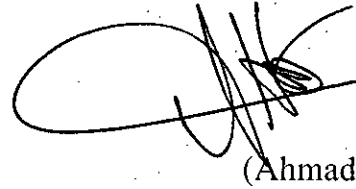


Order

25.01.2019 Counsels for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Dr. Fakhar Alam, SMBR (respondent no.3) and Mr. Muhammad Arif, Supdt for respondents present. Arguments heard and record perused.

This appeal is also dismissed as per detailed judgment of today placed on file in connected service appeal No. 1113/2018 titled "Abdur Rehman -vs- Chief Secretary Khyber Pakhtunkhwa, Peshawar R/o Khyber Pakhtunkhwa at Civil Secretariat Peshawar and three others." Parties are left to bear their own cost. File be consigned to the record room.

Announced:  
25.01.2019



(Ahmad Hassan)  
Member



(Muhammad Amin Khan Kundi)  
Member

02.01.2019

Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Muhammad Arif Superintendent present.

Learned counsel for the appellant complained that the SMBR (respondent No.3) is still prone to make appointments to the posts of Naib Tehsildars and Tehsildars on OPS/current charge basis.

It is but common knowledge and very unfortunate that the post of Naib Tehsildar and Tehsildar is considered as one of the great source of making speedy money and on other hand the hi-ups in the Revenue Department have adopted the policy of making appointments on these lucrative posts on OPS/current charge basis and have been acting like a silent spectator to the over all scenario.

It is also ironical that unscrupulous officials in the Revenue Department somehow succeeds in blocking the way of regular appointments on these lucrative posts by resorting to frivolous litigation. Some of these unscrupulous low rank officials are so influential that they enjoy the reputation of having subdued the bureaucracy.

This Tribunal observed that since the ad-interim relief of status-quo is no more in the field/vacated, the respondent department particularly the SMBR is directed to fill up the vacant posts of Naib Tehsildars and Tehsildars on regular basis in the prescribed manner and without any further delay. The SMBR is strictly directed to shun the appointments of Naib Tehsildars and Tehsildars on OPS/current charge basis in future. SMBR (respondent No.3) is directed to appear in person before this Tribunal on the next date fixed as 25.01.2019 to render proper assistance.

  
Member

  
Member

21.11.2018


Since 21.11.2018 has been declared as public holiday on account of 12<sup>th</sup> Rabi ul Awal. Therefore, the case is adjourned. To come up on 28.12.2018.

  
Reader

28.12.2018

Learned counsel for the appellant present. Muhammad Arif Superintendent present and submitted parawise comments.

It is settled principle that a civil servant is vested with no right to question the order of his repatriation to the parent department hence the appellant is not found entitled to the extension of the ad-interim relief granted on 04.10.2018 till 25.10.2018. As such the ad-interim relief of status quo shall be deemed as vacated. It may also be mentioned that similar nature Service Appeal bearing No.1287/2018 has been dismissed by this Tribunal in limine. Moreover in another similar nature service appeal bearing No.1340/2018 filed by Mr. Malik Zahid, the ad-interim relief of status quo has also been vacated. The present case is a sheer example of the abuse of process of law. Adjourn. Learned counsel for the appellant requested for a short date. To come up for rejoinder/arguments on 02.01.2019 before D.B.

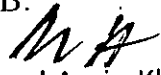
  
Member

01.10.2018

Appellant alongwith his counsel present. Security and process fee not deposited. Appellant is directed to deposit the security and process fee within three days, thereafter, notice be issued to the respondents for replication on stay application as well as written reply on main appeal for 04.10.2018 before S.B.

Appellant Deposited  
Security & Process Fee



  
(Muhammad Amin Khan Kundi)  
Member


04.10.2018

Appellant alongwith his counsel present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Attaullah, Assistant Secretary for the respondents present. Replication on stay application as well as written reply on main appeal not submitted. Learned Deputy District Attorney for the respondents requested for further time to file the same. Adjourned. To come up for replication on stay application as well as written reply on main appeal on 25.10.2018 before S.B. In the meanwhile status-quo be maintained till the date fixed.

  
(Muhammad Amin Khan Kundi)  
Member

25-10-18

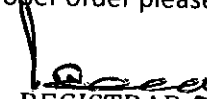

Due to Retirement of Honorable  
Chairman the Tribunal is nonfunctional  
Therefore the case is adjourned to come up  
for the same on 21-11-2018

  
Reader

Form- A  
FORM OF ORDER SHEET

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

Case No. 1123/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/09/2018  10-9-18	<p>The appeal of Mr. Nawab Ali presented today by Mr. Javed Iqbal Gulbela Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 2/9/18</p>
2-	10.09.2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>10-9-2018</u>.</p> <p style="text-align: right;">MEMBER</p> <p>Appellant Nawab Ali in person alongwith his counsel Mr. Javed Iqbal Gulbela, Advocate present and heard in limine.</p> <p>Contends that the appellant has been transferred frequently without any justification.</p> <p>Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 01.10.2018 before S.B. Notice of stay application be also issued to the respondents for the date fixed.</p> <p style="text-align: right;"> Chairman</p>

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A 1123 /2018

Nawab Ali Naib Tehsildar

**VERSUS**

Chief Secretary Khyber Pakhtunkhwa Peshawar and  
Others


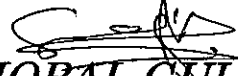
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4.	Addresses of Parties.		13
5.	Copies of the impugned office order dated 09/07/2018	"A"	14-16.
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7.	Other documents	"D"	19-25
8.	Wakalatnama		26.

Dated: 08/09/2018

  
Appellant

Through

  
**JAVED IQBAL GULBELA**  
&  
  
**SAGHIR IQBAL GULBELA**  
Advocates High Court  
Peshawar.

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A 1123 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1419

Nawab Ali Naib Tehsildar Khwaza Khela Swat. Dated 08/9/2018

-----(*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 Malakand Division at Swat.

-----(*Respondents*).

**SERVICE APPEAL U/S 04 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974 AGAINST THE IMPUGNED OFFICE  
ORDER NO.30085, DATED: 13/08/2018 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. ESTT:I/P/T/27078  
DATED 09/07/2018 WAS DISMISSED IN A  
CLASSICALLY CURSORY MANNER**

Filed to-day  
Registrar  
8/9/18

**Respectfully Sheweth**

1. That the Appellant is performing his duties as Naib Tehsildar on Current Charge Basis. (CCB) in Khwaza Khela Swat.

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2. That the Appellant is being subject to persistent acts of discrimination on continuous basis and turned to be into shuttle cocks as without observing the normal tenures of posting and transfer, the Appellant is transferred and posted again and again.
3. That this was the background that yet another, herein impugned Notification No. ESTT:I/P/T/27078 dated 09/07/2018, impugned office order NO. 30085 dated 13/08/2018 were illegally issued whereby the Appellant were repatriated to his parent office in an illegal, discriminatory, void, and unwarranted manner. (Copies of the impugned office orders dated 09/07/2018 and 13/08/2018 is annexed as annexure "A")
4. That before passing on to the grounds of the instant Petition, it is pertinent to mention that the Appellant is holding the substantive pay scale of Senior Clerk (BPS-14), but having the ability and potential, otherwise eligible as well, have been transferred and posted as Naib Tehsildar on Current Charge Basis (CCB), wherein



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his rights is protected and governed by Rule-9 of the Transfer, Promotion and Appointment Rules 1989.

5. That besides the above the normal tenure of any transfer and posting order in 3 years while in the last one year, more than 04 times the transfer orders of the Appellant were issued which is against the fundamental rights and highly discriminatory in nature.
6. That feeling aggrieved the appellant preferred departmental appeal but that was dismissed even without any reason and without speaking order. (Copy of the departmental appeal and order is annexed as annexure "B & C")
7. That the Appellant was repatriated to his parent office while the favoritities and blue eyed were simply transferred and posted to other field duties at the same time in sheer discrimination.
8. That feeling aggrieved and having no other expeditious remedy available, the Appellant approached this Hon'ble

(h)

Tribunal for recognition, enforcement and acknowledgment of their fundamental rights upon the following grounds inter alia:-

### ***GROUND:***

- A. That the Appellant is a naturally born bonafide citizens of the Islamic Republic of Pakistan and is fully and equally, on equality basis, entitled to all basic and fundamental rights as enshrined in the fundamental law of the land, interpreted, guaranteed and enforced by the laws of the land and discrimination alongwith unfettered exercise of discriminatory powers by an authority or office is always been deplored, deprecated and depreciated by superior Courts of the land.
- B. That persistent orders of transfer and posting of 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.

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C. That the impugned transfer and posting orders is highly discriminatory ones and at the same time the repatriating of 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 favorite 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.

D. That such reshuffling on such higher scale and that too whom infested with malicious intentions, at this moment when the General Elections is to be highly held in nigh future give rise to many questions as the removed of officials at the helm of powers having influential characters which can be availed by candidates of election campaign and for whose appeasement this reshuffling at this crucial moment of this higher scale has been carried is unwarranted and void.

E. That without going in to minute details it would be suffice to mention here that persons who is holding same positions of responsibility on Current Charge Basis to

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other field offices instead of repatriating all the officials working on CCB to the parent department and thus only the Appellant were subject to unfettered discrimination and even only on this score both the impugned office orders is void and illegal.

F. 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 have repeatedly been transferred, transferred and transferred for no reasons, which is certainly not a good omen.

G. That posting and transferring any Civil Servant/Government Servant on Current Charge Basis is a defined mechanism of service laws and a procedure is detailed in Esta Code while the accrued rights, accrued thereupon, is fully protected under the same code whose details is provided under rule 9 of Transfer, Promotion and Appointment Rules of 1989. But here the situation is volte-face and the Appellant is repatriated to parent department without any justification and the same tantamount to violation of not only service laws but as well as fundamental law.

(7)

- H. That no one can be condemned unheard, nor anyone can be condemned for no wrong.
- I. That from every angle and perspective the impugned transfer and posting orders is illegal, discriminatory, void, unwarranted, vexatious, unlawful and is liable to be cancelled and set aside.
- J. That even the appellants authority dismissed the departmental appeal and that too without any speaking order and cogent reasons.
- K. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

*It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned notification NO. Estt:I/P/T/27078 dated 09/07/2018 and of the office of Senior Member Board of Revenue may graciously be cancelled and set aside 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 names be struck off/ deleted from the list of transferred Naib Tehsildar and be left at their places of*

8



*servicing/posting and even if the same is not feasible then the Appellant be posted and transferred in the same capacity of Naib Tehsildar on Current Charge Basis likewise others of the same impugned transfer and posting orders/Notification.*

*Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.*

Dated: 08/09/2018


  
Appellant

Through

  
**JAVED IQBAL GULBELA**  
&  
  
**SAGHIR IQBAL GULBELA**  
Advocates High Court  
Peshawar.

NOTE:-

The appellant had initially filed writ petition before the August High Court Peshawar as but that was withdrawn to file the instant appeal before this Hon'ble Tribunals.

  
Advocate.

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Nawab Ali Naib Tehsildar

**VERSUS**

Chief Secretary Khyber Pakhtunkhwa Peshawar and  
Others

**AFFIDAVIT**

I , Nawab Ali Naib Tehsildar Khwaza Khela Swat, do hereby solemnly affirm and declare that all the contents of the accompanied appeal is true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.



Identified By :

Javed Iqbal Gulbela  
Advocate High Court  
Peshawar.

  
**DEPONENT**



(18)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Nawab Ali Naib Tehsildar

**VERSUS**

Chief Secretary Khyber Pakhtunkhwa Peshawar and  
Others

**APPLICATION FOR SUSPENSION OF  
THE IMPUGNED OFFICE ORDER NO.  
ESTT:I/P/T/27078, DATED: 09/07/2018 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. 30085 DATED  
13/08/2018 WAS DISMISSED.**

**RESPECTFULLY SHEWETH,**

1. That the petitioner is filing the accompanying appeal, the contents of which may graciously be considered as integral part and parcel of the instant petition.
2. That prima facie case exist in favour of the Petitioner.
3. That if the impugned notification as mentioned above is not suspended the Petitioner will suffer irreparable loss.



(11)

4. That balance of convenience is also lies in favor of Petitioner and his quite sanguine of his success.
5. That in the given circumstances the suspension of operation of the impugned notifications are indispensable.



It is, therefore, most humbly prayed that on acceptance of the instant petition the operation of the impugned notification for as mentioned above may kindly be suspended till the final disposal of the accompanying appeal.

Any other relief not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

Dated: 08/09/2018

  
Appellant

Through

  
**JAVED IQBAL GULBELA**  
&  
  
**SAGHIR IQBAL GULBELA**  
Advocates High Court  
Peshawar

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re C.M No# \_\_\_\_\_ / 2018

In Re S.A \_\_\_\_\_ /2018

Nawab Ali Naib Tehsildar

**VERSUS**


Chief Secretary Khyber Pakhtunkhwa Peshawar and  
Others

**AFFIDAVIT**

I, Nawab Ali Naib Tehsildar Khwaza Khela Swat, do hereby solemnly affirm and declare that the contents of the Instant application are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

  
DEPONENT

Identified By:

  
**JAVED IQBAL GULBELA**  
Advocate High Court Peshawar



13

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Nawab Ali Naib Tehsildar

**VERSUS**

Chief Secretary Khyber Pakhtunkhwa Peshawar and  
Others

**ADDRESSES OF PARTIES**

**APPELLANT.**

Nawab Ali Naib Tehsildar Khwaza Khela Swat.



**RESPONDENTS:**

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.

Dated: 08/09/2018

  
Appellant

Through

  
**JAVED IQBAL GULBELA**  
&  
  
**SAGHIR IQBAL GULBELA**  
Advocates High Court  
Peshawar.

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 09/07/2018

Ann-A

ORDER

No. Estt: PWT/27078 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 Naib Tehsildars with immediate effect and in public interest:-

S.No	Name of Naib Tehsildar	From	To
1.	Mr. Kifayatullah	Naib Tehsildar Mohmand	Naib Tehsildar Khair Abad
2. X	Mr. Mustamir Shah Senior Clerk CCB	Naib Tehsildar (CCB) Khair Abad	Repatriated to his parent office
3. ✓	Mr. Qaisar Khan CCB	Tehsildar (CCB) Pabbi	Naib Tehsildar Acquisition Charsadda
4.	Mr. Shakil Barki	Naib Tehsildar Halimzai	Naib Tehsildar Passport Torkham
5.	Mr. Ahmad Ali	Naib Tehsildar Bazaar Zakhakhel	Naib Tehsildar Ekkaghund.
6. X	Mr. Khaista Rehman CCB	Naib Tehsildar Ekkaghund	DRA Charsadda, Mr. Muhammad Tahir DRA (CCB) repatriated to his parent office.
7.	Mr. Muhammad Riaz	Naib Tehsildar BARA	Naib Tehsildar Halimzai
8.	Mr. Muhammad Shakil	Naib Tehsildar Mullagori	Naib Tehsildar Bara
9.	Mr. Shehryar Khan	Naib Tehsildar Khweza	Naib Tehsildar Mullagori
10.	Mr. Riaz Ullah	Naib Tehsildar Ambar	Naib Tehsildar FR Peshawar.
11. ✓	Mr. Tehseenullah Kanungo CCB	Naib Tehsildar (CCB) Passport Torkham	Naib Tehsildar (CCB) Khweza
12.	Mr. Tanzeel-ur-Rehman	Naib Tehsildar FR Peshawar	Naib Tehsildar Ambar
13. ✓	Mr. Faisl Muhammad OPS	PNT (OPS) South Waziristan	Naib Tehsildar (OPS) Mohmand Circle
14. ✓	Mr. Inayat-Ur-Rehman OPS	Naib Tehsildar (OPS) Charsadda	Naib Tehsildar (OPS) Pindiali
15.	Mr. Nasrullah	Naib Tehsildar Kallang	Naib Tehsildar Takht Bhal
16.	Mr. Arshad Iqbal	Naib Tehsildar Takht Bhal	Naib Tehsildar Mardan
17. ✓	Mr. Sabaz Ali OPS	Naib Tehsildar (OPS) Takht Bhal	Naib Tehsildar (OPS) Kallang
18.	Mr. Yadullah	Awaiting posting in Commissioner Office Mardan	Naib Tehsildar Land Acquisition Swabi
19.	Mr. Abdur Rashid	Naib Tehsildar Land Acquisition Swabi	Naib Tehsildar Lahore
20.	Mr. Nisar Ullah	Naib Tehsildar Swabi	Naib Tehsildar Rustum

Mob: 0345-9405501

21.	Mr. Umbaras	Naib Tehsildar Rustom	Naib Tehsildar Swabi
22. ✓	Mr. Fazale Rabi <i>CCB</i>	Naib Tehsildar (CCB) Haripur	Naib Tehsildar (CCB) Abbottabad
23.	Mr. Ghulam Murtaza	Naib Tehsildar Khanpur	HCR DC Office Haripur
24.	Mr. Hafiz Bilal	HCR DC Office Haripur	Naib Tehsildar Khanpur
25.	Mr. Imtaiz	Naib Tehsildar Oghi	Naib Tehsildar Baffaknal
26.	Mr. Inayat	Naib Tehsildar Mansehra	Settlement Naib Tehsildar Mansehra
27. ✓	Mr. Farrukh Jadoon <i>ops</i>	Tehsildar (OPS) Balakot	Naib Tehsildar Mansehra
28.	Mr. Awaj Khan	DX DC Office Haripur	Naib Tehsildar Alai
29. ✗	Mr. SherZada <i>ops</i>	Naib Tehsildar (OPS) Battagram	Repatriated to his parent office
30. ✗	Mr. Saif ur Rehman <i>ops</i>	Naib Tehsildar (OPS) Kandia	Repatriated to his parent office
31.	Mr. Gul Shehzad	Naib Tehsildar Abbottabad	Naib Tehsildar Battagram
32. ✓	Mr. Muhammad Saleem <i>ops</i>	Tehsildar (OPS) Abbottabad	Naib Tehsildar Oghi
33. ✗	Mr. Aqeel Ahmad <i>ops</i>	Naib Tehsildar (OPS) Kandar	Repatriated to his parent office
34. ✗	Mr. Sabir Hussain Shah	Naib Tehsildar Settlement Mansehra	Repatriated to his parent office
35.	Mr. Dildar Khan	Sub Registrar Mansehra	Naib Tehsildar Kandar
36.	Mr. Muhammad Asghar	Naib Tehsildar Martung Shangla	Naib Tehsildar Barang
37. ✗	Mr. Sadaqat Ali Senior Clerk	Naib Tehsildar Gaderai	Repatriated to his parent office.
38. ✓	Mr. Nimalullah (DX)	Naib Tehsildar (CCB) Chagharzai	Naib Tehsildar Barikot
39.	Mr. Sultan Zeb	Naib Tehsildar Chamla	Naib Tehsildar Khwazakhela
40. ✗	Mr. BaseerAbas <i>CCB</i>	Naib Tehsildar (CCB) Gagra	Repatriated to his parent office
41.	Syed Zafar Ali	Naib Tehsildar Charbagh	Naib Tehsildar Dir Upper (Headquarter)
42.	Mr. Alam Zeb	Naib Tehsildar Barikot	Naib Tehsildar Sheringal Dir Upper
43.	Mr. Shah Warir	Naib Tehsildar Matta	Naib Tehsildar Gagra with additional charge of NT Chagharzai
44. ✓	Mr. Ibrar Ahmad <i>CCB</i>	Naib Tehsildar (ACB) Kalam	Naib Tehsildar (ACB) Gaderai Buner
45. ✗	Mr. Nawab Ali Senior Clerk <i>CCB</i>	Naib Tehsildar KhwazaKhela	Repatriated to his parent office
46.	Mr. Jehan Ali	Naib Tehsildar Balzal Malakand	District Kanungo Swat
47. ✗	Mr. Faiz Muhammad <i>CCB</i>	District Kanungo Swat	Naib Tehsildar Dargal. Mr. Fatal Dayan NT (CCB) Dargal, repatriated to his parent office.
48.	Mr. Sardar Yousaf	PNT DC office SW	Naib Tehsildar Barkhela

Mr. Sadaqat Ali Senior Clerk  
 Mr. Nimalullah (DX)  
 Mr. Faiz Muhammad

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49.	Mr. Muhammad Rafiq	PNT-I Kurrum	DK Kohat
50. ✓	Mr. Fazal Rahim CCB	NT (CCB) Hangu	PNT Jawaki
51. ✓	Mr. Muhammad Haseer ✓	PNT (OPS) Jawaki	Naib Tehsildar (OPS) Hangu
52. ✓	Mr. Zafar Iqbal OPS	Tehsildar (OPS) Kohat	Naib Tehsildar Kohat
53.	Mr. Hafeez Ud Din	PNT Lower Orakzai	PNT Upper Orakzai
54.	Mr. Saaz Muhammad	PNT Central kurrum	PNT Dara
55.	Mr. Khaista Akbar	PNT Upper Orakzai	PNT Lower Orakzai
56.	Mr. Javed Khan	DRA Kohat	PNT-I Kurrum
57. X	Mr. Muhammad Shoaib CCB	Naib Tehsildar Kohat	Naib Tehsildar Karak. Mr. Wazir Mohammad NT (CCB) Karak, repatriated to his parent office.
58.	Mr. Musadiq Hussain	PNT-II Upper Kurrum	DRA Kohat
59.	Mr. Asmatullah	PNT Dara	PNT Central Kurrum
60. X	Mr. Umar Farooq OPS	PNT (OPS) Shewa	Repatriated to his parent office
61.	Mr. Abdul Salam	NT Lakkhi	NT Kakkhi
62.	Mr. Gohar Ali	NT Serai Naurang	NT Lakkhi
63. X	Mr. Ali Akbar	NT (CCB) Tajori	Repatriated to his parent office
64.	Mr. Nek Nawaz	DRA Lakkhi	NT Tajori
65. ✓	Mr. Ghulam Abbas OPS	PT (OPS) Dosli	PT (OPS) Mirali
66.	Mr. Shaifullah	Naib Tehsildar Bakka Khel	Naib Tehsildar Domail
67.	Mr. Musharaf Khan	Naib Tehsildar Domail	DK Bannu
68.	Mr. Abdur Rehman	Sub-Registrar Bannu	Naib Tehsildar Bannu
69.	Mr. Murad Ali	DRA Bannu	Naib Tehsildar Naurang
70.	Mr. Fazal Karim	Naib Tehsildar Pindiali	PNT South Wazirsatan

By Order Of Senior Member

No. Estt: 1/57/95/2017/27079-98

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 FATA Districts.
7. Director Information Khyber Pakhtunkhwa, Peshawar.
8. District Accounts Officers of the respective Districts.
9. Officers / Officials concerned.
10. Personal Files.

JAVED IQBAL  
 District Accounts Officer  
 Peshawar  
 05/07/2018

*[Signature]*  
 Assistant Secretary (Estt)

(17)

Ann-B

بخدمت جناب چیف سیکرٹری صاحب خیبر پختون خواہ

سائل

نواب علی ولد مظفر علی خان نائب تحصیلدار CCB حال تحصیل خوازہ حیلہ ضلع سوات

بنام

1- جناب سینئر ممبر بورڈ آف ریونیو خیبر پختون خواہ، 2- سیکرٹری بورڈ آف ریونیو پشاور، 3- اسٹنٹ سیکرٹری بورڈ آف ریونیو پشاور، 5- کمنٹری لٹریچر ڈویژن سوات۔  
مسؤل الہیم

درخواست براداری و انصاف و منسوخی حکم نمبر 98-27079/2017/95/1 مورخہ 09/07/2018 تا حد سائل

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

- 1- یہ کہ من سائل کو بغیر کسی وجہ اور بغیر کسی نوٹس، بلا جواز، غیر قانونی، فرضی، سازشی بحوالہ حکم نامہ نمبر 98-27079/2017/95/1 مورخہ 09/07/2018 مسؤل الہیم نے تنزل کیا، جو کہ غیر قانونی اور قابل منسوخی ہے، اور ہرگز ناقابل بحالی ہے، کیونکہ سائل ایک سینئر ترین CCB نائب تحصیلدار ہے، اور ملاکنڈ ڈویژن ضلع سوات سناری لٹ میں بھی سینئر ترین ہے، اور کئی خالی پوسٹیں ہونے کے باوجود من سائل کو تنزل (Rewarded) کیا ہے۔ (آفس آرڈر لف ہے)۔
- 2- یہ کہ سائل بحوالہ حکم نمبر 11110-11/PF/G-Ghazi/26/05/2017 بحکم مسؤل الہیم نمبر 1 بحیثیت نائب تحصیلدار CCB ضلع بونیر میں تعینات ہوا، مابعد بحوالہ حکم نمبر 2526/2/18 Estate مورخہ 23/04/2018 بحکم کمنٹری لٹریچر ڈویژن نے خوازہ حیلہ میں تعینات کیا۔ (جملہ احکامات لف ہیں)۔
- 3- یہ کہ سائل نے کوئی جرم، کوئی غیر قانونی فعل کسی قسم کو تا ہی نہیں کیا ہے، حالانکہ سروس سے تنزل کرنا بغیر کسی وجوہات و نوٹس غیر قانونی اور غیر انصاف ہے، اور مسؤل الہیم کو انصاف اور قانونی تقاضوں کو پورے کرنے کے خاطر جو نیئر ترین کو تنزل کرنا قانون و انصاف تھا جو کہ مدعا علیہم نے بغیر کسی قانونی و انصاف کے تقاضوں کو پورے نہیں کئے ہیں۔

لہذا استدعا ہے، کہ مندرجہ بالا حکم نامہ نمبر 98-27079/2017/95/1 مورخہ 09/07/2018

حد سائل منسوخ کر کے سائل کو نائب تحصیلدار CCB کسی بھی خالی پوسٹ/جگہ تعینات کرنے کا حکم صادر فرمائیں۔ کیونکہ کئی خالی پوسٹیں موجود ہیں۔ سائل دعا گو رہیگا۔

المرقوم:- 11/07/2018

سائل: نواب علی ولد مظفر علی خان نائب تحصیلدار CCB

حال تحصیل خوازہ حیلہ ضلع سوات

0345-9511666

11-7-18  
11-7-18

091-9210124

11-7-18

FROM : DC OFFICE

FAX NO. : 09469240329

7 Sep. 2018 9:05AM P1

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

No. Estt: V/ Nawab Ali/ Swat / 30085  
Peshawar dated the 13/08/2018

REGISTERED

*Attention*  
*Mr. Nawab Ali R.T*  
*Confirms on phone for fix meet to the*  
*official concerned dated 27-8-18.*

Mr. Nawab Ali,  
Senior Clerk,  
Office of the Deputy Commissioner Swat.

E.A

Through Deputy Commissioner Swat

*Dequat*  
*17-08-018*

SUBJECT: DEPARTMENTAL APPEAL FOR CANCELLATION OF THE ORDER  
DATED 09.07.2018

Your Departmental appeal dated 11.07.2018 has been examined and  
rejected by the Appellate Authority.

Diary No. 12295  
Date 27-08-2018  
DC Office Swat.

*[Signature]*  
Assistant Secretary (Estt)



(25) (19)

Ann 9

OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
KIDUSILAHUNG DISTRICT

Ann-D

11  
11/11/2018

*[Handwritten signatures and notes on the right side of the page]*

On the recommendation of the Deputy  
Commissioner Malakand Division, Assistant of this office is hereby  
appointed to the post of Inspector Malakand. Dir Upper to  
be informed for the interest.

COMMISSIONER MALAKAND DIVISION

Forwarded to

Secretary Board of Revenue, Khyber Pakhtunkhwa Government, for  
information, please

The Deputy Commissioner Dir Upper with reference to his Memo. No.  
1700/DC/Em/02(P/T Officer), dated 30-07-2018, for information &  
necessary action, please.

The District Accounts Officer, Dir Upper

The officer concerned, for compliance.

Under file

SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

**BETTER COPY**  
**OFFICE OF THE**  
**COMMISSIONER MALAKAND DIVISION**  
**SAIDU SHARIF SWAI**

Dated 08/08/2018

P# 0946 092 40458  
Email: secretary@malakand.gov.pk

**ORDER**

No. 4433/2/19/Estt. On the recommendation of the Deputy Commissioner, Dii Upper, Mr. Rahman Ullah, Assistant of his office is hereby transferred and posted against the vacant post of Tehsildar Tarjam, Dii Upper in his own pay scale in the larger public interest.

is, Order  
COMMISSIONER MALAKAND DIVISION

No. 4433 3/2/19/Estt

- Copy forwarded to
1. The Secretary, Board of Revenue, Muzher Pakhtunkhwa Peshawar for information, please.
  2. The Deputy Commissioner Dii Upper with reference to his Memo No. 1/093/DC/Estt/02(P/I Officer), dated 30.07.2018 for information & necessary action, please.
  3. The District Accounts Officer, Dii Upper
  4. The officer concerned for compliance.
  5. Office Order file.

SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

1/1/2018  
Dated: 08/08/2018  
SAIDU SHARIF SWAI  
Secretary to Commissioner  
Malakand Division

MISSIONER  
SAIDU SHARIF

(Handwritten signatures and initials)

Date: 15/08/2018

(Handwritten number: 20)

Phone: 9409240087  
Email: secretarytoindia@gmail.com

**OFFICE ORDER**

The following posts, vacant among the Tehsildars is filled with immediate effect in the larger public interest:-

Name & Designation	From	To
[Faded Name & Designation]	[Faded Name & Designation]	Tehsildar (CUB) Mulshow, Chinal against the vacant post
[Faded Name & Designation]	[Faded Name & Designation]	Tehsildar (CUB) Mastuj Chinal vice versa

JAVED IQBAL Gul Bela  
Advocate  
Mob: 0345-9405501

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

P# 09-10 97-10087

Email: [secretarytocommissioner@malakand.com](mailto:secretarytocommissioner@malakand.com)

**OFFICE ORDER**

Dated 13/06/2018

No. 4514/2/19/Estt. The following posting/ transfer among the Tehsildars 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

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405331

(NALLIM AKHTAR)  
SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

DATE: 13/06/2018  
TIME: 11:00 AM  
PLACE: MALAKAND DIVISION



Handwritten marks and numbers: 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
PUNJAB

Tel: 0946-9240458  
Email: secretarytoemid@gmail.com

Date: 12/18/2011

**OFFICE ORDER**

No. 4699 /2/18/Estt. - The following Teshildars within Malakand Division are posted with immediate effect:

Name & Designation	Posting
M. Ahmad, Teshildar (CCB) Ghadoza, Buner	Posting for Naib Teshildar Ghadoza, Buner in CCB, vice S No 1
S. J. Barikot, Teshildar (CCB) Ghadoza, Buner	Posting for Naib Teshildar Ghadoza, Buner in CCB, vice S No 1

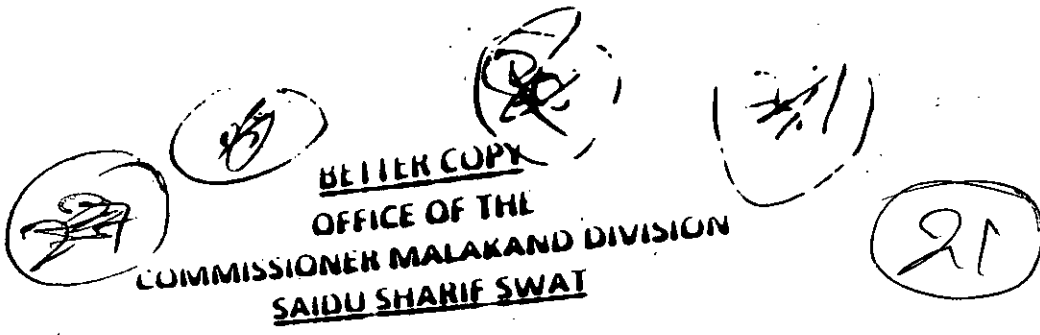
By Order  
COMMISSIONER

No. 4699 /2/18/Estt.  
Copy to: 1

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501

SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

Handwritten signatures and marks.



P 1109-10 11-10-15  
Email: secretary@malakand.com  
**OFFICE ORDER**

Dated: 13/02/2018

No. 4499/2/18/Estt. The following postings/transfer among the Naib Tehsildars within Malakand Division is hereby order with immediate effect in the large public interest

S#	Name & Designation	From	To
1	Mr. Abrar Ahmad, Naib Tehsildar (CCB)	Naib Tehsildar Ghadezai, Buner.	Naib Tehsildar, Barikot, Swat against the vacant post. Naib Tehildar Chadezai Buner on CCB, vice S.No.1
2	Mr. Sadaqat Ali Senior Clerk	Waiting for posting	

By Order  
**COMMISSIONER MALAKAND DIVISION**

No. 4500-05/2/18/Estt.  
Copy forwarded to:

1. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioners. Swat & Buner
3. The District Comptroller Officer, Swat
4. The District Accounts Officer, Buner
5. The officers concerned for compliance.
6. Office Order File

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501

**SECRETARY TO COMMISSIONER  
MALAKAND DIVISION**



OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
SAIDULI KHAN

Tel: 0940-92-045

Postal Code: 21100

Date: 21/11/11

Reference: 4449-56/21100  
The Tehsildar, Dargal, Dist Upper is directed to issue the work  
of the office of the Tehsildar, Dargal, Dist Upper, and posted  
in the office of the Tehsildar, Dargal, Dist Upper, with immediate effect in the  
District Swat.

The Tehsildar, Dargal, Dist Upper is directed to issue the work  
of the office of the Tehsildar, Dargal, Dist Upper, and posted  
in the office of the Tehsildar, Dargal, Dist Upper, with immediate effect in the  
District Swat.

By Order,  
COMMISSIONER MALAKAND DIVISION

4449-56/21100  
Copy forwarded to:

- 1. The Secretary Board of Revenue, Ministry of Revenue, Government of Punjab.
- 2. The Deputy Commissioners, Swat & Dir Upper.
- 3. The District Commissioner of Accounts, Swat.
- 4. The District Commissioner of Accounts, Dir Upper.
- 5. The officers concerned for compliance.
- 6. Office Order File.

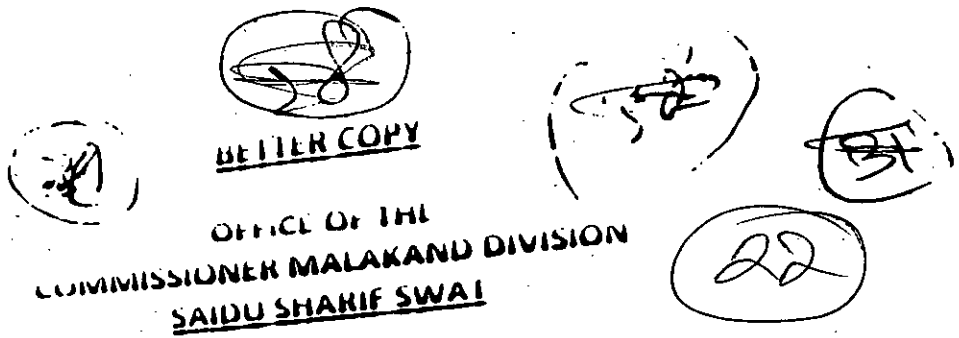
(NAEEN AKHTAR)  
SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

JAVED IQBAL, Gul Bela  
Dargal Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501

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J

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BETTER COPY

OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
SAIDU SHARIF SWAI

Dated 09/08/2018

P# 0946 92-10458

Email: [secretarytoceid@malakand.com](mailto:secretarytoceid@malakand.com)

ORDER

No 4418/2/19/Estt. Mr. Abdul Qasim, Tehsildar (CCB) Barawal District Dir Upper is hereby transferred and posted against the vacant post of Tehsildar, Barawal, District Swat with immediate effect in the larger public interest.

The Tehsildar Tanjeem, Dir Upper is directed to look after the work of Tehsildar, Barawal in addition to his own duties, till further orders.

By Order  
COMMISSIONER MALAKAND DIVISION

No 4449 50/2/19/Estt

Copy forwarded to

1. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioners. Swat & Dir Upper
3. The District Comptroller of Accounts, Swat
4. The District Accounts Officer, Dir Upper
5. The officers concerned for compliance.
6. Office Order File

(MAJID ANJUM)  
SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405504



Government of Punjab, Pakistan  
**OFFICE OF  
 COMMISSIONER  
 HANNA DIVISION**

2011-7/As/1500

1-2-2018

*(Handwritten signatures and initials in circles)*

**LETTER**

Following posting transfers among the Tehsildars of the Division are hereby notified for the public interest with effect from the date mentioned below:

No.	Name of Tehsildar	From	To
1	Mr. Muhammad Aslam Tehsildar (DPS-150/PS-1)	Senior Posting	Senior Tehsildar
2	Mr. Abdul Rehman Senior Tehsildar (DPS-150)	Senior Posting	Senior Tehsildar
3	Mr. Anwarullah Tehsildar (DPS-150)	Senior Posting	Senior Tehsildar
4	Mr. Muhammad Tehsildar (DPS-150)	Senior Posting	Senior Tehsildar

Commissioner  
 Hanna Division

For & on behalf of the

- 1. Senior Member, Board of Revenue, Punjab, Pakistan
- 2. Deputy Commissioner, Hanna
- 3. District Account Officer, Hanna
- 4. PS to Commissioner, Hanna Division
- 5. All concerned Tehsildars of the Division

**JAVED IQBAL** Gul Bela  
 Daudzar Law Chamber  
 Advocate High Court Faisalwar  
 Mob: 0345-9405501

*(Signature)*  
 Secretary to Commissioner  
 Hanna Division

*(Handwritten notes)*  
 Javed Iqbal  
 Daudzar Law Chamber  
 Advocate High Court Faisalwar

*(Large handwritten signature)*

*(Handwritten mark)*

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29
23

BETTER COPY

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 OFFICE OF  
 COMMISSIONER  
 BANNU DIVISION

No 3009-14/A&I/ESII  
 Date: 18.2018

**OFFICE ORDER**

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

Sl. No	Name of Tehsildar	From	To
1	Mr. Muhammad Jamal, Naib Tehsildar (BPS 15 OPS)	Awaiting posting	for Naib Tehsildar Bannu
2	Mr. Abdul Rehman Shah, Naib Tehsildar (BPS 15)	Naib Tehsildar Bannu	Naib Tehsildar Bakka Khel
3	Mr. Anayatullah, Naib Tehsildar (BPS 15)	Waiting posting	for Tehsildar Bakka Khel (OPS)
4	Mr. Muhammad Akram, Tehsildar (BPS 16)	Tehsildar Khel	Inspector Stamps, Commissioner Office, Bannu Division

Sd/  
 Commissioner  
 Bannu Division

**JAVED IQBAL**, Gul Bela  
 Daudzar Law Chamber  
 Advocate High Court Peshawar  
 Mob: 0345-9405501

Even no & date:  
 Copy forwarded to the

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner, Bannu.
3. District Accounts Officer, Bannu.
4. PS to Commissioner, Bannu Division
5. All concerned Tehsildars/ Naib Tehsildars for compliance.

Secretary to Commissioner  
 Bannu Division

24

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT  
Dated Peshawar dated the 26 May, 2017.

**NOTIFICATION:**

No. Estt: I/G/Ghazi/

Naib Tehsildar is hereby ordered with immediate effect in public interest:-

S.No	Name of official.	From	To
1.	Mr. Gul Ghazi Khan	Tehsildar Dargai	Services placed at disposal of FATA Secretariat.
2.	Mr. Muhammad Dawood	Inspector Stamps (CCB), Kohat.	District Kanungo Peshawar
3.	Mr. Muhammad Younas.	Assistant, Board of Revenue, Peshawar.	Tehsildar/Recovery Officer (CCB), PESCO, Peshawar Circle.
4.	Mr. Shafqat Ihsan.	Assistant, Board of Revenue, Peshawar	Tehsildar/Recovery Officer (CCB), PESCO, Khyber Circle.
5.	Mr. Ifikhar-ur-Din	District Kanungo Peshawar	Canal Naib Tehsildar Charsadda against the vacant post.
6.	Mr. Jehanzeb	Naib Tehsildar Dargai	Naib Tehsildar Chakesar Shangla.
7.	Mr. Inayat-ur-Rehman	Settlement Naib Tehsildar (CCB), Nowshera	Naib Tehsildar (CCB), Dargai.
8.	Mr. Kifayatullah	Senior Scale Stenographer, P.A. Office N.W. Agency	Tehsildar Land Acquisition (CCB) Abbottabad against the vacant post.
9.	Mr. Nawab Ali.	Senior Clerk, office of the Deputy Commissioner, Swat.	Naib Tehsildar (CCB) Khadu Khel against the vacant post.
10.	Mr. Nabi-Ullah.	Junior Scale Stenographer, Commissioner's Office, Peshawar.	Canal Naib Tehsildar, (CCB) Peshawar, against the vacant post.
11.	Mr. Mehmood Shah.	Naib Tehsildar, awaiting posting in BOR.	Naib Tehsildar, PDA Peshawar, against the vacant post.

By Order of  
Senior Member

No. Estt: I/PF/G.Ghazi/ 11088 - 11110

Copy forwarded to the:-

1. Additional Chief Secretary FATA, FATA Secretariat, Peshawar.
2. Commissioners of the respective Divisions.
3. Director General, Peshawar Development Authority, Peshawar.
4. Political Agent, N.W. Agency.
5. Deputy Commissioners of the respective districts.
6. Director Land Records Khyber Pakhtunkhwa.
7. Settlement Officer, Nowshera.
8. Section Officer (I.&O), FATA Secretariat, Peshawar w/r to his letter No. I/S/I.&O/37-Transer/1368 dated 22-5-2017.
9. District Accounts Officers of the respective districts.
10. Officials concerned.
11. Personal Files.

JAWID IZAZ  
D  
A

*[Handwritten signature]*



25  
OFFICE OF THE  
COMMISSIONER MALAKAND DIVISION  
SAIDU SHARIF SWAT

Tel# 0946-9240458  
Email: secretarytocmd@gmail.com

Dated 23/04/2018

OFFICE ORDER

No. 2526 /2/18/Estt; Mr. Nawab Ali, Naib Tehsildar (CCB), Khadukhel, Buner is hereby transferred and posted against the vacant post of Naib Tehsildar, Khwazakhela, Swat with immediate effect, in the larger public interest.

The Tehsildar Khadukhel, Buner should look-after the work of the Naib Tehsildar, Khadukhel, till further order.

By Order  
COMMISSIONER MALAKAND DIVISION

No. 2527-32 /2/18/Estt:

Copy forwarded to:-

1. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioners, Swat & Buner.
3. The District Comptroller of Accounts, Swat.
4. The District Accounts Officer, Buner.
5. The Official concerned for compliance.
6. Office order file.

(NAEEM AKHTAR)  
SECRETARY TO COMMISSIONER  
MALAKAND DIVISION

JAVED IQBAL, Gul Pota  
Deputy Secretary  
Adress: [illegible] Swat  
[illegible]

# وکالت نامہ

بعدالت: ضابطہ سروس ٹریڈنگ

نواہی بنام صنف سروس




منجانب سروس دعویٰ سروس

تاریخ 8.6.2024

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و پیکچری  
 بمقام لیسہ کیلئے جاویدا قبال گل بیلہ ایڈووکیٹ ہائس کورٹ سروس ٹریڈنگ  
 مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص رو بروعدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل  
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کرونگا، اگر پیشی پر من مظهر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے  
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر  
 مقام پکچری کی کسی اور جگہ یا پکچری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر  
 مقدمہ علاوہ صدر مقام پکچری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکچری کے اوقات کے آگے پیچھے پیش ہونے پر  
 من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی  
 صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور  
 صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و  
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل  
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور  
 بصورت اپیل و براہمدگی مقدمہ یا منسوخی ڈگری کی طرف درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف  
 کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا  
 اس کے کسی جزو کی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ  
 مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل  
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو  
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت  
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند رہے۔  
 مورخہ 8.6.2024

Accepted by

دعا ہے کہ

قیمت 50 روپے	50072			
ایڈوکیٹ: <u>M. Ahmad Sher</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر:				
رابطہ نمبر:				

بعدالت جناب:

منجانب:	دعویٰ: <u>سروکی ایڈیل</u>
	علت نمبر: <u>ایڈیل 1123/18</u>
	مورخہ:
	جرم:
	تھانہ:

سراپ علی بنام حسد علیہ

**باعت تحریر آنکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ صدر ایڈیل  
 آن مقام مسٹر کیلے محمد علی خان کے واسطے پیروی و جواب دہی کارروائی کا کمال اختیار حاصل کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا ایڈیل کی برآمدگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب  
 مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا  
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے  
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم:-

المقام: مسٹر کیلے محمد علی خان

مقام: مسٹر کیلے محمد علی خان کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Accepted by  
Passan

1-9906660-60951

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 1998 /ST

Dated 04/10/18 /2018

To,

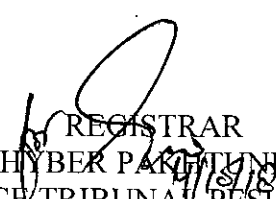
The Commissioner,  
Malakand Division.

Subject:- SERVICE APPEAL NO. 1123/2018 NAWAB ALI VS CHIEF  
SECRETARY AND OTHERS

Sir,

I am directed to forward herewith a certified copy of order dated 4/10/2018 passed by this Tribunal in the subject appeal for strict compliance and further necessary please.

**Encl: As above**

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR.

A

4

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT  
Dated Peshawar dated the 26 May, 2017.

**NOTIFICATION:**

No. Estt: I/G. Ghazi/\_\_\_\_\_ The following posting /transfer amongst Tehsildar,  
Naib Tehsildar is hereby ordered with immediate effect in public interest:-

S.No	Name of official.	From	To
1.	Mr. Gul Ghazi Khan	Tehsildar Dargai	Services placed at disposal of FATA Secretariat.
2.	Mr. Muhammad Dawood	Inspector Stamps(CCB), Kohat.	District Kanungo Peshawar
3.	Mr. Muhammad Younas,	Assistant, Board of Revenue, Peshawar.	Tehsildar/Recovery Officer(CCB), PESCO, Peshawar Circle.
4.	Mr. Shafqat Ihsan,	Assistant, Board of Revenue, Peshawar	Tehsildar/Recovery Officer(CCB), PESCO, Khyber Circle.
5.	Mr. Iftikhar-ur-Din	District Kanungo Peshawar	Canal Naib Tehsildar Charsadda against the vacant post.
6.	Mr. Jehanzeb	Naib Tehsildar Dargai	Naib Tehsildar Chakesar Shangla.
7.	Mr. Inayat-ur-Rehman	Settlement Naib Tehsildar(CCB), Nowshera	Naib Tehsildar (CCB), Dargai.
8.	Mr. Kifayatullah	Senior Scale Stenographer, PA Office N.W. Agency	Tehsildar Land Acquisition(CCB) Abbottabad against the vacant post.
9.	Mr. Nawab Ali.	Senior Clerk, office of the Deputy Commissioner, Swat.	Naib Tehsildar(CCB) Khadu Khel against the vacant post.
10.	Mr. Nabi-Ullah.	Junior Scale Stenographer, Commissioner's Office, Peshawar.	Canal Naib Tehsildar, (CCB)Peshawar, against the vacant post.
11.	Mr. Mehmood Shah,	Naib Tehsildar, awaiting posting in BOR.	Naib Tehsildar, PDA Peshawar, against the vacant post.

By Order of  
Senior Member

No. Estt: I/PF/G. Ghazi/11088 - 11110

Copy forwarded to the:-

1. Additional Chief Secretary FATA, FATA Secretariat, Peshawar.
2. Commissioners of the respective Divisions.
3. Director General, Peshawar Development Authority, Peshawar.
4. Political Agent, N.W. Agency.
5. Deputy Commissioners of the respective districts.
6. Director Land Records Khyber Pakhtunkhwa.
7. Settlement Officer, Nowshera.
8. Section Officer(L&O), FATA Secretariat, Peshawar w/r to his letter No.FS/L&O/37-Transer/1368 dated 22-5-2017.
9. District Accounts Officers of the respective districts.
10. Officials concerned.
11. Personal Files.

  
Assistant Secretary (Estt:)



13

9

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

Peshawar dated the 09/07/2018

**ORDER**

No.Estt:I/P/T/27078 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 Naib Tehsildars with immediate effect and in public interest:-

S.No	Name of Naib Tehsildar	From	To
1.	Mr. Kifayatullah	Naib Tehsildar Mohmand	Naib Tehsildar Khair Abad
2.	Mr. Mustamir Shah Senior Clerk	Naib Tehsildar (CCB) Khair Abad	Repatriated to his parent office
3.	Mr. Qaisar Khan	Tehsildar (CCB) Pabbi	Naib Tehsildar Acquisition Charsadda
4.	Mr. Shakil Barki	Naib Tehsildar Halimzai	Naib Tehsildar Passport Torkham
5.	Mr. Ahmad Ali	Naib Tehsildar Bazar Zakha khel	Naib Tehsildar Ekkaghund.
6.	Mr. Khaista Rehman	Naib Tehsildar Ekkaghund	DRA Charsadda. Mr. Muhammad Tahir DRA (CCB) repatriated to his parent office.
7.	Mr. Muhammad Riaz	Naib Tehsildar BARA	Naib Tehsildar Halimzai
8.	Mr. Muhammad Shakil	Naib Tehsildar Mullagori	Naib Tehsildar Bara
9.	Mr. Shehryar Khan	Naib Tehsildar Khwezai	Naib Tehsildar Mullagori
10.	Mr. RiazUlHaq	Naib Tehsildar Ambar	Naib Tehsildar FR Peshawar.
11.	Mr. Tehseenullah Kanungo	Naib Tehsildar (CCB) Passport Torkham	Naib Tehsildar (CCB) Khwezai
12.	Mr. Tanzeel-ur-Rehman	Naib Tehsildar FR Peshawar	Naib Tehsildar Ambar
13.	Mr. Faiz Muhammad	PNT (OPS) South Waziristan	Naib Tehsildar (OPS) Mohmand Circle
14.	Mr. Inayat-Ur-Rehman	Naib Tehsildar (OPS) Charsadda	Naib Tehsildar (OPS) Pendiqli
15.	Mr. Nasrullah	Naib Tehsildar Katlang	Naib Tehsildar Takht Bhai
16.	Mr. Arshad Iqbal	Naib Tehsildar Takht Bhai	Naib Tehsildar Mardan
17.	Mr. Sabaz Ali	Naib Tehsildar (OPS) Takht Bhai	Naib Tehsildar (OPS) Katlang
18.	Mr. Yadullah	Awaiting posting in Commissioner Office Mardan	Naib Tehsildar Land Acquisition Swabi
19.	Mr. Abdur Rashid	Naib Tehsildar Land Acquisition Swabi	Naib Tehsildar Lahor
20.	Mr. Nisar Ullah	Naib Tehsildar Swabi	Naib Tehsildar Rustum

21.	Mr. Umbaras	Naib Tehsildar Rustum	Naib Tehsildar Swabi
22.	Mr. Fazale Rabi	Naib Tehsildar (CCB) Haripur	Naib Tehsildar (CCB) Abbottabad
23.	Mr. Ghulam Murtaza	Naib Tehsildar Khanpur	HCR DC Office Haripur
24.	Mr. Hafiz Bilal	HCR DC Office Haripur	Naib Tehsildar Khanpur
25.	Mr. Imtaiz	Naib Tehsildar Oghi	Naib Tehsildar Baffapakhal
26.	Mr. Inayat :	Naib Tehsildar Mansehra	Settlement Naib Tehsildar Mansehra
27.	Mr. Farrukh Jadoon	Tehsildar (OPS) Balakot	Naib Tehsildar Mansehra
28.	Mr. Awal Khan	DK DC Office Haripur	Naib Tehsildar Allai
29.	Mr. SherZada	Naib Tehsildar (OPS) Battagram	Repatriated to his parent office
30.	Mr. Saif ur Rehamn	Naib Tehsildar (OPS) Kandi	Repatriated to his parent office
31.	Mr. Gul Shehzad	Naib Tehsildar Abbottabad	Naib Tehsildar Battagram
32.	Mr. Muhammad Saleem	Tehsildar (OPS) Abbottabad	Naib Tehsildar Oghi
33.	Mr. Aqeel Ahmad	Naib Tehsildar (OPS) Kandar	Repatriated to his parent office
34.	Mr. Sabir Hussain Shah	Naib Tehsildar Settlement Mansehra	Repatriated to his parent office
35.	Mr. Dildar Khan	Sub Registrar Mansehra	Naib Tehsildar Kandar
36.	Mr. Muhammad Asghar	Naib Tehsildar Martung Shangla	Naib Tehsildar Barang
37.	Mr. Sadaqat Ali Senior Clerk	Naib Tehsildar Gadezai	Repatriated to his parent office.
38.	Mr. Nimatullah (DK)	Naib Tehsildar (CCB) Chagharzai	Naib Tehsildar Barikot
39.	Mr. Sultan Zeb	Naib Tehsildar Chamla	Naib Tehsildar Khwazakhela
40.	Mr. NaseerAbas	Naib Tehsildar (CCB) Gagra	Repatriated to his parent office
41.	Syed Zafar Ali	Naib Tehsildar Charbagh	Naib Tehsildar Dir Upper (Headquarter)
42.	Mr. Alam Zeb	Naib Tehsildar Barikot	Naib Tehsildar SheringalDir Upper
43.	Mr. Shah Wazir	Naib Tehsildar Matta	Naib Tehsildar Gagra with additional charge of NT Chagharzai
44.	Mr. Ibrar Ahmad	Naib Tehsildar (ACB) Kalam	Naib Tehsildar (ACB) Gadezai Buner
45.	Mr. Nawab Ali Senior Clerk	Naib Tehsildar Khwazakhela	Repatriated to his parent office
46.	Mr. Jehan Ali	Naib Tehsildar Baizai Malakand	District Kanungo Swat
47.	Mr. Faiz Muhammad	District Kanungo Swat	Naib Tehsildar Dargai. Mr. Fazal Dayan NT (CCB) Dargai, repatriated to his parent office.
48.	Mr. SardarYousaf	PNT DC office SW	Naib Tehsildar Batkhela

	Mr. Muhammad Rafiq	PNT-I Kurrum	PNT Kohat
50.	Mr. Fazal Rahim	NT (CCB) Hangu	PNT Jawaki
51.	Mr. Muhammad Naseer	PNT (OPS) Jawaki	Naib Tehsildar (OPS) Hangu
52.	Mr. Zafar Iqbal	Tehsildar (OPS) Kohat	Naib Tehsildar Kohat
53.	Mr. Hafeez Ud Din	PNT Lower Orakzai	PNT Upper Orakzai
54.	Mr. Saaz Muhammad	PNT Central Kurrum	PNT Dara
55.	Mr. Khalista Akbar	PNT Upper Orakzai	PNT Lower Orakzai
56.	Mr. Javed Khan	DRA Kohat	PNT-I Kurrum
57.	Mr. Muhammad Shoaib	Naib Tehsildar Kohat	Naib Tehsildar Karak. Mr. Wazir Mohammad NT (CCB) Karak, repatriated to his parent office.
58.	Mr. Musadiq Hussain	PNT-II Upper Kurrum	DRA Kohat
59.	Mr. Asmatullah	PNT Dara	PNT Central Kurrum
60.	Mr. Umar Farooq	PNT (OPS) Shewa	Repatriated to his parent office
61.	Mr. Abdul Salam	NT Lakki	NT Kakki
62.	Mr. Gohar Ali	NT Serai Naurang	NT Lakki
63.	Mr. Ali Akbar	NT (CCB) Tajori	Repatriated to his parent office
64.	Mr. Nek Nawaz	DRA Lakki	NT Tajori
65.	Mr. Ghulam Abbas	PT (OPS) Dosli	PT (OPS) Mirali
66.	Mr. Shaifullah	Naib Tehsildar Bakka Khel	Naib Tehsildar Domail
67.	Mr. Musharaf Khan	Naib Tehsildar Domail	DK Bannu
68.	Mr. Abdur Rehman	Sub-Registrar Bannu	Naib Tehsildar Bannu
69.	Mr. Murad Ali	DRA Bannu	Naib Tehsildar Naurang
70.	Mr. Fazal Karim	Naib Tehsildar Pindiali	PNT South Wazirsatan

By Order Of  
Senior Member

No. Estt: I/57/95/2017/27079-98

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 FATA 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)



e

**FINAL DIVISIONAL SENIORITY LIST OF SENIOR CLERKS (BPS-14) OF MALAKAND DIVISION AS IT STOOD  
ON 31/12/2017**

**OFFICE ORDER:**

No. 787 / 2/16-S/SC/Estt: In pursuance of Section 8 (1) & (5) of the Civil Servant Act, 1973, Divisional Seniority List of **SENIOR CLERK (BPS-14)** working in the office of Commissioner, Malakand Division and Deputy Commissioners offices, as it stood on 31.12.2017, is hereby notified for information of all concerned:-

**Dated 16 / 02 / 2018**

S. No	Name of Senior Clerk	Qualification	Domicile	Date of Birth	Date of 1 <sup>st</sup> entry in to Government service.	Date of regular appointment/ promotion to the present post	Current Office	Remarks
1.	Mr. Tufail Sultan	Matric	Swat	25/02/1967	21/10/1990	08/09/2009	Commissioner, Malakand Division	opted as NT.
2.	Mr. Nimat Ullah	B.A	Shangla	01/01/1970	03/08/1992	22/02/2010	DC, Shangla	Promotion case on BvR, for Asstt
3.	Mr. Naeemullah	F.A	Swat	20/09/1970	12/08/1993	14/04/2010	DC, Swat	Promoted as Asstt on 01-03-2018.
4.	Mr. Nawab Ali	F.A	Swat	16/04/1972	21/06/1995	14/04/2010	DC, Swat	Opted to forgo promotion as Assistant on 8.11.2017
5.	Mr. Javed Iqbal	F.A	Swat	09/01/1971	28/06/1995	14/04/2010	DC, Swat	Opted to forgo promotion as Assistant on 8.11.2017
6.	Muhammad Arif	F.A	Swat	05/04/1973	09/01/1996	14/04/2010	DC, Swat	Promoted as Asstt on 01-03-2018
7.	Muhammad Alam	Matric	Shangla	10/06/1977	28/09/1995	16/07/2010	DC, Shangla	---
8.	Mr. Noor Rahman	F.A	Swat	08/01/1961	18/08/1990	31/12/2011	DC, Swat	---
9.	Mr. Alim Said	F.A	Swat	02/03/1961	07/02/1982	31/12/2011	DC, Swat	Promoted as Asstt on 01-03-2018

64	Mr. Umar Usman	M.A	Shangla	10.02.1988	31.10.2012	03.11.2017	DC, Shangla	----
65	Mr. Arshad Ali	B.A	Swat	10.04.1980	13.08.2009	16.11.2017	Commissioner, Malakand Division	---
66	Mr. Gohar Ali	M.A (Political Science)	Swat	15.04.1980	17.12.2009	16.11.2017	Commissioner, Malakand Division	---
67	Mr. Arshad Hussain	M.A	Malakand	16.03.1978	17.12.2009	16.11.2017	Commissioner, Malakand Division	----
68	Muhammad Naeem	B.A	Malakand	24.03.1986	02.03.2009	21.11.2017	DC, Malakand	-----

No. 788-800 12/16-S/SC/Estt:

Copy of the above Seniority List is forwarded to:-

1. The Secretary, Board of Revenue, Revenue, Khyber Pakhtunkhwa, Peshawar for information, please.
- 2-8. All the Deputy Commissioners in Malakand Division for circulation among the officials concerned. The tentative S/List from S.No. 48 to 68 may be circulated amongst the concerned officials. Objection if any, may be intimated within 15 days, positively.
9. The officials concerned (Local office), for information.

**SECRETARY TO COMMISSIONER**  
**MALAKAND DIVISION**  
Ph# 0946-9240458

**SECRETARY TO COMMISSIONER**  
**MALAKAND DIVISION**

D

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT 14

No. Estt:V/Nawab Ali/Swat / 30085

Peshawar dated the 18/08/2018

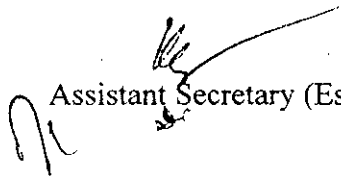
To

Mr. Nawab Ali,  
Senior Clerk,  
Office of the Deputy Commissioner Swat.

Through Deputy Commissioner Swat

SUBJECT: DEPARTMENTAL APPEAL FOR CANCELLATION OF THE ORDER  
DATED 09.07.2018

Your Departmental appeal dated 11.07.2018 has been examined and  
rejected by the Appellate Authority.

  
Assistant Secretary (Estt)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1123/2018

Nawab Ali .....Appellant

VERSUS

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

**INDEX**

S.No	Description of documents	Annexure
1.	Comments	-
2.	Affidavit	-
3.	Posting of Tehsildar as (Current Charge Basis) Notification No. 11088-11110, dated 26.05.2017	A
4.	Repatriation order	B
5.	Seniority List of Senior Clerk of Malakand Division	C
6.	Rejection of Departmental Appeal	D

Assistant Secretary (Lit – I)  
Board of Revenue KPK

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

Service Appeal No: 1123/2018

Nawab Ali Naib Tehsildar Khwaza Khela Swat ..... Appellant

**VERSUS**

Senior Member Board of Revenue and others.....**Respondents**

**PRELIMINARY OBJECTIONS.**

1. That the appellant has got no cause of action or locus standi.
2. That the appeal is bad for mis- joinder and non- joinder of necessary parties.
3. That appellant is estopped by his own conduct to institute the instant appeal.
4. That the appellant has not come to the Tribunal with clean hands.

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 1,2,3 and 4 ARE AS UNDER:-**

**RESPECTFULLY SHEWETH:-**

**ON FACTS.**

1. Correct to the extent of posting as Naib Tehsildar (Current Charge Basis) which cannot create right of regular promotion as Naib Tehsildar (Annexure – A).
2. Incorrect. The appellant is basically Senior Clerk of the office of Deputy Commissioner, Swat who was temporarily posted as Naib Tehsildar (Current Charge Basis) due to non-availability of regular Naib Tehsildar 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 Naib 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) Naib Tehsildars have been repatriated to their original post and offices. Posting of an official on Current Charge Basis cannot create right of out of turn promotion, however his case will be placed before the Departmental Promotion Committee for promotion as Tehsildar as and when vacancies occur in his share on his own turn after fulfillment the required conditions.
3. Incorrect. No discrimination was done with the appellant. In fact he was repatriated to his original post of Senior Clerk to his parent office (Annexure – B).
4. Correct to the extent that the appellant is basically Senior Clerk. His case will be placed before the Departmental Promotion Committee for promotion as Naib Tehsildar on his own turn. Posting as Naib Tehsildar (Current Charge Basis) cannot create right of out of turn promotion (Annexure – C).
5. Incorrect the appellant is not Naib Tehsildar, therefore the question of posting tenure does not arise.
6. Incorrect. The Departmental appeal of the appellant was examined and filed by the appellate authority (Annexure – D).
7. Incorrect. All the (Current Charge Basis) Tehsildars and Naib Tehsildars have been repatriated to their parent offices.
8. Incorrect. Appeal of the appellant is not maintainable



GROUNDS.

- A. Incorrect. As in para – 2,3 & 4 of the facts. No discrimination has been done with the appellant.
- B. Incorrect. As in preceding para, the appellant is basically Senior Clerk of the office of Deputy Commissioner, Swat therefore the question of posting tenure as Naib Tehsildar (Current Charge Basis) does not arise.
- C. Incorrect. No discrimination has been done with the appellant.
- D. Incorrect. As in para 2,3 & 4 of the facts.
- E. Incorrect. No discrimination has been done with the appellant. His case for regular promotion as Naib Tehsildar will be placed before the Departmental Promotion Committee for consideration as and when post of Naib Tehsildar occur in his share.
- F. Incorrect. As in para – 5 of the facts.
- G. Repetition. The question of posting and transfer. The appellant is basically Naib Tehsildar of the office of Deputy Commissioner, Swat who was repatriated to his parent office i.e Deputy Commissioner, Swat.
- H. Incorrect. No punitive action under (Efficiency and Discipline) Rules has been taken against the appellant. He is only repatriated to his parent office, therefore the question of condemned unheard does not arise.
- I. Incorrect. No discrimination has been done with the appellant.
- J. Incorrect. Departmental appeal of the appellant was examined in the department and filed by the appellant authority.
- K. The respondent will also submit additional grounds at the time of arguments.

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



Senior Member  
(Respondent No. 1,2&3)