretary Local Council Board, Khyber Pakhtunkhwa, Local government, Elections & Rural Development Departments letter No. AO/LCB/Estt/16/2015, dated, 15-04-2015, a meeting was held in this office on 28-04-2015 at 12.00 am hours. The following attended:

- In Chair
1. Deputy Commissioner, Buner.
 2. Chief Coordination Officer, District Council, Buner.
 3. Chief Municipal Officer, Swari.
 4. Chief Municipal Officer, Totalai.

The meeting commenced with recitation from the Holy Quran. Opening the discussion, the Chair apprised the participants about the purpose of the meeting. It was conveyed to the forum that under Section 121(3) of the Local Government Act, 2013, the Secretary Local Council Board, Khyber Pakhtunkhwa have been designated to divide rights, assets & liabilities of the Local Councils including adjustment of staff amongst them. Further in the process, the Secretary Local Council Board, Khyber Pakhtunkhwa has nominated all the Deputy Commissioners of the Province to initiate the needful in their respective districts.



Moving forward, the forum unanimously agreed over the following proposals for the division of rights, assets & liabilities as well as the adjustments of staff amongst the Local Councils:

No.	Name of Employee	Designation & BPS	Residence	Proposed Council
1	Sher Zamin	Office Assistant (16)	Barkalai	District Council Secretariat
2	Saidullah Shah	Senior Clerk (14)	Annawar	-do-
3	Gul Sherin	Junior Clerk (11)	Pirbaba	-do-
4	Abd-ul-Hakim	Driver (5)	Tehsil Colony	-do-
5	Sabzali Khan	Naib Qasid (2)	Rustam Mardan	-do-
6	Karim Bakhsh	Sweeper (2)	Pirbaba	-do-
7	Noorullah Khan	Naib Qasid (2)	Pirbaba	-do-
8	Bakht Afsar	Driver (4)	Rega	TMA Dargat
1	Gul Zamin	Office Superintendent (7)	Agarai	Additional Officer of Supdt a

(Handwritten signatures)

ASSISTANT DIR. TOR
Local Govt. & Ru. Dev.
Deptt. Buner

3	Khalid Anwar	Senior Clerk (11)	Rega	
4	Lai Zada	Junior Clerk (11)	Pirbaba	
5	Abdul Saood	Junior Clerk (11)	Pirbaba	
6	Mujeeb-ur-Rehman	Junior Clerk (11)	Elai	
7	Sadaqat Ali	KPO / WM (5)	Elai	-do-
8	Bakhti Zaman	Sanitary Supervisor (7)	Ghazi Banda	-do-
9	Sher Ali Khan	Driver (5)	Rega	-do-
10	Ghafoor Ahmad	Driver (4)	Kalpani	-do-
11	Arshad Khan	Driver Fire-brigade(4)	Annawar	-do-
12	Anwar Zada	Driver Fire Brigade (4)	Shalbandi	-do-
13	Sawab Noor	Naib Qasid (2)	Pirbaba	-do-
14	Hamesh Gul	Naib Qasid (2)	Pirbaba	-do-
15	Shaukat Ali	Naib Qasid (2)	Pirbaba	-do-
16	Bakht Zamin	Naib Qasid (2)	Torwarsak	-do-
17	Sher Zaman	Naib Qasid (2)	Khail	-do-
18	Muhammad Zubair	Naib Qasid(2)	Karapa	-do-
19	Kabal	Naib Qasid (2)	Pirbaba	-do-
20	Sher Bahadar	Naib Qasid (2)	Pirbaba	-do-
21	Hamayun Akhtar	Naib Qasid (1)	Agarai	-do-
22	Khursheed	Naib Qasid (2)	Pirbaba	-do-
23	Muhammad Shah	Sweeper (1)	Cheena	-do-
24	Muhammad Sultan	Volveman (1)	Pirbaba	-do-
25	Zafar Ali	Sanitary Worker (1)	Banda Krappa	-do-
26	Afsar Ali	Sanitary Worker (1)	Anghapur	-do-
27	Rauf-ur-Rehman	Sanitary Supervisor (4)	Bajkata	-do-
28	Raheem Noor	Sanitary Worker (1)	Rega	-do-
29	Hamrizi Gul	Sanitary Worker (1)	Annawar	-do-
30	Zubair Khan	Sanitary Worker (1)	Dewanababa	-do-
31	Sher Khan	Nawab Sanitary Worker (1)	Rega	-do-
32	Said Shah	Raheem Sanitary Worker (1)	Rega	-do-
33	Wajid Ali	Sanitary Worker (1)	Sunigram	-do-
34	Hussain Shah	Fireman(1)	Chanar	-do-
35	Aziz Muhammad	Fireman(1)	Rega	-do-
36	Musa Khan	Fireman(1)	Cheena	-do-
				TMA Sagra
1	Amir Zeb	Senior Clerk(14)	Cheena	-do-
2	Liaqat Ali Khan	Tax Inspector (11)	Rega	-do-
3	Muhammad Zubair	Junior Clerk (11)	Bajkata	-do-
4	Saleem Khan	Junior Clerk (11)	Rega	-do-
5	Sabza Khan	Driver (5)	Rega	-do-



 ASST. COM. DIR. Local Govt. & R. Deptt. Quetta

	Yousaf Ali Shah	Driver Fire Brigade	Amnawar	-do-
	Afzal	Naib Qasid (2)	Amnawar	-do-
	Said Ghawar Shah	Naib Qasid (2)	Takhtabano	-do-
10	Sajad-ur-Rehman	Naib Qasid (2)	Bajkata	-do-
11	Sher Nawab Khan	Road Gunj Koolie (1)	Chagharzi	-do-
12	Imran	Road Gunj Koolie (1)	Chagharzi	-do-
13	Zaibullah Khan	Malaria Koolie (1)	Chagharzi	-do-
14	Taj Bahadar	Malaria Koolie (1)	Chagharzi	-do-
15	Mianqat Ali	Sanitary Worker (2)	Matwani	-do-
16	Ali Bur Khan	Sanitary Supervisor BPS-07		-do-
17	Sajid Ali	Sanitary Worker(1)		-do-
18	Said Waheed Shah	Sanitary Worker(1)		-do-
19	Rahman Said	Sanitary Worker (1)	Bajkata	-do-
20	Syed Newsahd	Chowkidar (2)	Rega	-do-
21	Umar Wahid	Chowkidar (2)		-do-
22	Mahar Taj	Sanitary Worker (1)	Rega	-do-
23	Zubair Hussain	Sanitary Worker (1)	Rega	-do-
24	Fazal Hussain	Sanitary Worker (1)	Rega	-do-
25	Amirzeb	Sanitary Worker (1)	Rega	-do-
26	Muhtadad Shah	Driver Fire-brigade (4)	Shalbandi	-do-
27	Rahmanullah	Fire Brigade Helper (2)	Matwani	-do-
28	Amir Alam Khan	Fire Brigade Helper (2)	Matwani	-do-
29	Ihsan-ul-Haq	Tax Collector(5)	Chagurzai	-do-
				TMA MANDANR
1	Gul Zamin	Office Superintendent (17)	Agarai	-do-
2	Irshad	Tax Assistant(11)	Ghurghushto	-do-
3	Rayasat Khan	Patwarai (9)	Ghurghushto	TMA Mandanr
4	Muhammad Zareen	Tax Inspector (11)	Kankoi	-do-
5	Farid Khan	Junior Clerk (7)	Khanano Dherai	-do-
6	Zujaj	Supervisor Fire Brigade(5)	Nawagai	-do-
7	Imran Ali	Driver(4)	Nawagai	-do-
8	Bakht Bahadar	Fireman(1)	Maskipur	-do-
9	Sherdad Gul	Naib Qasid (3)	Amazi	-do-
10	Munir Akhtar	Naib Qasid (2)		-do-
				TMA Totalai
1	Muhammad Ayaz Khan	Junior Clerk (11)	Totalai	-do-
2	Rahmat Noor	Naib Qasid (2)	Totalai	-do-
3	Sulaiman Aliq	Road Gunj Koolie (1)	Totalai	-do-

(Handwritten signatures)

ASST. LOCAL DEPT. SU. R

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	Abdul Qayum	Sanitary (DW)	Worker	Totalai	
	Qulnazar	Sanitary (DW)	Worker	Totalai	-do-
6	Zahid	Sanitary (DW)	Worker	Totalai	-do-
7	Ahmad Ali	Sanitary (DW)	Worker	Totalai	-do-

THE Assets including vehicles, taxes and others were decided to be proposed as below:

No.	Vehicle Type & No.	Make	Model	Allotment
1	A 5105 Peshawar (Double Cabin)	Japan	2005	TMA Daggar
2	A 1026 BE (Double Cabin)	Japan	1996	-do-
3	A-1002 BE (Double Cabin)	Japan	1995	-do-
4	Road Roller	-----	-----	-do-
5	A 1044 BE (Tractor FIAT)	Pak	2012	-do-
6	Fire-Brigade	Pak	2013	-do-
				TMA Gagra
1	BEA 1009 (Double Cabin)	Japan	2006	-do-
2	PRA 5107 (Double Cabin)	Japan	2005	-do-
3	BE 923 Tractor FIAT	Pak	2003	-do-
4	Fire-Brigade	Pak	2013	-do-
				TMA Mandanr
1	BEA 1003 (Double Cabin)	Japan	1994	-do-
2	Fire-Brigade	Pak	2013	-do-
				TMA Totalai
1	BEA 1005 (Double Cabin)	Japan	1995	-do-

No.	Contract Specification	Proposed Handing Over
		TMA DAGGAR (10 UCs)
1	2 % Property Tax	-do-
2	Sign Board	-do-
3	Bus Stand Jowar	-do-
4	Bus Stand Gokand	-do-
5	Public Latrine Pirbaba	-do-
6	Road Roller	-do-
7	Water Rate Pirbaba	-do-
8	Bus Stand Pirbaba	-do-
		TMA Gagra (9 UCs)
1	2 % Property Tax	-do-
2	Sign Board	-do-
3	Cattle Fair Swari	-do-
4	Cattle Fair Budal	-do-
5	Bus Stand Swari	-do-

[Handwritten Signature]
[Handwritten Signature]
 Asst. Local Govt. Deptt. Eu. & Devt.

9

		TMA Mandaur (5 UCs)
1	2 % Property Tax	-do-
2	Sign Board	-do-
3	Bus Stand Ambela	-do-
4	Bus Stand Nagri Amazi	-do-
5	Cattle Fair Nagri	-do-
		TMA Totalai (5 UCs)
1	2 % Property Tax	-do-
2	Sign Board	-do-
3	Bus Stand Ghoghushto	-do-
4	Bus Stand Chinglai	-do-

Muhammad
 Chief Municipal Officer
 Municipal Committee Totalai

[Signature]
 Chief Municipal Officer
 Municipal Committee Swari

[Signature]
 Chief Coordination Officer
 District Council Buner

Approved By:
[Signature]
 DEPUTY COMMISSIONER,
 BUNER.

Endst. No. & date even.

For information and necessary action:

1. Special Secretary, LGE & RDD, Khyber Pakhtunkhwa Peshawar.
2. Additional Secretary, LGE & RDD, Khyber Pakhtunkhwa Peshawar.
3. Secretary, Local Council Board, Khyber Pakhtunkhwa Peshawar.
4. Secretary, Provincial Delimitation, authority Khyber Pakhtunkhwa Peshawar.
5. Director General, LGE & RDD, Khyber Pakhtunkhwa Peshawar.
6. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar.
7. SO (E) LGE & RDD, Khyber Pakhtunkhwa Peshawar.
8. PS to Senior Minister LGE & RDD, Khyber Pakhtunkhwa Peshawar.
9. Chief Coordination Officer, District Council, Buner.
10. Chief Municipal Officer, Swari.
11. Chief Municipal Officer, Totalai.

[Signature]
[Signature]
 Local Council Board
 Deptt. Buner
 Buner

[Signature]
 Deputy Commissioner
 Buner

The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

10 (8)

1. Name: MR. KARIM BAKHASH

2. Race: Afghan

3. Residence: Village & P.O. Pacha Kalay Teh. Daggard
Distt. Buner.


4. Father's name and residence: SAID BAKHASH


5. Date of birth by Christian era as nearly as can be ascertained: 1st November N.H. Fifty Eight
(01-11-1958)


6. Exact height by measurement: 6-00

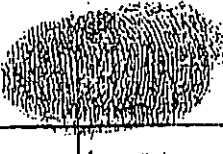
7. Personal marks for identification:

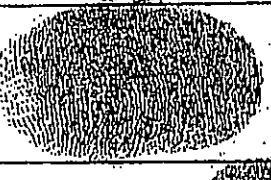
8. Left hand thumb and Finger impression of (Non-Gazetted) officer:

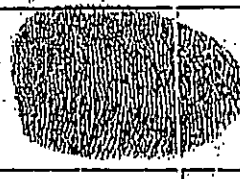
Little Finger: 

Ring Finger: 

Middle Finger: 

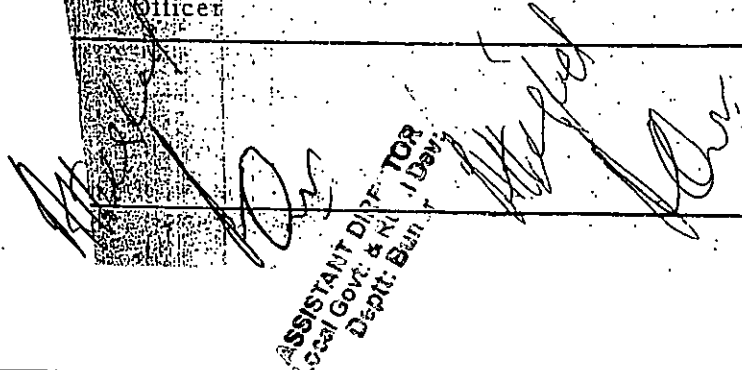
Fore Finger: 

Thumb: 

9. Signature of Government Servant: 

10. Signature and designation of the Head of the Office, or other Attesting Officer

SECRETARY
Zilla Council Buner


ASSISTANT DIR. TOR
Local Govt. & N.I. Dept.
Distt. Buner




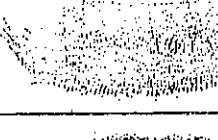




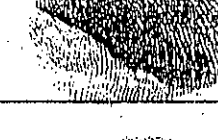



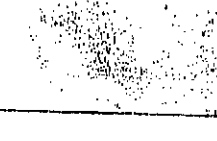
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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Sweepers	fixed		Rs. 2000/-			4/7/2003	
~	~		Rs. 2300/-			4/7/2003	
	Contrs		Rs. 4000/-			1/2/2006	
Sweepers	Regular	BPS-1 (1870-55-3520)	Rs. 1870/-			4/7/2003	
- AD -	- AD -		Rs. 1925/-			12/1/2003	
- AD -	- AD -		Rs. 1980/-			12/1/2004	
Sweepers	Regular	BPS-01 (2150-65-4100)	Rs. 2280/-			7/1/2005	
- AD -	- AD -		Rs. 2345/-			12/1/2005	
- AD -	- AD -		Rs. 2410/-			12/1/2006	
- AD -	- AD -	BPS-1 (2475-75-4728)	Rs. 2775/-			7/1/2007	
- AD -	- AD -		Rs. 2850/-			12/1/2007	
- AD -	- AD -	BPS-1 (2970-90-5670)	Rs. 3420/-			7/1/2008	
- AD -	- AD -	BPS-1 (2970-90-5670)	Rs. 3510/-			12/1/2008	

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.		Period	Government to which debitible	Reference to an recorded punishment or censure, or reward or praise of the Government Servant
SECRETARY Zilla Council Buner	7 2003	Inc: 300/- fixed	SECRETARY Zilla Council Buner			Appointed as Sweeper as fixed against vacant post vide D.O (B) No. Enclst. No 203-7/DC (B) dated 7-4-2	
SECRETARY Zilla Council Buner	11 2006	pay fixed	SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	6-4 2003	Entry Revised due to allow BPS-1	SECRETARY Zilla Council Buner			Awarded Basic pay scale No-1 vide Govt. of NWFP Finance Department (Regulation wing) notification No. B.O-1/1-22/2003 dated Peshawar the 29-07-20	
SECRETARY Zilla Council Buner	30-11 2003	Am/gmc	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30-11 2004	Am/gmc	SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30-6 2005	Scale Revised	SECRETARY Zilla Council Buner			pay of from 1-11-2005 Rs-40/- vide order No. B.O-1/1-22/2005 PD dated 15-11-2006	
SECRETARY Zilla Council Buner	30-11 2005	Am/gmc	SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30-11 2006	Am/gmc	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30-6 2007	Scale Revised	SECRETARY Zilla Council Buner			Scale verified in ef 7-4-2007 to 30-11-2003 from Acquaintance and other record kept in this	
SECRETARY Zilla Council Buner	30-11 2007	Am/gmc	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30-6 2008	Scale Revised	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30-11 2008	Am/gmc	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30-11 2009	Am/gmc	SECRETARY Zilla Council Buner				

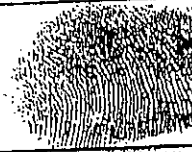









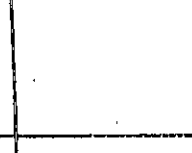
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(13) (10)

1	2	3	4	5	6	7	8
Name of post	Whether substan- live or officiating and whether permanent or temporary	If officiating, stat- (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Sweeper	Permanent		Rs. 3600/-			12/2009	
- AD -	- AD -		Rs. 3690/-			12/2010	
- AD -	- AD -	BPS-1 (4300-150-9300)	Rs. 6000/-			7/2011	
- AD -	- AD -		Rs. 6150/-			12/2011	
- AD -	- AD -		Rs. 6300/-			12/2012	
- AD -	- AD -		Rs. 6450/-			12/2013	
Sweeper	Sub/Perm.	BPS-2 (2530-85-5080)	Rs. 2700/-			7/2007	
- AD -	- AD -		Rs. 2785/-			9/2007	
- AD -	- AD -		Rs. 2870/-			12/2007	
- AD -	- AD -	BPS (3035-100-6035)	Rs. 3435/-			7/2008	
- AD -	- AD -		Rs. 3535/-			12/2008	
- AD -	- AD -		Rs. 3635			12/2009	
- AD -	- AD -		Rs. 3735/-			12/2010	

etc

9	10	11	12	13		14	15	
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Leave		Signature of the head of the office or other attesting officer	Reference to records of punishment, censure, or praise or Government Service
					Period	Government to which debitable		
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₀	An/gmc	[Signature]			Service verified w.r of 1-12-2013 to 30-11-2011 from Accounts etc and other records kept in the		
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₁₁	Scale Revised	[Signature]				SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₁	An/gmc	[Signature]					
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₂	An/gmc	[Signature]					
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₃	An/gmc	[Signature]			Service verified w.r of 1-12-2013 to 30-11-2011 from the records of this office		
SECRETARY Zilla Council Buner		Entry Revised due to allow up-gradation B-2.	[Signature]					
SECRETARY Zilla Council Buner	31 ⁸ / ₂₀₀₇	one one-month gmc	[Signature]				SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₇	An/gmc	[Signature]					
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₀₈	Scale Revised	[Signature]			Service verified w.r of 1 ¹⁰ / ₂₀₀₈		
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₈	An/gmc	[Signature]			30-11-2005 from the records of this office.		
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₀₉	An/gmc	[Signature]					
SECRETARY Zilla Council Buner	30 ¹¹ / ₂₀₁₀	An/gmc	[Signature]				SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30 ⁶ / ₂₀₁₁	An/gmc	[Signature]					

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.B.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Sivaperai o/o 1	Sub/perm	BPS-2 (4900-170-10000)	Rs. 6090/-			7 1/2011	
- do -	- do -		Rs. 6260/-			12 1/2011	
- do -	- do -		Rs. 6430/-			12 1/2012	
- do -	- do -		Rs. 6600/-			12 1/2013	
- do -	- do -		Rs. 6770/-			12 1/2013	
- do -	- do -		Rs. 6940/-			12 1/2014	
- do -	- do -	BPS-2 (6335-220-12935)	6995/-			7 1/2015	
- do -	- do -	BPS-4 (6730-300-15730)					
- do -	- do -		Rs. 7330/-			7 1/2015	
- do -	- do -		Rs. 7630/-			12 1/2015	
- do -	- do -	BPS-4 (8280-370-19380)	9390/-			7 1/2016	
- do -	- do -						
- do -	- do -						
- do -	- do -						

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as Promotion, transfer, dismissal, etc)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period		Government to which debitable
SECRETARY Zilla Council Buner	30/11/2011	Am/gmc				One ph. signature vide Finance Deptt. N (So) dated 14/7/2011	
SECRETARY Zilla Council Buner	30/11/2012	Am/gmc				2-123	
SECRETARY Zilla Council Buner	30/11/2013	Am/gmc				SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	1/12/2013	One ph. signature inc. attestation	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30/11/2014	Am/gmc	SECRETARY Zilla Council Buner			upgraded to BPS-17 Govt. of K.P.R. Finance Notification No. FD/501 7-20/2014 dated 30/11/14	
SECRETARY Zilla Council Buner	1/7/2015	upgraded to BPS-16	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	1/7/2015	Scale. 16 Revised & upgraded to BPS-17	SECRETARY Zilla Council Buner			SECRETARY Zilla Council Buner	
SECRETARY Zilla Council Buner	30/11/15	Am/gmc	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner	30/6/2016	Scale Revised	SECRETARY Zilla Council Buner				
SECRETARY Zilla Council Buner							
SECRETARY Zilla Council Buner							

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بعدالت جناب سروس ٹریبونل کمپ کورٹ بمقام گلکدہ سیدو شریف سوات

کریم بخش بنام لوکل گورنمنٹ وغیرہ

درخواست برائے تبدیلی تاریخ پیشگی

جناب عالی! حسب ذیل عرض ہے۔

- ۱۔ یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے۔ جس میں آج مورخہ 06/01/2020 تاریخ پیشگی مقرر ہے۔
- ۲۔ یہ کہ سائل کا وکیل مس الہادی ایڈوکیٹ دیگر مقدمات کے سلسلے میں پشاور ہائی کورٹ پشاور میں مصروف ہے۔ بدیں وجہ عدالت حضور میں پیش ہونے سے قاصر ہے۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائیل کو تبدیلی تاریخ پیشگی کا حکم صادر فرمایا جائے۔ المرقوم: 06/01/2020

عریضہ

کریم بخش (سائل)
سرنگھ کھنسن