

20.06.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Heard.

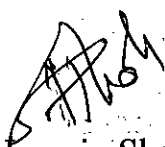
The appellant (Assistant) who was appointed as Tehsildar on current charge basis has assailed the office order dated 17.08.2018 of his repatriation to his parent department and order dated 25.09.2019 through which his departmental appeal was rejected.

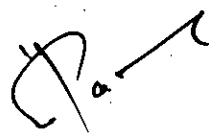
There is no cavil to the proposition that a civil servant has no right to question the order of his repatriation to his parent department.

Learned Deputy District Attorney stated that identical nature services appeals have already been rejected by this Tribunal vide common judgment passed in Service Appeal No.1113/2018 filed by Abdur Rehman.

Learned counsel for the appellant conceded the stance taken by learned Deputy District Attorney that identical nature service appeals have been dismissed.

Consequently the present service appeal is also dismissed in the light of judgment passed in service appeal mentioned above. Parties are left to bear their own costs. File be consigned to the record room.


  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

ANNOUNCED.  
20.06.2019

17.06.2019

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Javed Assistant for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 20.06.2019 before D.B.



Member



Member

*[Two large diagonal lines crossing the page, possibly indicating a signature or a mark.]*

13.03.2019

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment.

In the present case last opportunities have already been granted for arguments however today again adjournment was requested for arguments.

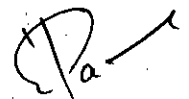
In the instant service appeal Saraf Ali Assistant who was working as Tehsildar on current charge basis, has challenged the order dated 17.08.2018 regarding his repatriation to his parent department.

Identical nature cases have already been dismissed by this Tribunal or the stay orders have been vacated.

In the present case the order for maintaining status quo was issued till the next date fixed as 30.10.2018 and thereafter the same was not extended any further. As such the order for maintaining status quo shall be deemed as vacated. Adjourn. To come up for arguments on 26.04.2019 before D.B. The appellant is also at liberty to argue his case on any working day even before the next date of hearing. The SMBR (respondent No.2) is strictly directed to shun the illegal practice of appointments on current charge basis. Copy of this order sheet be sent to SMBR (respondent No.2).



Member



Member

26.04.2019

Clerk to counsel for the appellant and Adll: AG for the respondents present.

Due to general strike on the call of Bar Association instant matter is adjourned to 17.06.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

03.1.2019

Counsel for the appellant and Mr. Ziaullah, DDA for the respondents present.

Learned counsel for the appellant requests for adjournment as he has not prepared the brief due to over work. Adjourned to 25.01.2019 for arguments before the D.B.

  
Member

  
Chairman

25.01.2019


Appellant alongwith his counsel present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Muhammad Arif, Superintendent for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 13.03.2019 for arguments before D.B.


  
(AHMAD HASSAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

13.12.2018


Learned for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Arif Superintendent for the respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file and requested for adjournment. Learned AAG objected upon the adjournment on the ground that in the present service appeal transfer order has been made impugned and ad-interim relief has also been granted. Appellant is granted last opportunity for arguments. Adjourn. To come up for arguments on 24.12.2018 before D.B.

  
Member

  
Member

24.12.2018

Appellant alongwith his counsel present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Muhammad Arif, Superintendent for the respondents present. Learned counsel for the appellant requested for adjournment. Another last opportunity is granted for arguments. Adjourned. To come up for arguments on 03.01.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

30-10-18

Due to retirement of Honorable  
Chairman the Tribunal is non functional  
therefore the case is adjourned to  
come up for the same on

28-11-2018

*Javed*  
Reader

23.11.2018

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Javed Iqbal, Senior Clerk for the respondents present. Written reply on behalf of respondents submitted. To come up for rejoinder and arguments on 13.12.2018 before D.B.

*MAK*  
Muhammad Amin Khan Kundi  
Member

01.10.2018

Counsel for the appellant Saraf Ali Present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Revenue Department as Tehsildar. It was further contended that he was transferred from the post of Political Tehsildar, Dossali North Waziristan to the post of Political Tehsildar FR Bannu vide order dated 21.02.2018 but just after six months he has been again transferred from Tehsildar (CCB) FR Bannu and repatriated to his parent office vide impugned order dated 17.08.2018 before completing his normal tenure therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 16.10.2018 before S.B. Learned counsel for the appellant also submitted application for suspension of impugned order. In the meanwhile status-quo be maintained till the date fixed.

  
(Muhammad Amin Khan Kundi)  
Member

16.10.2018

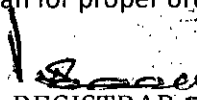


Counsel for the appellant present. Mr. M. Harif, Supdt alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Granted. Case to come up for written reply/comments on 30.10.2018 before S.B. In the meanwhile status-quo be maintained till the date fixed.

  
~~In the meanwhile status-quo be maintained till the date fixed~~  
(Ahmad Hassan)  
Member

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 1185/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/09/2018	<p>The appeal of Mr. Saraf Ali presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 26/9/18</p>
2-	27-09-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01-10-2018</u>.</p> <p> CHAIRMAN</p> <p></p>



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

APPEAL NO. 1185 /2018

**SARAF ALI**

**VS**

**GOVT: OF KP**

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**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK,**  
**ADVOCATE**

Flat No. 3, Upper Floor,  
Islamia Club Building,  
Khyber Bazar, Peshawar  
0345-9383141

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

**APPEAL NO. 1185 /2018**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1471

Date 26/9/2018

Mr. Saraf Ali, Tahsildar Current Charge Basis,

FR Bannu ..... **APPELLANT**

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
- 3- The Board of Revenue through its Assistant Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.

..... **RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 17.8.2018 WHEREBY THE APPELLANT WAS REPATRIATED/ REVERTED TO THE POST OF ASSISTANT AND AGAINST THE APPELLATE ORDER DATED 25.9.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS**

**PRAYER:**

That on acceptance of this appeal the impugned orders dated 17.8.2018 & 25.9.2018 may very kindly be set aside and the respondents may be directed to restore the appellant on the post of Tehsildar (BPS-16) with all consequential back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

**Brief facts giving rise to the present appeal are as under:-**

- 1- That appellant was initially inducted/ appointed as Assistant in the respondent Department on the proper recommendation of the Departmental selection committee vide office order dated 22.6.2006. Copy of the appointment order is attached as annexure ..... **A.**
- 2- That according to the service structure of the respondent Department Notified on 23.1.2015 twenty percent promotion quota was allocated for the cadre of Assistant

Filed to-day

Registrar

26/9/18

working in the offices of Commissioners, Deputy Commissioners and Political Agents. That in light of the said rules the appellant was initially posted against the post of Head Clerk (revenue)/Naib Tehsildar Land Reforms Swat vide order dated 14.3.2013 and subsequently was posted on the vacant post of Tehsildar Dargai on current charge basis vide order dated 11.2.2016. Copies of the Rules and orders are attached as annexure ..... **B, & C.**

- 3- That in response to the said order the appellant started his duty as Tehsildar Dargai quite efficiently and up to the entire satisfaction of his superiors. That later on vide order dated 22.2.2016 the appellant was posted as political Tehsildar, Mirali, North Waziristan Agency. That where after the appellant was further posted as political Tehsildar Dossali, NWA vide order dated 26.12.2016. Copies of the orders are attached as annexure ..... **D & E.**
- 4- That lastly vide office order dated 21.2.2018 the appellant posted against the vacant post of political Tehsildar FR Bannu. That in response to the said order the appellant started his duty at the concerned station efficiently. Copy of the order dated 21.2.2018 is attached as annexure ..... **F.**
- 5- That astonishingly the Senior Member Board of Revenue i.e. respondent No.2 issued the impugned order dated 17.8.2018 whereby the appellant along with his colleague were reverted/repatriated to the post of Assistants without any reason and clear justification. Copy of the impugned order is attached as annexure ..... **G.**
- 6- That appellant feeling aggrieved from the impugned order dated 17.8.2018 filed Departmental appeal and where after filed writ petition No.4172/2018 before the Peshawar High Court Peshawar but the same was withdrawn by the appellant with the permission to approach the proper forum vide judgment dated 5.9.2018. Copies of the Departmental appeal and judgment are attached as annexure ..... **H & I.**
- 7- That vide appellate order dated 25.9.2018 the Departmental appeal of the appellant has been filed by the respondent No.1 on no good grounds. Hence the present appeal on the following grounds amongst the others. Copies of the Departmental appeal and rejection order is attached as annexure ..... **J.**

**GROUND:**

- A- That the impugned orders dated 17.8.2018 and 25.9.2018 issued by the respondent No.2 are against the

law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That the respondents has not been treated the appellant in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Pakistan 1973.
- C- That appellant is the senior most employee of his cadre and is eligible with all respect for the post of Tehsildar in light of the service Rules of the respondent Department, hence the reversion/ repatriation of the appellant is not tenable in the eye of law and Rules.
- D- That the order regarding posting of the appellant against the post of Tehsildar has been fully acted upon and attained finality thus is a past and closed chapter/transaction, hence re-inquiring of it is not free from malafide also suggested involvement of hidden hands in depriving the appellant from the post of Tehsildar.
- E- That the impugned order dated 17.8.2018 regarding reversion of the appellant to the post of Assistant is amounts to double jeopardy.
- F- That the respondent No.2 is competent under the recruitment Rules mentioned above, who himself issued valid/legal order which has been acted upon thus subsequently he can not be allowed to turn around after the laps of more than five years alleging that such posting order was not competently issued.
- G- That the action of Senior Member Board of Revenue by issuing the impugned order dated 17.8.2018 against the appellant certainly amounts to the violation of judgments of the superior Courts.
- H- That the impugned action of the respondent No.2 is against the doctrine of the natural justice.
- I- That the appellant has been treated discriminately, therefore, the impugned action needs to be declared illegal, against the law, have no legal effect and against the constitution of Islamic Republic of Pakistan 1973. That colleagues of the appellant namely Mr. Feroz Khan and Mr. Tariq Ahmed who were also reverted/ repatriated to his original post of Assistant have been again posted as Tehsildar on Current charge basis vide orders dated 13.9.2018 and 13.8.2018. So much so those kanungos who were posted as Tehsildars on current charge basis

are still working against the said post but the appellant was reverted. Copies of the record are attached as annexure ..... **K.**

- J- That the action of the concern authority by issuing the impugned order dated 17.8.2018 at this belated stage is not only malafide but void ab initio and corum-non-judice.
- K- That the concerned authority acted in arbitrary and malafide manner while issuing the impugned order dated 17.8.2018 reverting the appellant to the post of Assistant.
- L- That no show cause notice has been served against the appellant by the respondents before issuing the impugned order dated 17.8.2018.
- M- That appellant seeks permission to advance other grounds proofs at the time of hearing.

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

Dated: 25.9.2018

**APPELLANT**



**SARAF ALI**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK**



**MUHAMMAD MAAZ MADNI**  
ADVOCATES, HIGH COURT, PESHAWAR  
(MOBILE NO. 0345-9383141)

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

Appeal No. \_\_\_\_\_ /2018

**SARAF ALI**

**VS**

**REVENUE DEPARTMENT**

**APPLICATION FOR SUSPENSION OF THE**  
**OPERATION OF THE IMPUGNED ORDER DATED**  
**17.8.2018 TILL THE DISPOSAL OF THE ABOVE**  
**MENTIONED APPEAL**

**R.SHEWETH:**

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 17.8.2018 whereby the appellant has been reverted from the post of Tehsildar (BPS-16) to the post Assistant.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 17.8.2018 has been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore most humbly prayed that on acceptance of this application the operation of the impugned order dated 17.8.2018 may kindly be suspended to the extent of appellant till the disposal of the above mentioned appeal.

Dated: 25.9.2018

**APPELLANT**



**SARAF ALI**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK**



**MUHAMMAD MAAZ MADNI**

ADVOCATES, HIGH COURT, PESHAWAR

(MOBILE NO. 0345-9383141)

OFFICE OF THE DISTRICT COORDINATION OFFICER BUNER.

Dated Daggar the 22/06/2006.

No. 5078/Estt./8(Main file)

OFFICE ORDER.

Consequent upon the recommendations of the District Selection Board Buner the following individuals are hereby appointed as Office Assistants (BPS-11) on contract basis in the office of the Executive District Officer Finance & Planning Buner (as contained in the minutes of the meeting held on 22/06/2006) on the terms and conditions given below with immediate effect.

S.No	Name & Address
1	Saraf Ali S/o Manzar Ali R/o Chanar District Buner
2	Atanillah S/o Muhtamin Shah, R/o Topdara District Buner.
3	Samir Rehman S/o Miraj Khan, R/o Bajkata Distt: Buner.

Terms & Conditions.

- i. They will be placed in minimum of BPS-11 with usual allowances as permissible to the Government Servant of the same pay scale.
- ii. Their appointment is purely temporary and on contract basis and their services can be terminated at any time without assigning any reason.
- iii. Their services will be governed under the Government of NWFP Civil Servants Act 1973 except Section-19.
- iv. For all other purposes such as pay, TA and Medical attendance etc they will be governed by rules applicable to the Government Servant of their category.
- v. Their service will be subject to their medical fitness.
- vi. They will be provided same facilities under Benevolent Fund as admissible to the Government Servants at the rates to be prescribed by the Government.
- vii. They will avail the benefit of Contributory Provident Fund through 5% contribution of minimum of Their pay and 5% contribution to be made by the government.
- viii. They will not contribute to GPF and shall not be entitled for Pension and Gratuity benefits.
- ix. No TA/DA will be admissible to them on joining their first appointment.
- x. They can not resign the service immediately but they have to put in writing at least one month prior and in lieu thereof, one month pay shall be forfeited from them.
- xi. If they accept the appointment on the above terms and conditions, they may report to the office/place of duty mentioned above.
- xii. On assumption of duties it will be taken for that they have accepted all the above terms and conditions.
- xiii. Their appointment is subject to fulfillment of all the conditions laid down in the service rules.

No. 5079-86/Estt./8(Main)

- Copy forwarded to:-
1. The Executive District Officer, F & P, Buner.
  2. The District Officer Revenue & Estate, Buner.
  3. The Assistant Coordination Officer, Buner.
  4. The District Accounts Officer, Buner.
  5. The Principal G.C. Daggar, to relieve Mr. Saraf Ali, who is already in service as Lab: Assistant in the College.
  6. ✓ Officials concerned.

(DISTRICT COORDINATION OFFICER,  
BUNER)

**ATTESTED**

COORDINATION OFFICER,  
BUNER.

DIS

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE /REVENUE AND ESTATE DEPARTMENT.

B-⑦

NOTIFICATION

Peshawar, dated 23- 01-2015

1942/Estt/135/SSRC. In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and transfer) Rules, 1989 read with the Cabinet Order No. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, Peshawar Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX

1	2	3	4	5	6	7
No	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS 16)	Secy (SMBR)	Second class education from any university recognized by the Higher Education Commission	<del>Deleted</del>	21 - 30 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrar with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such.

ATTESTED

*[Signature]*



	2	3	4	5	6	7
1-A	Reader to Senior Member / Members Board of Revenue	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars <span style="float: right;">⑧</span>
1-B	Inspector of Stamps	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
2.	Naib Tehsildar (BPS 14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	<del>Deleted</del>	21-30 years, For initial recruitment	(a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and (b) twenty five percent by promotion on the basis of Seniority - cum - fitness from amongst Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. (c) fifteen percent by promotion, on the basis of joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned; and (d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as Political Muharrirs of the offices of Political Agents with at least ten years service.”;
3.	District Kanungo (Saddar Kanungo) (BPS 14)	Administrative Secretary (SMBR)	-	-	-	By promotion on the basis of seniority-cum-fitness, from amongst the Kanungo of the concerned District with at-least three years service as such
4.	Head Clerk Revenue (BPS - 14)					By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

ATTESTED



	2	3	4	5	6	7
5.	District Revenue Accountant (BPS 14)	Administrative Secretary (SMBR)				By promotion, on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant of the district with at least three years service as such.
6.	Kanungo (BPS - 11)	District Collector				By promotion, on the basis of seniority-cum-fitness, from amongst the Patwaris and Naib Office Kanungos of the district concerned with three years service as such and who have passed the Departmental examination of Kanungo.
7.	Tehsil Accountant	District Collector				By promotion on the basis seniority-cum-fitness from amongst the Naib Tehsil Accountants having three (03) years service as such.
8.	Patwari (BPS - 09)	District Collector	Intermediate or equivalent qualification, who have passed the Patwar Examination.		18 to 35	By initial appointment from amongst the Patwar passed candidate entered in the Tehsil patwar candidate register maintained by District Collector of the district concerned.
9.	Naib Tehsil Accountant / Naib Tehsil Office Kanungo	District Collector				By transfer from amongst the Patwaris.

ATTESTED



Sd/-  
SECRETARY TO GOVERNMENT  
REVENUE AND ESTATE DEPARTMENT

④-⑥ 10

FROM : COMMISSIONER MALAKAND DIVISION

FAN NO. : 05489240229

14 Mar. 2013 9:30AM



OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
SAIDU SHARIF SWAT

Dated 14 /03/2013

OFFICE ORDER

No. 1938 /2/18/Vol-V/Estt: Mr. Saraf Ali, Assistant (BPS-14) of the office of Deputy Commissioner, Buner is hereby transferred and posted as DC (Revenue), District Swat in his own pay and scale against the vacant post as stop-gap arrangement till further orders?

Sd/-  
Commissioner Malakand Division

No. 1934-45 /2/18/Vol-V/Estt:

Copy forwarded to:-

1. The Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner, Buner
3. The Deputy Commissioner, Swat.
4. The District Accounts Officer, Buner
5. The District Comptroller of Accounts, Swat.
6. The Official Concerned.
7. Office order file.

SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

DK  
D.C.S  
14-3-13

**ATTESTED**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 12/11/2014

C-11

ORDER

No. Estt: I/PF/Quatab Khan/ \_\_\_\_\_ The Competent Authority is pleased to order the following posting /transfers amongst the following Tehsildars/Naib Tehsildars with immediate effect and in public interest:-

S.No	Name of Official	From	To
1.	Mr. Qutab Khan	Tehsildar Pattan (CCB)	Tehsildar / Instructor RTA Karak (Current Charge Basis)
2.	Mr. Habib-ur-Rehman	Tehsildar Torghar	Tehsildar Pattan
3.	Mr. Faramosh Khan	Tehsildar Dargai (CCB)	HVC Commissioner office Malakand
4.	Mr. Adam Khan	HCR Buner	Tehsildar Dir Upper (Current Charge Basis)
5.	Mr. Saraf Ali, Assistant	HCR Swat (CCB)	Tehsildar Dargai (Current Charge Basis)

By Order of  
Secretary

No. Estt: I/PF/Quatab Khan / 22264-68

Copy forwarded to the:-

1. Commissioners, of the respective Divisions.
2. Deputy Commissioners of the respective Districts.
3. District Account Officers, of the respective Districts
4. Officials concerned.
5. Personal Files.

**ATTESTED**

Assistant Secretary (Estt.)

*[Handwritten signature]*



FATA SECRETARIAT  
Law & Order Department  
PESHAWAR

ORDER

The following posting/transfer between Political Tehsildars is hereby ordered with immediate effect, in the best public interest;

S.No.	Name of PT/PNT	From	To
1.	Mr. Saranzeb, Tehsildar (BS-16)	Waiting for posting at FATA Secretariat	On the disposal of Commissioner Bannu Division Bannu for further posting in North Waziristan Agency.
2.	Mr. Saraf Ali, Tehsildar (BS-16)	-do-	On the disposal of Commissioner Bannu Division Bannu for further posting in North Waziristan Agency.

Sd/  
Secretary Law & Order (FATA)

Ends of No. FS/L&O/37/540-41

dated 11.02.2016

Copy forwarded to:-

- i. Commissioner Bannu Division, Bannu.
- ii. Political Agent, North Waziristan Agency.
- iii. Secretary-I, Board of Revenue & Estate Department. Khyber Pakhtunkhwa. Peshawar
- ✓ iv. Official concerned for compliance.
- v. PS to ACS(FATA)
- vi. PS to Secretary Law & Order.

ATTESTED

*[Signature]*

*[Signature]*  
Deputy Secretary  
(Law & Order)



15101-7564833-3

D - (13)

OFFICE OF THE  
COMMISSIONER  
BANNU DIVISION

P.O. Box, 12, Postal Code 28100, Bannu.  
Phone: 0928-9270644 & 631144.  
Fax: 0928-9270041  
E-mail: commissioner@bannu@hotmail.com

No. 716-21/AG-I/F.90  
Dated: 22-2-2016

OFFICE ORDER

In pursuance of FATA Secretariat Peshawar order No. FS/L&O/37/540-41 dated 11/2/2016, the following posting/transfers of PTs/PNTs in Bannu Division are hereby ordered with immediate effect in the public interest:

S.No.	Name and Designation	From	To
1	Mr. Saran Zeb Khan, Tehsildar (BPS-16)	Waiting for posting	Political Tehsildar Shawal at Razmak
2	Mr. Saraf Ali Khan, Tehsildar (BPS-16)	Waiting for posting	Political Tehsildar, Mirali
3	Mr. Fazal Wadood Khan, Naib Tehsildar (BPS-14)	Political Tehsildar, Mirali (OPS)	Political Naib Tehsildar, Shewa
4	Mr. Habtb-ur-Rehman, Junior Clerk	Political Naib Tehsildar, Shewa (OPS)	Report to Political Agent, NWA for further posting as Junior Clerk in his office. His earlier posting order issued vide this office order No. 2440-45/AG-I/F.90, dated 7/11/2014 is hereby withdrawn.

Note: In pursuance of Board of Revenue Peshawar Notification No. Estt: I/PF/M.Farooq Anwar/4016-23 dated 8/2/2016, posting order in respect of Mr. Farooq Anwar Tehsildar (BPS-16) as Political Tehsildar Dossali at Razmak NWA issued vide this office order No. 496-500/AG-I/F.90, dated 2/2/2016 is hereby withdrawn.

Sd/-  
Commissioner,  
Bannu Division

Even no. & date:  
Copy forwarded to the

1. Secretary (L&O) FATA Secretariat Peshawar.
2. Secretary-I, Board of Revenue Peshawar.
3. Political Agent, North Waziristan Agency, Miranshah.
4. Agency Accounts Officer, North Waziristan Agency Miranshah.
5. PS to Commissioner Bannu Division.
6. Officials concerned for compliance.

ATTESTED

Assistant to Commissioner (Rev/GA)  
Bannu Division  
22/2/2016



OFFICE OF THE  
COMMISSIONER  
BANNU DIVISION

P.O. Box 13, Postal Code 28100, Bannu.  
Phone: 0928-9270044 & 621144  
Fax: 0928-9270041  
E-mail: commissioner\_bannu@hotmail.com

E-14

No. 3319-24/AG-I/E-90

Dated: 26-12-16

**OFFICE ORDER:**

Following posting/transfer amongst Political Tehsildars/Political Naib Tehsildars in Bannu Division is hereby ordered with immediate effect in the best interest of public:

S.No.	Name of Tehsildar/Naib Tehsildar	From	To	Remarks
1	Mr. Muhammad Rafique Khan, Tehsildar (BPS-16)	Political Tehsildar, Spinwam	Political Tehsildar, Garyum	Vice S.No. 6 He will work at PA. Camp Office Bannu
2	Mr. Saif Ali, Tehsildar (BPS-16)	Political Tehsildar, Mirali	Political Tehsildar, Dassali	Against the vacant post
3	Mr. Khandan, Assistant (PNT OPS)	PA. Camp Office Bannu	Political Naib Tehsildar, Ghulam Khan in his own pay & scale	Vice S.No. 5
4	Mr. Habib-ur-Rehman, Junior Clerk (BPS-11)	Office of the PA, NWA	Political Tehsildar, Mirali in his own pay & scale	Vice S.No. 4
5	Mr. Abdu Rehman, Naib Tehsildar (BPS-15)	Political Naib Tehsildar, Ghulam Khan	Political Naib Tehsildar, Miranshah	Against the vacant post
6	Mr. Naimat Ullah, Tehsildar (BPS-16)	Political Tehsildar, Garyum (on training)	Political Tehsildar, Spinwam	Vice S.No. 3
7	Mr. Umer Farooq Nawaz, Junior Clerk (BPS-11)	Commissioner Office Bannu Division	Political Naib Tehsildar Shewa in his own pay & scale	Against the vacant post

Sd/-  
COMMISSIONER  
BANNU DIVISION

Even no. & date:

Copy forwarded to the

1. Additional Chief Secretary FATA Peshawar.
2. Secretary-1, Board of Revenue, Peshawar.
3. Political Agent, North Waziristan Agency, Miranshah.
4. Deputy Secretary (L&O) FATA Secretariat Peshawar.
5. Agency Accounts Officer, North Waziristan Agency, Miranshah.
6. Officials concerned for compliance.

**ATTESTED**

*Fushan*  
Secretary to Commissioner

*Ne*  
Secretary to Commissioner  
Bannu Division



Government of Khyber Pakhtunkhwa  
OFFICE OF  
COMMISSIONER  
BANNU DIVISION

F-15

P.O. Box: 12, Postal Code 28100, Bannu  
Phone: 0928-9270224 & 9270044  
Fax: 0928-9270041 & 9270225  
E-mail: acr.bannu@yahoo.com

No. 680-89/AGI/F  
Date: 21/08/12

OFFICE ORDER:-

Following posting/transfers amongst the Tehsildars of this Division are hereby ordered in the public interest with immediate effect.

Sr. No.	Name of Tehsildar	From	To
1.	Mr. Ghaffar Khan, Tehsildar (BPS-16)	Political Tehsildar FR Bannu	Tehsildar Serai Naurang
2.	Mr. Ghulam Abbas, Tehsildar (BPS-16)	Tehsildar, Serai Naurang	Political Tehsildar, Dossali NWA
<del>3.</del>	<del>Mr. Saraf Ali Khan, Tehsildar (BPS-16)</del>	<del>Political Tehsildar, Dossali, NWA</del>	<del>Political Tehsildar, FR Bannu</del>
4.	Mr. Feroz Khan, Tehsildar (BPS-16) on CCB	Waiting for posting	Political Tehsildar, Spinwam, NWA against the vacant post.

Sd/-

Commissioner  
Bannu Division

Even no & date:-

Copy forwarded to the:-

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Additional Chief Secretary, FATA, Peshawar.
3. Deputy Commissioner, Bannu.
4. Deputy Commissioner, Lakki Marwat.
5. Political Agent, North Waziristan Agency, Miranshah.
6. District Accounts Officer, Bannu.
7. District Accounts Officer, Lakki Marwat.
8. Agency Account Officer, NWA Miranshah.
9. PS to Commissioner, Bannu Division.
10. All concerned Tehsildars for compliance.

**ATTESTED**

*[Handwritten signature]*

*[Handwritten initials]*

Secretary to Commissioner  
Bannu Division



9-16

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 17/08/2018

*Copy*

NOTIFICATION

*Impugned Order*

No. Estt/PP.1/1/ Consequent upon completion of settlement/Revenue training of newly promoted regular Tehsildar/Naib Tehsildar, the Competent Authority is pleased to repatriate the services of the following Assistants/Senior Scale Stenographer and Junior Scale Stenographer temporarily posted on Current Charge Basis as stop gap arrangement as Tehsildars/Naib Tehsildars, to their parent offices with immediate effect:-

17.8.18

S#	Name & Designation	Present posting	Remarks
1	Mr. Hasnain Ahmad, Assistant	Tehsildar (CCB) Puran	Repatriated to his parent office
2	Mr. Ahmad Ali Assistant	Tehsildar (CCB) Gagra	Repatriated to his parent office
3	Mr. Attiqur Rehman, Assistant	Tehsildar (CCB) Drosh	Repatriated to his parent office
4	Mr. Tariq Ahmad, Assistant	Tehsildar (CCB) Hooni	Repatriated to his parent office
5	Mr. Muhammad Younas, Assistant	Tehsildar (CCB) Limergara	Repatriated to his parent office
6	Mr. Arifullah, Assistant	Tehsildar (CCB) Samarbagh	Repatriated to his parent office
7	Mr. Muhammad Ilyas, Assistant	Tehsildar (CCB) Loi Mamund	Repatriated to his parent office
8	Mr. Saraf Ali, Assistant	Tehsildar (CCB) FR Bannu	Repatriated to his parent office
9	Mr. Tariq Aziz, Assistant	Naib Tehsildar (CCB) Miranshah	Repatriated to his parent office
10	Mr. Sarazeb, Assistant	Tehsildar (CCB) Shawal	Repatriated to his parent office
11	Mr. Kifayatullah, SSS	Tehsildar (CCB) Tank	Repatriated to his parent office
12	Mr. Zardad Khan, Assistant	Tehsildar (CCB) WAPDA Abhottabad	Repatriated to his parent office
13	Mr. Khalid Azmat, Assistant	Tehsildar Takht-e-Nasrati	Repatriated to his parent office
14	Mr. Faizullah Senior Scale Stenographer	Tehsildar (CCB) Thal	Repatriated to his parent office
15	Mr. Feroz Khan, Assistant	Tehsildar (CCB) Mirali	Repatriated to his parent office
16	Mr. Malak Zahid, Assistant	Tehsildar (CCB) Bannu	Repatriated to his parent office
17	Mr. Nabiullah, Junior Scale Stenographer	Canal N.T (CCB) Peshawar	Repatriated to his parent office

(By order of  
Senior Member)

No. Estt/PP.1/30393-430

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. All Divisional Commissioners in Khyber Pakhtunkhwa.
3. Deputy Commissioners of the respective districts.
4. District Accounts Officers of the respective districts.
5. Officials concerned.
6. Office order file.

ATTESTED

*[Signature]*

To

The Worthy Chief Secretary  
Khyber Pakhtunkhwa, Peshawar

PS/C.S Khyber Pakhtunkhwa  
Diary No. 8329/1115  
Date 31-8-2018

H-17

Subject: **DEPARTMENTAL APPEAL AGAINST THE  
IMPUGNED NOTIFICATION ESTT: 1/P/3039J-  
430, DATED 17.08.2018 WHEREBY THE  
APPELLANT HAS ILLEGALLY BEEN  
REPATRIATED TO PARENT DEPARTMENT**

Respected Sir,

1. That the appellant is performing his duties as Tehsildar on current charge basis TEHSILDAR SUB DIVISION MAZIR, BANNU.
2. That the appellant is being subjected to persistent acts of discrimination on continuous basis and turned to be into shuttle cock as without observing the normal tenure of posting and transfer, the appellant is transferred and posted again and again.
3. That this was the case of appellant who had been initially transferred and posted vide order No. 1938/21/18/Vol-V/Estt: (NTR) dated 14-3-2013 and lastly to the present place of posting vide order dated 2-2-2016. (Copies of the transfer and posting orders are annexed).
4. That this was the background that yet, another herein impugned notification Estt: 1/P,1/30393-430, Dated 17.08.2018 was illegally issued whereby the appellant was repatriated to his present department in an illegal discriminatory, void and unwarranted manner. (Copies of the impugned office order is annexed).
5. That before passing on the grounds of the instant appeal, it is pertinent to mention that the appellant holding the substantive pay scale of Assistant BPS-16 but having the ability and potential, otherwise eligible as well, have been transferred and posted as Tehsildar on CCB wherein his rights are protected and governed by rule 9 of the Transfer Promotional and Appointment Rules 1989.

ATTESTED

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Grounds

- A. That persistent orders of transfer and posting any Civil Servant / Government servant is always hazardous and injurious to the potential and capabilities of the such civil servant / Government servant and has always been depreciated and discouraged by the Superior Courts, being always held as violation to fundamental rights and not solely to the service rights.
- B. That the impugned transfer and posting order are highly discriminatory ones and at the same time the repatriating the appellant to his parent department without any rem and reason and without observing the law on subject while all the blue eyed ones were posted and transferred to their favorites places of posting and were left in field is highly discriminatory and void and amount to falling of the bolt from the blue upon the appellant.
- C. That without going into minute details in would be suffice to mention here that persons who are holding same positions of responsibility on current charge basis to other field offices instead of repatriating all the officials working on CCB to the parent department and thus only the appellant was subject to unfettered discrimination an even only on this score the impugned office order is void and illegal.
- D. That the normal tenure of transfer and posting can only be allowed to be left in rare and exceptional cases and that to in a defined public interest. But here the appellant has repeatedly been transferred and repatriated for no reasons, which is certainly not a good omen.
- E. That posting and transferring any Civil Servant / Government on current charge basis is a defined mechanism of service law and procedure is detailed in ESta Code while the accrued rights, accrued thereupon, are fully protected under the same code whose details are provided under rule 9 of Transfer, Promotion and Appointment Rules 1989, But here that situation is volte-face and the appellant is repatriated to parent department without any justification and the same tantamount to violation of only service law.

ATTESTED  
[Signature]

F. That no one can condemned unheard, nor any one can be

19

G. That from every angle and perspective the impugned transfer and posting orders are illegal, discriminations, void, unwarranted, vexatious, unlawful and is liable to be cancelled and set aside.

It is, therefore, most humbly requested that on acceptance of the instant departmental appeal, the impugned order notification Estt: 1/P/1/30393-430, Dated 17.08.2018 of the office of Senior Member Board of Revenue may graciously be cancelled and if the same is not feasible in the circumstances then the same impugned notification and office order may graciously be modified to the extent of the appellant and his name be struck off / deleted from the list of transferred Tehsildar and be left at his place of serving / posting and even if the same is not feasible then the appellant be posted and transferred in the same capacity of Tehsildar on Current Charge basis likewise others of the impugned transfer and posting order.;

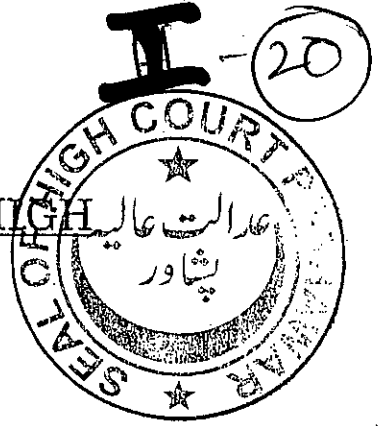
Date\18.08.2018

Appellant  
SARAF ALI, (CCB)  
Tehsildar SDIO Bannu

ATTESTED



(1)



BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR.

In Re W.P. \_\_\_\_\_/2018

1. Hasnain Ahmad Tehsildar (CCB) Puran
2. Malik Zahid Tehsildar (CCB) Bannu.
3. Zardad Khan Tehsildar (CCB) WAPDA Abbottabad.
4. Khaild Azmat Tehsildar Takht-e-Nasrati.
5. Feroz Khan Tehsildar (CCB) Mirali.
6. Saraf Ali Tehsildar (CCB) FR Bannu.
7. Faiz Ullah Shah Tehsildar (CCB) Thal.
8. Kifayat Ullah Tehsildar (CCB) Tank.
9. Muhammad Ilyas Tehsildar (CCB) Loi Mamund.
10. Tariq Aziz Naib Tehsildar (CCB) Miran Shah.
11. Sarazeb, Tehsildar (CCB) Shawal.
12. Nabi Ullah Canal N.T (CCB) Peshawar.

-----*(Petitioners)*

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary of Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
2. Chief Secretary Khyber Pakhtunkhwa Peshawar R/o Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
3. Secretary establishment, Khyber Pakhtunkhwa Peshawar R/o Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
4. Board of revenue Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.

ATTESTED

FILED TODAY

Deputy Registrar

20 AUG 2018

ATTESTED  
EXAMINER  
Peshawar High Court  
20 SEP 2018

(2)

(21)

5. Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
6. Commissioner Peshawar Division Peshawar.
7. Commissioner D.I.Khan Division.
8. Commissioner Kohat Division.
9. Commissioner Malakand Division.
10. Commissioner Hazara Division.
11. Commissioner Bannu Division.

....Respondents

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

Respectfully Sheweth;

1. That the petitioners are naturally born bonafide citizens of the Islamic Republic of Pakistan and hails from different parts of the province of Khyber Pakhtunkhwa.
2. That infact the Petitioner No. 1 to 11 are performing their duties as Tehsildar on Current Charge Basis. (CCB) while Petitioner No.12 are performing their services as Naib Tehsildars (CCB).

ATTESTED





*[Handwritten signature]*

FILED TODAY  
EXAMINER  
Peshawar High Court  
~~ATTESTED~~

**PESHAWAR HIGH COURT, PESHAWAR**

22

**ORDER SHEET**

Date of order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
2.	3.
04.09.2018	<p><u>WP No.4172-P/2018 with I.R.</u></p> <p><u>Present:</u> Mr. Javed Iqbal Gulbela, Advocate for the petitioner.</p> <p>Mr. Moeen-ud-Din Humayun, AAG along with Mr. Saadullah, Superintendent, Board of Revenue, KPK, Peshawar for the respondents.</p> <p>*****</p> <p>Same order as in connected WP No.4182-P/2018 with I.R.</p> <p> Senior Puisne Judge</p> <p> Judge</p> <p><b>ATTESTED</b></p> <p></p> <p>CERTIFIED TO BE TRUE COPY</p> <p>EXHIBIT Peshawar High Court Peshawar Authorized under Article 83 of The Constitution of the Islamic Republic of Pakistan</p> <p>05 SEP 2018</p> <p></p>

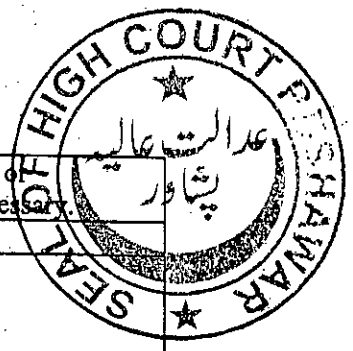
Ataf Hussain, PS

(DB) Honourable Mr. Justice Qaiser Rashid Khan  
Honourable Mr. Justice Muhammad Ayub Khan

23

**PESHAWAR HIGH COURT, PESHAWAR**

**ORDER SHEET**



Date of order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary
2.	3.
04.09.2018	<p><u>WP No.4182-P/2018 with L.R.</u></p> <p><u>Present:</u> Mr. Javed Iqbal Gulbela, Advocate for the petitioner.</p> <p>Mr. Moeen-ud-Din Humayun, AAG along with Mr. Saadullah, Superintendent, Board of Revenue, KPK, Peshawar for the respondents.</p> <p>*****</p> <p>The learned counsel for the petitioner states that similar WP Nos. 3545 &amp; 3833-P/2018 are fixed for hearing on 18<sup>th</sup> instant and any decision in the present case would definitely affect the fate of the aforesaid petitions. Such being the case, the office is directed to accelerate the said petitions from 18<sup>th</sup> to 6<sup>th</sup> September, 2018 and fix all the petitions before the same Bench for disposal. Till the date fixed, status quo be maintained.</p> <p style="text-align: right;">Senior Puisne Judge</p> <p style="text-align: right;">Judge</p>

**ATTESTED**

Atiq Hussain, PS

(DB) Honourable Mr. Justice Qaiser Rashid Khan  
Honourable Mr. Justice Muhammad Ayub Khan

**CERTIFIED TO BE TRUE COPY**

Examiner  
Peshawar High Court, Peshawar  
Authorised Under Article 87 of  
The Qanun-e-Shahadat Order 1984

**05 SEP 2018**



No. 4686

Date of Presentation of Application 05/19/14

No of Page 16

Copying Fee 647

Urgent Fee 647

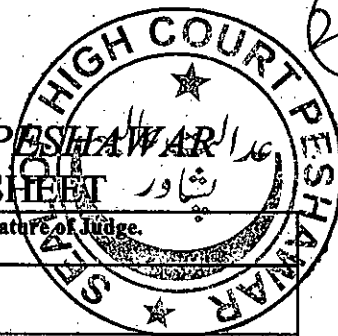
Total 647


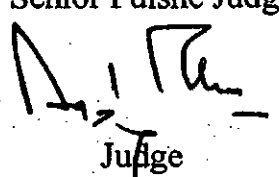
Date of Preparation of Copy 05/19/14

Date of Delivery of Copy 05/19/14

Received By WLE

**PESHAWAR HIGH COURT, PESHAWAR**  
**FORM OF ORDER SHEET**



Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1	2
06.09.2018	<p><b><u>WP No. 4172-P of 2018</u></b></p> <p><b>Present:</b> Mr. Javed Iqbal Gulbella, advocate, for the petitioners.</p> <p>Syed Sikandar Hayat Shah, AAG, for the respondents along with Mr. Saadullah Khan Superintendent Board of Revenue.</p> <p align="center">*****</p> <p><b><u>OAISER RASHID KHAN, J:-</u></b> Since the matter squarely falls within the terms and conditions of the service, therefore, in view of the specific bar envisaged in Article 212(2) of the Constitution of the Islamic Republic of Pakistan, the learned counsel for the petitioners seeks the withdrawal of the instant petition so as to approach the proper forum for the redressal of their grievance. Order accordingly.</p> <p>Announced. 05.09.2018</p> <p align="right">                       Senior Puisne Judge                 </p> <p align="right">                       Judge                 </p> <p align="right"> <b>CERTIFIED TO BE TRUE COPY</b>                      Examiner                      Peshawar High Court, Peshawar                      Authorised Under Article 3.7 of                      The Qanun-e-shahadat Order 1984                      11 SEP 2018                 </p>
No..... Date of Presentation of Application..... No of Pages..... Copying Fee..... Urgent Fee..... Total..... Date of Preparation of Copy..... Date of Delivery of Copy..... Received By.....	5247 11/9/18 18 18 18 18 18 18

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(DB) Hon'ble Mr. Justice Qaiser Rashid Khan  
 Hon'ble Mr. Justice Muhammad Ayub Khan.



OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

25

Postal Code: 270001  
No. 8/5  
Dated: September 13, 2018  
Phone: 0928 - 0270004 & 0270220  
Fax: 0928 - 0270041  
e-mail:

OFFICE ORDER

Mr. Peroz Khan, Assistant (BS-16), Office of the Deputy Commissioner, Waziristan is hereby posted as Political Tehsildar Dera Khel, North Waziristan (OPS) till further orders.

Sd/-  
Commissioner  
Bannu Division

No 816-19/Estab/DT/18

Copy to:

Dated: 13 /September

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

ATTESTED

Sd/-  
Secretary to Commissioner  
Bannu Division

(29) **BETTER COPY**  
**OFFICE OF THE**  
**COMMISSIONER MALAKAND DIVISION**  
**SAIDU SHARIF SWAT**

P # 0946 92-10087

Email: [secretaryto commissioner@mail.com](mailto:secretaryto commissioner@mail.com)

**OFFICE ORDER**

(Dated 13/08/2018)

No 4514/2/19/Estt The following posting/ transfer among the Tehsildar hereby ordered with immediate effect in the large public interest

S#	Name & Designation	From	To
1	Mr. Tariq Ahmad, Tehsildar (CCB)	Tehsildar Mastuj, Chitral	Tehsildar (CCB) Mulkhow, Chitral against the vacant post.
2	Mr. Nouruddin, Assistant	Assistant DC, office Chitral	Tehsildar (CCB) Mastuj, Chitral vice S. No. 1

By Order  
COMMISSIONER MALAKAND DIVISION

No. 4515-19/2/19/Estt.

Copy forwarded to:-

1. The Secretary board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioners. Chitral
3. The District Accounts Officer. Chitral
4. The officers concerned for compliance.
5. Office Order File

(NAEEM AKHTAR)  
SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

(A) 0 27

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT**

Peshawar dated the 09/07/2018

RECEIVED
D.No. 4193
Date 10/7/18
Return of 10/7/18
Signature of _____

**NOTIFICATION**

No.Est:IP/T/27057 In pursuance to the concurrence of the Election Commission of Pakistan conveyed through letter No. F.2(18)/2018-Cord., dated 05.07.2018. the Competent Authority is pleased to order the posting / transfer amongst the following Tehsildars with immediate effect and in public interest:-

S.No	Name of Tehsildar	From	To
1.	Mr. Irshad Ali	Inspector Stamps Peshawar	Tehsildar Charsadda
2.	Mr. Muhammad Iqbal	Tehsildar Charsadda	Inspector Stamps Peshawar
3.	Mr. Miraj Muhammad	Tehsildar Shabqadar	Tehsildar Pabbi.
4.	Mr. Aftab Ahmad	Awaiting for posting in Commissioner Office Peshawar	Tehsildar Tangi
5.	Mr. Younas Khan	Awaiting posting in Commissioner Office Peshawar	Tehsildar Chamarkand
6.	Mr. Imran Zaman	Upon completion of training	Reader to SMBR
7.	Mr. Karim Gul	Reader to MBR-I	Repatriated to his parent office
8.	Mr. Nimatullah	Upon completion of training	Reader to MBR-I.
9.	Mr. Asad Umair	RO PESCO (CCB) Peshawar Circle	Repatriated to his parent office
10.	Mr. AbdurRaman	RO PESCO (CCB) Khyber Circle	Repatriated to his parent office
11.	Mr. Sahib Zada	Awaiting posting in BOR.	RO PESCO Khyber Circle
12.	Mr. Azmat Ali	Tehsildar (CCB) Reconciliation Peshawar	Repatriated to his parent office
13.	Mr. Khalid Mansoor	Upon completion of training	Tehsildar Reconciliation Peshawar
14.	Mr. Muhammad Dawood, (DK)	NT Land Acquisition Collector Charsadda	Settlement Tehsildar (OPS) Nowshera
15.	Mr. Sultan Hadir	Tehsildar Tangi	Tehsildar Balambat
16.	Mr. Muhammad Shafiq	Tehsildar Takhat Bhai	Tehsildar Mardan against vacant post
17.	Mr. Dil Nawaz	Awaiting for posting	Tehsildar Takhat Bhai
18.	Mr. Abdul Qayum	Inspector Stamps Mardan	Tehsildar Lahor
19.	Mr. Nawab Gul	Tehsildar (CCB) Lahor	Political Naib Tehsildar-II Upper Kurrum
20.	Mr. Said Rehman	Tehsildar Topi	Tehsildar Katlang
21.	Mr. Mustafa Shah Assistant	Tehsildar (CCB) Rustum	Repatriated to his parent office
22.	Mr. Saifur-Rehman Assistant	Tehsildar (CCB) Swabi	Repatriated to his parent office
23.	Mr. Waheed Ullah	Tehsildar Katlang	Tehsildar Swabi

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H. S. S.

10/7/18

KGB

ATTESTED

24.	Mr. Muhammad Hasrat	Upon completion of training	Tehsildar / Inspector Stamp Mardan.
25.	Mr. SherDil	Tehsildar (CCB) Alpuri	Tehsildar Battagram against the vacant post.
26.	Mr. Amjid Imran	Tehsildar (CCB) Mansehra	Repatriated to his parent office
27.	Mr. Arshad Memhood	Upon completion of training	Tehsildar Mansehra
28.	Mr. Iftikharud-Din	Tehsildar Lower Tanwal	TOSD Board of Revenue
29.	Mr. Qamar Zia Malik	Tehsildar BaffaPakhal	Tehsildar Khanpur.
30.	Mr. Javed	Tehsildar Havilain	Tehsildar Lower Tanwal
31.	Mr. Afsar Khan	Tehsildar Khanpur	Tehsildar Allai, Battagram
32.	Mr. Saadat Hussain Assistant	Tehsildar (CCB) Allai, Battagram	Repatriated to his parent office
33.	Mr. IjazJadoon	Awaiting posting	Tehsildar (OPS) Abbottabad.
34.	Mr. Faraz Ahmad Qurishi	Tehsildar Oghi	Tehsildar Lora
35.	Mr. Raja Tawswar	Upon completion of training	Tehsildar Judba Torghar
36.	Mr. Muhammad Rehman, Assistant	Tehsildar (CCB) Chakesar Shangla	Repatriated to his parent office
37.	Syed Asif Iqbal	Tehsildar Dir Upper	Inspector Stamps Swat.
38.	Mr. Rehman Ullah Assistant	Tehsildar WariDir Upper	Repatriated to his parent office
39.	Mr. Umar Khitab	Tehsildar Mandanr	Tehsildar Matta Swat
40.	Mr. Ishtiaq Ahmad	Tehsildar Matta Swat	Tehsildar Babuzai against the vacant post
41.	Mr. Munawar Shah	Tehsildar Khadukhel	Tehsildar Khwazakhela
42.	Mr. Afzal Khan	Tehsildar Khwazakehla	Tehsildar Mandanr
43.	Mr. Nimatullah	Tehsildar Kabal	Tehsildar WariDir Upper
44.	Mr. Muhammad Jawad	Tehsildar Barikot	Tehsildar Chakesar Shangla
45.	Mr. Abdul Qayum	Tehsildar (CCB) Behrain	Tehsildar Barawal (OPS) Dir Upper against the vacant post
46.	Mr. Shah Nawaz	Tehsildar Chitral	Tehsildar Batkhela
47.	Mr. Noor-ud-din	Tehsildar (CCB) Mulko Chitral	Repatriated to his parent office
48.	Mr. Shakir Ullah	Tehsildar Khall	Tehsildar Chitral
49.	Mr. Bakhtiar Ahmad	Awaiting posting	Tehsildar Alpuri
50.	Mr. Said Manan Assistant	Tehsildar (CCB) Balambat	Repatriated to his parent office
51.	Mr. Muhammad Ghufan Kanungo	Tehsildar (CCB) LalQilla	Repatriated to his parent office
52.	Mr. Muhammad Ilyas	Tehsildar Adenzi	Tehsildar Khadukhel
53.	Mr. Shah Jehan Assistant	Tehsildar (CCB) Batkhela	Repatriated to his parent office
54.	Mr. Sher Ali	Inspector Stamps Swat	Tehsildar Kabal
55.	Mr. Azam Khattak	Tehsildar Jehangera	Tehsildar Mulko Chitral
56.	Mr. Amir Nawaz	Awaiting posting in co	Tehsildar LalQila

ATTESTED



29

57.	Mr. Ishaq Ali	Upon completion of training	Tehsildar Domail against the vacant post
58.	Mr. Ghani Rehman Assistant	Tehsildar (CCB) Chamarkand Bajaur	Repatriated to his parent office
59.	Mr. Shahab Ud Din	PT Lower Orakzai	PT FR Kohat
60.	Mr. Muhammad Riaz	PT FR Kohat	PT Lower Orakzai
61.	Mr. Shafqat Ihsan Assistant	Tehsildar (CCB) Thall	Repatriated to his parent office
62.	Mr. Rashid Ali	Tehsildar Karak	Tehsildar Hangu
63.	Mr. Abudl Karim Assistant	Tehsildar (CCB) Hangu	Repatriated to his parent office
64.	Mr. Aminullah	Tehsildar Domail	Tehsildar SeraiNaurang
65.	Mr. Shafqatullah Assistant	Tehsildar (CCB) SeraiNaurang	Repatriated to his parent office
66.	Mr. Hakim Ali	Sub Registrar (CCB) DI Khan	Repatriated to his parent office
67.	Mr. Sajid Saleem	NT Tank	Sub Registrar DI Khan
68.	Mr. Mofeed Alam	PT (CCB) Datta Kheil	Repatriated to his parent office
69.	Mr. Muhammad Zaman	Upon completion of training	Tehsildar Kohat
70.	Mr. Muhammad Nawaz	Upon completion of training	Tehsildar Gumbat
71.	Mr. Muhammad Ayaz	Upon completion of training	Tehsildar Balakot
72.	Mr. Rahamdullah	RO/PECO WAPDA Bannu	Political Tehsildar Dosalli.
73.	Mr. Shakil Assistant	PT (CCB) Mirali	Repatriated to his parent office

By Order Of  
Senior Member

No.Estt:1/57/95/2017/27058-77

ATTESTED

Copy forwarded to the:-

1. Election Commission of Pakistan with reference to his letter No. F.2(18)/2018-Cord., dated 05.07.2018.
2. Additional Chief Secretary FATA, Fata Secretariat, Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa Peshawar.
4. Commissioners of the respective Divisions.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. Deputy Commissioners of the respective Districts including Tribal Districts.
7. Director Information Khyber Pakhtunkhwa, Peshawar.
8. District Accounts Officers of the respective Districts.
9. Officers / Officials concerned.
10. Personal Files.

Assistant Secretary (Estt)

30



OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

P.O. Box. 12, Postal code 28100, Bannu  
NO. 733, Estab: 11/18  
Dated Wednesday, August 15, 2018  
Phone 0928 - 9270044 & 9270220  
Fax 0928 - 9270041  
e-mail

OFFICE ORDER

Mr. Mufeed Alam, (BS-11) Political Moharar, Office of the Political Agent, North Waziristan is hereby posted as Political Naib Tehsildar Ghulam Khan in his own pay and scale till further orders.

Sd/-  
Commissioner  
Bannu Division

No 734-37/Estab/DT/18.

Dated. 15 /August, 2018.

Copy to.

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

ATTESTED

Secretary to Commissioner,  
Bannu Division





GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT  
Phone No. 091- 9210057  
FAX No. 0919213989

Facebook ID: www.facebook.com/LandRecord.kpk Twitter ID: LandRecord.kpk

31

Email: landrecord.kpk@gmail.com

Peshawar dated the 25/09/2018.

**OFFICE ORDER**

No.LR-IV/SR/P&T/Vol-II. 5360-80 With the approval of the competent authority, the following posting / transfer are hereby ordered with immediate effect in the interest of general public till further orders.

S.No	Name of official	From	To	Remarks
01	Mr. Imtiaz	Naib Tehsildar Pakhal Mansehra	Sub Registrar, Mansehra	Against the vacant post.
02	Mr. Inam Ullah	District Revenue Accountant (DRA) Nowshera	Sub Registrar, Haripur (OPS)	Against the vacant post.
03	Mr. Waqif Khan	Senior Girdawar Peshawar	Sub Registrar-I, Peshawar (OPS)	Vice No 05
04	Mr. Jahangir Khan	Senior Girdawar Peshawar	Sub Registrar-II, Peshawar (OPS)	Against the vacant post.
05	Mr. Saleem Ahmad	Sub Registrar-II, Peshawar	Report to Director Land Record office	

By order of  
Senior Member

and: No.LR-IV/SR/P&T/Vol-II. 5360-80

Copy forwarded to the:

1. Secretary-I, Board of Revenue.
2. Deputy Commissioners / District Registrars concerned.
3. District Accounts Officers Concerned.
4. Private Secretary to Senior Member Board of Revenue Khyber Pakhtunkhwa
5. Officials Concerned for compliance.
6. Office order files.

ATTESTED

*[Handwritten signature]*

*[Handwritten signature]*  
Director Land Record  
Inspector General Registrar

Government of Khyber Pakhtunkhwa  
OFFICE OF  
COMMISSIONER  
BANNU DIVISION

32

**OFFICE ORDER:-**

Following posting/transfers amongst the Tehsildars/Naib Tehsildars of this Division are hereby ordered in the public interest with immediate effect.

Sr. No.	Name of Tehsildar	From	To
1.	Mr. Habib ur Rehman, Political Muharrir	Political Naib Tehsildar, Razmak	Political Tehsildar, Mirali (OPS)
2.	Mr. Ghulam Abbas, Naib Tehsildar	Naib Political Tehsildar, Mirali	Tehsildar, Kakkj (OPS)

Sd/-  
Commissioner  
Bannu Division

Even no & date:-

Copy forwarded to the:-

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Additional Chief Secretary, FATA Secretariat.
3. Deputy Commissioner, Bannu.
4. Deputy Commissioner, North Waziristan.
5. District Accounts Officer, Bannu.
6. District Accounts Officer, North Waziristan.
7. PS to Commissioner, Bannu Division.
8. All concerned for compliance.

ATTESTED

*R. 17/9*  
Secretary to Commissioner  
Bannu Division

**OFFICE OF THE  
COMMISSIONER HAZARA DIVISION  
ABBOTTABAD**

No: CHD /Estt/4/ 9/ 3158-79

Dated : 05/09/2018

33

**ORDER**

In pursuance of Government of Khyber Pakhtunkhwa Board of Revenue Department Notifications No. 30367/24/10411 dated 17.08.2018, the Commissioner Hazara Division is pleased to order the posting / transfer of the following Tehsildars and Naib Tehsildars in public interest with immediate effect.

Srl. No	Name	From	To
1	Mr. Faruq Ahmad Uddin NT Acquisition Manshera	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Manshera against the vacant post. He is assigned the additional charge of the Acquisition Manshera to coordinate the acquisition program for Gula Kanar Hydel Power Project
2	Mr. Muhammad Saleem NT Oghi	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Oghi against the vacant post. He is assigned the additional charge of Tehsildar Darband, Manshera
3	Mr. Qamar Zia Malik	Tehsildar Khanpur	Tehsildar Judda Torghar vice S No 6
4	Mr. Bilal Ahmed NT Khanpur	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Khanpur vice S No 3
5	Mr. Fazal ur Rehman NT DHPP Kohistan	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Land Acquisition Assessment Unit DHPP, Kohistan Upper against the vacant post
6	Mr. Raja Tanawar	Tehsildar Judda Torghar	Tehsildar Lower Tanawal Abbottabad vice S No 7
7	Mr. Javed	Tehsildar Lower Tanawal	Tehsildar Manshera Abbottabad against the vacant post
8	Mr. Mubarak Ahmed Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar Oghi Manshera
9	Mr. Jamroz Khan	District Kanungo (BPS 14) Battagram	Naib Tehsildar Battagram vice S No 11
10	Mr. Zakir Rehman Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar Khanpur vice S No 4
11	Mr. Gul Shezad	Naib Tehsildar Battagram	Naib Tehsildar Battagram against the vacant post

[Signature]

12	Mr. Anwar Zeb Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Darband Manshara.
13	Mr. Syed Sabir Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Manshara
14	Mr. Shoukat Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Judba Torghar He is assigned the additional charge of Naib Tehsildar Kandar Hassanzai Torghar
15	Mr. Niaz Muhammad Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Lower Tanawal against the vacant post
16	Mr. Khurshid Alalm Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Dassu, Kohistan Upper against the vacant post
17	Mr. Dildar Khan	Naib Tehsildar Kandar Hassanzai Torghar	Naib Tehsildar Lower Abbottabad against the vacant post

The additional charge of Tehsildar Pattan Kohistan Lower is assigned to Mr. Y Muhammad DRA (BPS-14) serving in the office of Deputy Commissioner Kohistan Lower.

sd  
Commissioner  
Hazara Division, Abbottabad

Endst: Even No & Date:

Copy forwarded for information to.

1. PS to Senior Member Board of Revenue, Government of K  
Pakhtunkhwa, Peshawar



OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

35

No: 6/7/EA/2018/1/  
Dated: 07.09.2018

11576-86

**OFFICE ORDER**

The following posting / transfer amongst Naib Tehsildars are hereby ordered with immediate effect in the public interest.

S.#	Name of Officials	From	To
1.	Mr. Muhammad Saeed Khan Naib Tehsildar (BPS-14)	Waiting for posting in this office	Naib Tehsildar Canal Irrigation Shabqadar
2.	Mr. Muhammad Nadeem Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Mohmand Circle Peshawar (OPS)
3.	Mr. Saeedullah Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Charsadda (OPS)
4.	Mr. Gohar Ali Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ekkaghund (OPS)
5.	Mr. Muhammad Hamayun Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Acquisition Peshawar (OPS)
6.	Mr. Abdul Jabbar Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ambar Mohmand (OPS)
7.	Mr. Kifayatullah Naib Tehsildar (BPS-14)	Naib Tehsildar under transfer	Naib Tehsildar FR Peshawar
8.	Mr. Riaz Ul Haq Naib Tehsildar (BPS-14)	Naib Tehsildar FR Peshawar	Naib Tehsildar Bara

-Sd-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No: 6/7/EA/2018/1/ 11576-86

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Peshawar, Charsadda & Nowshera.
4. Deputy Commissioners Khyber & Mohmand.
5. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
6. PS to Additional Chief Secretary FATA.
7. PS to Commissioner Peshawar Division.
8. Officials concerned for compliance.

ATTESTED

(SALEEM JAN MARWAT)  
ASSISTANT TO COMMISSIONER (REV/GA)  
PESHAWAR DIVISION PESHAWAR

FAX NO. :

36



**OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION**

P.O. Box 12, Postal code 28100, Bannu  
No. 733 Estab/DT/18  
Dated, Wednesday, August 15, 2018  
Phone 0928 - 9270044 & 9270220  
Fax 0928 - 9270041  
e-mail K-L-D

**OFFICE ORDER**

Mr. Mufeed Alam, (BS-11) Political Moharar, Office of the Political Agent, North Waziristan is hereby posted as Political Naib Tehsildar Ghulam Khan in his own pay and scale till further orders.

**Sd/-  
Commissioner  
Bannu Division**

No 234-37/Estab/DT/18.

Dated. 15 /August, 2018.

Copy to.

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

ATTACHED

A

**Secretary to Commissioner,  
Bannu Division**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

No. Estt: I/PF/Saraf Ali/ 33035  
Peshawar dated the 25/09/2018



J. 37

To

Mr. Saraf Ali,  
Assistant, Office of the,  
Deputy Commissioner Bunner.

SUBJECT: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION  
ESTT: I/PT/30393-430ED 17.08.2018 WHEREBY THE APPELLANT  
REPATRIATED TO HIS PARENT OFFICE.

Your Departmental appeal dated 18.08.2018 has been examined and rejected  
by appellate authority.

ATTESTED

Assistant Secretary (Estt)

VAKALATNAMA

KP

Service Tribunal, Peshawar.

APPEAL No. \_\_\_\_\_/2018

Saraf Ali

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Govt of KP

(RESPONDENT)  
(DEFENDANT)

I/We Saraf Ali

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 26 / 09 / 2018

[Signature]  
CLIENT

[Signature]  
ACCEPTED  
NOOR MOHAMMAD KHATTAK

[Signature]  
MUHAMMAD MAAZ MADNI  
ADVOCATES

OFFICE:

Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1982-83/ST

Dated 2/10/2018

To,

1. The Senior Member Board of Revenue,  
Khyber Pakhtunkhwa,  
Peshawar.
2. The Commissioner,  
Bannu Division Bannu.

Subject:- SERVICE APPEAL NO. 1185/2018 SARAF ALI VS CHIEF SECRETARY AND OTHERS

Sir,

I am directed to forward herewith a certified copy of order dated 1/10/2018 passed by this Tribunal in the subject appeal for strict compliance and further necessary please.

Encl: As above

*for* REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR.  
2/10/18

*Received*  
*2/10/18*

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 296 /ST

Dated 6-11 /2018

To,

The Commissioner,  
Malakand.

Subject:- SERVICE APPEAL NO. 1185/2018 SARAF ALI VS CHIEF  
SECRETARY AND OTHERS

Sir,

I am directed to forward herewith a certified copy of order dated 16/10/2018 passed by this Tribunal in the subject appeal for strict compliance and further necessary action please.

Encl: As above



REGISTRAR

KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR.

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

Service Appeal No. 1185/2018.

Saraf Ali, Tehsildar (CCB) F.R Bannu.....Appellant

**VERSUS**

Senior Member Board of Revenue and others.....Respondent

**PRELIMINARY OBJECTIONS.**

1. That the appellant has got no cause of action.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the Appellant has been estopped by his own conduct to file the appeal.
4. That the appeal is time barred.
5. That the appeal is not maintainable in its present form.

**PARAWISE COMMENTS OF RESPONDENT NO. 1,2&3 ARE AS UNDER.**

1. No comments. Pertains to record.
2. Correct to the extent that the appellant was posted as Naib Tehsildar (OPS) due to non-availability of regular Naib Tehsildars, which does not create any right in favour of the appellant.
3. Correct to the extent that the appellant was posted as Tehsildar Mirali (CCB), however the same create no right for regular posting/promotion as Tehsildar.
4. Correct to the extent of posting as Tehsildar which was not regular.
5. Incorrect. The appellant is basically Assistant of the office of Deputy Commissioner Buner who was posted as Tehsildar (CCB) due to non-availability of regular Tehsildar for smooth running of official business. Consequent upon the Departmental Promotion Committee meetings, the newly promoted Tehsildars were placed on Revenue / Settlement Training and upon completion of the prescribed training, they have been posted out and the appellant alongwith others (CCB) Tehsildars have been repatriated to their original posts and offices. Posting of an official on Current Charge Basis cannot create right of out of turn promotion, however their case will be placed before the Departmental Promotion Committee for promotion as Tehsildars as and when vacancies occur in their share on their own turn after fulfilment required conditions.
6. Correct to the extent that departmental appeal of the appellant was rejected by the appellate authority.
7. Appeal of the appellant is not maintainable.

GROUNDS.

- A. Incorrect. Notification dated 17.08.2018 is according to law/rules.
- B. Incorrect. The appellant has been treated in accordance with law/rules.
- C. Incorrect. The appellant is the junior most Assistant. His name is at S. No. 134 of the joint seniority list (Annexure-A).
- D. Incorrect. Posting in (CCB) or (OPS) does not create right of regular promotion. However, his case for promotion as Tehsildar will be placed before the Departmental Promotion Committee on his own turn.
- E. Incorrect. As in para-5 of the facts.
- F. Incorrect. As in para-D above.
- G. Incorrect. No violation of any rules/law or judgments of the superior courts violated.
- H. Incorrect. Notification dated 17.08.2018 is according to law and no discrimination has been done.
- I. Incorrect. All (CCB) Tehsildars have been repatriated to their original post/offices.
- J. Incorrect, order dated 17.08.2018 is according to law/rules.
- K. As in 'J' above.
- L. Incorrect. No punitive action under (Efficiency and Discipline) Rules have been taken against the appellant. He was only repatriated to his parent office, therefore the question of condemned unheard does not arise.
- M. The respondent will also submit additional grounds at the time of arguments.

Keeping in view of the above, the appeal having no legal grounds may be rejected please.



Respondents No. 1, 2 & 3.

**FINAL JOINT SENIORITY LIST OF ASSISTANTS AND SENIOR SCALE STENOGRAPHER  
(BPS-16) IN KHYBER PAKHTUNKHWA AS STOOD ON 31-12-2016.**

S.No.	Name of Official	Date of Birth	Qualification	Date of First entry into Govt: Service	Date of Promotion / Appointment against the present post	Method of Recruitment	Present Place of Posting	Remarks
1	2	3	4	5	6	7	8	9
1	Gulibaz Khan	25-03-1958	BA	24.03.1983	8/11/1986	By promotion	PA Office Orakzai Agency	Tehsildar ACB
2	Mr. Sajjad Ahmad	01.15.1965	BA	02.10.1988	02.10.1988		DC, Mardan	Superintendent (ACB).
3	Lal Sherin	09.01.1962	M.A	07.01.1982	16/10/1989	Direct	Commissioner Kohat	Appointed as Superintendent (BPS-16) on Acting Charge
4	Mr. Tariq Khan	04.04.1965	BA	28/11/1989	28/11/1989		DC, Mardan	
5	Qadirullah	09.03.1962	M.A	23/01/1983	21/03/1990	Promotee	DC, Karak	Superintendent (ACB).
6	Mr. Tahir Ashraf	24.01.1970	MA	28.02.1988	11/01/1990	Direct	DC Abbottabad	-
7	Mr. Arshad Mehmood	04.02.1967	MSC/LLB	17.09.1991	17/9/1991	Direct	DC Haripur	-
8	Mr. M. Hasrat Khan	15.04.1968	BA	17.09.1991	17/9/1991	Direct	DC Haripur	-
9	Naimatullah	22/09/1965	B.A.	09.01.1992	09/01/1992		DC Office, Lakki Marwat	The official is working as Naib Tehsildar in his own pay and scale
10	Mr. Taswar Khan	15.04.1968	BA	05.03.1992	05.03.1992	Direct	DC Office Haripur	
11	Ishaq Ali Khan	14/10/1963	B.A	13/9/1992	13/9/1992		DC Office, Bannu	-
12	Muhammad Zaman	04.01.1968	B.A.	25/10/1992	25/10/1992		DC Office, Bannu	-
13	Muhammad Nawaz	25-12-1961	M.A	09.10.1980	27/12/1992	By promotion	DC Office Karak.	-
14	Mr. Sajjad Ahmad	18.01.1957	Matric	01.10.1977	10/07/1993	Promotee	DC Abbottabad	-
15	Khan Zada	02.10.1957	B.A	01.04.1977	07/09/1993	Promotee	DC Office Karak	-
16	Umar Farooq Qureshi	30-03-1959	B.A	08.01.1982	21/09/1993	Promotee	DC Office Kohat	-
17	Mr. Farooq Shah	04.01.1961	BA	01.12.1984	30/09/1993		EDO (F&P) Mdn	-

S.No.	Name of Official	Date of Birth	Qualification	Date of First entry into Govt. Service	Date of Promotion / Appointment against the present post	Method of Recruitment	Present Place of Posting	Remarks
1	2	3	4	5	6	7	8	9
122	Mr. Ateequr Rehman	15.03.1981	M.A	06.10.2005	06/10/2005	Direct	Chitral	-
123	Muhammad Farooq Shah	14/05/1980	MSc	31/12/2005	31/12/2005	Direct	EDO (F&P) Office Tank	-
124	Mr. Liaqat Mehmood	21.07.1972	MA	17.02.1994	19/02/2006	Promotee	DC Haripur	-
125	Mr. Faisal Mehmood	15.04.1984	BSC	19.06.2006	19/02/2006	Direct	DC Haripur	-
126	Mr. Ahmad Hazrat	22.12.1957	B.A	26.08.1978	21/2/2006	Promotee	DC, Office, Dir (U)	-
127	Mr. Samiur Rehman	22.04.1980	B.A	26.02.2006	26/2/2006	Direct	Buner	-
128	Asif Ibrahim Khan	13/08/1978	MA English	16/05/2006	16/05/2006	Direct	Assistant/Reader to Addl Com: DIKhan	-
129	Mr. Khwaja Muhammad	12.01.1967	Matric	27.11.1985	19/05/2006	Promotee	Commissioner Office, MKD	-
130	Mr. Syed Khalil Ahmad	11.12.1957	Matric	02.01.1979	10/06/2006	Promotee	DC, Office, Dir (U)	-
131	Mr. Asghar Khan	01.04.1978	MA	19.06.2006	19/06/2006	Direct	DC Haripur	-
132	Mr. Liaqat Ali	05.10.1979	MA	19.06.2006	19/06/2006	Direct	DC Haripur	-
133	Mr. Muhammad Ejaz	12.12.1982	MBA	19.06.2006	19/06/2006	Direct	DC Haripur	-
	Mr. Saraf Ali	10.01.1983	B.A	01.03.2004	22/06/2006	Promotee	Buner	-
135	Mr. Attaullah	17.06.1977	MSc	22.06.2006	22/06/2006	Direct	Buner	-
136	Mr. Kafayatullah	01.01.1970	MA	28.07.2006	28/07/2006	Direct	DC Battagram	-
137	Muhammad Alam				03.10.2006		FR Lakki	-
138	Mr. Muhammad Ishfaq	Peshawar 24.05.1959	B.A	25.01.1981	04/10/2006	Promotion	EDO(F&P) Peshawar	-
139	Muhammad Ghufuran	04/04/1975	BA	14/10/2006	14/10/2006	Direct	DC Office DIKhan	-
140	Shaukat Zaman	01-05-1968 Distt: Kohat	Matric	11.03.1987	25/11/2006	By promotion	H/C RTA Kohat	-
141	Munir Khokhar	24-04-1969 Distt: Kohat	Matric	24/3/1987	25/11/2006	By promotion	DC Office Kohat	-
142	Mr. Mushtaq Ahmed	02.03.1959	BA	01.12.1976	25/11/2006	promotee	DC Mansehra	-

Senior Member Board

OBJECTIONS.

action.

necessary parties.

S.No.	Name of Official	Date of Birth	Qualification	Date of First entry into Govt: Service	Date of Promotion / Appointment against the present post	Method of Recruitment	Present Place of Posting	Remarks
1	2	3	4	5	6	7	8	9
438	Mr. Mehboob Hassan Shah	01.04.1960	Matric	15.07.1980	15.08.2016	Promotee	DC, Chitral	-
439	Mr. Aftab	04.03.1967	FA	21.09.1986	15.08.2016	Promotee	DC, Chitral	-
440	Muhammad Iqbal	12.03.1968	FA	24.11.1986	15.08.2016	Promotee	DC, Chitral	-
441	Mr. Sher Ahmad	10.09.1965	FA	09.09.1989	15.08.2016	Promotee	DC, Chitral	-
442	Mr. Raj Wali Shah	18.10.1967	BA	03.08.1988	21.09.2016	Promotee	DC, Charsadda	-
443	Mr. Noor Muhammad	04.09.1963	Matric	01.04.1984	21.11.2016	Promotee	DC, Chitral	-
444	Mr. Shah Hussain	10.09.1967	D.Com	01.10.1988	23.11.2016	Promotee	DC, Dir Lower	-
445	Mr. Muhammad Khalid	01.06.1979	M.A	10.03.2006	23.11.2016	Promotee	DC, Dir (U)	-
446	Mr. Shaukat Ali	01.02.1973	FA	13.08.1996	23.11.2016	Promotee	DC, Dir (U)	-
447	Mr. Raza ullah	02.03.1984	F.SC	01.03.2006	23.11.2016	Promotee	DC, Dir (U)	-
448	Mr. Hidayatullah	25.06.1972	Matric	19.11.1996	23.11.2016	Promotee	DC, Dir (U)	-
449	Mr. Perhizgar Khan	16.04.1983	BA	14.12.2009	23.11.2016	Promotee	DC, Dir (U)	-
450	Mr. Shakir Ullah	25.02.1986	MA	14.12.2009	23.11.2016	Promotee	DC, Dir (U)	-
451	Mr. Naseer Ahmad	01.12.1988	MA	14.12.2009	23.11.2016	Promotee	DC, Dir (U)	-
452	Mr. Amanul Mulk	06.03.1991	MA	14.12.2009	23.11.2016	Promotee	DC, Dir (U)	-

Assistant Secretary (Estt.)

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Revenue & Estate Department.

PS/SMB/2015  
By No. 7095  
Date 8/11/18  
Govt. of Khyber Pakhtun Kwa

(lit-I)  
Subject:

WRIT PETITION NO:606-M/2015 BAKHT SHER ALI KHAN AND  
OTHERS VS GOVERNMENT OF KHYBER PAKHTUNKHWA AND  
OTHERS.

Dear Sir,

I am directed to refer to this Department letter No.SO(Lit)/LD/7-23(1)Rev  
/2017/29312-18, dated 27-10-2017 and to forward herewith a copy of notice dated 03-11-2018  
received from Additional Registrar Peshawar High Court, Mingora Bench / Darul Qaza, Swat  
with the request to depute Departmental Representative to the office of Advocate General  
Khyber Pakhtunkhwa, Peshawar alongwith compete record of the subject case for the purpose of  
briefing the Law Officer and assist him before the Court on each date of hearing, please.

Yours faithfully,

*(JAZ KHAN)*  
SECTION OFFICER (Lit)

Endst: No.& Date Even.

Copy is forwarded to the:

1. Advocate General Khyber Pakhtunkhwa, Peshawar.
2. Additional Advocate General Khyber Pakhtunkhwa, Swat.
3. Commissioner Malakand Division, Saidu Sharif, Swat.
4. Deputy Commissioner, Swat.
5. PS to Secretary Law Department Khyber Pakhtunkhwa.
6. PA to Deputy Solicitor Law Department.

SECTION OFFICER (Lit)

*Alit*  
*Sec*  
9/11/18

*Secy-I*  
08/11/18



24/12

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

**Appeal No.1185/2018**

**SARAF ALI**

**VS**

**SMBR & OTHERS**

**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE**  
**TO THE REPLY SUBMITTED BY THE OFFICIAL**  
**RESPONDENTS**

**R/SHEWETH:**

**(1 to 5):**

All the objections raised by the respondents are in correct, baseless and not in accordance with law and rules, rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

- 1- Admitted correct by the respondents hence need no comments.
- 2- Admitted correct to the extent that the appellant was posted as Naib Tehsildar (OPS) while the remaining Para is incorrect. That according to the service structure of the respondent Department Notified on 23.1.2015 twenty percent promotion quota was allocated for the cadre of Assistant working in the office of Commissioners, Deputy Commissioners and Political Agents. That in light of the said Rules the appellant was initially posted against the post of Head Clerk (Revenue)/Naib Tehsildar Land Reforms Swat vide order dated 14.3.2013 and subsequently was posted on the vacant post of Tehsildar Dargai on current charge basis vide order dated 11.2.2016.
- 3- Admitted correct to the extent that the appellant was posted as Tehsildar Mirali on current charge basis while the remaining Para is incorrect, hence denied.
- 4- Admitted correct hence need no comments.
- 5- Admitted correct to the extent that the appellant was the Assistant of office of the Deputy Commissioner Buner while the remaining Para is incorrect and misconceived. That appellant is the senior most employee of the respondent Department and the competent authority reverted/repatriated the appellant alongwith his other colleagues from the post of Tehsildar on the question that the newly promoted Tehsildars were placed out on the said posts, but in fact the above mentioned posts of Tehsildar were again filled up by posting on (OPS) of the Kanungo, Assistants, Political Moharrar and

Senior Clerks vide different orders. That it is pertinent to mention that the one Mr. Tanzil-Ur-Rehman who was posted on (OPS) in place of the appellant basically is Naib Tehsildar (BPS-14) vide Notification No. 30367 dated 17.8.2018 and further order No.3672/95 dated 31.08.2018 for which he is not eligible on the reason that the post of Political Tehsildar is (BPS-16). That the act of the respondents is against the law and prescribed Rules of the respondent Department. Copies of the orders are attached as annexure.....R.

6- Admitted correct that appellant filed Departmental appeal before the appellate authority which was rejected on no good grounds.

7- Incorrect and misconceived hence denied.

**GROUND:**

That appellant is the senior most employee of his cadre and is eligible with all respect for the post of Tehsildar in light of the service Rules of the respondent Department, hence the reversion/repatriation of the appellant is not tenable in the eye of law and Rules. That the order regarding posting of the appellant against the post of Tehsildar has been fully acted upon and attained finality thus is a past and closed chapter/transaction, hence re-inquiring of it is not free from malafide also suggested involvement of hidden hands in depriving the appellant from the post of Tehsildar. That the impugned order dated 17.8.2018 regarding reversion of the appellant to the post of Assistant is amounts to double jeopardy. That the respondent No.2 is competent under the recruitment Rules mentioned above, who himself issued valid/legal order which has been acted upon thus subsequently he can not be allowed to turn around after the laps of more than five years alleging that such posting order was not competently issued. That the action of the Senior Member Board of Revenue by issuing the impugned order dated 17.8.2018 against the appellant certainly amounts to the violation of judgments of the Superior Courts. That the appellant was discriminated amongst his other colleagues who were posted as Tehsildars while the appellant has been reverted/repatriated to the post of Assistant.

It is therefore, most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may kindly be accepted in favor of the appellant with all back benefits.

**APPELLANT**

  
**SARAF ALI**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

R-3

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 BOARD OF REVENUE  
 REVENUE & ESTATE DEPARTMENT  
 Peshawar dated the 17/08/2018.

NOTIFICATION

No 30367

The Competent Authority is pleased to place the services of the following Naib Tehsildars/District Kanungos/Sub-Registrars at the disposal of the Commissioners against their names for further posting as Tehsildars in their own pay and scales against the vacant posts in their Divisional jurisdiction.

Sr	Name	Present Posting	Services placed at the disposal of Divisional Commissioner.
1	Mr. Fazal Rehman	N.T D.I.P.P	Hazara
2	Mr. Farruk Jadoon	N.T Manshra	Hazara
3	Mr. Bilal Ahmad	N.T Khanpur	Hazara
4	Mr. Fazal Ahmad	Tehsildar (OPS) Abbottabad	Already posted
5	Mr. Muhammad Saleem	N.T Oghi	Hazara
6	Mr. Sher Dil	Tehsildar (OPS) Battagram	Already posted
7	Mr. Gohar Ali	N.T Larki Marwat	Bannu
8	Mr. Qayanos Khan	N.T Hangu	Bannu
9	Mr. Muhammad Shoaib	Naib Tehsildar Karak	Bannu
10	Mr. Muhammad Arshad	Reader to Commissioner Kohat	Bannu
11	Mr. Zafar Iqbal	N.T Kohat	Bannu
12	Mr. Nawab Gul	R.N.I Kurram	Bannu
13	Mr. Faiz ul Rehman	N.T Ambar	Bannu
14	Mr. Muhammad Rafiq	District Kanungo Kohat	Kohat
15	Mr. Roohul Amin	N.T South Waziristan	Kohat
16	Mr. Sher Bahadur	N.T South Waziristan	D.I.Khan
17	Mr. Shaukat Iqbal	N.T I.A Tunk	D.I.Khan
18	Mr. Adil Waseem	N.T Shabqadar	Peshawar
19	Mr. Mahmood Shah	N.T PDA	Peshawar
20	Mr. Gohar Ali	District Kanungo Swabi	Mardan
21	Muhammad Yar	Naib Tehsildar Chamla	Malakand
22	Mr. Rab Nawaz	Sub Registrar Chitral	Malakand
23	Mr. Abdul Qayum	Tehsildar (OPS) Barikot	Already posted
24	Mr. Amir Zareen	N.T Chakesar	Malakand
25	Mr. Shah Wazir	N.T Gagra	Malakand
26	Mr. Abdul Rashid	N.T Lahore	Malakand
27	Mr. Ahmad Ali	N.T Ekkaghund	Malakand
28	Mr. Faiz Muhammad	D.K (N.T Dargai)	Malakand

AGI

By order of Senior Member

ATTESTED

- Copy forwarded to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar.
  2. All Divisional Commissioners in Khyber Pakhtunkhwa.
  3. All Deputy Commissioners in Khyber Pakhtunkhwa.
  4. District Accounts Officers of the respective districts.
  5. Officials concerned.
  6. Office order file.

**OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION**

P.O.Box.12, Postal code 28100, Bannu  
NO. **3672-95** /Estab/D/T/18  
Dated: Friday, August 31, 2018  
Phone 0928 - 9270044 & 9270220  
Fax 0928 - 9270041  
e-mail :

(4)

**OFFICE ORDER**

Consequent upon the placement of services of the Naib Tehsildar/Kanungos at this disposal of this office vide Board of Revenue Khyber Pakhtunkhwa Notification bearing No. 30367, dated 17.08.2018 and No. Estt:V/P.1/30384, dated 17.08.2018. Following postings are hereby ordered in the best interest of public

S No.	Name	Posted at	Remarks
1.	Mr. Gohar Ali, Naib Tehsildar	Tehsildar Bannu (OPS) against the vacant seat	Services placed at the disposal of this office vide BOR Khyber Pakhtunkhwa Order No. 30367, dated 17.08.2018.
2.	Mr. Qiyanoos Khan, Naib Tehsildar	Naib Tehsildar Miranshah, District North Waziristan against the vacant seat	-Do-
3.	Mr. Muhammad Shoaib, Naib Tehsildar	Tehsildar Kakki (OPS), District Bannu against the vacant seat	-Do-
4.	Mr. Zafar Iqbal, Naib Tehsildar	Political Tehsildar Spinwan (OPS) Tribal District North Waziristan against the vacant seat	-Do-
5.	Mr. Nawab Gul, Naib Tehsildar	Naib Tehsildar Lakki Marwat	-Do-
6.	Mr. Fanzil-Ur-Rehman, Naib Tehsildar	Political Tehsildar Sub Division Wazir, Bannu, against the vacant seat	-Do-
7.	Mr. Muhammad Arshad, Naib Tehsildar		Services placed at the disposal of the Board of Revenue Khyber Pakhtunkhwa
8.	Mr. Gul Badshah, Kanungo	Naib Tehsildar Land Acquisition (OPS) District Lakki Marwat against the vacant seat	Services placed at the disposal of this office vide BOR Khyber Pakhtunkhwa Order No. Estt:V/P.1/30384, dated 17.08.2018.
9.	Mr. Ghulam Jan, Kanungo	DRA Lakki Marwat (OPS) against the vacant seat	-Do-
10.	Mr. Fairdullah Shah	DRA Bannu (OPS) against the vacant seat	-Do-
11.	Mr. Yousaf Khan, Kanungo	DK Lakki Marwat (OPS) Against the vacant seat	-Do-
12.	Mr. Ghani Rehman, Kanungo	Naib Tehsildar Irrigation Department (OPS) against the vacant seat	-Do-
13.	Mr. Farooq Nawaz, Junior Clerk Commissioner Office Bannu	Political Naib Tehsildar Shewa, District North Waziristan (OPS) Against the vacant seat	

**ATTESTED**

By Order of

[Signature]

PO/Estab 18.

Dated. August 2008

Copy to.

1. The Senior Member Board of Revenue, Khyber Pakhtankhwa, Peshawar.
2. The Additional Chief Secretary FATA, Peshawar.
3. The Secretary Law & Order, FATA Secretariat, Peshawar.
4. The Deputy Commissioner Bannu Lakki Marwat North Waziristan.
5. The District Accounts Officer Bannu Lakki Marwat North Waziristan.
6. Assistant Secretary (Estab), Board of Revenue Khyber Pakhtankhwa Peshawar w r to above.
7. All Tehsildars Naib Tehsildars for immediate compliance.

RI 31/08  
Secretary to Commissioner  
Bannu division



COMMISSIONER HAZARA DIVISION  
ABBOTTABAD

No. GHD/Emb/4/9/3158-77  
Dated: 05/09/2018

ORDER

In pursuance of Government of (Cyber Pakhtunkhwa) Board of Revenue Department Notifications No. 30367 & 30431 dated 17.08.2018, the Commissioner Hazara Division is pleased to order the posting / transfer of the following Tehsildars and Naib Tehsildars in public interest with immediate effect:

Sl. No	Name	From	To
1	Mr. Farrukh Jahan NT Acquisition Manshra	Services placed at the disposal of Commissioner Hazara Division	Tehsildar (OPS) Batta Pakhal Manshra. He is assigned the additional charge of NT Acquisition Manshra to accelerate the acquisition process for Sula Kunan Hydro Power Project.
2	Mr. Muhammad Saleem NT Oghi	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Oghi against the vacant post. He is assigned the additional charge of Tehsildar Darband Manshra.
3	Mr. Qamar Zia Malik	Tehsildar Khanpur	Tehsildar Judba Torghar vice S.No.6
4	Mr. Bilal Ahmed NT Khanpur	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Khanpur vice S.No. 3.
5	Mr. Fazal ur Rehman NT DHPP Kohistan	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Land Acquisition & Assessment Unit DHPP, Kohistan Upper against the vacant post.
6	Mr. Raja Tasawar	Tehsildar Judba Torghar	Tehsildar Lower Tanawal Abbottabad vice S.No. 7
7	Mr. Javed	Tehsildar Lower Tanawal	Tehsildar Havelian Abbottabad against the vacant post.
8	Mr. Mubarik Ahmed Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Oghi Manshra
9	Mr. Jamroz Khan	District Kanungo (BPS-14) Battagram	Naib Tehsildar Battagram vice S.No.11
10	Mr. Zakir Rehman Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Khanpur vice S.No. 4
11	Mr. Gul Shezad	Naib Tehsildar Battagram	Naib Tehsildar Haripur against the vacant post.

ATTESTED



12	Mr. Anwar Zeb Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Darband Manshra.
13	Mr. Syed Sabir Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Manshra.
14	Mr. Shoukat Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Judba Torghar. He is assigned the additional charge of Naib Tehsildar Kandar Hassanzai Torghar.
15	Mr. Niaz Muhammad Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Lower Tanawal against the vacant post
16	Mr. Khurshid Alalm Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Dassu, Kohistan Upper against the vacant post
17	Mr. Dildar Khan	Naib Tehsildar Kandar Hassanzai Torghar	Naib Tehsildar Lower Abbottabad against the vacant post

The additional charge of Tehsildar Pattan Kohistan Lower is assigned to Mr. Muhammad DRA (BPS-14) serving in the office of Deputy Commissioner Kohistan Lower.

sd  
Commissioner  
Hazara Division, Abbottabad

Endst: Even No & Date:

Copy forwarded for information to:

1. PS to Senior Member Board of Revenue, Government of Khyber Pakhtunkhwa, Peshawar.

**ATTESTED**

*[Handwritten Signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT  
Phone No. 091-9210057  
FAX No. 0919213989

Facebook ID: www.facebook.com/landrecrd.kpk Twitter ID: Landrecrd.kpk



Email: Landrecrd.kpk@gmail.com

Peshawar dated the 05/09/2018.

**OFFICE ORDER**

No. LR-IV/SRP&T/Vol-II, 5360-80 With the approval of the competent authority, the following posting / transfer are hereby ordered with immediate effect in the interest of public till further orders.

S.No	Name of official	From	To	Remarks
01	Mr. Imtiaz	Naib Tehsildar Pakhal Manshra	Sub Registrar, Manshra	Against vacant post
02	Mr. Inam Ullah	District Revenue Accountant (DRA) Nowshera	Sub Registrar, Haripur (OPS)	Against vacant post
03	Mr. Waqif Khan	Senior Girdawar Peshawar	Sub Registrar-I, Peshawar (OPS)	Vice No 05
04	Mr. Jahangir Khan	Senior Girdawar Peshawar	Sub Registrar-II, Peshawar (OPS)	Against vacant post
05	Mr. Saleem Ahmad	Sub Registrar-II, Peshawar	Report to Director Land Record office	


By order of  
Senior Member

Ind: No. LR-IV/SRP&T/Vol-II, 5360-80

Copy forwarded to the:

1. Secretary-I, Board of Revenue.
2. Deputy Commissioners / District Registrars concerned.
3. District Accounts Officers Concerned.
4. Private Secretary to Senior Member Board of Revenue Khyber Pakhtunkhwa
5. Officials Concerned for compliance.
6. Office order files.

  
Director Land Record  
Inspector General Register

**ATTESTED**  






OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

No: 6/7/EA/2018/1/  
Dated: 07.09.2018

9

11576-86

**OFFICE ORDER**

The following posting / transfer amongst Naib Tehsildars are hereby ordered with immediate effect in the public interest.

S.#	Name of Officials	From	To
1.	Mr. Muhammad Saeed Khan Naib Tehsildar (BPS-14)	Waiting for posting in this office	Naib Tehsildar Canal Irrigation Shabqadar
2.	Mr. Muhammad Nadeem Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Mohmand Circle Peshawar (OPS)
3.	Mr. Saeedullah Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Charsadda (OPS)
4.	Mr. Gohar Ali Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ekkaghund (OPS)
5.	Mr. Muhammad Hamayun Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Acquisition Peshawar (OPS)
6.	Mr. Abdul Jabbar Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ambar Mohmand (OPS)
7.	Mr. Kifayatullah Naib Tehsildar (BPS-14)	Naib Tehsildar under transfer	Naib Tehsildar FR Peshawar
8.	Mr. Riaz Ul Haq Naib Tehsildar (BPS-14)	Naib Tehsildar FR Peshawar	Naib Tehsildar Bara

-Sd-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No: 6/7/EA/2018/1/

11576-86

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Peshawar, Charsadda & Nowshera.
4. Deputy Commissioners Khyber & Mohmand.
5. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
6. PS to Additional Chief Secretary FATA.
7. PS to Commissioner Peshawar Division.
8. Officials concerned for compliance.

ATTESTED

(SALEEM JAN MARWAT)  
ASSISTANT TO COMMISSIONER (REV/GA)  
PESHAWAR DIVISION PESHAWAR



OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

P.O. Box 11, Postal code 18100 Bannu  
NO. 733 F.A. 11/11-18  
Issued: Waziristan, August 15, 2018  
Phone 0928 - 9270044 & 9270220  
Fax 0928- 9270044  
e-mail

(10)

OFFICE ORDER

Mr. Mufeed Alam, O/S-11 Political Maharar, Office of the Political Agent, North Waziristan is hereby posted as Political Naib Tehsildar Ghulam Khan in his own pay and scale till further orders.

Sd/-  
Commissioner  
Bannu Division

No 734-37/Estab/DT/18.

Dated. 15 /August, 2018.

Copy to.

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

*Rt. 17/18*  
Secretary to Commissioner,  
Bannu Division

ATTESTED



OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

No: 6/7/EA/2018/1/  
Dated: 17.09.2018

11

OFFICE ORDER

Mr. Mustamir Shah presently posted as Senior Clerk Deputy Commissioner Office Nowshera is hereby directed to hold the charge of the post of Naib Tehsildar Khairabad in own pay and scale till further orders in the interest of general public.

-Sd-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No: 6/7/EA/2018/1/17.09.18 70

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Nowshera.
4. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
5. PS to Commissioner Peshawar Division.
6. Official concerned for compliance.

  
ASSISTANT TO COMMISSIONER (P/D)  
PESHAWAR DIVISION PESHAWAR

ATTESTED



OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

Postal Code 24100, Bannu  
No. 8/5  
Phone 0928 - 0270044 & 0270220  
Fax 0928 - 0270044

12

OFFICE ORDER

Mr. Peroz Khan, Assistant (BS-16), Office of the Deputy Commissioner, Waziristan is hereby posted as Political Tehsildar Dera/Khel, North Waziristan (CPS) till further orders.

Commissioner  
Bannu Division

No 816-19/I:stab/DT/18

Copy to:

Dated: 13 / September

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (I:stab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

ATTESTED

Secretary to Commissioner  
Bannu Division



OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

13

No. 6/7/EA/2018/11  
Dated: 17.09.2018

OFFICE ORDER

Mr. Mustansir Shah presently posted as Senior Clerk Deputy Commissioner Office Nowshera is hereby directed to hold the charge of the post of Naib Tehsildar Khairabad in own pay and scale till further orders in the interest of general public.

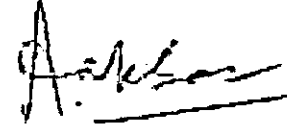
-Sd-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No. 6/7/EA/2018/11/17-63 10

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Nowshera.
4. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
5. PS to Commissioner Peshawar Division.
6. Official concerned for compliance.

  
ASSISTANT TO COMMISSIONER (P/D)  
PESHAWAR DIVISION PESHAWAR

ATTESTED



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

**Appeal No.1185/2018**

**SARAF ALI**

**VS**

**SMBR & OTHERS**

**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE**  
**TO THE REPLY SUBMITTED BY THE OFFICIAL**  
**RESPONDENTS**

**R/SHEWETH:**

**(1 to 5):**

All the objections raised by the respondents are in correct, baseless and not in accordance with law and rules, rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

- 1- Admitted correct by the respondents hence need no comments.
- 2- Admitted correct to the extent that the appellant was posted as Naib Tehsildar (OPS) while the remaining Para is incorrect. That according to the service structure of the respondent Department Notified on 23.1.2015 twenty percent promotion quota was allocated for the cadre of Assistant working in the office of Commissioners, Deputy Commissioners and Political Agents. That in light of the said Rules the appellant was initially posted against the post of Head Clerk (Revenue)/Naib Tehsildar Land Reforms Swat vide order dated 14.3.2013 and subsequently was posted on the vacant post of Tehsildar Dargai on current charge basis vide order dated 11.2.2016.
- 3- Admitted correct to the extent that the appellant was posted as Tehsildar Mirali on current charge basis while the remaining Para is incorrect, hence denied.
- 4- Admitted correct hence need no comments.
- 5- Admitted correct to the extent that the appellant was the Assistant of office of the Deputy Commissioner Buner while the remaining Para is incorrect and misconceived. That appellant is the senior most employee of the respondent Department and the competent authority reverted/repatriated the appellant alongwith his other colleagues from the post of Tehsildar on the question that the newly promoted Tehsildars were placed out on the said posts, but in fact the above mentioned posts of Tehsildar were again filled up by posting on (OPS) of the Kanungo, Assistants, Political Moharrar and

Senior Clerks vide different orders. That it is pertinent to mention that the one Mr. Tanzil-Ur-Rehman who was posted on (OPS) in place of the appellant basically is Naib Tehsildar (BPS-14) vide Notification No. 30367 dated 17.8.2018 and further order No.3672/95 dated 31.08.2018 for which he is not eligible on the reason that the post of Political Tehsildar is (BPS-16). That the act of the respondents is against the law and prescribed Rules of the respondent Department. Copies of the orders are attached as annexure.....**R.**

6- Admitted correct that appellant filed Departmental appeal before the appellate authority which was rejected on no good grounds.

7- Incorrect and misconceived hence denied.

**GROUND:**

That appellant is the senior most employee of his cadre and is eligible with all respect for the post of Tehsildar in light of the service Rules of the respondent Department, hence the reversion/repatriation of the appellant is not tenable in the eye of law and Rules. That the order regarding posting of the appellant against the post of Tehsildar has been fully acted upon and attained finality thus is a past and closed chapter/transaction, hence re-inquiring of it is not free from malafide also suggested involvement of hidden hands in depriving the appellant from the post of Tehsildar. That the impugned order dated 17.8.2018 regarding reversion of the appellant to the post of Assistant is amounts to double jeopardy. That the respondent No.2 is competent under the recruitment Rules mentioned above, who himself issued valid/legal order which has been acted upon thus subsequently he can not be allowed to turn around after the laps of more than five years alleging that such posting order was not competently issued. That the action of the Senior Member Board of Revenue by issuing the impugned order dated 17.8.2018 against the appellant certainly amounts to the violation of judgments of the Superior Courts. That the appellant was discriminated amongst his other colleagues who were posted as Tehsildars while the appellant has been reverted/repatriated to the post of Assistant.

It is therefore, most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may kindly be accepted in favor of the appellant with all back benefits.

**APPELLANT**

  
**SARAF ALI**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

R-3

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 BOARD OF REVENUE  
 REVENUE & ESTATE DEPARTMENT  
 Peshawar dated the 17/08/2018

NOTIFICATION

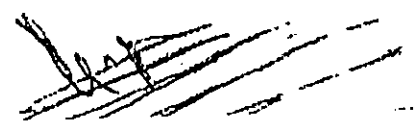
No. 30367. The Competent Authority is pleased to place the services of the following Naib Tehsildars/District Kanungos/Sub-Registrars at the disposal of the Commissioner against their names for further posting as Tehsildars in their own pay and scales against vacant posts in their Divisional jurisdiction.

Sr	Name	Present Posting	Services placed at the disposal of Divisional Commissioner.
1.	Mr. Fazal Rehman	N.T DEPP	Hazara
2.	Mr. Farruk Jadoon	N.T Manshra	Hazara
3.	Mr. Bilal Ahmad	N.T Kamper	Hazara
4.	Mr. Fazal Ahmad	Tehsildar (OPS) Abbottabad	Already posted
5.	Mr. Muhammad Saleem	N.T Oghi	Hazara
6.	Mr. Sher Dil	Tehsildar (OPS) Battagram	Already posted
7.	Mr. Gohar Ali	N.T Lukki Marwat	Bannu
8.	Mr. Qayanos Khan	N.T Ilangu	Bannu
9.	Mr. Muhammad Shoaib	Naib Tehsildar Karak	Bannu
10.	Mr. Muhammad Arshad	Reader to Commissioner Kohat	Bannu
11.	Mr. Zulfar Iqbal	N.T Kohat	Bannu
12.	Mr. Nawab Gul	N.T Karan	Bannu
13.	Mr. Faiz-ur-Rehman	N.T Ambar	Bannu
14.	Mr. Muhammad Rafiq	District Kanungo Kohat	Kohat
15.	Mr. Roohul Amin	N.T South Waziristan	Kohat
16.	Mr. Sher Bahacr	N.T South Waziristan	D.I.Khan
17.	Mr. Shaikat Iqbal	N.T L.A Tank	D.I.Khan
18.	Mr. Adil Waseem	N.T Shabqadar	Peshawar
19.	Mr. Mahmood Shah	N.T PDA	Peshawar
20.	Mr. Gohar Ali	District Kanungo Swabi	Mardan
21.	Muhammad Yar	Naib Tehsildar Chamla	Malakand
22.	Mr. Rab Nawaz	Sub Registrar Chitral	Malakand
23.	Mr. Abdul Qayum	Tehsildar (OPS) Barikot	Already posted
24.	Mr. Amir Zareen	N.T Chakesar	Malakand
25.	Mr. Shah Wazir	N.T Gagra	Malakand
26.	Mr. Abdur Rashid	N.T Lahore	Malakand
27.	Mr. Ahmad Ali	N.T Ekkaghund	Malakand
28.	Mr. Faiz Muhammad	D. K (N.T Dargai)	Malakand

A.C.I

By order of Senior Member

ATTESTED

18  
T

- Copy forwarded to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar.
  2. All Divisional Commissioners in Khyber Pakhtunkhwa.
  3. All Deputy Commissioners in Khyber Pakhtunkhwa.
  4. District Accounts Officers of the respective districts.
  5. Officials concerned.
  6. Office order file.



**OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION**

P.O.Box.12, Postal code 28100, Bannu  
NO. 3672-95 /Estab/D/1718  
Dated, Friday, August 31, 2018  
Phone 0928-9270044 & 9270220  
Fax 0928-9270041  
e-mail :

**OFFICE ORDER**

Consequent upon the placement of services of the Naib Tehsildar/Kanungos at this disposal of this office vide Board of Revenue Khyber Pakhtunkhwa Notification bearing No. 30367, dated 17.08.2018 and No. Estt/V/P/T/30384, dated 17.08.2018. Following postings are hereby ordered in the best interest of public:

S No.	Name	Posted at	Remarks
1.	Mr. Gohar Ali, Naib Tehsildar	Tehsildar Bannu (OPS) against the vacant seat	Services placed at the disposal of this office vide BOR Khyber Pakhtunkhwa Order No. 30367, dated 17.08.2018.
2.	Mr. Qiyanoos Khan, Naib Tehsildar	Naib Tehsildar Miranshah, District North Waziristan against the vacant seat	-Do-
3.	Mr. Muhammad Shoaib, Naib Tehsildar	Tehsildar Kakki (OPS), District Bannu against the vacant seat	-Do-
4.	Mr. Zafar Iqbal, Naib Tehsildar	Political Tehsildar Spinwan (OPS) Tribal District North Waziristan against the vacant seat	-Do-
5.	Mr. Nawab Gul, Naib Tehsildar	Naib Tehsildar Lakki Marwat	-Do-
6.	Mr. Tanzil-Ur-Rehman, Naib Tehsildar	Political Tehsildar Sub Division Wazir, Bannu, against the vacant seat	-Do-
7.	Mr. Muhammad Arshad, Naib Tehsildar		Services placed at the disposal of the Board of Revenue Khyber Pakhtunkhwa
8.	Mr. Gul Badshah, Kanungo	Naib Tehsildar Land Acquisition (OPS) District Lakki Marwat against the vacant seat	Services placed at the disposal of this office vide BOR Khyber Pakhtunkhwa Order No. Estt/V/P/T/30384, dated 17.08.2018.
9.	Mr. Ghulam Jan, Kanungo	DRA Lakki Marwat (OPS) against the vacant seat	-Do-
10.	Mr. Fairdullah Shah	DRA Bannu (OPS) against the vacant seat	-Do-
11.	Mr. Yousaf Khan, Kanungo	DK Lakki Marwat (OPS) Against the vacant seat	-Do-
12.	Mr. Ghani Rehman, Kanungo	Naib Tehsildar Irrigation Department (OPS) against the vacant seat	-Do-
13.	Mr. Farooq Nawaz, Junior Clerk Commissioner Office Bannu	Political Naib Tehsildar Shewa, District North Waziristan (OPS) Against the vacant seat	

**ATTESTED**

By Order of



PO/Instab/18

Copy to

1. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Additional Chief Secretary (ATA), Peshawar.
3. The Secretary Law & Order, FATA Secretariat, Peshawar.
4. The Deputy Commissioner Bannu/Lakki Marwat/North Waziristan.
5. The District Accounts Officer Bannu/Lakki Marwat/North Waziristan.
6. Assistant Secretary (Estab), Board of Revenue Khyber Pakhtunkhwa, Peshawar w/r to above.
7. All Tehsildars/Naib Tehsildars for immediate compliance.

(5)

Dated: \_\_\_\_\_ / August, 2018

Secretary to Commissioner  
Bannu division

KI 31/08

ATTESTED



COMMISSIONER HAZARA DIVISION  
ASHTABAD

No. CHD/2018/9/3150-75  
Dated: 05/09/2018



In pursuance of Government of (Cyber Pakhtunkhwa) Board of Revenue Department Notifications No. 30367 & 30431 dated 17.08.2018 the Commissioner Hazara Division is pleased to order the posting / transfer of the following Tehsildars and Naib Tehsildars in public interest with immediate effect.

Srl No	Name	From	To
1	Mr. Farrukh Jadoon NT Acquisition Manshira	Services placed at the disposal of Commissioner Hazara Division	Tehsildar (OPS) Baith Pakhal Manshira. He is assigned the additional charge of NT Acquisition Manshira to accelerate the acquisition process for Saka Kassa Hydro Power Project.
2	Mr. Muhammad Saleem NT Oghu	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Oghu against the vacant post. He is assigned the additional charge of Tehsildar Dargband Manshira
3	Mr. Qamar Zia Malik	Tehsildar Khanpur	Tehsildar Judda Torghar vice S No 6
4	Mr. Bilal Ahmed NT Khanpur	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Khanpur vice S No 3
5	Mr. Fazal ur Rehman NT DHP Kohistan	Services placed at the disposal of Commissioner Hazara Division	Tehsildar Land Acquisition & Assessment Unit DHP Kohistan Upper against the vacant post
6	Mr. Raja Tasawar	Tehsildar Judda Torghar	Tehsildar Lower Tanawal Abbottabad vice S No
7	Mr. Javed	Tehsildar Lower Tanawal	Tehsildar Zeeban Abbottabad against the vacant post
8	Mr. Mubarak Ahmed Kamroo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Oghu Manshira
9	Mr. Jamroz Khan	District Kamroo parts 1 & Battagram	Naib Tehsildar Battagram vice S No 11
10	Mr. Zakir Rehman Kamroo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Khanpur vice S.No. 4
11	Mr. Gul Shezad	Naib Tehsildar Battagram	Naib Tehsildar Haripur against the vacant post.

ATTESTED

12	Mr. Anwar Zeb Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Darband Manshra
13	Mr. Syed Sabir Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Manshra.
14	Mr. Shoukat Hussain Shah Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Judba Torghar. He is assigned the additional charge of Naib Tehsildar Kandar Hassanzai Torghar.
15	Mr. Niaz Muhammad Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Lower Tanawal against the vacant post
16	Mr. Khurshid Alalm Kanungo	Services placed at the disposal of Commissioner Hazara Division	Naib Tehsildar (OPS) Duso Kohistan Upper against the vacant post
17	Mr. Dildar Khan	Naib Tehsildar Kandar Hassanzai Torghar	Naib Tehsildar Lower Abbottabad against the vacant post


The additional charge of Tehsildar Pattan Kohistan Lower is assigned to Mr. Muhammad DRA (BPS-14) serving in the office of Deputy Commissioner Kohistan Lower

sd  
Commissioner  
Hazara Division, Abbottabad

Endst: Even No & Date:

Copy forwarded for information to:

- 1 PS to Senior Member Board of Revenue, Government of K Paktunkhwa, Peshawar.
- 1 PS to Senior Member Board of Revenue, Government of K Paktunkhwa, Peshawar.

ATTESTED  




Ⓟ  
 8

**OFFICE ORDER**

No. I.R-IV.SR.P&T/Vol-II

S.N.	Name of Official	From	To	Remark
1	Mr. [Name]	Senior Member Pakhal Mandala District Revenue Accountant Nowshera	Sub Registrar Mandi Sub Registrar Banjara	
2	Mr. [Name]	Senior Peshawar	Sub Registrar Peshawar	
3	Mr. [Name]	Senior Peshawar	Sub Registrar Peshawar	
4	Mr. Saqib Ahmad	Sub Registrar Peshawar	Report to Director Records	

By order of  
 Senior Member

No. I.R-IV.SR.P&T/Vol-II, 5350-80

For [Name]

- Secretary-I, Board of Revenue
- Deputy Commissioners District Registrars concerned
- District Accounts Officers Concerned
- Private Secretary to Senior Member Board of Revenue Khuzdar, Peshawar
- Officials Concerned for compliance
- Office order files

Director Land Revenue  
 Inspector General Registrar

**ATTESTED**

[Signature]



OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

No: 6/7/EA/2018/1/  
Dated: 07.09.2018

9

11576-86

**OFFICE ORDER**

The following posting / transfer amongst Naib Tehsildars are hereby ordered with immediate effect in the public interest.

S.#	Name of Officials	From	To
1.	Mr. Muhammad Saeed Khan Naib Tehsildar (BPS-14)	Waiting for posting in this office	Naib Tehsildar Canal Irrigation Shabqadar
2.	Mr. Muhammad Nadeem Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Mohmand Circle Peshawar (OPS)
3.	Mr. Saeedullah Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Charsadda (OPS)
4.	Mr. Gohar Ali Khan Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ekkaghund (OPS)
5.	Mr. Muhammad Hamayun Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Acquisition Peshawar (OPS)
6.	Mr. Abdul Jabbar Kanungo (BPS-11)	Waiting for posting in this office	Naib Tehsildar Ambar Mohmand (OPS)
7.	Mr. Kifayatullah Naib Tehsildar (BPS-14)	Naib Tehsildar under transfer	Naib Tehsildar FR Peshawar
8.	Mr. Riaz Ul Haq Naib Tehsildar (BPS-14)	Naib Tehsildar FR Peshawar	Naib Tehsildar Bara

-Sd-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No: 6/7/EA/2018/1/

11576-86

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Peshawar, Charsadda & Nowshera.
4. Deputy Commissioners Khyber & Mohmand.
5. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
6. PS to Additional Chief Secretary FATA.
7. PS to Commissioner Peshawar Division.
8. Officials concerned for compliance.

ATTESTED

*[Handwritten signature]*

*[Handwritten signature]*  
(SALEEM JAN MARWAT)  
ASSISTANT TO COMMISSIONER (REV/GA)  
PESHAWAR DIVISION PESHAWAR

OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

P.O. Box 12, Postal code 28100, Bannu  
NO. 733 FATA/DT/18  
Dated Wednesday, August 15, 2018  
Phone 0928 - 9270044 & 9270220  
Fax 0928 - 9270041  
e-mail

(6)

OFFICE ORDER

Mr. Mufeed Alam, CBS-11 Political Moharar, Office of the Political Agent, North Waziristan is hereby posted as Political Naib Tehsildar Ghulam Khan in his own pay and scale till further orders.

Sd/-  
Commissioner  
Bannu Division

Dated. 15 August, 2018.

No 734-37/Estab/DT/18.

Copy to.

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

*Rt. 17/2*  
Secretary to Commissioner,  
Bannu Division

*[Handwritten mark]*



OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

(11)

No. 607/EA/2018/1  
Dated: 17-09-2018

OFFICE ORDER

Mr. Mustamir Shah presently posted as Senior Clerk Deputy Commissioner Office Nowshera is hereby directed to hold the charge of the post of Naib Tehsildar Kharabara in own pay and scale till further orders in the interest of general public.

Sc

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

No: 607/EA/2018/1/1-67/1-

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Nowshera.
4. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
5. PS to Commissioner Peshawar Division.
6. Official concerned for compliance.

ASSISTANT TO COMMISSIONER (P/D)  
PESHAWAR DIVISION PESHAWAR

ATTESTED



OFFICE OF  
THE COMMISSIONER  
BANNU DIVISION

Post Office (Banaru) Bannu  
No. 875  
Date: September 13, 2018  
Office: 1023 - 1023/13 - 1023/20  
Fax: 0092 - 91277000  
E-mail: 1023/13

OFFICE ORDER

12

Mr. Feroz Khan, Assistant (BS-16), Office of the Deputy Commissioner, Waziristan is hereby posted as Political Tehsildar Data Khel, North Waziristan (P/S) till further orders.

Sd/-  
Commissioner  
Bannu Division

No. 816-19/Estab/DT/18.

Copy to.

Dated. 13 / September

1. The Secretary Law & Order, FATA Secretariat, Peshawar.
2. The Deputy Commissioner, North Waziristan.
3. The Assistant Secretary (Estab) Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Official concerned for compliance.

ATTESTED

Secretary to Commissioner  
Bannu Division

OFFICE OF THE  
COMMISSIONER PESHAWAR DIVISION  
PESHAWAR

13

NO. 617/EA/2018/1  
Date: 17/09/2017

OFFICE ORDER

Mr. Musawwar Shah presently posted as Senior Clerk Deputy Commissioner Office Nowshera is hereby directed to hold the charge of the post of Sub-Treasurer Government in own pay and scale till further orders in the interest of general public.

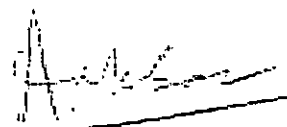
-Ed-

COMMISSIONER  
PESHAWAR DIVISION PESHAWAR

NO. 617/EA/2018/1

Copy forwarded to:

1. Senior Member Board of Revenue Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Deputy Commissioners Nowshera.
4. PS to Chief Secretary, Govt. of Khyber Pakhtunkhwa.
5. PS to Commissioner Peshawar Division.
6. Official concerned for compliance.

  
ASSISTANT TO COMMISSIONER (P/D)  
PESHAWAR DIVISION PESHAWAR

ATTESTED



BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa  
Service Tribunal

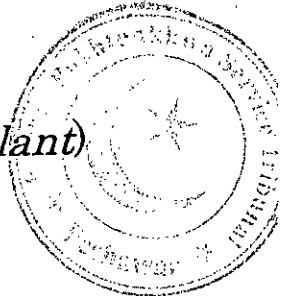
Entry No. 1409

In Re S.A. 1113 /2018

Date 07/09/2018

Abdur Rehman Tehsildar/Recovery Officer PESCO  
Khyber Circle.

-----*(Appellant)*



VERSUS

1. Chief Secretary Khyber Pakhtunkhwa Peshawar R/o Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
2. Board of revenue Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
3. Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
4. Commissioner Peshawar Division Peshawar.

-----*(Respondents)*

SERVICE APPEAL U/S 04 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974 AGAINST THE IMPUGNED OFFICE  
ORDER NO. 30341, DATED: 17/08/2018 OF  
THE OFFICE OF THE SENIOR MEMBER  
BOARD OF REVENUE, KHYBER  
PAKHTUNKHWA PESHAWAR WHEREBY  
THE DEPARTMENTAL APPEAL OF THE  
APPELLANT AGAINST THE IMPUGNED  
NOTIFICATION NO. 27057 DATED 09/07/2018  
WAS DISMISSED IN A CLASSICALLY  
CURSORY MANNER

Respectfully Sheweth

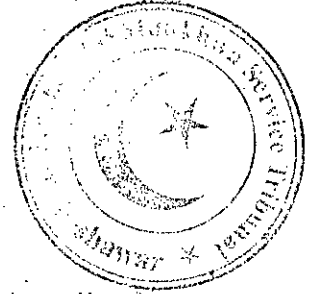
1. That the Appellant is performing his duties as Tehsildar on Current Charge Basis. (CCB) in PESCO.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1113/2018

Date of Institution ... 07.09.2018

Date of Decision ... 25.01.2019



Abdur Rehman, Tehsildar/Recovery Officer PESCO Khyber Circle.

... (Appellant)

VERSUS

Chief Secretary Khyber Pakhtunkhwa Peshawar R/o Khyber Pakhtunkhwa at Civil Secretariat Peshawar and three others. ... (Respondents)

Mr. Javed Iqbal Gulbela,  
Advocate  
Mr. Adnan Sher  
Advocate

--- For appellant.

Mr. Muhammad Jan  
Deputy District Attorney

--- For respondents.

MR. AHMAD HASSAN,  
MR. MUHAMMAD AMIN KHAN KUNDI

--- MEMBER(Executive)  
--- MEMBER(Judicial)


JUDGMENT

AHMAD HASSAN, MEMBER.-

This judgment shall dispose of the instant service appeal as well as connected service appeal no. 1114/2018 titled Asad Umair, appeal no. 1115/2018 titled Shafaqatullah, appeal no. 1116/2018 titled Amjid Imran, appeal no. 1117/2018 titled Mustafa Shah, appeal no. 1118/2018 Mustamir Shah, appeal no. 1123/2018 titled Nawab Ali, appeal no. 1124/2018 titled M. Ghufuran, appeal no. 1125/2018 titled Saeed Manan, appeal no. 1130/2018 titled Azmat Ali and appeal no. 1202/2018 titled Zardad Khan as similar question of law and facts are involved therein.

2. Arguments of the learned counsel for the parties heard and record perused.

**ATTESTED**

  
MEMBER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

### ARGUMENTS

3. Learned counsel for the appellant argued that he was performing duty as Tehsildar PESCO, Khyber Circle on current charge basis. That vide impugned order dated 09.07.2018, he was repatriated to his parent office. For redressal of his grievances, he filed departmental appeal on 11.07.2018, which was dismissed on 17.08.2018, hence, the instant service appeal. Appointment of the appellant was protected under Rule-9 of Khyber Pakhtunkhwa Civil Servants ( Appointment, Promotion and Transfer) Rules 1989. He had not completed normal tenure at the place of previous posting. The appellant was repatriated with mal intent by the respondents to adjust their blue eyed officials. Treatment meted out to the appellant was discriminatory and also condemned unheard.

4. On the other hand learned Deputy District Attorney for respondents argued that the appellant was basically an Assistant of the office of Commissioner Peshawar. Due to shortage of regular Tehsildars and with a view to ensure smooth running of official business, he was posted as Tehsildar on current charge basis. After posting of regular Tehsildars he was repatriated to his original position. Out of turn promotion did not create any right for regular promotion. He was otherwise not eligible to be considered for promotion against the post of Tehsildar.

### CONCLUSION

5. It is not disputed that the appellant was basically an Assistant of the office of Commissioner, Peshawar. Due to non-availability of regular Tehsildars, he was posted as Tehsildar on current charge basis in the exigency of service and to ensure uninterrupted continuation of official business. Learned counsel for the appellant was unable to quote a single rule that could be pressed in his favour. Being on a weaker wicket his pleadings lacked substance and failed to make out a convincing case in favour of the appellant. Even he could not spot a single judgment of superior courts to supplement his arguments.

ACCEPTED

Deputy District Attorney  
Peshawar

When regular Tehsildars become available with the respondents then through impugned order he was repatriated to his parent office. Action taken by the respondents was backed by Sub-Rule-4 of Rule-9 of Khyber Pakhtunkhwa Civil Servants ( Appointment, Promotion and Transfer) Rules 1989, wherein it is laid down that against vacancies occurring for less than six months current charge appointment may be made according to the orders issued from time to time. Similarly Sub-Rule-6 of the said rules provides that even acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis. Nothing is contained in these rules about current charge appointment. In these circumstances action taken by the respondents appeared valid/justified. Being a junior, most Assistant he was not eligible for promotion as Tehsildar. It amounted to out of turn promotion held to be illegal/unlaw<sup>ful</sup> in various judgments of the superior courts. The question of tenure was not relevant in the present case. Opportunity of personal hearing is afforded to a civil servant when proceedings are instituted against him under Khyber Pakhtunkhwa Civil Servants (Efficiency and Discipline) Rules-2011.

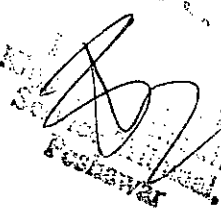
6. As a sequel to above, the appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)  
MEMBER

*Muhammad Amin*  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

ANNOUNCED  
25.01.2019

Certified true copy  
  
 Khyber Pakhtunkhwa  
 Government  
 Peshawar

Date of Presentation of ..... 29-1-19  
 Number of Pages ..... 1650  
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