


Form- A

FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 1334/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/09/2022	<p>The appeal of Mr. Muhammad Anwar Khan resubmitted today by Mr. Riaz Ahmad Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Anwar Khan r/o village Kheema Assistant (Retired) Population Welfare department received today i.e. on 30.08.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of retirement order mentioned in para-1 of the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2486 /S.T,

Dt. 31/8 /2022

  
REGISTRAR,  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Riaz Ahmad Adv. Pesh.

*R/Sn, The observations vide 1 & 2  
have been complied with, as asked for.  
Resubmitted please.*

*Registrar*

*Prokur  
Chowdhary  
12/09*

BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 1334 /2022

Mohammad Anwar Khan ..... APPELLANT

VERSUS

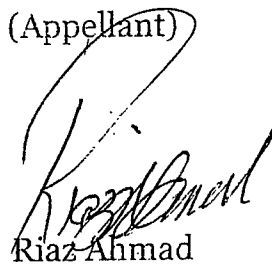
Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare  
Department, civil secretariat Peshawar and others .....RESPONDENTS

I N D E X

S.No.	Description of Documents	Annexure	Pages
1.	Appeal		1- 2
2.	Affidavit		3
3.	Memo of addresses		4
4.	Copy of the retirement order,	Annex -A	5
5.	Copies of the letter / bio data.	Annex -B	6-9
6.	Copies of the promotion order and application/ departmental appeal,.	Annex -C	10-13
7.	Wakalatnamah		

(Appellant)

Through:

  
Riaz Ahmad

(Advocate High Court)

Cell No. 0303 8238839

and 0348 9615837

(1)

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

Service Appeal No. 1334 /2022

Mohammad Anwar Khan R/O Village Kheema, Tehsil and P.O. Timargarah, District Lower Dir (Assistant BPS- 16 fetired from the office of District Population Welfare Office, Lower Dir.)

..... APPELLANT

VERSUS

1. Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare Department, civil secretariat Peshawar.
2. Directorate General Population Welfare Department, Population Welfare Complex, Near PDA Building Hayatabad, Phase-V, Peshawar.
3. District Population Welfare Officer, Dir Lower.

.....RESPONDENTS

Appeal Under Section 4 Of The Khyber Pakhtoonkhwa Service Tribunal Act (Act 1 Of 1974) From The Order Bearing No. 4(5)/2018 Dated 04/05/2018 Whereby Assistants Bps 16 Were Promoted To The Post Of Assistant District Population Welfare Bps-16, Where The Order Being Was Due In 2017.

**Prayer:** On acceptance of the instant appeal this Hon'ble Tribunal would be pleased to grant proforma promotion to the appellant as the order was due in 2017 while the appellant was in service but it was delayed inordinately and the appellant proceeded on retirement on 31/03/2018 and the appellant's right of promotion was not granted to him.

Respectfully sheweth:

1. That the appellant has proceeded on retirement on 31/03/2018 as Assistant BPS-16 from the District Population Welfare Office, Population Welfare Department.  
(Copy of the retirement order is enclosed herewith as Annex-A)
2. That in 2017 vacancies occurred for promotion of Assistants BPS-16 and other cadres to the post of Assistant District Population Welfare Officer BPS-16 and ACRs of the appellant were requisitioned which were sent to the office of respondent No. 2.  
(Copies of the letter / biodata are enclosed herewith as Annexure-B)
3. That the promotion case was delayed till 04/05/2018 after a month a few days of the retirement of the appellant. The appellant submitted

(2)


applications to the competent authority for redress of his grievance but those were not considered.  
(Copies of the promotion order and application is enclosed herewith as Annex-C)

4. That the appellant would have been promoted if the promotion had been made within time.
5. That the appellant, being deprived of his due legal right to promotion, and his grievance not being redressed, therefore, files the instant appeal on the following.

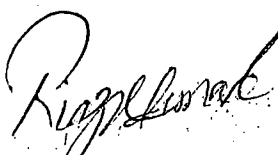
#### GROUNDS

- A. That the promotion order has been illegally inordinately delayed.
- B. That the appellant's right to promotion under the law has not been upheld.
- C. That reasons for the delay are not due to any act of the appellant.
- D. That the delay affected the appellant's right and his junior was granted benefit.
- E. That any ground / document needed by the circumstances of the case may kindly also be allowed to be presented at the time of arguments, proceedings.

It is, therefore, prayed that on acceptance of the instant appeal, the appellant may very graciously be granted proforma promotion as prayed for in the heading of the appeal, please.

  
Appellant

Through:

  
Riaz Ahmad  
(Advocate High Court)

(3)

BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2022

Mohammad Anwar Khan ..... APPELLANT

VERSUS

Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare  
Department, civil secretariat Peshawar and others .....RESPONDENTS

AFFIDAVIT

I, Mohammad Anwar Khan S/O Bakhtawar Kahn. R/O Village Kheema,  
Tehsil and P.O. Timargarah, District Lower Dir Assistant BPS- 16 retired  
from the office of District Population Welfare Office, Lower Dir, do hereby  
solemnly declare and affirm on oath that the contents of the instant appeal  
are true and correct to the best of my knowledge and belief and that  
nothing has been concealed from this Hon'ble Tribunal.

*Therua 2*

DEPONENT

Mohammad Anwar Khan

NIC No. 15302-8750503-1

Identified by

*Riaz Ahmad*

Riaz Ahmad  
(Advocate)

(4)

BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2022

Mohammad Anwar Khan ..... APPELLANT

VERSUS

Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare  
Department, civil secretariat Peshawar and others .....RESPONDENTS

MEMO OF ADDRESSES

APPELLANT

Mohammad Anwar Khan R/O Village Kheema, Tehsil and P.O.  
Timargarah, District Lower Dir.

RESPONDENTS

1. Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare Department, civil secretariat Peshawar.
2. Directorate General Population Welfare Department, Population Welfare Complex, Near PDA Building Hayatabad, Phase-V, Peshawar.
3. District Population Welfare Officer, Dir Lower

(Appellant)

Through:



Riaz Ahmad

(Advocate High Court)

Government of Khyber Pakhtunkhwa,  
Directorate General Population Welfare  
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar  
\*\*\*\*\*

Dated Peshawar the 27/3/ 2018.

**OFFICE ORDER**

F.No.4 (8)/2017/Admn: Sanction of 365-days leave encashment in lieu of LPR is hereby granted to Mr. Muhammad Anwar Khan, Assistant (BPS-16) of District Population Welfare Office, Dir (Lower).

The Official stand retired from service w.e.f. 31-03-2018 on attaining the age of superannuation. His date of birth is 01-04-1958 as per available record i.e. Secondary School Certificate.

(Director General)  
Population Welfare Department

Copy forwarded to the:-

1. District Population Welfare Officer, Dir (Lower) w/r to his letter No. 2(2)/Admn/2017-18/2119-20 dated 08.02.2018.
2. District Accounts Officer, Dir (Lower).
3. PS to Director General, PWD, KP Peshawar.
4. PA to Advisor to CM for PWD, KP Peshawar.
5. HR, Assistant (Admn Section) PWD, Peshawar.
6. Official concerned C/O DPWO.
7. F.No. 4 (15)/2017-18/Admn.
8. Master File.

AA  
For ya Mr

M  
16/3/2018

(Hidayat Khan)  
Deputy Director (Admn)

1916  
16/3/2018

Dist. Population Welfare Officer



(6)

Annex - 3

OFFICE OF THE  
DISTRICT POPULATION WELFARE OFFICER  
DIR LOWER

F.No.9(1)/Confidential:-2016-17

Dated, Timergara the 7/10/2017

To

The Director General,  
Population Welfare Department,  
Khyber Pakhtunkhwa, Peshawar.

Subject:- PROMOTION OF OFFICE ASSISTANT BPS-16.

Memo:-

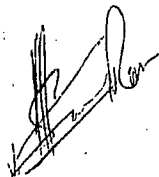
Kindly refer to telephonic message conveyed through Mr. Sarfaraz Khan, Assistant Admn Section from Directorate General, Population Welfare Department, Khyber Pakhtunkhwa Peshawar on dated 7.10.2017 and find enclosed ACR in original for last five years w.e.f: 01.01.2012 to 31.12.2016, along with 05-sets of Synopsis, No- Disciplinary-action certificate & Bio Data in respect of Mr. Muhammad Anwar Khan, Assistant (BPS-16) of this District are sent herewith for further action as desired, please.

Distt: Population Welfare Officer  
Dir Lower.

Encl as above.  
\*\*\*\*\*

F. M. Z. Ahmed  
(Advocate)

Attest

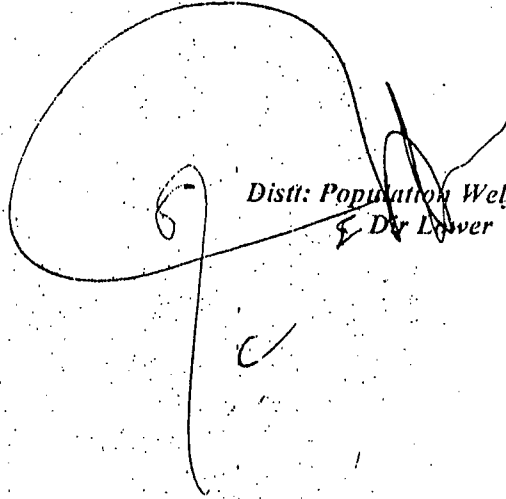


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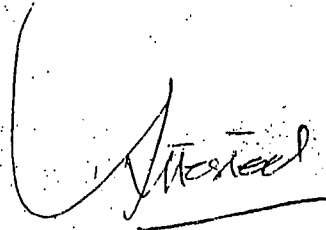
(7)

NO PENDING DISCIPLINARY ACTION CERTIFICATE.

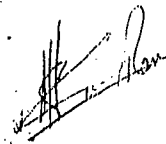
Certified that there is no pending disciplinary action against  
Mr. Muhammad Anwar, Office Assistant of District Dir Lower.



Distt: Population Welfare Officer  
Dir Lower



Assistant  
Principal  
Advocate



9

(8)

**BIO-DATA**

- 1. Name: MUHAMMAD ANWAR
- 2. Father's Name: BAKHTAWAR KHAN
- 3. Academic Qualification: B.A
- 4. Service/Cadre to which belongs: POPULATION WELFARE
- 5. Date of Birth: 01-04-1958
- 6. List of Books/publication published: N.A.
- 7. Training received: NIL
- 8. Date of Passing Departmental Examination if any: NIL
- 9. Date of First joining the service and the grade in which joined: 25-01-1983 (Junior Clerk)
- 10. Record of Posting/Appointments:

S.No.	Post Held	BPS	Whether on regular/officiating/ Adhoc basis	Period	
				From	To
1.	Junior Clerk	5	Regular	25-01-1983	24-04-1995
2.	Senior Clerk	7/9	-do-	25-04-1995	10-01-2012
3.	Assistant	16	-do-	11-01-2012	Till date

- 11. Total Service as on 31-09-2017: 35 Years, 08 Months, 25 Days
- 12. Total Service in BPS-16: 05 Years, 08 Months, 19 Days
- 13. Detail of non qualifying service if any: NIL

*[Handwritten Signature]*

**DISTT: POPULATION WELFARE OFFICER  
& DIR LOWER**

*[Handwritten Signature]*

*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*

*[Handwritten Signature]*  
 Population Welfare Officer  
 Dir Lower

**SYNOPSIS OF CHARACTER ROLL OF MR. MUHAMMAD ANWAR, OFFICE ASSISTANT (BPS-16) FOR LAST FIVE YEARS.**

Year	Nature of report	Remarks of reporting officer	Remarks of countersigning officer	Adverse Remarks	Remarks
1-1-2012 to 31-12-2012	Good	The official under report is dutyfull and performed his duty in a well manner during the period.	Agreed with reporting officer.	--	--
1-1-2013 to 31-12-2013	Good	The official under report performed his duties in good way assigned to him during the period.	The official under report is experience one. He need training in computer & IT.	--	--
1-1-2014 to 31-12-2014	Good	The official concerned was found punctual and dutiful during the period.	I agree with R.O.	--	--
1-1-2015 to 31-12-2015	Good	The official concerned was found punctual and dutiful during the period.	I agree with R.O.	--	--
1-1-2016 to 31-12-2016	Good	The official concerned was found punctual and dutiful during the period.	I agree with R.O.	--	--

*Muhammad Anwar*

*Attested*

*[Signature]*  
 District Welfare Officer

*[Signature]*  
 Dist: Population Welfare Officer  
 Dir-Lower

17

(10)

Annex - C

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE GENERAL POPULATION WELFARE  
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar  
\*\*\*\*\*

Dated Peshawar the 14/5/2018.

**OFFICE ORDER**

**F.No.4(5)/2018/Admn:-** On recommendation of the Departmental Promotion Committee meeting, held on 24.04.2018 the following Senior Scale Stenographers (BPS-16), Statistical Assistants (BPS-12) and Assistants (BPS-16) are promoted to the post of Assistant District Population Welfare Officers / Admn Officers (BPS-16) on regular basis with immediate effect:-

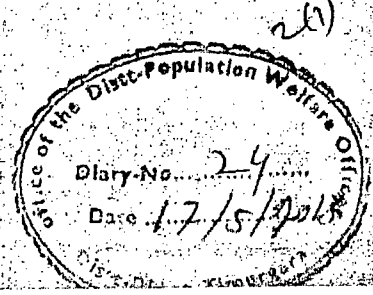
S.No	Name	Promoted to the post of
1	Mr. Hussain Khan	Assistant District Population Welfare Officers / Admn Officers (BPS-16)
2	Mr. Rashid Ahmad	-do-
3	Mr. Hamid Ali	-do-
4	Mr. Akhtar Hussain	-do-
5	Mr. Muhammad Hussain	-do-
6	Mr. Muhammad Aqeel Babar	-do-
7	Mr. Mir Balz Khan	-do-
8	Mr. Mohammad Javed	-do-
9	Mr. Kiramat Khan	-do-

The officers will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 extendable for another one year.

Consequent upon their promotion, the above mentioned Assistant District Population Welfare Officers / Admn Officers (BPS-16) are hereby posted as under:-

S.No	Name	From	To	Remarks
1	Mr. Hussain Khan	DPW-Office, Dir (Lower)	DPW-Office, Dir (Lower)	Against the post of DDPWO (N/T) BPS-17. In his own pay & Scale, already working against the said post.
2	Mr. Rashid Ahmad	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the post of M&E, Officer (BPS-16) for the purpose of salary, already working against the said post.
3	Mr. Hamid Ali	DPW-Office, Battagram	RTI, Abbottabad	Against the vacant post of Admn Officer (BPS-16). Vice S.No.10
4	Mr. Akhtar Hussain	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Statistical Investigator (BPS-16) for the purpose of salary.
5	Mr. Muhammad Hussain	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Accountant (BPS-16) for the purpose of salary.
6	Mr. Muhammad Aqeel Babar	DPW-Office, Bannu	DPW-Office, Bannu	Against the vacant post of ADPWO (BPS-16)
7	Mr. Mir Balz Khan	Directorate General, PW, Peshawar	DPW-Office, Abbottabad	Against the vacant post of ADPWO (BPS-16)
8	Mr. Mohammad Javed	DPW-Office, Kohat	DPW-Office, Kohat	Against the vacant post of ADPWO (BPS-16) Vice S.No.11
9	Mr. Kiramat Khan	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Superintendent (BPS-17) In his own pay & scale.
10	Mrs. Walayat Aftab, FTO(BPS-16) working against the post of Admn Officer (BPS-16)	RTI, Abbottabad	RTI, Abbottabad	Against the vacant post of Accountant (BPS-16) for the purpose of salary, to vacate post for original incumbent Vice S.No.3

*Handwritten notes:*  
D. Akhtar  
Section  
For record please  
14/5/2018



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(11)

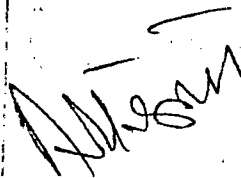
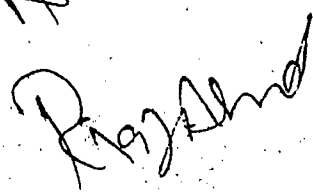
11	Mr. Waqar Hussain Khattak Account Assistant (BPS-17) working against the post of ADPW (BPS-16)	DPW Office, Kohat	DPW Office, Kohat	Against the vacant post of Assistant (BPS-16) in his own pay & scale. To vacate post for original Incumbent. Vire No.8 Against the vacant post of Statistical Assistant (BPS-17) Vire 5.No.4
12	Hafiz Nasir Khan, Statistical Assistant (BPS-17) Adjusted against the post of Photographer (BPS-17)	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	

(Director General)  
Population Welfare Department

Copy forwarded to:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Directors, PWD, KP Peshawar.
3. Principal RTIs, Peshawar, Abbottabad & Malakand.
4. SMO, I/C, RHSC-As, KTH, HMC & LRH, Peshawar.
5. Section Officer (Listt;) PWD, KP, Peshawar.
6. All District Population Welfare Officers, in Khyber Pakhtunkhwa.
7. All District Accounts Officers, in Khyber Pakhtunkhwa.
8. PA to Advisor to CM for PWD, in Khyber Pakhtunkhwa Peshawar.
9. PS to Secretary, PWD, Khyber Pakhtunkhwa Peshawar.
10. PS to Director General PWD, Khyber Pakhtunkhwa Peshawar.
11. HR Assistant (Admn Section) PWD, Peshawar.
12. Officers concerned.
13. Personal file of the officers concerned.
14. Master File.
15. F.No. 4 (15)/2017/Admn.

  
Deputy Director (Admn)

محترم صاحب سے ڈائریکٹر جنرل صواب قلمیہ بیورو آبادی KPK نیاور  
عنواناً - درخواست اپیل دربارہ پردہ فاد مردوخش / بنیفٹ

صواب عالی

سائل عدیم ذیل گزارشات عرض و دعوائے

1) یہ کہ سائل نے حکم بیورو آبادی ضلع دیر پور میں 35 سال خدمت  
مزداری کی ہے۔

2) یہ کہ سائل اسسٹنٹ ایچ بی ایس 16 کی حیثیت سے 31 مارچ  
2018 کو ریٹائر ہو گیا ہے۔

3) یہ کہ سائل کی ریٹائرمنٹ کے چند دن بعد یعنی 24 اپریل 2018 کو  
ڈی پی سی حیدرنگ پورٹی - جبکہ 4 مئی 2018 کو دیگر صاحب سرورس  
اسسٹنٹ ایچ بی ایس ادڈوز ایشور ہو گیا۔

4) یہ کہ سائل سنیاریٹی لسٹ میں باپنچویں نمبر پر تھا۔ جبکہ کل چھ  
افراد کو پردہ فاد کرنا تھا۔

5) یہ کہ عدالتی سٹیج کی وجہ سے پردہ فاد میں چند دن کی تاخیر کی  
وجہ سے سائل پردہ فاد لینے سے محروم رہا۔

6) یہ کہ سائل سے سنیاریٹی لسٹ میں آٹھ پانچ ساتھیوں کی پردہ فاد  
ہو چکی ہے۔

لینڈا ایدی ادب کیساتھ ملتیں ہوں کہ سائل کو پردہ فاد / مردوخش / بنیفٹ  
دیگر مشور فرمادیں۔

سائل دعا گو ہے گا

4-10  
2021

محمد انور خان

بپس 16، ڈائریکٹر

اللہ اعلم  
Prayer  
Committee

(13)



OFFICE OF THE DISTRICT POPULATION WELFARE OFFICER DIR LOWER

M pwwdirlower@gmail.com

f dpwodirlower

:DpwoDirLower Phone#: 0945-920033



F.No.2(2)/Admn:- 2022/978-79

Dated, Timeragara the 13/ 04/ 2022

To

The Assistant Director(HR),  
Population Welfare Department,  
Khyber Pakhtunkhwa, Peshawar.

Subject:-

SERVICE DETAIL IN RESPECT OF Mr. MUHAMMAD ANWAR KHAN  
EX OFFICE ASSISTANT (BPS-16) DIR LOWER.

R/Sir,

Kindly refer to your telephonic message today on 13/04/2022.

In this regard the following dtails are submitted for your office record as desired, please.

1)	Appointment	25/01/1983	Junior Clerk (BPS-05)
2)	promotion (1 <sup>st</sup> )	25/04/1995	Senior Clerk (BPS-07)
3)	1 <sup>st</sup> Transfer	29/05/1995	From Dir Lower to Kohat
4)	2 <sup>nd</sup> Transfer	31/07/1995	From Kohat to Dir Lower
5)	3 <sup>rd</sup> Transfer	07/08/2003	From Dir Lower to Dir Upper
6)	4 <sup>th</sup> Transfer	08/01/2004	From Dir Upper to Dir Lower
7)	Promotion (2 <sup>nd</sup> )	11/12/2012	Office Assistant (BPS-16) and adjusted against the vacant post of FTO till retirement (31/03/2018)

District Officer  
Population Welfare Department  
Dir Lower

Copy to:-

1. Mr. Muhammad Anwar Khan, EX Office Assistant of this office for information.

*Handwritten signatures and initials:*  
A. Khan  
R. Khan  
C.A. Khan

*Handwritten signature:*  
District Officer  
Population Welfare Department  
Dir Lower