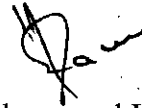


26.10.2017

Counsel for the appellant present, Farhaj Sikandar, District Attorney alongwith Counsel for private respondent No 8 present counsel for private respondent No. 8 submitted written reply which is placed on file and submitted wakalat nama which is placed on file. Farhaj Sikandar. District Attorney requested for further time to file written reply on behalf of official respondent. Request accepted to come up for written reply on 29.12.2017 before S.B at Camp Court D.I.Khan.



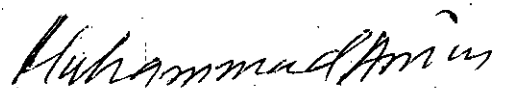
Muhammad Hamid Mughal
Member (J)
Camp Court D.I.Khan

29.12.2017

Appellant with counsel present. Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 7 and counsel for private respondent No. 8 also present. Learned counsel for the appellant submitted an application for withdrawal of the present service appeal on the ground that the grievances of the appellant have been redressed therefore, he does not want to pursue the present service appeal. The application is placed on record.

In the light of the above, the present service appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
29.12.2017



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

DF A

Mushtaq Ahmed

29.12.2017

Appellant with counsel present. Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 7 and counsel for private respondent No. 8 also present. Learned counsel for the appellant submitted an application for withdrawal of the present service appeal on the ground that the grievances of the appellant have been redressed therefore, he does not want to pursue the present service appeal. The application is placed on record.

In the light of the above, the present service appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED

29.12.2017

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

گھدا انجمن سروس ٹریبونل حیدرآباد حکومت کے کورٹ ڈی.آئی.خان

مثنیٰ احمد نام حکومت حیدرآباد وغیرہ

درخواست نمبر سروس اپیل
داخل دفتر نمبر ۱۱۱۱

جناب عالی اس سائل سے ذیل عرض دیا ہے۔

(i) یہ کہ اپیل عنوان بالا زیر تجویز فاضل ٹریبونل ہے۔
جسے امروز تاریخ پیشی مقرر ہے۔

(ii) یہ کہ اس سائل کو اپنا حق مل گیا ہے۔ اور پرووشن کر دی
گئی ہے۔ اور اس سائل / پیشتر اپیل کی پیروی میں
کرنا چاہیے۔

گھدا انجمن سروس ٹریبونل حیدرآباد حکومت کے کورٹ
مثنیٰ احمد نام حکومت حیدرآباد وغیرہ

29-12-07

MA

مثنیٰ احمد

پیشتر

مثنیٰ احمد

جناب عالی کوئی اور کوئی
گھدا انجمن سروس ٹریبونل حیدرآباد حکومت کے کورٹ

MA

1242/2014

25.10.2016

Appellant in person, Mr. Farhaj Sikandar, Government Pleader for official respondents No. 1 to 7 and private respondent No. 8 with counsel present. Fresh Wakalatnama on behalf of private respondent No. 8 submitted by Akbar Khan Marwat, Advocate. Written reply on behalf of official respondents as well as private respondent not submitted and requested for further time for filing of written reply. Request accepted. To come up for written reply/comments on 28.03.2017 before S.B at Camp Court D.I.Khan.

Member
Camp Court D.I.Khan

28.03.2017

Since tour is hereby cancelled, therefore, the case is adjourned for the same on 23.08.2017.

Reader

23.08.2017


None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney for the respondents present. Representative of respondent-department is not in attendance, therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.10.2017 before S.B at Camp Court D.I.Khan. Notice be also issued to appellant and his counsel for attendance for the date already fixed.

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

1242/2014

27.10.2015

Appellant in person, Mr. Farhaj Sikandar, GP present. Notices have not been issued. Office is directed to issue notices to the respondents and case to come up for written reply of all the respondents at camp court, D.I.Khan on 26-1-16.


MEMBER
Camp court, D.I.Khan

26.01.2016

Appellant present in person and Mr. Farhaj Sikandar, GP present. None is available on behalf of the respondents. Fresh notices be issued to them through registered post. Case to come up for written reply by way of last chance on 24.5.16 at camp court, D.I.Khan.


MEMBER
Camp court, D.I.Khan


24.05.2016

Appellant in person, Mr. Farkhaj Sikandar, GP for official respondents and counsel for private respondent No.8. present. Notices be issued to respondents No. 1 to 7 for written reply. To come up for written reply on 25.10.2016 at camp court D.I. Khan.


Member
Camp Court D.I.Khan


24-2-15-

counsel for the appellant present and heard.
The b/counsel for the appellant argued that his senior
at S. No. 11 of seniority list, was not promoted and his
Junior at serial no. 13 was promoted and that the decision
of the competent authority is based on discrimination and in
in violation of Law and rules, against the principle of equal
treatment as enshrined in constitution of Pakistan. Points
raised at the Bar need consideration. Admit. Process
fee and security be deposited within 10 days. Thereafter,
notice be issued to the respondents for submission of written
reply on 26-5-2015 at camp court, D.I. Khan.


Member
Camp Court, D.I. Khan.

26.05.2015


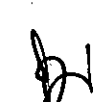

None is available on behalf of the appellant. Security
and process fee have not been deposited. Notices be issued to
appellant and his counsel. To come up for further proceedings on
27.10.2015.


MEMBER
Camp court, D.I. Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1242/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	16/10/2014	<p>The appeal of Mr. Mushtaq Ahmad resubmitted today by Mr. Junaid Ahmad Kundi Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	30-1-15	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up there on <u>23-2-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3	23-2-15	<p>Shikh Ifthakar, Advocate on behalf of counsel for the appellant and requested that this case be adjourned to tomorrow for preliminary hearing. Allowed.</p> <p>To come up for preliminary hearing on 24-2-15 at Camp Court D.I.K.</p> <p style="text-align: right;"> Member Camp Court, D.I.K.</p>

863
16-10-14


The Registrar,
Service Tribunal
Khyber Pakhtukhwa
Peshawar.

Respected Sir,

In response to your kind Honour observation bearing No. 1460/S.T dated 03-10-2014 whereby the appeal filed by the undersigned on behalf of his client Mushtaq Ahmad /O Khawaja Muhammad was returned to me being incomplete and I was asked to re-submit the same within 15 days after attending the said observations. It is respectfully submitted that I have attached the copy of departmental appeal made by the appellant before the commissioner D.I.Khan division. The same is therefore re-submitted for further necessary action please.

Dated:-14-10-2014

Sincerely Your's



**JUNAID AHMAD KUNDI
ADVOCATE DIKHAN**


The present appeal was returned to the counsel for the appellant for completion and resubmission within 15 days. Today he has resubmitted the same which is returned again to the counsel for the appellant with the following remarks:-

Copy of departmental appeal preferred/made by the appellant before the Commissioner D.I.Khan Division mentioned in para-6 of the appeal is not attached with the appeal which may be placed on it.

The same may be resubmitted within 15 days.

No. 1460 /S.T,

Dt. 3-10 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Junaid Ahmad Kundi Adv. D.I.Khan

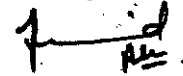
To,

The Registrar,
Service Tribunal,
K.P.K. Peshawar.

Respected Sir,

In response to your kind honours observations bearing No.1382/ST dated 19/9/2014 whereby the appeal filed by the undersigned on behalf of his client Mushtaq Ahmad s/o Khawaja Muhammad was returned to me being incomplete and I was asked to re-submit the same within 15 days after attending the said observations, it is respectfully submitted that I have redrafted the said appeal and have tried to answer said observations. The same is therefore re-submitted for further necessary action please.

Sincerely yours



(Junaid Ahmad Kundi)
Advocate, D.I. Khan.


D/29-9.2014.

The appeal of Mr. Mushtaq Ahmad son of Khwaja Muhammad R/o village Mulazai Tehsil and Distt. Tank received today i.e. on 18.09.2014 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Addresses of respondent No. 1 and 5 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Heading of the appeal is incomplete which may be completed.

No. 1382 /S.T,

Dt. 19/9 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Junaid Ahmad Kundi Adv. D.I. Khan

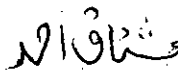
BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR.


In Re. Service Appeal No. 1242 / of 2014.

Mushtaq Ahmad Versus Govt. of K.P.K. etc.
Appellant. Respondents.

INDEX.

<u>S.No.</u>	<u>Description of documents.</u>	<u>Annexure</u>	<u>Page.</u>
1.	Memo. and grounds for service appeal with affidavit.	-	1-6
2.	Memo. of address.	-	7
3.	Copy of appointment order of the Appellant dated 9/12/1991.	A	8
4.	Copy of Seniority List.	B	9-10
5.	Copy of the Minutes of Meeting of Departmental Promotion/ Selection Committee, Tank.	C	11-12
6.	Copy of impugned order dated 16/5/2014.	D	13
7.	Copy of departmental appeal.	E	14
8.	Vakalatnama.	-	15


Appellant
Through Counsel.


Junaid Ahmad Kundi

D/-18-9-2014.

Advocate, D.I. Khan.

①

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 1242 / of 2014.

~~SECRET~~
1188
18-9-2014

Mushtaq Ahmad son of Khawaja Muhammad
Resident of village Mullanai Tehsil and
District Tank presently Naib Qasid
Finance Section office of the
Deputy Commissioner, Tank.

.... Appellant.

Versus

1. Government of Khyber Pakhtunkhwa
through Secretary to Government of Khyber
Pakhtunkhwa Revenues Department, Peshawar.
2. Secretary to Government of Khyber
Pakhtunkhwa, Revenue Department, Peshawar.
3. Board of Revenue, Khyber Pakhtunkhwa, Peshawar
through its Senior Member.
4. Commissioner, D.I. Khan Division,
D.I. Khan.
5. Deputy Commissioner, Tank.
6. Assistant Registrar,
Co-operative Societies, D.I. Khan.
7. Departmental Promotion/Selection Committee, Tank
through its Chairman (Deputy Commissioner, Tank).
8. Hafiz Akhtar Zaman Naib Qasid now
Junior Clerk of the office of Deputy
Commissioner, Tank.

.... Respondents.

co-submitted to
and filed.

~~SECRET~~
16/10/14

Service Appeal under section 04 of the Khyber Pakhtunkhwa ~~Service Tribunal~~ Act, 1974, against the order dated 16/5/2014, passed by the Deputy Commissioner, Tank (Respondent No.5) vide which Hafiz Akhtar Zaman Naib Qasid was promoted as Junior Clerk (BPS-7) in the office of the Deputy Commissioner, Tank.

Prayer:- On acceptance of the instant appeal to set aside the impugned order dated 16/5/2014, of the Deputy Commissioner, Tank (Respondent No.5) and to promote the Appellant from the rank of Naib Qasid (BPS-1) to the rank of Junior Clerk (BPS-7) being a senior most employee on the basis of the golden principles of seniority-cum-fitness as laid down in the service rules and to revert Hafiz Akhtar Zaman (Respondent No.8) to his substantive post of Naib Qasid (BPS-1) with retrospective effect to meet the ends of justice.

Respectfully Sheweth:-

1. That the Appellant was posted as Naib Qasid (BPS-1) in the office of the Assistant Registrar, Cooperative Societies D.I.Khan vide order No.3418-21/G-31/AR/DIK, dated 9/12/1991, issued by the Assistant Registrar, Cooperative Societies, D.I.Khan. The copy of which is enclosed as Annexure-A.

Annexure-A.

2. That after the introduction of District Government System, the staff of the Co-operative Department was retrenched as a result of which the Appellant was placed in surplus pool and was directed to serve in the office of the Deputy Commissioner, Tank.

3. That the Deputy Commissioner, Tank prepared a joint seniority list of (Drivers/Naib Qasid/Mails/Chowkidars/Sweepers of his office as it stood on 28/2/2014, in which the Appellant's name was placed at its serial No.11

whereas the name of Hafiz Akhtar Zaman, (Respondent No.8) appears at its serial No.33 which fully proves that the Appellant is most senior as compared to Hafiz Akhtar Zaman (Respondent No.8). The copy of the seniority list is enclosed as Annexure-B.

Annexure-B.

4. That after some time a meeting of Departmental Selection/Promotion Committee, Tank, headed by the Deputy Commissioner, Tank was convened on 29/4/2014, who consulted the sniority list of Class-IV employees of the office of the Deputy Commissioner, Tank and recommended for the promotion of Hafiz Akhtar Zaman (Respondent No.8) Naib Qasid, (BPS-1) to the post of Junior Clerk (BPS-7). The copy of the minutes of the meeting is enclosed as Annexure-C.

Annexure-C.

5. That consequent upon the recommendation of the Departmental Selection/Promotion Committee District Tank, the Deputy Commissioner, Tank, vide his impugned office order No.3525/BC/DN dated 16/5/2014, promoted Hafiz Akhtar Zaman Naib Qasid BPS-1 (Respondent No.8) as Junior Clerk (BPS-7) in his office. The copy of the order is enclosed as Annexure-D.

Annexure-D.

6. That dis-satisfied with the order dated 16/5/2014, of the Deputy Commissioner, Tank, the Appellant filed a departmental appeal with the Commissioner, D.I.Khan Division, D.I.Khan, which is still pending decision and its fate has not so far been communicated to the Appellant although statutory period of 90 days has elapsed. The copy of the appeal is enclosed as Annexure-E.

Annexure-E.

vi. That the perusal of the record shows that the Departmental Promotion/Selection Committee, Tank, has acted in a very cursory manner and has made recommendations for the promotion of Hafiz Akhtar Zaman Naib Qasid to the post of Junior Clerk arbitrarily in utter disregard of the Government Rules and Regulations whereby the promotion of Naib Qasid as Junior Clerk is required to be made on the basis of seniority-cum-fitness.

vii. That the Deputy Commissioner, Tank who was a Chairman of the so-called Departmental Promotion/Selection Committee, Tank, due to transgressed assumption of powers while approving the recommendations of the said Departmental/Selection/Promotion Committee, Tank, illegally and unjustifiably issued the impugned order for the promotion of Hafiz Akhtar Zaman Naib Qasid to the post of Junior Clerk and over-looked the policy and rules and regulations framed by the Provincial Government for such promotion and ignored the golden principle of seniority-cum-fitness without any rhyme and reasons.

viii. That the meritorious services of the Appellant for a considerable long period of about 23 years have not been considered which resulted irreparable loss to the Appellant.

In wake of the submissions made above it is respectfully prayed that on acceptance of this appeal, the impugned order dated 16/5/2014, passed by the Deputy Commissioner, Tank may graciously be set aside and the Appellant may please be promoted from the post of Naib Qasid (BPS-1) to the post of Junior Clerk (BPS-7) and to revert Hafiz Akhtar Zaman (Respondent No.8) newly promoted as Junior Clerk to his substantive post of Naib Qasid (BPS-1) with retrospective effect to meet the ends of justice.

Your humble Appellant

(Mushtaq Ahmad)

Through Counsel.

(Junaid Ahmad Kundi)

Advocate, D. I. Khan.

D/- 18.9.2014.

6

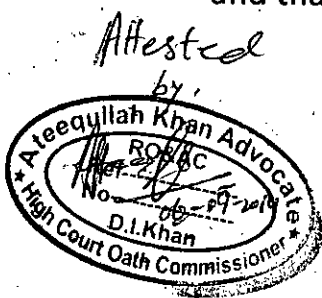
BEFORE THE K.P.K SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2014.

Mushtaq Ahmad **VERSUS** Govt: of K.P.K etc.

AFFIDAVIT

I, **MUSHTAQ AHMAD** S/O **KHAWJA MUHAMMAD** R/O
Village Mulazai Tehsil & District Tank do hereby solemnly
affirm and declare on oath that the contents of the appeal
are true and correct to the best of my knowledge and belief
and that nothing has been concealed.



DEPONENT

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

In Re. Service Appeal No. _____ /of 2014.

Mushtaq Ahmad Versus Govt. of K.P.K. etc.
Appellant. Respondents

Memo. of address.

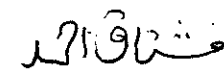
Appellant

Mushtaq Ahmad s/o Khawaja Muhammad r/o
village Mullazai Tehsil and District Tank
presently Naib Qasid Finance Section
office of the Deputy Commissioner, Tank.

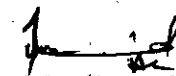
Respondents

1. Government of K.P.K. through Secretary to Government of Khyber Pakhtunkhwa, Revenue Department, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Revenue Department, Peshawar.
3. Board of Revenue, Govt. of K.P.K. Peshawar through its Senior Member.
4. Commissioner, D.I. Khan Division, D.I. Khan.
5. Deputy Commissioner, Tank.
6. Assistant Registrar, Cooperative Societies, D.I. Khan.
7. Departmental Promotion/Selection Committee, Tank through its Chairman (Deputy Commissioner, Tank).
8. Hafiz Akhtar Zaman Naib Qasid now Junior Clerk of the office of Deputy Commissioner, Tank.

FA


(Mushtaq Ahmad)
Appellant

Through Counsel.


(Junaid Ahmad Kundi)
Advocate, D.I. Khan.

D/-18.9.2014.

Annexure (A)

(8)

OFFICE OF THE ASSISTANT REGISTRAR, CO-OPERATIVE SOCIETIES,
DERA Ismail Khan.

C A S E R:-

Mr. Mushtaq Ahmad S/O Khawaja Muhammad R/O Village Mulazai, Tehsil Tank Distt: DIKhan is hereby appointed as Naib Qasid in RBPS-1, with usual allowances in the office of the Assistant Registrar, Co-operative Societies, DIKhan against a vacant post in the interest of public service.

TERMS & CONDITIONS OF APPOINTMENT / SERVICE:-

- (i) The appoint against the post is purely temporary and can be terminated at any time without notice or assignment of any reason.
- (ii) IN case of leaving service he will have to give one month's notice to the Department or forfeit one month's Pay in lieu thereof.
- (iii) He has to join duty with immediate effect.
- (iv) He will produce medical certificate for fitness for Govt: service just after assuming duties.

ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETIES, DIKHAN.

Enst... 3418-10/G-37/AR/DIK Dated: 9/12/1991.

Copy to:-

1. ✓ The Deputy Registrar, Co-operative Societies, DIKhan Division DIKhan for information with reference to his approval vide No. 2284/PFP dated 8-12-1991.
2. Mushtaq Ahmad S/O Khawaja Muhammad R/O Village Mulazai, Tehsil Tank Distt: DIKhan for information & compliance.
3. The District Accounts Officer, DIKhan for information.
4. Personal file of the Naib Qasid concerned for record.

ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETIES, DIKHA

9

Annexure B

FINAL JOINT SENIORITY LIST OF (DRIVER/NAIB QASID/MALI/CHOWKIDAR/SWEEPER) DEPUTY COMMISSIONER OFFICE TANK AS STOOD ON 28.02.2014.

S. #	Name of Parentage	Designation	Scale in BPs.	Qualification	Date of Birth	Date of Entry in Service	Declared as Surplus	Adjustment into the Department	Date of Entry in Present Scale/Cadre	Remarks
		Driver	07	-	12.05.1955	03.01.1995	-	-	20.04.2013	-
1.	Sona Khan S/O Azmat Khan	Driver	07	Metric	20.02.1970	11.08.1992	-	01.07.2001	01.11.2012	He is Adjusted/Posted as Driver BPs-04 with DCO, Tank against the newly created post in the budget for 2001-02 w.e.f 01.07.2001 vide order No.774-79/PA, dated 18.08.2001.
2.	Muhammad Farooq Khan S/O Amir Khan	Driver	07	-	06.09.1962	20.04.1992	-	24.07.2001	20.04.2007	He was not declared as surplus & directly-adjusted as driver in DCO office Tank vide No. SO(LG-1)4-116/DG.2001, dated 24.07.2001
3.	Noor Zaman S/O Malik Khan	Driver	07	-	01.01.1964	01.12.2010	23.08.2001	10.01.2005	01.12.2010	Declared as surplus as N/Q BPs-01 vide DCO, Tank Office No.3385/BC, dated 23.08.2001 & Adjusted and promoted as Driver BPs-04 in EDO(F&P) Office vide No.45-49/Acctt. dated 10.01.2005
4.	Fazal Rehman S/O Shah Nawaz	Driver	06	-	10.02.1983	30.04.2010	-	-	30.04.2010	
5.	Sibghat Ullah S/O Abdul Latif Khan	Driver	04	-	01-01-1966	13.04.1985	-	-	30.11.2012	
6.	Abdur Rashid S/O Abdul Majid	Naib Qasid	03	-	01.01.1967	20.07.1986	-	-	30.11.2012	
7.	Nazir Ahmad S/O Mir Alam	Naib Qasid	03	-	02.10.1967	01.04.1987	-	-	30.11.2012	
8.	Said Rasool S/O Abdur Rehman	Chowkidar	03	-	04.03.1969	04.03.1990	-	-	16.08.2001	
9.	Muhammad Javid S/O Habib Ullah	Naib Qasid	02	-	01.01.1966	01.04.1991	-	-	30.11.2012	
10.	Faiz Ullah S/O Atta Ullah	Naib Qasid	02	-	11.04.1972	11.12.1991	-	-	16.08.2001	
11.	Mushtaq Ahmad S/O Khawaja Muhammad	Naib Qasid	02	Metric	01.01.1963	18.07.1992	-	-	16.08.2001	
12.	Rab Nawaz S/O Ghulam Abbas Khan	Naib Qasid	02	-	01.01.1975	18.07.1992	-	-	30.11.2012	
13.	Aurang Zeb Masih S/O Dalip Masih	Sweeper	02	-	01.01.1965	16.06.1993	-	-	30.11.2012	
14.	Sher Jan S/O Mirza Khan	Naib Qasid	02	-	23.01.1972	03.09.1992	-	-	30.11.2012	
15.	Romail Hakim S/O Ameer Khan	Naib Qasid	02	-						

Alleged To be Trace

(10)

Page-2

S.#	Name of Parentage	Designation	Scale in BPs.	Qualification	Date of Birth	Date of Entry in Service	Declared as Surplus	Adjustment into the Department	Date of Entry in Present Scale/Cadre	Remarks
16	Qasim Ali S/O Gul Bagh Shah	Naib Qasid	02	-	01.01.1975	25.08.1994	-	-	25.08.1994	
17	Surat Khan S/O Sher Khan	Naib Qasid	02	-	01.01.1964	26.10.1994	-	-	26.10.1994	
18	Sabit Khan S/O Khuda Bakhsh	Naib Qasid	02	-	15.02.1967	20.10.1996	-	-	20.10.1996	
19	Nasar Ullah S/O Badshah Khan	Naib Qasid	02	Metric	10.06.1959	26.08.1997	-	-	18.09.2001	
20	Gohar Zaman S/O Noor Khan	Naib Qasid	02	Metric	11.03.1979	21.08.1998	-	-	16.08.2001	
21	Sami Ullah S/O Muhammad Nawaz	Naib Qasid	02	-	07.05.1985	15.11.2003	-	-	30.11.2012	
22	Shabir Khan S/O Laj Mir Khan	Chowkidar	02	-	-	14.09.2002	-	-	30.11.2012	
23	Khalid Mansoor Shah S/O Muhammad Shah	Naib Qasid	02	F.A	07.03.1985	17.11.2003	-	-	30.11.2012	
24	Gul Nawaz S/O Haq Nawaz	Sweeper	02	-	10.03.1981	01.04.2004	-	-	30.11.2012	
25	Jaffar Khan S/O Safdar Khan	Naib Qasid	02	Metric	25.03.1971	07.04.2004	-	-	30.11.2012	
26	Abdullah Khan S/O Jamil Khan	Naib Qasid	02	Middle	24.03.1983	30.08.2004	-	-	30.11.2012	
27	Fazal Rehman S/O Muhammad Hussain	Chowkidar	02	-	01.01.1981	01.09.2004	-	-	30.12.2012	
28	Muhammad Riaz S/O Muhammad Nawaz	Naib Qasid	02	-	11.12.1983	13.01.2005	-	-	30.12.2012	
29	Sami Ullah Khan S/O Rehmat Ullah Khan	Mali	02	-	13.04.1982	26.04.2006	-	-	30.11.2012	
30	Ihsan Ullah S/O Hidayat Ullah	Chowkidar	01	F.A	05.05.1987	01.05.2009	-	-	01.05.2009	
31	Farid Ullah Khan S/O Bahadar Khan	Naib Qasid	01	Metric	13.02.1974	25.01.2011	-	-	25.01.2011	
32	Muhammad Zubir S/O Pir Ghulam	Naib Qasid	01	Metric	23.03.1988	12.09.2011	-	-	12.09.2011	
33	Hafiz Akhter Zaman S/O Noor Zaman	Naib Qasid	01	BSc(DI T)	13.01.1993	27.06.2012	-	-	27.06.2012	
34	Ahmad Khan S/O Qismat Khan	Naib Qasid	01	Middle	11.04.1982	12.10.2012	-	-	12.10.2012	

Attested to be True


 Deputy Commissioner
 Tank

(11)

Annexure C

MINUTES OF THE DEPARTMENTAL SELECTION /PROMOTION COMMITTEE, TANK IN A MEETING HELD ON 29.4.2014 AT 1: 30PM IN THE OFFICE OF THE DEPUTY COMMISSIONER, TANK

A meeting of Departmental Promotion/Selection Committee, Tank to consider promotion against the vacant post of Junior Clerk (BPS-07) was held in the office of the Deputy Commissioner Tank dated 29.04.2014 at 1:30 pm

The following attended the meeting.

- | | |
|--|-------------------------|
| 1- Habib Ullah Wazir Deputy Commissioner, Tank | Chairman |
| 2- Muhammad Yousaf Kareem, AAC, Tank | Nominee of DC Tank |
| 3- Sharif ullah supdt. (estt)BOR, KPK.Peshawar | Nominee of Admin Deptt. |

The meeting started with the recitation from Holy Quran.

The item wise discussion was as under.

PROMOTION TO THE POST OF JUNIOR CLERK (BPS-7)

A vacancy of junior clerk (B-7) is likely to be occurred vacant on account of promotion the senior most junior clerk Muazzam Ali to the post of Senior clerk (B-9). In the connection one Mr. Siraj-ud-din S/O Abdul Jabbar R/O Pai, Tehsil and District Tank being a son of deceased Patwari who have been declared entitled for appointment against any vacancy in "BPS-01 to BPS-10 as per rules/policy of the Government" in the Peshawar High Court Dikhan Bench in a writ petition No, 661/2010 stand decided dated 16.03.2011 received vide Board of Revenue Khyber Pakhtunkhwa letter No. 19786-87 dated 18.06.2011 and Writ Petition No. 576 of 2011 and stand decided 06.2.2013 received through Board of Revenue, Khyber Pakhtunkhwa, Peshawar vide letter No. Estt:V/(Siraj-ud-din)/19786-87, dated 18.6.2011, was considered for appointment as Junior Clerk (BPS-07) for which the criteria is much clear, as circulated vide Govt of NWFP Revenue and Estate Department, Govt Gazette, dated 18.01.2010, the candidate must possess the following :-

- a- Age of the Candidate must be between 18 to 30 years.
- b- 2nd Division in SSC or Equivalent qualification from a recognized Board.
- c- The English typing speed of the Candidate must be 30 words per minute.

Whereas, Mr. Siraj-ud-Din neither fulfill criteria with respect to age nor know how type. Hence was dropped and it was unanimously agreed upon that the post be fill from the incumbents of the post of Naib Qasids and other equivalent posts who have the prescribed qualification. In this connection, a final seniority list Class-IV falling in the category was consulted and the following incumbents were found eligible in chronological order:-

- | | | |
|--------------------|---------|--------|
| 1- Muhammad farooq | Driver, | Matric |
| 2- Mushtaq Ahmad | NIG | Matric |

Attested To be True
[Signature]

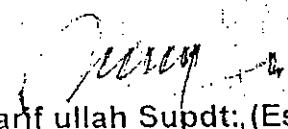
- 8- Ihsanullah Chowkidar do
- 9- Fareed ullah N/Q do
- 10- Hafiz Akhtar Zaman " BSC/DIT
- 11- Muhammad Zubair " Matric

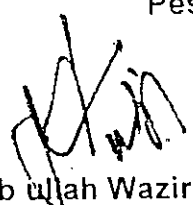
Only three (03) incumbents appeared at serial No.02,04 &09 attended the proceedings of meeting and appeared for typing test.

They were examined and found that the incumbent at serial No.09 though junior yet he is highly qualified /having been passed Graduation &DIT skilled , knows typing and has been officiating the job of a dealing hand since his appointment whereas the other do not know typing . After due deliberation , Hafiz Akhtar Zaman appeared at serial No. 09 was recommended for promotion to the post of junior clerk and remaining candidates were directed to improve their knowledge of typing in future where after they will also considered accordingly.

Affected to be Free
file


Muhammad Yousif Kareem
AAC, Tank Nomince of DC, Tank


Sharif ullah Supdt. (Estt)
BOR, Khyber Pakhtunkhwa,
Peshawar Nominnee Admn. Deptt.


Habib ullah Wazir
Deputy Commissioner, Tank



OFFICE OF THE
DEPUTY COMMISSIONER
DISTRICT TANK.

No 3525 /BC/DN.

Dated 16/05/2014.

OFFICE ORDER.


Consequent upon the recommendation of Departmental Selection/Promotion Committee District Tank in a meeting held on 29.04.2014 Mr. Hafiz Akhtar Zaman, Naib Qasid is hereby promoted as Junior Clerk (BPS-07) with immediate effect in the office of the undersigned, against the post the vacancy occurred on account of promotion of Junior Clerk to the post of Senior Clerk (BPS-09) in the interest of public service.


Deputy Commissioner
Tank

No 3526-32 /BC/DN,
Copy to the:-

1. Additional Deputy Commissioner, Tank.
2. District Accounts Officer, Tank.
3. Superintendent DC Office Tank.
4. PS to Deputy Commissioner, Tank.
5. Bill clerk/DN for necessary action.
6. Official concerned.
7. Office order file.


Deputy Commissioner
Tank

Attest to be True


بعض خاصہ کنٹریکٹس کے تحت ڈیڑھ لاکھ روپے کی رقم

درخواست کے تحت منظور ہوئی۔

تعداد 12/09 کو راجستریڈ ہونے والے تمام کنٹریکٹس کے تحت ڈیڑھ لاکھ روپے کی رقم

مقرر کی گئی ہے۔ اس کے علاوہ 2001ء کو جمعہ فنانس فنڈ مینجمنٹ میں سائن کی تبدیلی ہوئی۔
اس کے ساتھ ساتھ ایک تعلیم یافتہ شخص کا نام بھی درج ہے۔

اس کے ساتھ ساتھ راجستریڈ ہونے والے تمام کنٹریکٹس کے تحت ڈیڑھ لاکھ روپے کی رقم
مقرر کی گئی ہے۔ تاہم سائن کر کے ملنے والی رقمیں
نئے انداز تک محدود ہیں۔

اس کے علاوہ DC آفس ٹانک میں جو فیئر ٹرانزیکشن کر کے ڈیڑھ لاکھ روپے کی رقم
سائن کی گئی ہے اس پر توجہ دینی ہے۔ یہ رقم بھی
سائن کر کے ایک بار پھر نئے انداز تک محدود ہے۔ درج ذیل بارہ DC
میں ٹانک کو سہارا دینے کے لئے درخواستیں تیار کی گئی ہیں۔
ان میں سے بعض کو بھی پورے پورے انداز میں منظور کیا جائے گا۔

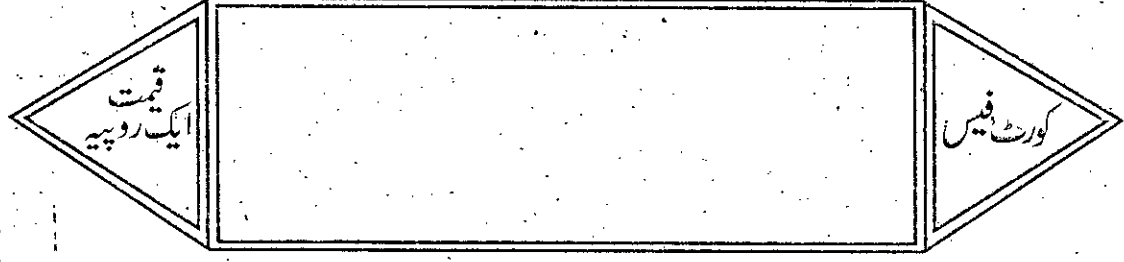
اس کے علاوہ دیگر تمام کنٹریکٹس کے تحت DC آفس ٹانک
میں ڈیڑھ لاکھ روپے کی رقم بھی منظور کی جائے گی۔
صفحہ 22/05/04

ڈیڑھ لاکھ روپے کی رقم فنانس آفس میں منظور کی جائے گی۔
سیدنا

Attested to be true copy

(15)

وکالت نامہ



بعدالت جناب Before The KPK Service Tribunal

مخانب Appellant Mushtaq Ahmad بنام Govt of KPK etc

دعویٰ یا جرم Appeal تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا بعنوان میں اپنی طرف واسطے پیروی وجوہد ہی برائے پیشی یا تصفیہ مقدمہ بمقام M. Saeed Bhutta, Advocates Jumaid Ahmad Kinchi Advocate

کوسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود یا بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر مظہر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر مقام پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا جمانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخست صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اپیل گمرانی و جرم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور جرم کاروبار وصول کرنے اور سید دینے اور داخل کرنے اور جرم کے بیان دینے اور اس پر ثانی یا راضی نامہ و فیصلہ بر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از پکھری صدر پیروی مقدمہ مذکورہ نظر ثانی و اپیل و گمرانی و برآمدگی مقدمہ یا منسوخی ڈگری یا طرف یا درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ ضمانت پیروی کا اختیار ہوگا اور تمام ساختہ پر داخست صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل یا گمرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر خانہ التواء پڑے گا، وہ صاحب موصوف کا حق ہوگا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سندر ہے

موزنہ 08 ماہ 09 2014

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

العبد العبد العبد

Accepted by
[Signature]

مشتاق احمد

شناختی کارڈ نمبر 9-3617925-12201