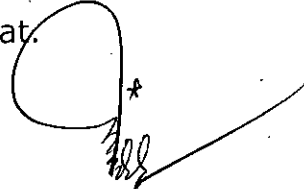


06.09.2022

Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. None present on behalf of private respondent No. 4.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for reply and arguments on 05.10.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)  
Member (Executive)  
Camp Court Swat



(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

05.10.2022

Appellant alongwith his counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. Mr. Aftab Ali, Advocate submitted fresh Wakalatnama on behalf of private respondent No. 4 with the request that has he has not gone through the record, therefore, an adjournment may be granted. Last opportunity granted. To come up for arguments on 07.11.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)  
Member (J)  
Camp Court Swat



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

8<sup>th</sup> June, 2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Counsel are on strike. To come up for reply of impleaded respondent as well as arguments on 06.07.2022 before the D.B at camp court Swat. .



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

05.07.2022

Appellant in person present.

Noor Zaman Khattak, learned District Attorney for official respondents present. Siddique Akbar Advocate present and submitted Wakalat Nama in favor of private respondent No.4.

Being freshly engaged, learned counsel for private respondent No.4 requested for adjournment in order to submit reply. Granted. To come up for reply and arguments on 02.08.2022 before D.B at Camp Court, Swat.



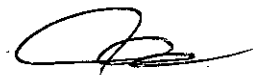
(Fareeha Paul)  
Member (E)  
Camp Court, Swat



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

2.8.22

*Due to common vacation the case is adjourned to 6-9-22 for the same.*



09.05.2022

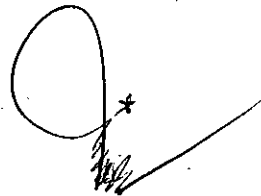
Tour of Swat has be rescheduled from 10.05.2022 to 13.05.2022, therefore, to come up on 10.05.2022 for the same as before.

Reader

10.05.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant submitted an application for impleadment of one Muhammad Akbar son of Mian Jan resident of Dangram, Tehsil Babozai District Swat as respondent in the instant appeal, on the ground that the appellant has challenged the promotion order of the said Muhammad Akbar in the instant appeal, therefore, he is necessary party, but inadvertently he has not been made party in the instant appeal. Learned Additional Advocate General stated at the bar that he is having no objections on the impleadment application. Moreover, the person sought to be impleaded is a necessary party. The application is, therefore, allowed and Muhammad Akbar son of Mian Jan resident of Dangram, Tehsil Babozai District Swat is impleaded as respondent being necessary party in the instant appeal. Office is directed to do the needful. Notice be issued to newly impleaded respondent through registered post for submission of written reply/comments and to come up for arguments on 08.06.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)  
Member (E)  
Camp Court Swat



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

09.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 06.04.2022 for the same as before at Camp Court Swat.



Reader

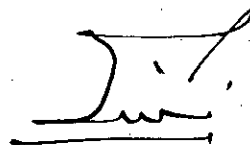
06.04.2022

Clerk of counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments on 09.05.2022 before the D.B at Camp Court Swat.



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

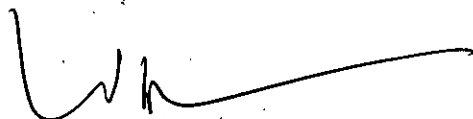


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

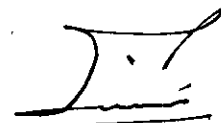
S.A No. 942/2019

03.11.2021

Appellant in person present. Mr. Fazle Hadi, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 05.01.2022 at Camp Court Swat.



(Atiq-Ur-Rehman Wazir)  
Member (Executive)  
Camp Court, Swat



(Salah-Ud-Din)  
Member (Judicial)  
Camp Court, Swat

05.01.2022

Appellant in person present. Mr. Fazal-e-Hadi, Assistant alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Joint para-wise comments on behalf of respondents submitted, which is placed on file and copy of the same is handed over to the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments before the D.B on 09.02.2022 at Camp Court Swat.

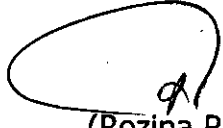


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

04.03.2021

Nemo for appellant.

Preceding date was adjourned on a Reader's note, therefore, notice be issued to appellant/counsel for 6/5/2021 for preliminary hearing, before S.B at Camp Court, Swat.

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

26.07.2021

To come up for preliminary hearing on 25.08.2021 before S.B at Camp Court, Swat. Notices be issued to appellant/counsel for the date fixed.

  
Chairman

25.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for regular hearing, subject to all just and legal objections, including that of limitation to be determined during course of full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office at Peshawar within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 03.11.2021 before the D.B at camp court, Swat.

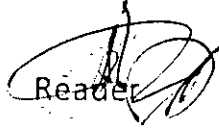
Appellant Deposited  
Security & Process Fee

7/9/21

  
Chairman  
Camp court, Swat.

S-8- 2020

Due to COVID19, the case is adjourned to  
9/9/2020 for the same as before.

Reader 

09.09.2020

Appellant in person present.


Reportedly, learned counsel for appellant is busy before Darul-Qaza, therefore, the case is adjourned for 05.11.2020 for preliminary before S.B at Camp Court, Swat.

  
Member (J)  
Camp Court, Swat

05.11.2020

Appellant present in person.

Lawyers are on general strike, therefore, case is adjourned to 07.01.2021 for preliminary hearing, before S.B at Camp Court, Swat.

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

7-1-2021

Due to COVID 19, the case is adjourned  
to 4-3-2021 for same.

  
Reader

05.03.2020

Appellant present. Momin Khan Advocate appeared on behalf of learned counsel for the appellant and seeks adjournment. Adjourn. To come up for preliminary hearing on 09.04.2020 before S.B at Camp Court, Swat.



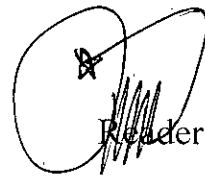
Member  
Camp Court, Swat.

Due to corona virus tour to  
Camp Court Swat has been cancelled.  
To come up for the same on  
04-6-20

Reader

04.06.2020

Due to COVID-19, the case is adjourned. To come up for the same on 05.08.2020, at camp court Swat.




Reader



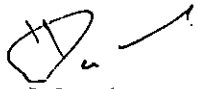
07.11.2019

Appellant in person present and requested for adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court, Mingora Bench. Adjourned to 05.12.2019 for preliminary hearing before S.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat


05.12.2019

Appellant present. Zohaib Hassan Advocate junior to counsel for the appellant present and seeks adjournment on the ground that learned senior counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 09.01.2020 before S.B at Camp Court, Swat.

  
Member  
Camp Court, Swat

09.01.2020

Appellant in person present and requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 05.03.2020 for preliminary hearing before S.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_  
Case No. 942/19

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/07/2019	<p>The appeal of Mr. Anwar Hussain resubmitted today by Muhammad Nabi Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2	24/07/19  30.08.2019	<p>This case is entrusted to SB for preliminary hearing to be put up there on <u>30/08/19</u>.</p> <p>Appellant in person present. <span style="float: right;"><i>[Signature]</i> CHAIRMAN</span></p> <p>An application for transfer of instant appeal to Camp Court Swat has been submitted. It is stated that the appellant belongs to Swat while respondents No. 2 &amp; 3 are also performing their respective duties at Swat.</p> <p>The application is allowed. Office is directed to post instant matter before the Touring Bench at camp court, Swat for preliminary hearing on <u>07.08.2019</u>.</p> <p style="text-align: right;"><i>[Signature]</i> Chairman</p>

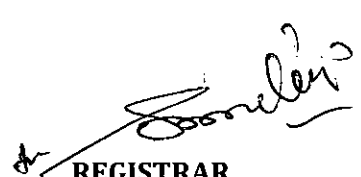
*P-24  
delegated*

The appeal of Anwar Hussain Computer Operator Finance & Planning wing O/O Deputy Commissioner Swat received today, i.e. on 15-07-2019 is incomplete on the following score, which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Annexures of the appeal may properly be flagged.

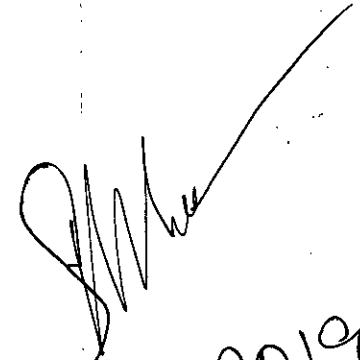
No. 1810 /S.T,

Dt. 17-7-2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Muhammad Nabi, Advocate.

*S/S*  
*Re Submitted of the Appellant*  
*Release Petition Court*

  
19-7-2019

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

Service Appeal No. 942 M of 2019

Anwar Hussain .....Appellant


VERSUS

SMBR and others.....Respondents

**INDEX**

S#	Description	Annexure	Pages#
1.	Appeal, list of books & certificate	---	1-5
2.	Addresses of the parties & Affidavit	---	6-7
3.	Copy of appointment letter	A	8
4.	Copies of relevant record	B	9-23
5.	Copies of appeal & order dated 14-05-2019	C	24-27
6.	Wakalatnama	***	28

*Anwar Hussain*  
Appellant  
Through Counsel

  
**MUHAMMAD NABI**  
Advocate, High Court

Office: Nisar Plaza, near District  
Courts Swat Saidu Sharif, Swat  
Cell No: 0312-9992347

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

Service Appeal No. 942 M of 2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 957

Dated 15-7-19

Anwar Hussain (Computer Operator) BPS-16,

Finance & Planning Wing O/O Deputy Commissioner Swat.

.....Appellant

**VERSUS**

1. Senior Member Board of Revenue, Revenue & Estate

Department, Govt. to Khyber Pakhtunkhwa Peshawar.

2. Commissioner Malakand Division at Saidu Sharif, Swat.

3. Deputy Commissioner Swat.

4. Muhammad Akbar s/o Mian Jan Resident of Dangram,  
Tehsil Babozai District Swat. .... Respondents

vide order  
sheet dated  
10-5-2022  
impleaded

Filed to day  
15/7/19  
Registrar

SERVICE APPEAL UNDER SECTION 4, OF

THE KPK SERVICE TRIBUNAL ACT, 1974,

AGAINST THE ORDER DATED 09-04-2019,

WHEREBY THE APPEAL OF THE

APPELLANT HAS BEEN DISMISSED.

## PRAYER IN APPEAL

On acceptance of this appeal the Respondents may kindly be directed:-

- i) The order passed by Respondent No. 3 dated 09-04-2019 be declared as illegal, against law, void ab-initio by setting aside the same.
- ii) For promoting the appellant from Computer Operator to Senior Scale Stenographer.
- iii) For allowing the appellant back benefits from the time of eligibility for promotion to a high grade within the Department.
- iv) Any other relief which this Honorable Court deems fit and proper in the circumstances may also be very kindly granted

Respectfully Sheweth,

The brief facts of the instant appeal are as under:-

- 1) That the appellant is in service employee of the respondent department as Computer Operator (BPS-16 Finance & Planning Wing). (Copy of appointment letter is attached as annexure "A")
- 2) That the appellant is the bona-fide resident of District Swat, and having qualification M.A with computer

courses. (Copies of all relevant record are attached as annexure "B")

- 3) That since then the appellant has been serving in the said position as Computer Operator and drawing his salary and allowances arising out of the said post.
- 4) That the most junior one Muhammad Akbar is illegally promoting to the said post under sixty percent quota, despite the facts the retiree Mr. Muhammad Hussain was already promoted under sixty percent quota, and now the post has to be filled in from amongst the Computer Operators under forty percent quota as per the existing service rules.
- 5) That feeling aggrieved from the promotion of the said Muhammad Akbar, the petitioner filed appeal before the respondent No. 3 which was dismissed on 14-05-2019. (Copies of appeal & order dated 14-05-2019 are attached as annexure "C")
- 6) That the appellant feeling aggrieved of the acts & action of Respondents, having no other adequate & efficacious remedy, except to file this appeal inter alia, on the following grounds.

GROUNDS:-

- A) That the non consideration of the long standing services of the appellant and the discontinuation of the process of promotion in contrast to other cadres of the provincial Departments being discrimination is against the fundamental rights of the appellant, and hence liable to be rectified per rules and regulation and law.
- B) That the act of the respondents is illegal, against law, facts and violative of the fundamental rights of the appellant, and highly discriminatory and liable to be set aside.
- C) That the appellant deserves to be promoted from computer operator to senior scale stenographer.
- D) That as the appellant was eligible for promotion to higher scale which was mala-fidely, unlawfully not considered hence is eligible to be given back benefits from the time of eligibility in the interest of justice.
- E) That the appellant vested rights have been taken away by the Respondents without lawful authority and the same is against




fundamental rights safeguarded under the constitution.

- F) That discrimination, mala-fide, high handedness is apparent from facts, that the appellant has been discriminated.
- i) That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

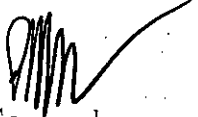
It is therefore, humbly prayed that the instant petition may kindly be accepted as per prayer aforementioned.

*Sh. Hussain*  
Appellant  
Through Counsel

  
MUHAMMAD NABI  
Advocate, High Court

**CERTIFICATE:**

(As per directions of my client) No such like Appeal has earlier been filed by the appellant on the subject matter before this Honorable Court.

  
Counsel

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

Service Appeal No. \_\_\_\_\_ M of 2019

Anwar Hussain .....Appellant

VERSUS

SMBR and others.....Respondents

**ADDRESSES OF THE PARTIES**

**APPELLANT**

Anwar Hussain (Computer Operator) BPS-16, Finance &  
Planning Wing O/O Deputy Commissioner Swat.


CNIC No: 15602-0351340-3

Cell No: 0346-9793438

**RESPONDENTS**

1. Senior Member Board of Revenue, Revenue & Estate  
Department, Govt. to Khyber Pakhtunkhwa Peshawar.
2. Commissioner Malakand Division at Saidu Sharif, Swat.
3. Deputy Commissioner Swat.

*Anwar Hussain*  
Appellant  
Through Counsel

  
MUHAMMAD NABI  
Advocate, High Court

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

Service Appeal No \_\_\_\_\_ M of 2019

Anwar Hussain .....Appellant

VERSUS

SMBR and others.....Respondents

AFFIDAVIT

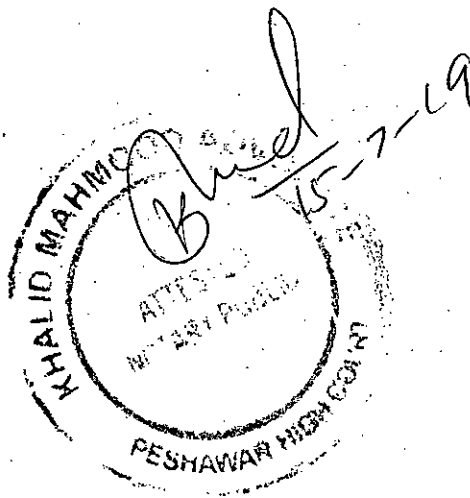
I, Anwar Hussain (appellant), do hereby solemnly affirm and declare on oath that the contents of the above titled service appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honorable Court.

*Anwar Hussain*  
DEPONENT

Identified by



MUHAMMAD NABI  
Advocate, High Court



O R D E R.

On the basis of Test and Interview conducted by Finance Department, Govt: of NWFP, and subsequent recommendations of Govt: of NWFP, Finance Department an offer of appointment to Mr. Anwar Hussain S/o Muhammad Siddique, R/o Village and Post-Office, Ghaliqay Tehsil Barikot, Swat for the post of Operator (BPS-10) is hereby made subject to the following terms and conditions:-

- i) He will be placed in minim of BPS-10 (2490-160-7290) with usual allowances as permissible to Govt: Servant of the same pay scale.
- ii) His services will be governed under the Government of NWFP contract Policy, 2002.
- iii) His initial contract will be for three years which shall be automatically terminated. However, fresh contract would be executed, if the job is required to be continued, subject to his satisfactory performance.
- iv) Either party can terminate the contract on two months notice or two months salary in lieu thereof.
- v) He will be provided equal opportunities for local training.
- vi) He will be provided same facilities under Benevolent Fund as admissible to Government Servant at the rates to be prescribed by the Government.
- vii) He will avail the benefit of contributory provident fund (CPF) through 5% contribution of minimum of his pay and 5% contribution to be made by the Government.
- viii) He will not contribute to GPF and shall not be entitled for Pension and Gratuity benefits.

In case of acceptance, he is directed to report to EDO Finance and Planning, Swat for duty after Medical Examination from the Medical Superintendent concerned.

NO. 916-20 /65/DCO/Estt: DISTRICT COORDINATION OFFICER SWAT.

Copy forwarded to:-

- 1) The Secretary to Govt: of NWFP, Finance Department, Peshawar w/r to his letter No. EDPC/FD/1-1/2002/Vol:II, dt. 2.4.2003.
- 2) The EDO Finance and Planning, Swat.
- 3) The District Accounts Officer, Swat.
- 4) The Director, EDPC, Finance Deptt: Peshawar for information w/r to letter No. EDPC/FD/1-1/2002-Vol:II, dated 15.01.2003.
- 5) Mr. Anwar Hussain S/o Muhammad Siddique, R/o Vill: and PO Ghaliqay, Tehsil Barikot, District Swat for information and compliance.

*[Signature]*

C.T.C  
**ATTESTED**  
*[Signature]*

(9)

**PAKISTAN** National Identity Card  
 ISLAMIC REPUBLIC OF PAKISTAN

Name: **Anwar Hussain**

Gender: **M** Country of Birth: **Pakistan**

Identity Number: **15602-9351340-3** Date of Birth: **21.01.1978**

Date of Issue: **01.06.2017** Date of Expiry: **01.06.2027**

Holder's Signature

گشده کارڈ ملے پر قریبی لیڈ بکس میں ڈال دیں

101031220621  
114-78-304963

*[Signature]*  
**ATTESTED**

(10)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

# University of Peshawar

(Pakistan)

Session ANNUAL 2001

ANWAR HUSAIN SON OF MOHAMMAD SIDDIQUE and a student  
of DISTRICT SWAT having passed the prescribed examination  
held in SEPTEMBER 2001 is this day admitted by the University of Peshawar

to the Degree of  
**Master of Arts**

IN SECOND Division

The Subject of Examination being POLITICAL SCIENCE

The examination was taken as ~~a whole~~ in parts.

Serial No. 041047

Registration No. ST-PS-16973

Roll No. 20275

Result Declared on MARCH 05, 2002

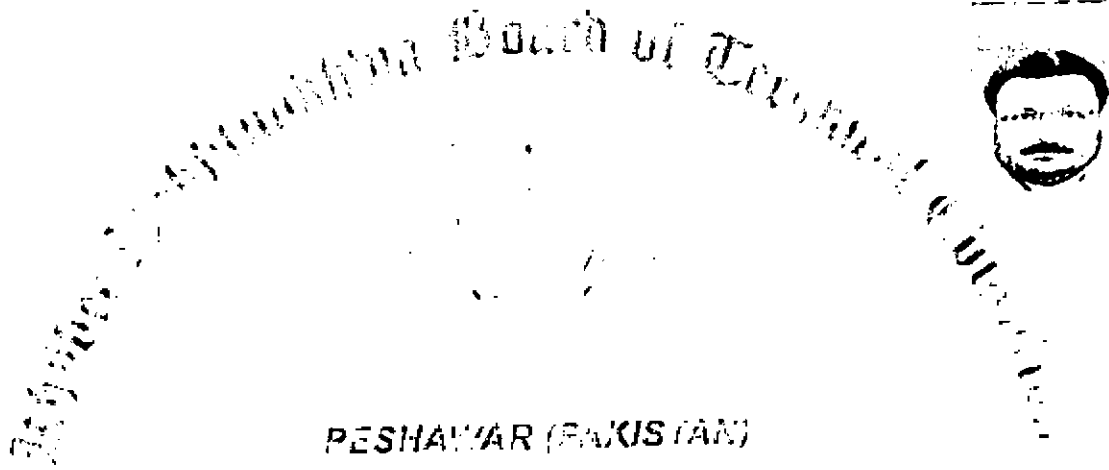


M. Javed Khan  
Registrar

Countersigned  
**ATTESTED**  
Vice-Chancellor

10862

Roll No 293258



**DIPLOMA IN INFORMATION TECHNOLOGY**

Session 2nd Term 2014

*This is to certify that*

Mr/Miss ANWAR HUSSAIN

Son/Daughter of MUHAMMAD SIDDIQ

Registration No CMS/SWT/DITR/IST-13/1888

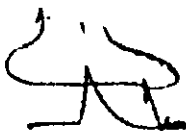
of THE COLLEGE OF MODERN SCIENCE SWAT

has satisfactorily completed the one year duration Information Technology course titled "Diploma in Information Technology" and passed the Examination held by the *Khyber Pakhtunkhwa Board of Technical Education Peshawar* in the month of August 2014

He/She secured 1057 Marks out of 1400 and has been placed in Grade A

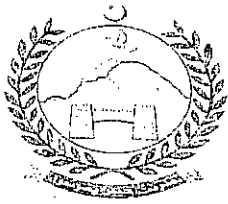
In recognition thereof this Diploma in Information Technology is awarded to him/her at Peshawar

on the 17th day of May 2016

  
ASSISTANT SECRETARY

  
**ATTESTED**

*This Diploma is issued without any alteration or eraser*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

12

No. SOR-VI(E&AD)/1-3/2012/APT Rules  
Dated Peshawar, the January 12, 2017.

To

1. The Additional Chief Secretary,  
Planning & Development Department.
2. The Additional Chief Secretary (FATA),  
FATA Secretariat.
3. The Senior Member Board of Revenue.
4. All Administrative Secretaries,  
to Government of Khyber Pakhtunkhwa.
5. All Divisional Commissioners in Khyber Pakhtunkhwa.
6. All Political Agents in FATA.
7. All Heads of the Attached Departments in Khyber Pakhtunkhwa.

Subject: DETERMINATION OF APPOINTING AUTHORITY FOR THE POSTS OF SUPERINTENDENT (BS-17), ASSISTANT (BS-16) AND COMPUTER OPERATOR (BS-16).

Dear Sir,

I am directed to refer to the subject noted above and to state that with regard to determination of appointing authority for the posts of Superintendent (BS-17), Assistant (BS-16) and Computer Operator (BS-16) in District Government, the following clarifications are hereby made:-

- i. The Appointing Authority for the post upgraded in BS-17 will be the Chief Secretary, Khyber Pakhtunkhwa in terms of Rule-4(1)(b) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
- ii. Appointing Authority for the posts upgraded in BPS-16 will be:-
  - a. In the case of Secretariat, the Chief Secretary, Khyber Pakhtunkhwa in terms of Rule-4(2)(a) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
  - b. In the case of attached department, the Head of Attached Department in terms of Rule-4(2)(c) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 and; any other case the Secretary of the Department concerned.

Yours faithfully,

(Saifullah Khan)  
Section Officer (Reg-VI)

**ATTESTED**




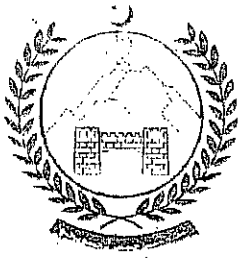
Endts: No. & date even

Copy of the above is forwarded for information to the:

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Military Secretary to Governor, Khyber Pakhtunkhwa.
4. The Registrar, Peshawar High Court, Peshawar.
5. The Registrar, Khyber Pakhtunkhwa Services Tribunal, Peshawar.
6. The Provincial Ombudsman, Khyber Pakhtunkhwa.
7. All heads of Authorities/ Autonomous/ Semi-Autonomous bodies in Khyber Pakhtunkhwa.
8. All Additional Secretaries/ Deputy Secretaries/ Section Officers in E&A Department.
9. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
10. PS to Chief Secretary, Khyber Pakhtunkhwa.
11. PS to Secretary Establishment.
12. PS to Special Secretary (Reg) Establishment Department
13. PA to Deputy Secretary (Policies), Establishment Department.

\*\* ia\*\* 1-3

  
Section Officer (Reg-VI)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE AND ESTATE DEPARTMENT

13

Peshawar dated the 23/11/2018

**NOTIFICATION**

No. Estt./DPC/\_\_\_\_\_ On the recommendation of Departmental Promotion Committee, the following Junior Scale Stenographers (BS-14) of the offices mentioned against their names are promoted as Senior Scale Stenographers (BS-16) on regular basis with immediate effect

S. No.	Name/ Designation	Office	Promoted
1	Mr. Inayat Khan, Junior Scale Stenographer	Deputy Commissioner office Dir Lower	Senior Scale Stenographer (BS-16)
2	Mr. Muhammad Wisal, Junior Scale Stenographer	Deputy Commissioner office Charsadda	Senior Scale Stenographer (BS-16)
3	Mr. Muhammad Hussain, Junior Scale Stenographer	Deputy Commissioner office Swat	Senior Scale Stenographer (BS-16)
4	Mr. Fazluddin, Junior Scale Stenographer	Deputy Commissioner office Chitral	Senior Scale Stenographer (BS-16)
5	Mr. Fazal Ahad, Junior Scale Stenographer	Deputy Commissioner office Shangla	Senior Scale Stenographer (BS-16)

On promotion, they will be on probation for a period of one year in terms of section-6 (2) of Khyber Pakhtunkhwa Civil Act, 1973 read with rules 15 of Khyber Pakhtunkhwa Civil Servant, Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989.

By order of  
Senior Member

No. Estt./DPC/ 37600-03

Copy forwarded to the

- Commissioners of the respective Divisions.
- Deputy Commissioner of the respective Districts.
- District Accounts Officers of the respective Districts.
- Officials concerned

E A

huda  
suppl.  
DMS  
2/12

Assistant Secretary (Estt)

**ATTESTED**



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

Tel No: 0946-9240336

No. 12457/7/Estt/DC

Fax No: 0946-9240329

E-mail: [Deputycommissionerswat1@gmail.com](mailto:Deputycommissionerswat1@gmail.com)

Dated: 08-04-2019.

**ORDER.**

**Mr Muhammad Hussain Senior Scale Stenographer (BPS-16)** of this office shall **stand retired** from Government Service e with effect from **07-04-2019** (A.N) on superannuation.

In pursuance of Rule-20 of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules, 1981, read with the Finance Department, Khyber Pakhtunkhwa Notification NO.SO(FR)FD/5-92/2005/Vol-V, dated 13-12-2012, sanction is hereby accorded to the grant of **leave encashment of L.P.R** for maximum period of **365 days** in lump sum in favour **Mr Muhammad Hussain Senior Scale Stenographer**.

No. 12458-59 /pen:

Deputy Commissioner Swat

Copy forwarded to:

- 1- The District Comptroller of Accounts, Swat.
- 2- The official concerned.

Deputy Commissioner Swat

**ATTESTED**

15

802  
REVENUE & ESTATE DEPARTMENT

011205 INCOME TAX

AMOUNT TO BE SPENT DURING THE  
YEAR 2018-2019

FUNCTIONAL-CUM OBJECT CLASSIFICATION & PARTICULARS OF THE SCHEME	NUMBER OF POSTS	AMOUNT TO BE SPENT DURING THE YEAR 2018-2019		
		NON RECURRING	RECURRING	TOTAL
		Rs	Rs	Rs
01 GENERAL PUBLIC SERVICE				
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL				
0112 FINANCIAL AND FISCAL AFFAIRS				
011205 INCOME TAX				
SW6348 Deputy Commissioner Swat				
(01-2018) Creation of posts for Internal Audit Cell, Swat				
A01 TOTAL EMPLOYEES RELATED EXPENSES.			<u>2,844,000</u>	<u>2,844,000</u>
A011 TOTAL PAY	<u>5</u>		<u>1,640,000</u>	<u>1,640,000</u>
A011-1 TOTAL PAY OF OFFICER	<u>4</u>		<u>1,500,000</u>	<u>1,500,000</u>
A01101 Basic Pay Of Officer	<u>4</u>		<u>1,500,000</u>	<u>1,500,000</u>
A166 Audit Officer (BPS-18)	1		600,000	600,000
A168 Auditor (BPS-16)	2		600,000	600,000
C082 Computer Operator (BPS-16)	1		300,000	300,000
A011-2 TOTAL PAY OF OTHER STAFF	<u>1</u>		<u>140,000</u>	<u>140,000</u>
A01151 Basic Pay Other Staff	<u>1</u>		<u>140,000</u>	<u>140,000</u>
N005 Naib Qasid (BPS-03)	1		140,000	140,000
A012 TOTAL ALLOWANCES			<u>1,204,000</u>	<u>1,204,000</u>
A012-1 REGULAR ALLOWANCES			<u>1,204,000</u>	<u>1,204,000</u>
A01202 House Rent Allowance			400,000	400,000
A01203 Conveyance Allowance			300,000	300,000
A01207 Washing Allowance			2,000	2,000
A01208 Dress Allowance			2,000	2,000
A01217 Medical Allowance			100,000	100,000
A0121T Adhoc Relief Allowance 2013			100,000	100,000
A0122C Adhoc Relief Allowance - 2015			100,000	100,000
A0122M Adhoc Relief Allowance 2016			100,000	100,000
A0122Y Ad-hoc Relief Allowance 2017			100,000	100,000
Creation of posts for Internal Audit Cell, Swat			<u>2,844,000</u>	<u>2,844,000</u>

  
**ATTESTED**



OFFICE OF THE DEPUTY COMMISSIONER, SWAT

To: At: 199/DC/EsII  
Fax No: 0911-2222222  
E-mail: dc@swat.gov.pk

679-80  
01/9/2019

To:

In-charge, Board of Revenue (B.R.)  
Board of Revenue, Revenue & Estate Department  
Khyber Pakhtunkhwa, Peshawar

Subject: DSC/DPC MEETING

Memo

Please refer to the above cited subject

In order to consider promotion of Junior Scale Stenographer (BPS-14) to the post of Senior Scale Stenographer (BPS-16), a meeting of Departmental Selection/Promotion Committee has been scheduled to be held on 08/04/2019 at 11:30 AM in this office.

It is requested that representative of your office may be deputed to attend the subject meeting on the date and time mentioned (copy of working paper enclosed)

DEPUTY COMMISSIONER,  
SWAT. A.

No. 679-80 /9/DC/EsII

Copy alongwith copy of working paper forwarded to -

- 1- The Secretary to Commissioner Matakand Division, Saidu Sharif for information. please.
- 2- The Assistant Commissioner Babuzai Swat with the request to attend the meeting on the date and time please

ATTESTED

DEPUTY COMMISSIONER,  
SWAT. A.

WORKING PAPER FOR FILLING UP THE VACANT POST OF SENIOR SCALE STENOGRAPHER (BS-16)

The post of Senior Scale Stenographer (BS-16) in this office was vacant due to retirement of Mr Muhammad Hussain, Senior Scale Stenographer on 07/04/2018


According to service rules the post of Senior Scale Stenographer (BS-16) is to be filled in

- a) Sixty percent by promotion on the basis seniority-cum-fitness from Stenographers with at least five years service as such in the office of respective Deputy Commissioner\*
- &
- b) Forty percent by promotion on the basis of seniority cum fitness from amongst the Computer Operators with at least five years service as such in the office of respective Deputy Commissioner\*

Panel of the following Junior Scale Stenographers is given below:-

S No	Name of Assistant	Date of Birth	1 <sup>st</sup> entry into Govt. Service	Date of Appointment/ Promotion as Junior Scale Stenographer
1-	Mr Muhammad Akbar	15/04/1964	02/11/1982	02/10/1989
2-	Mr Samu'ah	15/04/1967	01/11/1992	01/11/1992
3-	Mr Shah Riaz	01/04/1989	24/04/2018	24/04/2018

The post is required to be filled up through Departmental Selection/ Promotion Committee Original ACRs for the period from 1989 to 31/12/2018 and in respect of the official at S. No. 1. photocopies of ACRs of the official at S. No. 2 for the period from 1992 to 31/12/2018 as the original have been sent to the Board of Revenue, through Commissioner, Malakand Division in another case and synopsis of both the officials are placed before the Departmental Selection/ Promotion Committee for discussion/decision, please.

  
 DEPUTY COMMISSIONER  
 SWAT.  
**ATTESTED**

18

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

Peshawar Dated the 23/01/2015

NOTIFICATION

No. 2074/Estt:VII/135/SSRC.

In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department, in consultation with Establishment Department and the Finance Department, hereby lays down the method of recruitment qualification and other condition specified in column 3 to 5 of the Appendix to this Notification and applicable to posts borne on the cadre strength of Deputy Commissioners specified in column 2 of the said Appendix.

APPENDIX

No.	Nomenclature of posts with BPS	Minimum qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
	2	3	4	5
	Superintendent (BPS-17)	.....	.....	By promotion on the basis of seniority-cum-fitness, from amongst the Assistants (BPS-16) of the district concerned with atleast five years service in the offices of respective Deputy Commissioner and Political Agents.

  
**ATTESTED**

	(i) At least Second Class Bachelor's Degree, from a recognized university; (ii) a speed of 70 words per minute in shorthand in English and 45 words per minutes in typing; and (iii) Knowledge of computer using MS Word, MS Excel.	20 to 32 years	(a) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents; and (b) forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents:  Provided that if no suitable person is available for promotion then by initial recruitment.
Assistant (BPS-16)	At least Second Class Bachelor's Degree from a recognized University.	20 to 30 years	(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with atleast five years service as Junior and Senior Clerk in the Offices of Deputy Commissioners and Political Agents of district concerned; and (b) twenty five percent by initial recruitment from amongst the candidates of the district concerned.
Head Clerk (BPS-14)			By transfer from amongst Senior Clerks (BPS-14) of the district concerned.
Stenographer (BPS-14)	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board;	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.

ATTESTED



		(ii) a speed of 50 words per minute in shorthand in English and 35 words per minute in typing; and (iii) knowledge of computer in using MS Word, MS Excel.		
6.	Senior Clerk (BPS-14)			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks of the district concerned with atleast two years service as such.
7.	Computer Operator (BPS-12)	(i) At least Second Class Bachelor's Degree in Computer Science/ Information Technology(BCS/BIT four years), from a recognized university; (ii) at least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	18-to 28 years	By initial recruitment from amongst the candidates of the district concerned.
8.	Pesh Imam (BPS-12)	Sanad in Dars-e- Nizami or a Sanad of Fazail-e-Arabi  <b>Note:</b> Preference will be given Hafiz-e-Quran.	18-to 32 years	By initial recruitment from amongst the candidates of the district concerned.
9.	Sub Engineer (BPS-11)	Diploma in Associate Engineering in Civil Technology from Board of Technical Education with certificate in Computer Aided Design (CAD) from recognized Institution.	18-30 years	By initial recruitment from amongst the candidates of the district concerned.
10.	Junior Clerk (BPS-1)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Qasids and Naib Qasids including holders of other equivalent posts in the district concerned with two years service as such, who have passed Secondary School Certificate Examination; and (b) sixty seven percent by initial recruitment from

  
**ATTESTED**

the candidates of the district concerned.

**Note:** For the purpose of promotion there shall be maintain a common seniority list of Qasid and Naib Qasid etc with reference to the date of their appointment:

Provided that no separate seniority list of Matric and non-matric BS-1 (Class-IV) employees can be maintained being single cadre. Their seniority shall be fixed with reference to the date of their regular appointment:

Provided further that where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possession the requisite qualification shall be promoted in preference to the senior official or officials.

1.	Reader/Record Keeper (BPS-7).	At least second division in Secondary School Certificate or equivalent qualification from a recognized Board.	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.
2.	Alhamad (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By initial recruitment from amongst the candidates of the district concerned.
3.	Driver (BPS-4)	Literate having LTV driving license issued by the competent authority. Preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.	18-32 years	By initial recruitment from amongst the candidates of the district concerned.
4.	Khadim (BPS-4)	Literate. <b>Note:</b> Preference will be given to Hafiz-e-Quran	18-32 years	By initial recruitment from amongst the candidates of the district concerned.

  
**ATTESTED**

224

	Process Server (EPS-2)	Literate.		18-32 years	By initial recruitment from amongst the candidates of the district concerned.
16.	Qasid (EPS-2)		---	---	By promotion on the basis of Seniority-cum-fitness, from amongst the Naib Qasids with two years as such.
17.	Naib Qasid/ Chowkidar/Sweeper/ Mali (BPS-1)	Literate.		18-32 years	By initial recruitment from amongst the candidates of the district concerned."

Sd/-  
SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
REVENUE & ESTATE DEPARTMENT

  
**ATTESTED**



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

Tel No: 0946-9240336

Fax No: 0946-9240329

E-mail: Deputycommissionerswat1@gmail.com

No. 447 /9/DC/Estt:

Dated: 09-9 /2019

ORDER.

Upon the recommendations of the Departmental Selection/Promotion Committee in its meeting held on 09/04/2019, Mr. Muhammad Akbar, Junior Scale Stenographer (BPS-14) is hereby promoted to the post of Senior Scale Stenographer (BPS-16) on regular basis with immediate effect with the condition that he will remain on probation for a period of one year as provided under Rule-6(2) of the Civil Servant Act, 1973, read with Rule-15(1) of Appointment/Promotion and Transfer, Rules, 1989.

DEPUTY COMMISSIONER,  
SWAT

No. 748-92 /9/DC/Estt:

Copy forwarded to:-

- 1- The Secretary to Govt: of Khyber Pakhtunkhwa, Board of Revenue, Peshawar.
- 2- The Secretary to Commissioner, Malakand Division, Saidu Sharif.
- 3- The District Comptroller of Accounts, Swat.
- 4- Nazir-II, local office.
- 5- Official concerned.

DEPUTY COMMISSIONER,  
SWAT

*EA*  
*[Signature]*  
*10/01/19*

*Already received  
File #*

*11/4/19*

*[Signature]*  
**ATTESTED**

(24)



## OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

Tel No: 0946-9240336  
 Fax No: 0946-9240329  
 E-mail: [Deputycommissionerswat1@gmail.com](mailto:Deputycommissionerswat1@gmail.com)

No. 15834 /PFDated: 14/05 /2019

To,

Mr. Anwar Hussain, Computer Operator  
 Finance Wing, local office.

Subject:

APPEAL FOR PROMOTION TO THE POST OF SENIOR SCALE  
 STENOGRAPHER BPS-16

Memo:

Reference your application dated: 12/04/2019 on the above cited  
 subject.

Your previous application dated: 01/04/2019 was discussed in the  
 meeting of Departmental Promotion Committee held on 09/04/2019 and advice  
 was sought from Establishment Department, Khyber Pakhtunkhwa through  
 phone. According to rules, the post of Senior Scale Stenographer is to be filled  
 by promotion:-

- 1- Junior Scale Stenographer 60%..... 0.6=01
- 2- Computer Operator 40%..... 0.4= less than 1

As there is only one post of Senior Scale Stenographer in this office  
 therefore, after due discussion the committee decided/recommended that the  
 post of Senior Scale Stenographer be filled under 60% quota reserved for Junior  
 Scale Stenographer.

Your application having no merit is rejected.

  
 DEPUTY COMMISSIONER,  
 SWAT.

  
 ATTESTED

To,

The Deputy Commissioner, Swat.

Subject: APPEAL FOR PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER (BPS-16).

Sir,

With due respect and regards it is stated that I am serving as Computer Operator (BPS-16) in Finance & Planning Wing of your good office since 17/04/2003 and the senior most amongst the existing cadre. As per the existing service rules, I am due for promotion to the post of Senior Scale Stenographer (BPS-16) under forty percent quota. In this regard I have already submitted an application to your good self on 01/04/2019. (Copy attached).

Now it has been learnt through reliable sources that Mr. Muhammad Akbar Stenographer (BPS-14) is illegally promoting to the said post under sixty percent quota. Despite the facts the retiree Mr. Muhammad Hussain was already promoted under sixty percent quota (Copy attached) and now the post has to be filled in from amongst the Computer Operators under forty percent quota as per the existing service rules.

It is therefore, humbly requested that the promotion of Mr. Muhammad Akbar Stenographer is illegal and violation of the existing service rules, may be held in abeyance as Mr. Muhammad Hussain was promoted to Senior Scale Stenographer (BPS-16) under 60% quota from the Stenographer and now the post has to be filled from Computer Operators @ 40% quota in light of the existing service rules and the promotion process may kindly be review and the right of promotion may be given to the deserving one, please.

Your Sincerely,

*Anwar Hussain* 12/4/19

(Anwar Hussain)  
Computer Operator (BPS-16)  
(Finance & Planning Wing)  
O/O Deputy Commissioner Swat

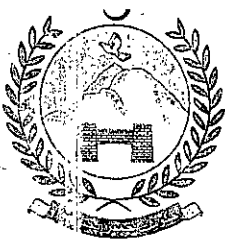
Copy forwarded for necessary action and sympathetic considerations to:

1. The Senior Member, Board of Revenue, Revenue & Estate Department, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner, Malakand Division, Saidu Sharif, Swat.

**ATTESTED**

*Anwar Hussain* 12/4/19

(Anwar Hussain)  
Computer Operator (BPS-16)  
(Finance & Planning Wing)  
O/O Deputy Commissioner Swat



OFFICE OF THE DEPUTY COMMISSIONER SWAT  
(FINANCE & PLANNING WING)

Phone: 0946-9240095. Email: [ap.swat@yahoo.com](mailto:ap.swat@yahoo.com)

26

No. 480 /DO(F&P)/Misc. Dated: 01 /04/2019.

Finance & Planning Swat, at Saidu Sharif <http://www.swat.finance.gkp.pk> [facebook.com/financeswat](https://www.facebook.com/financeswat)

To  
The Deputy Commissioner Swat.

Subject: PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER  
(BPS-16) UNDER 40% QUOTA

Please refer to the subject noted.

Kindly find enclosed the application submitted through proper channel by Mr. Anwar Hussain, Computer Operator (BPS-16), presently posted in Finance & Planning Wing of this office, for necessary consideration under the rules please.

DISTRICT OFFICER,  
FINANCE & PLANNING SWAT

MF

Received  
~~to~~  
01-4-2019

**ATTESTED**

To,

The Deputy Commissioner, Swat.

*THROUGH PROPER CHANNEL.*

Subject: PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER (BPS-16)  
UNDER 40% QUOTA.

Sir,

Respectfully it is stated for sympathetic consideration that the post of Senior Scale Stenographer (BPS-16) is to be vacated due to retirement of Mr. Mohammad Hussain, Senior Scale Stenographer (BPS-16) and will be filled up in the near future. According to S. No. 2 of the Government of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department Notification No. 2074/Estt:II/135/SSRC dated 23.01.2015, the method of recruitment for the post of Senior Scale Stenographer is as under:

- a) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers with at least Five years service as such in the office of respective Deputy Commissioners and Political Agents; and
- b) Forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with at least Five years service as such in the offices of respective Deputy Commissioners and Political Agents:

Provided that if no suitable person is available then by initial recruitment.

Sir, I am serving as Computer Operator (BPS-16) in the Finance & Planning Wing of this office since 17.04.2003 and I am the senior most amongst all the Computer Operators. I am therefore eligible for promotion to the post of Senior Scale Stenographer (BPS-16) under 40% Quota.

It is therefore, requested that my case may very kindly be considered and I may be promoted to the post of Senior Scale Stenographer (BPS-16) against the vacant post in the office of the Deputy Commissioner, Swat and obliged.

Your Obedient Servant,

*Anwar Hussain*

Anwar Hussain  
Computer Operator,  
(Finance & Planning Wing)  
Office of the Deputy Commissioner, Swat

Dated: 01.04.2019

**ATTESTED**



28

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT  
PESHAWAR

**WAKALAT NAMA**

Service Appeal No \_\_\_\_\_ M of 2019

Anwar Hussain .....Appellant

VERSUS

SMBR and others.....Respondents

I/We, Anwar Hussain / appellant, do hereby appoint **Muhammad Nabi Advocate**, High Court, in the above mentioned case, to do all or any of the following acts, deeds and things:-


- 1) To appear, act and plead for me in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file, petitions, appeals, affidavits and applications as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at all its stages.
- 3) That entire fee so fixed will be payable in two equal installments: i.e., half fee at this time of signing Wakalat Nama and remaining on the first date of hearing.
- 4) To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of the proceedings.
- 5) To do any act necessary or ancillary to the above acts, deed and things.
- 6) To appoint any other counsel to do any /all of the acts, deeds and things.
- 7) I/We, shall appear in the court/tribunal on every date of hearing for assistance and if due to my non appearance, any adverse judgment / order / decree is passed, they will not be held responsible.

IN WITNESS whereof I / We have signed this Wakalat Nama hereunder, the contents of which have been read / explained to me and fully understood by me this 2<sup>nd</sup> July, 2019.

*Anwar Hussain*

Signature of Executant

ATTESTED & ACCEPTED BY:

  
**Muhammad Nabi**  
Advocate, High Court

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

APPEAL No. 942 of 20 19

TB

Amir Hussain

Appellant/Petitioner

Versus

SMBR, K P U Pesh.

RESPONDENT(S)

Counsel

Notice to Appellant/Petitioner

Mohammad Nabe

Advocate PHC

at Peshawar Swat

7

Take notice that your appeal has been fixed for Preliminary hearing, replication/affidavit/counter affidavit/record/arguments/order before this Tribunal on 25/8/19 at 7:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court Swat

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

APPEAL No. 762 of 20 TB  
19

Ammar Hussain

Appellant/Petitioner

Versus

SAABR, KPSC Pesh:

RESPONDENT(S)

✓  
Notice to Appellant/Petitioner Ammar Hussain,

Computer operator BPS-16  
Finance & Planning Wing o/o  
office of Deputy Commissioner Swat

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25/8/2021 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court Swat

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No. 7112 of 20 19

Mr. A. H. Khan Appellant/Petitioner

Versus

Govt. of K.P. Respondent

Respondent No. 2

Notice to:

*Commissioner of District Council Peshawar at  
Saidu Sharif Smart*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 7/11/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this 7/11 .....

Day of Sept ..... 20 21

*at Complaint Smart*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR

W.P No. 942/2019

Mr. Anwar Hussin (Computer Operator)

Finance & Planning Wing o/o Deputy Commissioner Swat

----- Petitioner

Versus

1. Senior Member Board of Revenue, Revenue & Estate Department, Govt. of Khyber Pakhtunkhwa, Peshwar
2. Commissioner Malakand Division at Saidu Sharif Swat.
3. Deputy Commissioner, Swat At Gulkada, Swat & Others.

----- Respondent

INDEX

S.No	Description	Annexure	Pages
1.	Comments	-----	1-2
2.	Copies of relevant record	-----	3-19
3.	Authority	-----	20
4.			
5.			

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

Appeal No. 942/2019

Mr. Anwar, Hussain (Computer Operator)

Finance & Planning Wing O/O Deputy Commissioner Swat.....APPELLANT

**VERSUS**

1. Senior Member, Board of Revenue, Revenue & Estate Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
2. Commissioner Malakand Division at Saidu Sharif Swat.
3. Deputy Commissioner, Swat

.....RESPONDENTS

**JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1, 2 & 3**

**Respectfullay Sheweth,**

- 1- Pertains to record.
- 2- Pertains to record.
- 3- Pertains to record.
- 4- As there is only one sanctioned post of Senior Scale Stenographer (BPS-16), against which Mr. Muhammad Akbar was promoted to the post of Senior Scale Stenographer (BPS-16) under 60% quota being senior most amongst the Junior Scale Stenographers (BPS-14). Moreover, Senior Scale Stenographers and Computer Operators have the same Basic Pay Scale, therefore, the post of Senior Scale Stenographer (BPS-16) was filled from amongst the Junior Scale Stenographers (BPS-14). Rest of Para pertains to record.
- 5- Correct.
- 6- Incorrect.


2


**GROUNDS.**

- A. Incorrect. The appellant was appointed on 14/04/2003, whereas appointment date of the Senior Scale Stenographer (BPS-16) is 02/11/1982.
- B. Incorrect. All the procedure of promotion has been adopted according to the rules/law and with due consultation with Establishment Department.
- C. Incorrect. However, promotion of the appellant will be considered under 40% quota as and when the post of Senior Scale Stenographer (BPS-16) becomes vacant or new post is sanctioned.
- D. Incorrect.
- E. Incorrect.
- F. Incorrect.
- G. That the respondents also seek permission of this honorable court to raise further points at the time of arguments.

**PRAYER**

It is therefore, humbly prayed that the instant appeal is not maintainable and may kindly be dismissed, please.

  
**Senior Member Board of Revenue**  
Revenue & Estate Department, Govt. of Khyber  
Pakhtunkhwa, Peshawar  
**RESPONDENT NO. 1**  
**Secretary to Government**  
Revenue & Estate Department  
Khyber Pakhtunkhwa

  
**Commissioner, Malakand Division**  
**RESPONDENT NO. 2**  
Commissioner, Malakand Division.

  
**Deputy Commissioner, Swat**  
**RESPONDENT NO. 3**  
**Deputy Commissioner**  
**SWAT.**

GOVERNMENT OF NWFP, FINANCE DEPARTMENT, PESHAWAR. DATED THE 24/01/2003.

On the basis of Test and Interview conducted by Finance Department, Govt: of NWFP, and subsequent recommendations of Govt: of NWFP, Finance Department an offer of appointment to Mr. Anwar Hussain S/o Muhammad Siddique, R/o Village and Post-Office, Ghaliqay Tehsil Barikot, Swat for the post of Operator (BPS-10) is hereby made subject to the following terms and conditions:-

- i) He will be placed in minimum of BPS-10 (2490-160-7290) with usual allowances as permissible to Govt: Servant of the same pay scale.
- ii) His services will be governed under the Government of NWFP contract Policy, 2002.
- iii) His initial contract will be for three years which shall be automatically terminated. However, fresh contract would be executed, if the job is required to be continued, subject to his satisfactory performance.
- iv) Either party can terminate the contract on two months notice or two months salary in lieu thereof.
- v) He will be provided equal opportunities for local training.
- vi) He will be provided same facilities under Benevolent Fund as admissible to Government Servant at the rates to be prescribed by the Government.
- vii) He will avail the benefit of contributory provident fund (CPF) through 5% contribution of minimum of his pay and 5% contribution to be made by the Government.
- viii) He will not contribute to GPS and shall not be entitled for Pension and Gratuity benefits.

In case of acceptance, he is directed to report to EDO Finance and Planning, Swat for duty after medical Examination from the Medical Superintendent concerned.

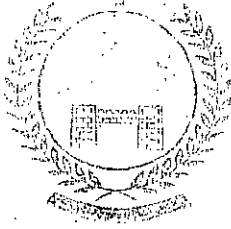
NO. 916-24/65/DCO/Satt: DISTRICT COORDINATION OFFICER SWAT.  
Copy forwarded to:-

- 1) The Secretary to Govt: of NWFP, Finance Department, Peshawar w/r to his letter No. EDPC/FD/1-1/2002/Vol:II, dt. 2.4.2003.
- 2) The EDO Finance and Planning, Swat.
- 3) The District Accounts Officer, Swat.
- 4) The Director, EDPC, Finance Deptt: Peshawar for information w/r to letter No. EDPC/FD/1-1/2002-Vol:II, dated 15.01.2003.
- 5) Mr. Anwar Hussain S/o Muhammad Siddique, R/o Vill: and PO Ghaliqay, Tehsil Barikot, District Swat for information and compliance.

*[Handwritten signature]*

C.T.-C  
*[Handwritten initials]*





4

15

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE AND ESTATE DEPARTMENT

Peshawar dated the 23/11/2018

**NOTIFICATION**

No. Est/IDPC/..... On the recommendation of Departmental Promotion Committee, the following Junior Scale Stenographers (BS-14) of the offices mentioned against their names are promoted as Senior Scale Stenographers (BS-16) on regular basis with immediate effect.

S. No.	Name/ Designation	Office	Promoted
1	Mr. Inayat Khan, Junior Scale Stenographer	Deputy Commissioner office Dir Lower	Senior Scale Stenographer (BS-16)
	Mr. Muhammad Wisal, Junior Scale Stenographer	Deputy Commissioner office Charsadda	Senior Scale Stenographer (BS-16)
	Mr. Muhammad Hussain, Junior Scale Stenographer	Deputy Commissioner office Swat	Senior Scale Stenographer (BS-16)
	Mr. Farzuddin, Junior Scale Stenographer	Deputy Commissioner office Chitral	Senior Scale Stenographer (BS-16)
	Mr. Fozal Ahmad, Junior Scale Stenographer	Deputy Commissioner office Shangla	Senior Scale Stenographer (BS-16)

On promotion, they will be on probation for a period of one year in terms of section 21 of Khyber Pakhtunkhwa Civil Act, 1973 read with rules 15 of Khyber Pakhtunkhwa Civil Servant, Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1980.

By order of  
Senior Member

No. Est/IDPC/ 37600-03

is forwarded to the

- 1. Commissioners of the respective Divisions.
- 2. Deputy Commissioner of the respective Districts.
- 3. District Accounts Officers of the respective Districts.
- 4. Officials concerned.

E. H.  
Handwritten signature  
D/MS  
3/12

Handwritten signature  
Assistant Secretary (Estt)

(3)

(X)



OFFICE OF THE DEPUTY COMMISSIONER, SWAT

Tel No: 0946-9240336  
Fax No: 0946-9240329

No: 2457/7/Estt/DC

E-mail: [Deputycommissionerswat1@gmail.com](mailto:Deputycommissionerswat1@gmail.com)

Dated: 08-04-2019

ORDER.

Mr Muhammad Hussain Senior Scale Stenographer (BPS-16) of this office shall stand retired from Government Service e with effect from 07-04-2019 (A.N) on superannuation.

In pursuance of Rule-20 of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules, 1981, read with the Finance Department Khyber Pakhtunkhwa Notification NO.SO(FR)FD/5-92/2005/Vol-V, dated 13-12-2012, sanction is hereby accorded to the grant of leave encashment of L.P.R for maximum period of 365 days in lump sum in favour of **Mr Muhammad Hussain Senior Scale Stenographer**.

Deputy Commissioner Swat

No: 2457/7/Estt/DC

Copy forwarded to:

- The District Comptroller of Accounts, Swat
- The official concerned

Deputy Commissioner Swat

Recipients & date given

of the above is forwarded in connection to the:

- 1. The Principal Secretary to Governor, Khyber Pakhtunkhwa
- 2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
- 3. The Military Secretary to Governor, Khyber Pakhtunkhwa
- 4. The Registrar, Peshawar High Court, Peshawar
- 5. The Registrar, Khyber Pakhtunkhwa Services Tribunal, Peshawar
- 6. The Registrar, Khyber Pakhtunkhwa
- 7. The Provincial Commissioners, Khyber Pakhtunkhwa
- 8. All heads of Autonomous/Semi-Autonomous bodies in Khyber Pakhtunkhwa.
- 9. All Additional Secretaries/Deputy Secretaries/Section Officers in E&A Department.
- 10. The Secretary, Khyber Pakhtunkhwa Public Service Commission
- 11. PS to Chief Secretary, Khyber Pakhtunkhwa
- 12. PS to Secretary Establishment
- 13. PS to Special Secretary (Reg) Establishment Department
- 14. PA to Deputy Secretary (Policies), Establishment Department.

Section Officer (Reg-V)

802  
REVENUE & ESTATE DEPARTMENT

011205 INCOME TAX

AMOUNT TO BE SPENT DURING THE  
YEAR 2018-2019

FUNCTIONAL-CUM OBJECT CLASSIFICATION & PARTICULARS OF THE SCHEME	NUMBER OF POSTS	AMOUNT TO BE SPENT DURING THE YEAR 2018-2019		TOTAL
		NON RECURRING Rs	RECURRING Rs	
01 GENERAL PUBLIC SERVICE				
011 EXECUTIVE & LEGISLATIVE ORGANS, FINANCIAL				
0112 FINANCIAL AND FISCAL AFFAIRS				
011205 INCOME TAX				
SW6348 Deputy Commissioner Swat				
(01-2018) Creation of posts for Internal Audit Cell, Swat				
A01 TOTAL EMPLOYEES RELATED EXPENSES			<u>2,844,000</u>	<u>2,844,000</u>
A011 TOTAL PAY	<u>5</u>	<u>1,640,000</u>		<u>1,640,000</u>
A011-1 TOTAL PAY OF OFFICER	<u>4</u>	<u>1,500,000</u>		<u>1,500,000</u>
A01101 Basic Pay Of Officer	<u>4</u>	<u>1,500,000</u>		<u>1,500,000</u>
A166 Audit Officer (BPS-18)	1	600,000		600,000
A168 Auditor (BPS-16)	2	600,000		600,000
C082 Computer Operator (BPS-16)	1	300,000		300,000
A011-2 TOTAL PAY OF OTHER STAFF	<u>1</u>	<u>140,000</u>		<u>140,000</u>
A01151 Basic Pay Other Staff	<u>1</u>	<u>140,000</u>		<u>140,000</u>
N005 Naib Qasid (BPS-03)	1	140,000		140,000
A012 TOTAL ALLOWANCES		<u>1,204,000</u>		<u>1,204,000</u>
A012-1 REGULAR ALLOWANCES		<u>1,204,000</u>		<u>1,204,000</u>
A01202 House Rent Allowance		400,000		400,000
A01203 Conveyance Allowance		300,000		300,000
A01207 Washing Allowance		2,000		2,000
A01208 Dress Allowance		2,000		2,000
A01217 Medical Allowance		100,000		100,000
A01211 Adhoc Relief Allowance 2013		100,000		100,000
A0122C Adhoc Relief Allowance - 2015		100,000		100,000
A0122M Adhoc Relief Allowance 2016		100,000		100,000
A0122Y Ad-hoc Relief Allowance 2017		100,000		100,000
Creation of posts for Internal Audit Cell, Swat			<u>2,844,000</u>	<u>2,844,000</u>



OFFICE OF THE DEPUTY COMMISSIONER, SWAT

To No. 0046  
Fax No. 6946  
Email: [redacted]

To: The Assistant Secretary (Estt)  
Board of Revenue Revenue & Estate Department  
Khyber Pakhtunkhwa, Peshawar

Subject: QSC/DPC MEETING

Memo  
Please refer to the above cited subject

In order to consider promotion of Junior Scale Stenographer (BPS-14) to the post of Senior Scale Stenographer (BPS-16), a meeting of Departmental Selection Promotion Committee has been scheduled to be held on 09/04/2019 at 11:30 AM in this office.

It is requested that representative of your office may be requested to attend the subject meeting on the date and time please (copy of working paper enclosed)

DEPUTY COMMISSIONER,  
SWAT. K.

No. 679-20 /9/DC/Estt

Copy alongwith copy of working paper forwarded to:-

- 1- The Secretary to Commissioner Malakand Division, Saidu Shari for information, please.
- 2- The Assistant Commissioner Babuzai Swat with the request to attend the meeting on the date and time, please.

DEPUTY COMMISSIONER,  
SWAT. K.

31

**WORKING PAPER FOR FILLING UP THE VACANT POST OF SENIOR SCALE STENOGRAPHER (BS-16)**

The post of Senior Scale Stenographer (BS-16) in this office is vacant due to retirement of Mr. Muhammad Hussain, Senior Scale Stenographer (BS-16) on 27/04/2019.

According to service rules the post of Senior Scale Stenographer (BS-16) is to be filled as follows:

- a) Seventy percent by promotion on the basis of seniority-cum-fitness from Stenographers with at least five years service as such in the office of respective Deputy Commissioner.
- &
- b) Forty percent by promotion on the basis of seniority cum fitness from amongst the Computer Operators with at least five years service as such in the office of respective Deputy Commissioner.

Panel of the following Junior Scale Stenographers is given below:

S No	Name of Assistant	Date of Birth	1 <sup>st</sup> entr. into Govt Service	Date of Appointment / Promotion to Junior Scale Stenographer
1-	Mr. Muhammad Akbar	15/04/1964	02/11/1982	02/10/1989
2-	Mr. Samad Khan	15/04/1967	01/11/1992	01/11/1992
3-	Mr. Shah Riaz	01/04/1989	24/04/2018	24/04/2018

The post is required to be filled up through Departmental Selection/ Promotion Committee. Original ACPs for the period from 1989 to 31/12/2018 and in respect of the official at S No. 1 photocopies of ACPs of the official at S No. 2 for the period from 1992 to 31/12/2018 as the original have been sent to the Board of Revenue, through Commissioner, Malakand Division in another case and synopsis of both the officials are placed before the Departmental Selection/ Promotion Committee for discussion/decision, please.

**DEPUTY COMMISSIONER  
SWAT.**

GOVERNMENT OF PUNJAB  
BOARD OF REVENUE & ESTATE OFFICERS  
REVENUE & ESTATE DEPARTMENT

Peshawar Dated the 23/01/2015

NOTIFICATION

In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department, in consultation with Establishment Department and the Finance Department, hereby lays down the method of recruitment qualification and other condition specified in column 3 to 5 of the Appendix to this Notification and applicable to posts borne on cadre strength of Deputy Commissioners specified in column 2 of the said Appendix.

APPENDIX

Sl. No./Nomenclature of posts with BPS	Minimum qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
2 Superintendent (BPS-17)	3	4	5
By promotion on the basis of seniority-cum-fitness, from amongst the Assistants (BPS-16) of the district concerned with atleast five years service in the offices of respective Deputy Commissioner and Political Agents.			

	<p>(iii) Knowledge of computer using MS Word, MS Excel.</p>	<p>... seniority cum-fitness, from amongst the Stenographers with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents; and</p> <p>(b) forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents;</p>
3. Assistant (BPS-16)	At least Second Class Bachelor's Degree from a recognized University.	<p>20 to 30 years</p> <p>Provided that if no suitable person is available for promotion then by initial recruitment.</p> <p>(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with atleast five years service as Junior and Senior Clerk in the Offices of Deputy Commissioners and Political Agents of district concerned; and</p> <p>(b) twenty five percent by initial recruitment from amongst the candidates of the district concerned.</p>
Head Clerk (BPS-14)		
Stenographer (BPS-14)	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board;	<p>18 to 30 years</p> <p>By transfer from amongst Senior Clerks (BPS-14) of the district concerned.</p> <p>By initial recruitment from amongst the candidates of the district concerned.</p>



(ii) a speed of 20 words per minute in shorthand in English and 30 words per minute in typing; and  
(iii) knowledge of computer in using MS Word, MS Excel.

6. Senior Clerk (BPS-14)				By promotion on the basis of seniority-cum-fitness, from amongst the Junior Clerks of the district concerned with atleast two years service as such.
7. Computer Operator (BPS-12)	(i) At least Second Class Bachelor's Degree in Computer Science/ Information Technology(BCS/BIT four years), from a recognized university; (ii) at least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	18-to 28 years		By initial recruitment from amongst the candidates of the district concerned.
8. Pesh Imam (BPS-12)	Sanad in Dars-e- Nizami or a Sanad of Fazail-e-Arabi  Note: Preference will be given Hafiz-e-Quran.	18-to 32 years		By initial recruitment from amongst the candidates of the district concerned.
9. Sub Engineer (BPS-11)	Diploma in Associate Engineering in Civil Technology from Board of Technical Education with certificate in Computer Aided Design (CAD) from recognized Institution.	18-30 years		By initial recruitment from amongst the candidates of the district concerned.
10. Junior Clerk (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years		(a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Qasids and Naib Qasids including holders of other equivalent posts in the district concerned with two years service as such, who have passed Secondary School Certificate Examination; and  (b) sixty seven percent by initial recruitment from

(20)

(the candidate should be of local concern)

Note: For the purpose of promotion of Qasid and Naib Qasid etc with reference to the date of their appointment:

Provided that no separate seniority list of Matric and non-matric BS-I (Class-IV) employees can be maintained being single cadre. Their seniority shall be fixed with reference to the date of their regular appointment:

Provided further that where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possession the requisite qualification shall be promoted in preference to the senior official or officials.

1.	Reader/Record Keeper (BPS-7)	At least second division in Secondary School Certificate or equivalent qualification from a recognized Board.	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.
2.	Alhamad (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By initial recruitment from amongst the candidates of the district concerned.
3.	Driver (BPS-4)	Literate having LTV driving license issued by the competent authority. Preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.	18-32 years	By initial recruitment from amongst the candidates of the district concerned.
4.	Khadim (BPS-4)	Literate. <u>Note:</u> Preference will be given to Hafiz-e-Quran	18-32 years	By initial recruitment from amongst the candidates of the district concerned.

(13)

(22)

16.	Qasid (DPS-2)		18-32 years	By initial recruitment from amongst the candidates of the district concerned.
17.	Naib Qasid/ Chowkidar/Sw eeper/ Mali (BPS-1)	Literate.	18-32 years	By promotion on the basis of Seniority-cum-fitness, from amongst the Naib Qasids with two years as such. By initial recruitment from amongst the candidates of the district concerned.

Sd/-  
SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
REVENUE & ESTATE DEPARTMENT

(14)



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

Tel No: 0946-9240336  
Fax No: 0946-9240329

No: 447 /9/DC/Estt:

E-mail: Deputycommissionerswat1@gmail.com

Dated: 09-4 /2019

ORDER.

Upon the recommendations of the Departmental Selection/Promotion Committee in its meeting held on 09/04/2019. Mr. Muhammad Akbar, Junior Scale Stenographer (BPS-14) is hereby promoted to the post of Senior Scale Stenographer (BPS-16) on regular basis with immediate effect with the condition that he will remain on probation for a period of one year as provided under Rule-6(2) of the Civil Servant Act, 1973, read with Rule-15(1) of Appointment/Promotion and Transfer, Rules, 1989.

DEPUTY COMMISSIONER,  
SWAT.

No. 748-92 /9/DC/Estt:

Copy forwarded to:-

- 1- The Secretary to Govt. of Khyber Pakhtunkhwa, Board of Revenue, Peshawar.
- 2- The Secretary to Commissioner, Malakand Division, Saidu Sharif.
- 3- The District Comptroller of Accounts, Swat.
- 4- Nazir-II, local office.
- 5- Official concerned.

DEPUTY COMMISSIONER,  
SWAT.

*EA*  
*[Signature]*  
*10/04/19*

*Accountably received*  
*F. K. M.*  
*10/04/19*



## OFFICE OF THE DEPUTY COMMISSIONER, SWAT

Tel No: 0946-9240336  
 Fax No: 0946-9240329  
 E-mail: Deputycommissionerswat1@gmail.com

No: 15834  
 Dated: 14/05/2019

To:

Mr. Anwar Hussain, Computer Operator  
 Finance Wing, local office.

Subject:

APPEAL FOR PROMOTION TO THE POST OF SENIOR SCALE  
 STENOGRAPHER BPS-15

Memo:


Reference your application dated: 12/04/2019 on the above cited  
 subject.

Your previous application dated: 01/04/2019 was discussed in the  
 meeting of Departmental Promotion Committee held on 09/04/2019 and advice  
 was sought from Establishment Department, Khyber Pakhtunkhwa through  
 phone. According to rules, the post of Senior Scale Stenographer is to be filled  
 by promotion:-

- 1- Junior Scale Stenographer 60% ..... 0.6=01
- 2- Computer Operator 40% ..... 0.4= less than 1

As there is only one post of Senior Scale Stenographer in this office  
 therefore, after due discussion the committee decided/recommended that the  
 post of Senior Scale Stenographer be filled under 60% quota reserved for Junior  
 Scale Stenographer.

Your application having no merit is rejected.

  
 DEPUTY COMMISSIONER,  
 SWAT.

17

25

To,

The Deputy Commissioner, Swat.

Subject: APPEAL FOR PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER (BPS-16).

Sir,

With due respect and regards it is stated that I am serving as Computer Operator (BPS-16) in Finance & Planning Wing of your good office since 17/04/2003 and the senior most amongst the existing cadre. As per the existing service rules, I am due for promotion to the post of Senior Scale Stenographer (BPS-16) under forty percent quota. In this regard I have already submitted an application to your good self on 01/04/2019. (Copy attached).

Now it has been learnt through reliable sources that Mr. Muhammad Akbar Stenographer (BPS-14) is illegally promoting to the said post under sixty percent quota. Despite the facts the retiree Mr. Muhammad Hussain was already promoted under sixty percent quota (Copy attached) and now the post has to be filled in from amongst the Computer Operators under forty percent quota as per the existing service rules.

It is therefore, humbly requested that the promotion of Mr. Muhammad Akbar Stenographer is illegal and violation of the existing service rules, may be held in abeyance as Mr. Muhammad Hussain was promoted to Senior Scale Stenographer (BPS-16) under 60% quota from the Stenographer and now the post has to be filled from Computer Operators @ 40% quota in light of the existing service rules and the promotion process may kindly be reviewed and the right of promotion may be given to the deserving one, please.

Your Sincerely,

*Anwar Hussain*  
12/4/19

(Anwar Hussain)

Computer Operator (BPS-16)

(Finance & Planning Wing)

O/O Deputy Commissioner Swat

Copy forwarded for necessary action and sympathetic considerations to:

1. The Senior Member, Board of Revenue, Revenue & Estate Department, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner, Malakand Division, Saidu Sharif, Swat.

*Anwar Hussain*  
12/4/19

(Anwar Hussain)

Computer Operator (BPS-16)

(Finance & Planning Wing)

O/O Deputy Commissioner Swat



OFFICE OF THE DEPUTY COMMISSIONER SWAT

(FINANCE & PLANNING WING)

Phone: 0916-240095. Email: [dcswat@yahoo.com](mailto:dcswat@yahoo.com)

No. 170337/Misc. Dated: 04/2019

18

26

Finance & Planning Swat, at Saidi Sharif <http://www.swat.finance.gkp.pk> [facebook.com/financeswat](https://www.facebook.com/financeswat)

To  
The Deputy Commissioner Swat.

Subject: PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER (BPS-16) UNDER 40% OF OTA

Please refer to the subject noted.

Kindly find enclosed the application submitted through proper channel by Mr. Anwar Hussain, Computer Operator (BPS-16), presently posted in Finance & Planning Wing of this office, for necessary consideration under the rules please.

DISTRICT OFFICER,  
FINANCE & PLANNING SWAT

*Recd at J  
Anwar  
01-4-2019*

(19)

(X)

To,

The Deputy Commissioner, Swat.

*THROUGH PROPER CHANNEL.*

Subject: PROMOTION TO THE POST OF SENIOR SCALE STENOGRAPHER (BPS-16)  
UNDER 40% QUOTA.

Sir,

Respectfully it is stated for sympathetic consideration that the post of Senior Scale Stenographer (BPS-16) is to be vacated due to retirement of Mr. Mohammad Hussain, Senior Scale Stenographer (BPS-16) and will be filled up in the near future. According to S. No. 2 of the Government of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department Notification No. 2074/Estt:/II/135/SSRC dated 23.01.2015, the method of recruitment for the post of Senior Scale Stenographer is as under:

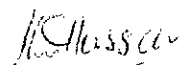
- a) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers with at least Five years service as such in the office of respective Deputy Commissioners and Political Agents: and
- b) Forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with at least Five years service as such in the offices of respective Deputy Commissioners and Political Agents:

Provided that if no suitable person is available then by initial recruitment.

Sir, I am serving as Computer Operator (BPS-16) in the Finance & Planning Wing of this office since 17.04.2003 and I am the senior most amongst all the Computer Operators. I am therefore eligible for promotion to the post of Senior Scale Stenographer (BPS-16) under 40% Quota.

It is therefore, requested that my case may very kindly be considered and I may be promoted to the post of Senior Scale Stenographer (BPS-16) against the vacant post in the office of the Deputy Commissioner, Swat and obliged.

Your Obedient Servant,



Anwar Hussain  
Computer Operator,  
(Finance & Planning Wing)  
Office of the Deputy Commissioner, Swat

Dated: 01.04.2019



20



**OFFICE OF THE DEPUTY COMMISSIONER, SWAT.**

Tel No: 0946-9240336  
Fax No: 0946-9240329

No. 37239 /5/DC/Estt:

E-mail: Deputycommissionerswat1@gmail.com

Dated: 02/11/2021

**AUTHORITY LETTER**

Mr. Fazal Hadi, Assistant of this office is hereby authorized to attend the Honourable Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat in appeal No. 942/2019 titled "Anwar Hussain Vs Commissioner, Malakand Division & Deputy Commissioner, Swat" on behalf of Respondent No. 2 & 3.

**DEPUTY COMMISSIONER,  
SWAT**

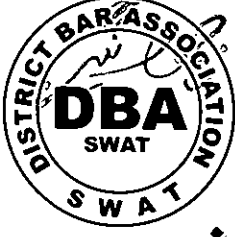
*to*

Mr. Fazal Hadi, Assistant of this office is hereby authorized to attend the Honourable Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat in appeal No. 942/2019 titled "Anwar Hussain Vs Commissioner, Malakand Division & Deputy Commissioner, Swat" on behalf of Respondent No. 2 & 3.

**DEPUTY COMMISSIONER,  
SWAT**

Rs: 10/-

نوٹ: اس وکالت نامہ کی فونکائی تاحمل قبول ہوگی۔

بار کونسل نمبر: BC. 10. 2370	 	سرین نمبر: 52461
بار ایسوسی ایشن نمبر: 126		
رابطہ نمبر: 03349300561		
<b>ڈسٹرکٹ بار ایسوسی ایشن سوات</b>		

بعدالت جناب: **سید سرفراز علی شاہ**

مخانب: <b>ایڈووکیٹ رفیق حسین</b>	دعویٰ اور درخواست: <b>سردس رسید</b>
<b>ایڈووکیٹ</b>	علت نمبر:
<b>بنام</b>	مورخہ:
<b>SMBR</b>	جرم:
	تھانہ:

### بامث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام **سید سرفراز علی شاہ** کیلئے **محمد شاد منور فضل** کے نام سے درخواست کی گئی ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ، اور درخواست برائے سرسبزی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا۔ نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ دہر جانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی - مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے،





لہذا وکالت نامہ لکھ دیا کہ سند رہے

مقام **سید سرفراز علی شاہ** کے لئے منظور ہے۔


ایڈووکیٹ رفیق حسین  
محمد شاد منور فضل  
محمد شاد منور فضل

ایڈووکیٹ دستخط: **ایڈووکیٹ رفیق حسین**

المرقوم:

 <p>بار کونسل نمبر: 21322          بار ایسوسی ایشن نمبر: 528          رابطہ نمبر: 0344-920662</p>	  <p>102433          بریل نمبر: </p> <p><b>ڈسٹرکٹ بار ایسوسی ایشن سوات</b></p>
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بعدالت جناب: سپرنٹنڈنٹ ضلعی عدالت سوات

<p>منجانب: مولانا محمد امجد علی</p>  <p>انور احمد</p>	<p>دعویٰ نمبر: 942-116-1100          عدالت نمبر: 2018          مورخہ:           جرم:           جگہ:           ۷۷</p>
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**بامستحضرانہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام **علی گڑھ کیلئے صدر ایف ایم اے** کو مقرر کر کے

اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو مکمل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ اور درخواست برائے سرسبزگی مقدمہ، منسوخی ڈگری کی طرف، اجراء و پیروی کرنے کا مختار ہوگا۔ نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہمرازہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہرجانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری کی طرف ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے،

لہذا وکالت نامہ لکھ دیا کہ سندر ہے

مقام **علی گڑھ ناہور علی** کے لئے منظور ہے




**Accepted and Done**

ایڈووکیٹ ارشد

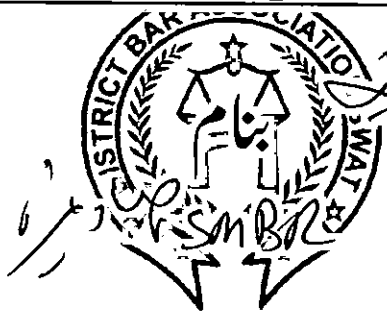
الموتم: 06-07-2022

SADIK AHMED Advocate

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 <p>بار کونسل نمبر: 313          بار ایسوسی ایشن نمبر: 896 3366          رابطہ نمبر: 313-896 3366</p>	<p>81259 بریل نمبر:</p>   <p><b>ڈسٹرکٹ بار ایسوسی ایشن سوات</b></p>
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بعدالت جناب: سروے ہر ایک کو صلح کروا لیا گیا ہے۔

<p>منجانب: مولانا محمد امجد علی</p> 	<p>دعویٰ اور خواست: اصل</p> <p>علت نمبر: 1</p> <p>مورخہ: 2</p> <p>جرم: 3</p> <p>تھانہ: 4</p>
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**بامستحیرانکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام گلگتہ کیلئے رضا علی احمد کو مقرر کر کے

اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ، اور درخواست برائے سرسبزگی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہزارہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہرجانہ کسی بھی نسبت سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے،

لہذا وکالت نامہ لکھ دیا کہ سندر ہے

مقام گلگتہ ہاؤس ضلع سوات کے لئے منظور ہے۔

Attested and accepted

by Aftab Ali Advocate High Court.

ایڈوکیٹ دستخط:

المقوم: 2/8/2022