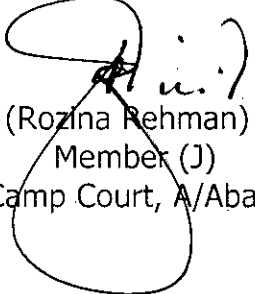


22.09.2022

Nemo for appellant.

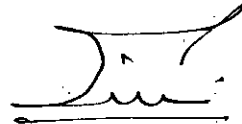
Case was called time and again but neither the appellant nor his counsel turned up till rising of the Bench. Consequently, instant service appeal is hereby dismissed in default for none-prosecution. Parties are left to bear their own costs. File be consigned to the record room.

Announced.
22.09.2022


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

22.12.2021

Nemo for the appellant. On previous date too, no one was present on behalf of the appellant, therefore, it was directed that notice be issued to the appellant, however the same has not been issued, therefore, explanation in this respect be called from the Moharrar. Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for preliminary hearing on 17.02.2022 before the S.B at Camp Court Abbottabad.



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

17-2-2022

Due to retirement of worthy chairman case is adjourned. To come up for the same as before on 21-7-2022.

Reader
Reader.

21.07.2022

Nemo for the appellant.

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 preliminary arguments on 22.09.2022 before the S.B at Camp Court Abbottabad.



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

15.02.2021

Nemo for appellant.

Notice be issued to the appellant/counsel for preliminary hearing on 21.05.2021 before S.B at Camp Court, A/Abad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

21.05.2021

Due to cancellation of tour, Bench is not available. Therefore, case is adjourned to 29.09.2021 for the same as before.

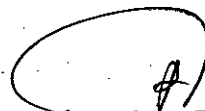


Reader

29.09.2021

Nemo for appellant.

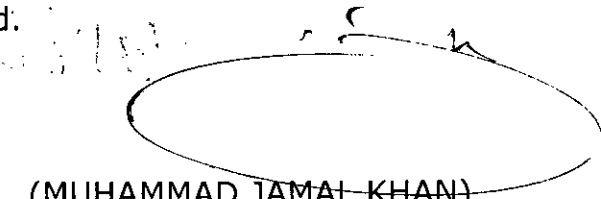
Preceding date was adjourned on a Reader's note, therefore, notice be issued to appellant for 22.12.2021 for preliminary hearing before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

16.11.2020

Nemo for the appellant. Notice be issued to appellant and his respective counsel for 15.02.2021 before S.B at Camp Court, Abbottabad.



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

15.02.2021

Nemo for appellant

Notice be issued to the appellant/counsel for preliminary
hearing on 15.02.2021 before Camp Court, Abbottabad

(Atiq Ur Rehman Wazir)
Member (B)
Camp Court, A/Abb



16.11.2020

Form- A

Nemo for the appellant. Notice be issued to appellant
FORM OF ORDER SHEET
and his respective counsel for 15.02.201 before S.B at

Court of
Camp Court, Abbottabad.

Case No.- 3185 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	(MUHAMMAD JAMAL KHAN) MEMBER
1-	20/04/2020	CAMP COURT ABBOTTABAD The appeal of Malik Muhammad Shabbir submitted today by post by Mr. Hamayun Khan, Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.  REGISTRAR 20/4/2020
2-		This case is entrusted to S. Bench for preliminary hearing to be put up at Camp Court Abbottabad on <u>16-11-2020</u>  Chairman

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

S.A No 3185 /2020

Malik Muhammad Shabbir S/o Malik Muhammad Younis Senior Clerk BPS-14,
Deputy Commissioner office District, Abbottabad.

...APPELLANT

V E R S U S

The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar. & Others

.....RESPONDENTS

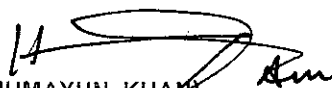
**SERVICE APPEAL
INDEX**

S.No.	Description of Document	Annexure	Page No.
1.	Service Appeal	--	1-12
2.	Copy of the order dated 11/03/1991	"A"	13-21
3.	Copies of Recommendation letter	"B & C"	22-29
4.	Copies of the applications dated 13/08/1998 and 22/11/1999	"D"	30-31
5.	Copy of the D.P.C recommendation	"E"	32-35
6.	Copy of the promotion order of the colleague of the petitioner, dated 17/02/2006	"F"	36-44
7.	Copies of the orders	"G"	45-46
8.	Copy of the promotion order dated 14/03/2009 as Naib Tehsildar of the Junior Clerks	"H"	47-48
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13.	Copy of WP	"M"	55-62
14.	Copy of order	"N"	64-65
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...PETITIONER

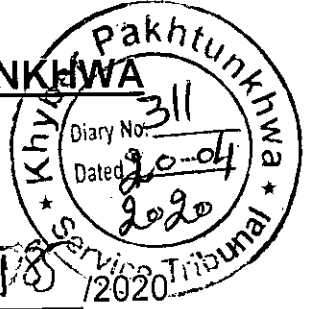
Through:

Dated:- 13-4/2020


(HUMAYUN KHAN)
Advocate High Court, Abbottabad

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL, PESHAWAR



S.A No. 318/2020

Malik Muhammad Shabbir S/o Malik Muhammad Younis
Senior Clerk BPS-14, Deputy Commissioner office District,
Abbottabad.

...APPELLANT

V E R S U S

1. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner Hazara Division, Abbottabad.
3. The Deputy Commissioner, District, Abbottabad.

..... RESPONDENTS

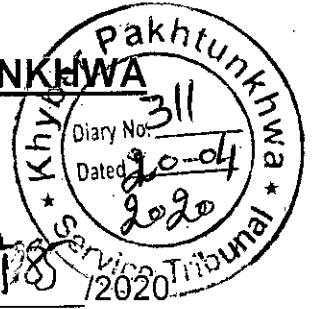
=====

APPEAL UNDER ARTICLE 212 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973 READ WITH SECTION-04 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 22/01/2020 WHEREBY RESPONDENT NO.1 DISMISSED THE DEPARTMENTAL APPEAL/REPRESENTATION OF THE APPELLANT AND ORDER DATED 28/05/2019 WHEREBY APPELLANT WAS PROMOTED FROM "JUNIOR CLERK" (BPS-11) TO BPS-14 INSTEAD OF "NAIB TEHSILDAR" (BPS-14) WHICH IS AGAINST THE LAW, NEPOTISM, AND FAVORITISM, THIS ACT OF RESPONDENTS IS ARBITRARY, UN-CONSTITUTIONAL, DISCRIMINATORY, AGAINST THE LAW AND PROMOTION RULES OF THE NAIB TEHSILDAR, AND, WITHOUT LAWFUL JURISDICTION.

Filed to-day
Registrar
20/4/2020

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL, PESHAWAR



S.A No. 218/2020

Malik Muhammad Shabbir S/o Malik Muhammad Younis
Senior Clerk BPS-14, Deputy Commissioner office District,
Abbottabad.

...APPELLANT

VERSUS

1. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner Hazara Division, Abbottabad.
3. The Deputy Commissioner, District, Abbottabad.

..... RESPONDENTS

=====

Filed to-day
Registrar
20/4/2020

APPEAL UNDER ARTICLE 212 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973 READ WITH SECTION-04 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 22/01/2020 WHEREBY RESPONDENT NO.1 DISMISSED THE DEPARTMENTAL APPEAL/REPRESENTATION OF THE APPELLANT AND ORDER DATED 28/05/2019 WHEREBY APPELLANT WAS PROMOTED FROM "JUNIOR CLERK" (BPS-11) TO BPS-14 INSTEAD OF "NAIB TEHSILDAR" (BPS-14) WHICH IS AGAINST THE LAW, NEPOTISM, AND FAVORITISM, THIS ACT OF RESPONDENTS IS ARBITRARY, UN-CONSTITUTIONAL, DISCRIMINATORY, AGAINST THE LAW AND PROMOTION RULES OF THE NAIB TEHSILDAR, AND, WITHOUT LAWFUL JURISDICTION.

PRAYER:

ON ACCEPTANCE OF THE INSTANT APPEAL, ORDERS DATED 22/01/2020 AND 28/05/2019 ISSUED BY RESPONDENTS NO.1 &3, MAY KINDLY BE DECLARED NULL AND VOID, AB-INITIO AND RESPONDENTS, MAY KINDLY BE DIRECTED TO ISSUE THE ORDER OF PROMOTION OF THE APPELLANT AGAINST THE POST OF "NAIB TEHSILDAR" (BPS-14) WITH ALL BACK BENEFITS, ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND APPROPRIATE, MAY ALSO BE GRANTED IN THE FAVOUR OF APPELLANT IN THE INTEREST OF JUSTICE.

=====

RESPECTFULLY SHEWETH:

Appellant beg to solicit through this Service Appeal on the following legal and factual background:-

1. That, the APPELLANT joined the office of Deputy Commissioner as Junior Clerk in the year 1990 and thereafter, in the year 1991, the APPELLANT was posted as "A.D.R.A" vide order dated 11/03/1991 and, thus, the APPELLANT performing his duty with full devotion and liability and there had no complaint against the appellant in respect of responsibilities / duties. **(Copy of the order dated 11/03/1991 is annexed as annexure "A")**

3

2. That, APPELLANT having B.A qualification, was eligible for promotion as "Naib Tehsildar" in the year 1996, 1997 and 2000 due to which the APPELLANT was recommended for the promotion as Naib Tehsildar on 13/06/1996 onwards by the competent authority i.e. respondent No.3 but no avail. **(Copies of Recommendation letter are annexed as annexure "B" & "C" respectively)**

3. That, on 13/08/1999 and 15/11/1999 APPELLANT submitted applications for promotion as "D.R.A / Naib Tehsildar before respondent No.2. **(Copies of the applications are annexed as annexure "D")**

4. That, as result of applications submitted by the APPELLANT, respondent No.2 constituted D.P.C in the year 2000 and APPELLANT was included in the list of D.P.C for promotion as "Naib Tehsildar" **(Copy of the D.P.C recommendation is annexed as annexure "E")**

5. That, after, a colleague of the APPELLANT namely Sajid Hussain, who was also included in the D.P.C of the year 2000, promoted as "Nabib Tehsildar" by the respondent

No.1 on 17/02/2006 from the post of D.R.A but ignored the APPELLANT for promotion. **(Copy of the promotion order of the colleague of the APPELLANT, dated 17/02/2006 is annexed as annexure "F")**

6. That, one colleague of the APPELLANT namely Sardar Ghulam Murtaza TRA, feeling aggrieved by the respondents for the promotion of Naib Tehsildar filed a constitutional petition No.213/2002 before honourable Peshawar High court and during the pendency of said writ petition, respondent No.1 issued promotion order of the said petitioner as Naib Tehsildar vide order dated 03/08/2006 and later on, the said Petitioner transferred and posted as Naib Tehsildar on acting charge basis as Naib Tehsildar Haripur on 02/09/2007 and now the said petitioner has been promoted on regular basis as "Naib Tehsildar" (BPS-14) vide order dated 30/06/2010. **(Copies of the orders are annexed as annexure "G")**

7. That, respondent No.1 on 14/03/2009, promoted two employees from the Ministerial Staff as "Naib Tehsildar" who was working as "Junior Clerk" but the APPELLANT was again ignored for promotion as Naib Tehsildar although the APPELLANT was most senior and well experienced then the said employees who were promoted by the respondents. **(Copy of the promotion**

order dated 14/03/2009 as Naib Tehsildar of the Junior Clerks is annexed as annexure "H")

8. That, on 13/05/2014, competent authority delegated the APPELLANT an additional charge of D.R.A/Naib Tehsildar (BPS-14) due to having a good experience in Revenue matter. **(Copy of the order is annexed as annexure "I")**

9. That, after performing 04 years duty as additional charge of District Revenue Account (D.R.A), the APPELLANT was relieved from the said post on 18/09/2017. **(Copy of order is annexed as annexure "J")**

10. That, despite time and again recommendations of respondent No.3 and submitting numbers of applications by the APPELLANT for promotion as Naib Tehsildar but respondent No.1 ignored the APPELLANT for promotion and during this period Respondent No.1 promoted four Moharrars/Junior clerk/ political Moharrars (BPS-11) from Peshawar Division as Naib Tehsildars in BPS-14 on 20/02/2019 without considering the policy of seniority for promotion. **(Copy of the promotion order is annexed as annexure "K")**

11. That, after 29 years service, on 28/05/2019 respondent No.3 issued impugned promotion order of the

appellant from "Junior Clerk" (BPS-11) to BPS-14 as "Senior Clerk" instead of "Naib Tehsildar" (BPS-14) **(Copy of order is annexed as Annexure "L")**

12. That, feeling aggrieved from the aforesaid situation, appellant invoke the constitutional jurisdiction of High Court under Article 199 of the constitution of 1973 and filed W.P No. 1317-A of 2019. **(Copy is annexed as Annexure "M")**

13. That, on 27/11/2019 after hearing of arguments, writ petition of the appellant was converted into Departmental Appeal / representation and sent to respondent No.1 for decision. **(Copy of order is annexed as Annexure "N")**

14. That, thereafter, respondent No.1 passed another impugned order dated 22/01/2020 and departmental appeal of appellant was dismissed. **(Copy of order is annexed as Annexure "O")**

15. That, respondents intentionally did not delivered / informed the appellant from impugned order dated 22/01/2020 and lastly appellant received the said impugned order un-officially from the office of respondent No.1 on 20/03/2020 after many request and submissions.

16. That, feeling aggrieved by the unlawful, malafide and discriminatory act of the respondents, APPELLANT have no alternate and efficacious remedy except to knock the door of this honourable Tribunal inter-alia on the following amongst other grounds:-

GROUND:

- a. That, APPELLANT being most senior, is entitled for promotion as Naib Tehsildar while the respondents promoted the APPELLANT as "Senior Clerk" on 23/05/2019 thus, respondents violated their own recommendations as earlier respondent No.4 has already recommended the APPELLANT for promotion as Naib Tehsildar because the APPELLANT was most deserving for promotion as Naib Tehsildar due to the Seniority and vast experience.
- b. That, the APPELLANT performed his whole service with the entire satisfaction of the respondents and no adverse entry has been made by the respondent in the ACR of the petition, which shows the eligibility of the APPELLANT for promotion as Naib Tehsildar".
- c. That, APPELLANT is entitled for promotion as Naib Tehsildar at the basis of seniority and, by fulfilling all the requirements which had laid down in the old rules of the

promotions of Naib Tehsildar / Tehsildar but respondents, malafidly ignored the APPELLANT from his right of promotion like other colleagues of the APPELLANT, thus, act of the respondents is arbitrary, un-constitutional, discriminatory and malafide, therefore, not tenable in the eyes of law.

- d. That, APPELLANT has been discriminated throughout as his other colleagues / ministerial staff members have already been promoted as Naib Tehsildar under the old rules but the same rules is not being applied by the respondents for APPELLANT only.
- e. That, APPELLANT time and again, recommended for promotion and the APPELLANT was also enlisted in the working papers prepared in the year 2000 but no recommendation of D.P.C whatsoever, has come out so far and respondents did not promoted the APPELLANT till now.
- f. That, respondents ignored all the basic principles, rules and policies for promotion against the post of "Naib Tehsildar". Hence, impugned orders are liable to be set-aside.

g. That, other points would be argued at the time of arguments with the kind permission of this Hon'ble Tribunal.

PRAYER:

In view of the above submission, it is therefore, most humbly prayed that, on acceptance of the instant appeal, orders dated 22/01/2020 and 28/05/2019 issued by respondents No.1 &3, may kindly be declared null and void, ab-initio and respondents, may kindly be directed to issue the order of promotion of the appellant against the post of "Naib Tehsildar" (BPS-14) with all back benefits. Any other relief which this honourable Tribunal deems fit and appropriate, may also be granted in the favour of appellant in the interest of justice.


..... APPELLANT

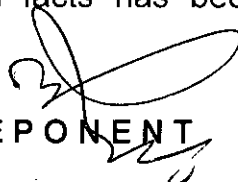
Through:


Hamayun Khan


(Fazlullah Khan)
Advocates High Court

VERIFICATION:

Verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and no material facts has been concealed from this Honourable Court.


DEPONENT

BEFORE THE HONORABLE KHYBER AKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR

S.A No. _____/2020

Malik Muhammad Shabbir S/o Malik Muhammad Younis
Senior Clerk BPS-14, Deputy Commissioner office District,
Abbottabad.

...APPELLANT

V E R S U S

The Senior Member Board of Revenue, Khyber
Pakhtunkhwa, Peshawar. & Others

.....RESPONDENTS

SERVICE APPEAL

APPLICATION FOR CONDONATION OF DELAY IF ANY

Respectfully Sheweth,


1. That, the afore cited appeal is being preferred on the grounds as aversed there.
2. That, the instant application under section-5 of the Limitation Act, is the integral part of the above cited appeal.
3. That, though the appellant continued to persue his case before the competent authority but respondents did not delivered impugned order dated 22/01/2020 and similarly not delivered any kind of information in respect of the subject matter.

4. That, no willful delay on the part of the appellant has accrued yet, in view of the circumstance as stated in the appeal and due to LOCK DOWN, if any delay is attributable to appellant, it could have been accrued due to circumstances beyond the control of the appellant, hence this application for condonation as provided under section-5 read with other relevant provisions of the limitation Act and in the interest of justice and fair play.

It is, therefore, respectfully prayed that on acceptance of instant application, any delay if found, be condoned.

...Appellant

Through:


(Hamayun Khan)
Advocate High Court,
Abbottabad

VERIFICATION:

Verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and no material facts has been concealed from this Honourable Court.


DEPONENT

ANNEXURE

A

13

OFFICE OF THE DEPUTY COMMISSIONER ABBOTTABAD.

ORDER.

ANNEXURE

The following posting/transfers amongst the Junior Clerks and Naib ^{Naib} ~~Naib~~ Sais of District Office Establishment are hereby ordered in ^{the} interest of public service with immediate effect:-

S.No.	Name.	From	To	Vice.
1.	Mr. Noor Hassan.	H. E.O.	To perform Telephone duty at Distt. Control Room in his own pay & scale.	2
2.	Mr. Laghir Ahmed.	Telephone duty Clark.	Despatcher E.O.	3
3.	Mr. Mohammad Inqubal.	Despatcher E.O.	J.C. Acq. Cell.	4
4.	Mr. Mohammad Lohrab.	Despatcher E.O.	J.C. Acq. Cell.	again- at va- cant post.
5.	Mr. Muqbool ur Rehman.	H. DC's Darglow.	H. E.O with Despatcher.	6
6.	Mr. Gul Zaman.	H. with Despatcher.	H. Tehsil.	-

By Order of
Deputy Commissioner,
Abbottabad.

No. 93/19(5) Rev. 1882-1902/AA Dated Abbottabad the 11-3-191.

Copy forwarded to the:-

1. H.V.C DC's Office Abbottabad.
2. The Tehsildar Acq. Abbottabad.
3. The Tehsildar Abbottabad.
4. I.A to DC Abbottabad.
5. File No. 32.19(6) Rev.

Deputy Commissioner
Abbottabad.

Attested
11-3-191

BETTER COPY

OFFICE OF THE DEPUTY COMMISSIONER ABBOTTABAD.

14

ORDER.

The following posting/transfers amongst the junior clerks and Naib Qasids of District Offices Establishment are hereby ordered in the interest of public service with immediate effect:-

S.No	Name	From	To	Vice
1.	Mr. Noor Hassan.	N.Q.E.O	To perform Telephone duty at District Control Room in his own pay & Scale	2
2.	Mr. Saghir Ahmed.	Telephone duty clerk.	Despatcher E.O	3
3.	Mr. Mohammad Shabbir	Despatcher E.O	A.D.R.A	4
4.	Mr. Mohammad Sohrab.	A.D.R.A	J.C Acq: Cell:	Against vacant post
5.	Mr. Maqbool-ur-Rehman	N.Q. DC's Banglow	N.Q.E.O with Despatcher.	6
6.	Mr. Gul Zaman	N.Q with Despatcher.	N.Q. Tehsil.	-

By Order of
Deputy Commissioner,
Abbottabad.

No.93/19(5)Rev: 1892-1902/AA Dated A' Abad the 11-3-91

Copy forwarded to the:-

1. H.V.C DC's Office Abbottabad.
2. The Tehsildar Acq: Abbottabad.
3. The Tehsildar Abbottabad.
4. P.A to DC Abbottabad.
5. File No.32. 19(6) Rev:

Atta-ud
M

For
Deputy Commissioner
Abbottabad.

APPENDIX 'C'
Form 'G' (Revised)
Assistant and Clerks

APPENDIX-VI

CONFIDENTIAL

GOVERNMENT OF KHYBER PAKHTUNKHWA

R/E

DEPARTMENT

CONFIDENTIAL REPORT

For the period from 1-1-2013 To 31-12-13 (2013)

PART-I

- 1. Name Muhammad Shabbir
- 2. Designation Junior Clerk
- 3. Date of Birth 23-3-1967
- Date of entry into Government Service 17-7-1990
- Branches in which employed during the year, with period DCA Branch w.e.f 1-1-2013

PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.	<i>HS</i>				
Movement of files and record of suspense cases.	<i>HS</i>				
Keeping files and papers in tidy condition.	<i>HS</i>				
Promptness and accuracy in disposing of work.	<i>HS</i>				
PERSONAL TRAITS					
Intelligence.		<i>HS</i>			
Knowledge of procedure and regulations.	<i>HS</i>				
Punctuality.	<i>HS</i>				
Cooperation and tact.	<i>HS</i>				
Amenability to discipline	<i>HS</i>				
Skill in drafting.	<i>HS</i>				

Attested
HS



(11) Integrity:—

Assessment

- (i) Incorruptible
- (ii) Reported to be corrupt
- (iii) Believed to be corrupt, because of :
 - (a) Monetary condition
 - (b) Other considerations

YES

- (12) Knowledge of typing
- (13) Trust worthiness in confidential and secret matters.
- (14) Any disciplinary action taken during the period under report.

Handwritten initials/signature

PART-III

- (a) Recommended for accelerated promotion.
- (b) Fit for promotion.
- (c) Recently promoted / appointed — consideration for promotion pre-mature.
- (d) Not yet fit for promotion.
- (e) Unfit for further promotion.

By Reporting Officer

Handwritten signature

PART-IV

General Assessment	By Reporting Officer	By Co-Officer
(i) Very Good	<input checked="" type="checkbox"/>	
(ii) Good		
(iii) Average		
(iv) Below Average		
(v) Poor		

18

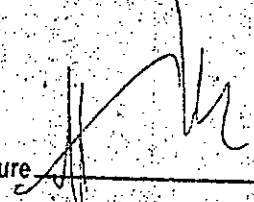
3
PEN PICTURE



He is an obedient, hard worker, principal official.

During the period his performance is highly appreciable.

Recommended for promotion out of turn.

Reporting Officer's Signature 

Name (in Block Letters) M. HAMAD MAROOF

Designation Superintendent Deputy Commissioner's Office, Abbottabad.

Dated: 31-12-2013

SUPERINTENDENT
Deputy Commissioner Office
Abbottabad

General Remarks by higher officers:

I agree with R.O.



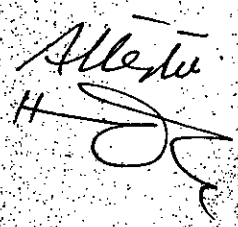
Countersigning Officer's Signature

Name (in Block Letters) KAMRAN JEHMAN KHAN,

Designation DEPUTY COMMISSIONER, ABBOTTABAD.

Dated: 31-12-2013.

Deputy Commissioner
Abbottabad

Attest




GOVERNMENT OF PUNJAB PAKISTAN

Revenue

DEPARTMENT

CONFIDENTIAL REPORT

For the period from 01/01/2014 To 31/12/2014

PART-I

- 1. Name Malik Mashahir
- 2. Designation Junior Clerk/ADRA
- 3. Date of Birth 23-3-1967
- 4. Date of entry into Government Service 17-07-1990
- 5. Branches in which employed during the year, with period ADRA DRA Income
ref 1.1.2014 to 31-12-2014

PART-II

A PERFORMANCE	A1	A	B	C	D
(1) Referencing, paging of notes and correspondence.	D				
(2) Movement of files and record of suspense cases.	D				
(3) Keeping files and papers in tidy condition.	D				
(4) Promptness and accuracy in disposing of work.	D				
B PERSONAL TRAITS					
(5) Intelligence.		D			
(6) Knowledge of procedure and regulations.	D				
(7) Punctuality.	D				
(8) Cooperation and tact.	D				
(9) Amenability to discipline	D				
(10) Skill in drafting.	D				

Malik Mashahir
[Signature]

20



(1) integrity:—

Assessment

(i) Incorruptible *D*

(ii) Reported to be corrupt

(iii) Believed to be corrupt, because of :

(a) Monetary condition *No*

(b) Other considerations *No*

YES NO

(12) Knowledge of typing *Yes*

(13) Trust worthiness in confidential and secret matters. *Yes*

(14) Any disciplinary action taken during the period under report. *No.*

PART-III

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion.	<input type="checkbox"/> <i>D</i>	<input type="checkbox"/>
(c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

Atte to H J

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good	<input type="checkbox"/> <i>D</i>	<input type="checkbox"/>
(ii) Good	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Average	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Below Average	<input type="checkbox"/>	<input type="checkbox"/>
(v) Poor	<input type="checkbox"/>	<input type="checkbox"/>



PEN PICTURE

Maula Shabbir is an experienced panel official who remained posted as DRA-in-act during the reporting period. The official has the ability to work under challenging circumstances, can be a good addition on more responsible incumbency in revenue admin.

Reporting Officer's Signature

Name (in Block Letters) ASSAD MEHMOOD LODHI

Dated: 26-1-2015

Designation Additional Assistant Commissioner (Revenue) Abbottabad

General Remarks by higher officers:

^{wa}
I agree

Countersigning Officer's Signature

Name (in Block Letters) CAPT(R) KHALID MEHMOOD

28-01-15

Designation DEPUTY COMMISSIONER Deputy Commissioner Abbottabad

No. 4041 /AE

ANNEXURE 'B'

22

Dated Abbottabad

the 13/06/1996

From:-

The Deputy Commissioner,
Abbottabad.

To:-

The Commissioner,
Hazara Division, Abbottabad.

SUBJECT:

PROMOTION AS D.R.A. /NT

Memo:-

Asstt:D.R.A. An application submitted by Muhammad Shabbir alongwith the report of HVC is sent herewith.

In the application the applicant requested that he has rendered his service as Asstt: D.R.A for more than five years, therefore, he may be promoted as D.R.A.

As per record of this office Mr. Muhammad Shabbir vide this office order bearing No.93/19(5)Rev:/1892-1902/AA dated 11.3.1991 (copy enclosed) was transferred as Asstt: D.R.A. in the HVC Branch and in light of West

~~Asstt: D.R.A. in the HVC Branch and in light of West Punjab Service Rules 1973 (copy enclosed) and being applicant~~

Therefore, it is requested that the application of the applicant as under the rules, may kindly be considered sympathetically.

[Signature]
Deputy Commissioner,
Abbottabad.

No. 4041 / AE Dated Abbottabad the 13/06/1996

From:-

The Deputy Commissioner,
Abbottabad.

To:-

The Commissioner,
Hazara Division, Abbottabad.

SUBJECT: **PROMOTION AS D.R.A. / N.T**

Memo:-

An application submitted by Muhammad Shabbir Asstt: D.R.A alongwith the report of HVC is sent herewith.

In the application the applicant requested that he has rendered his service as Asstt: D.R.A for more then five years, therefore, he may be promoted as D.R.A.

As per record of this office Mr. Muhammad Shabbir vide this office order bearing No.93/19(5) Rev:/1892-1902/AA dated 11.03.1991 (copy enclosed) was transferred as Asstt: D.R.A in the HVC Branch and in light of West Pakistan Tehsildari & Naib Tehsildari Service Rules, 1962 as laid down in Para-13(1) (iv) (Copy enclosed), the applicant deserves the right to be promoted as D.R.A.

Therefore, it is requested that the application of the applicant under the rules, may kindly be considered sympathetically.

Deputy Commissioner,
Abbottabad.

Atteed
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ANNEXURE 'C' 24

16

No.3/19(4)Rev:/ 382 /AE, Dated Atd the 27 JANUARY 1997

From, The Deputy Commissioner, Abbottabad.

To, The Commissioner, Hazara Division, Abbottabad.

Subject:- RECOMMENDATIONS FOR THE POST OF MAIB TEHSILDAR.

Memo:-

Please refer to your letter No.E/2(17)/95/26022-26 dated 28.12.1996.

As desired categorywise recommendations for the post of Maib Tehsildar, on regular basis is as under:-

- i) Nil
ii) Ghulam Murteza, Tehsil Revenue Accountant, Abbottabad. -> Promoted as NTA now working as DK Aid.
iii) 1. Aurangzeb Khan, (J.C.) Reader to Revenue EAC Abbottabad. -> Retired from Service.
2. Muhammed Shabbir (J.C.) Assistant District Revenue Accountant (H.V.C. Branch)

Neither any disciplinary action / Judicial / Anti-corruption case is pending against them nor they have been penalized during the last five years.

Their Service Record i.e. Character Rolls and Service Books are also enclosed.

Signature of Deputy Commissioner, Abbottabad

EC2 S. Book + ACN

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2008

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No. 3/19(4)Rev: /382 / AE Dated Atd the 15 /JANUARY, 1997.

From:-

The Deputy Commissioner,
Abbottabad.

To:-

The Commissioner,
Hazara Division, Abbottabad.

Subject:

RECOMMENDATIONS FOR THE POST OF NAIB TEHSILDAR.

Memo:-

Please refer to your letter No.E/2(17)/95/26022 -26 dated 28. 12.1996.

As desired categorywise recommendations for the post of Naib Tehsildar, on regular basis is as under:-

- i) Nil
- ii) Gulam Murtaza,
Tehsil Revenue Accountant, Abbottabad. Promoted as NT
- iii) 1. Aurangzeb Khan,
(J.C.) Reader to Revenue EAC Abbottabad. Retired from service.
- 2. Muhammad Shabbir,
(J.C) Assistant, District Revenue Accountant
H.V.C. Branch.)

Neither any disciplinary action / Judicial / Anti-corruption case is pending against them nor they have been penalized during the last five years.

Their Service Record i.e. Character Rolls and Service Books are also enclosed.

Deputy Commissioner,
Abbottabad.

26

Co Immediate (1)

No. 3/15(4)/1/14076 /M Dated Abbottabad the 27-5-2000.

From: The Deputy Commissioner,
Abbottabad.

To: The Commissioner,
Hazara Division, Abbottabad.

SUBJECT: MEETING.

Memo:
Reference your No. 3656-60 dated 26-4-2000.

The following penal of ministerial employees of District establishment of District Abbottabad is recommended for promotion to the post of Naib Tehsildar against ministerial quota. Their inter-se seniority has been shown as inst each :-

S.No.	Name of official	Seniority Position.
1.	Aurangzeb-I (PA)	S.No. 10 Retired from Servi
2.	Mohammad Ashfaq (M.A)	S.No. 38 → work in civil Defence as J.C → Appellant.

AURANGZEB-I

The official is presently serving as Moharrir to EAC (Rev) Abbottabad. He has remained as under :-

- a. Moharrir EAC (Rev) 1.3.1977 to 30-11-1980
- b. -do- 1.1.1981 to 30.11.1981
- c. Reader Rev EAC 1.12.1985 to 30.11.1989
- d. -do- 1.12.1994 to 30.11.1996
- e. Moharrir Rev EAC 1.12.1996 to to date.

Attest
H

MOHAMMAD ASHFAQ

The official is presently serving as Junior Clerk in AC's office. He has remained as under :-

- a. Moharrir (Rev) ACA 27.11.1990 to 1-03-1997

27

No. 3/19(4)Rev: /14076/ AE Dated Abbottabad the 09-05/2000.

From:-

The Deputy Commissioner,
Abbottabad.

To:-

The Commissioner,
Hazara Division, Abbottabad.

Subject:

MEETINGMemo:-

Reference your No. 3656-60 dated 26-4-2000.

The following penal of ministerial employees of District establishment of District Abbottabad is recommended for promotion to the post of Naib Tehsildar against ministerial quota. Their inter-se seniority has been shown against each:-

S.No	Name of Official	Seniority Position
1.	Aurangzeb-I (F.A)	S.No. 10 (Retired from Service)
2.	Mohammad Ashfaq (M.A)	S.No 38 (Now Retired from Service)
3.	Mohammad Shabbir (B.A)	S.No 48 (Petitioner)

AURANGZEB-I

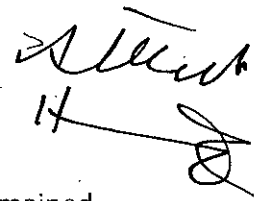
1. The official is presently serving as Moharrir to EAC(Rev) Abbottabad. He has remained as under:-

- a. Moharrir EAC (Rev) 1.3.1977 to 30.11.1980
- b. -do- 1.1.1981 to 30.11.1981
- c. Reader Rev EAC 1.12.1985 to 30.11. 1989
- d. -do- 1.12.1994 to 30.11.1996
- e. Moharrir Rev EAC 1.12.1996 to date.

MOHAMMAD ASHFAQ

The official is presently serving as Junior Clerk in AC's office. He has remained as under:-

- a. Moharrir (Rev) ACA 27.11.1990 to 1.03.1997



MOHAMMAD SHABIR:

The official is presently serving as Junior Clerk in A.G Branch. He has remained as under :-

~~MOHAMMAD SHABIR~~

~~MOHAMMAD SHABIR~~ 1998

Service books, ACRs dossiers and synopsis in their respect are enclosed.

Certified that neither any disciplinary action/Judicial/Anticorruption case is pending against any of these officials during last five (5) years.

Final/undisputed seniority list of Junior Clerks as it stood on 31.12.1999 is also enclosed.

Attest
H J

MOHAMMAD SHABBIR.

The official is presently serving as Junior Clerk in A.G Branch. He has remained as under:-

- a. A.D.R.A with D.R.A Branch 1.12.1966 to 31.03.1998

Service Books, ACRs dossiers and synopsis in their respect are enclosed. Certified that neither any disciplinary action / Judicial / Anticorruption case is pending against any of these officials during last five (5) years.

Final / undisputed seniority list of Junior Clerks as it stood on 31.12.1999 is also enclosed.

Attent
H

ANNEXURE 'D' 30

21

THROUGH:

DEPUTY COMMISSIONER, A'ABAD.

To:-

The Commissioner,
Hazara Division, Abbottabad.

SUBJECT:

REQUEST FOR PROMOTION AS DRA/NT ABBOTTABAD.

R/Sir,

With reference to my earlier application dated
13-8-1999 (copy enclosed).

I am enclosing herewith a Notification of Board
of Revenue, NWFP, Peshawar bearing No.22493-22557/Admn:I/26/99
dated 11-11-1999 vide which the present DRA D.C Office A'Abad
Mohammad Anwar Khan has been promoted as Collector Land
Acquisition SC/NTDC Peshawar, leaving the post of DRA/NT in
D.C's Office Abbottabad vacant.

It is requested that the submission for
promotion as DRA/NT may kindly be considered sympathically
in view of the latest situation.

Encl: ⑦

Attest
H

Dated: 15-11-1999.

Attest

Yours Obediently,

(MOHAMMAD SHABIR)
J/C

EX-ADRA (HVC BRANCH) D.C's
Office Abbottabad.

Stamp: Deputy Comm. Office
Diary No. 4571
Date: 22/11/99
At

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION/SELECTION COMMITTEE HELD IN THE OFFICE OF COMMISSIONER, HAZARA DIVN:

A meeting of the Departmental Promotion/Selection Committee was held in the Commissioner's Office, Hazara Division on 29.6.2000 under the Chairmanship of Commissioner, Hazara Division, with the following attendance:-

- 1- Asstt. Secretary (Stamps) Member
Representative of Secretary,
Board of Revenue, BWPP.
- 2- Assistant to Commissioner (Rev/GA) Member
Hazara Division, Abbottabad.

The Agenda before the meeting was to consider the selection/promotion against the posts of Naib Tehsildars/HVCs/DRAs & Reader to Commissioner falling under promotion quota in terms of rule 5(1) (b) from amongst the eligible cadres specified in rule 43(a)(ii) (iii) (iv) of the Tehsildari/Naib Tehsildari Service Rules, 1962.

There are 20 posts of Naib Tehsildars/HVCs/DRAs and Reader to Commissioner in the Division. At the ratio of 40% reserved for promotion from the eligible cadres, there were 8 posts required to be filled up. The Departmental Promotion/Selection Committee, therefore proceeded to fill the posts on regular basis from amongst the eligible officials belonging to the subordinate services as specified in the rules-ibid.

The cases of the following officials of different cadres in order of their seniority position were placed before the DPC for consideration:-

KANUNGOS.

- 1- Mr. Mohd Ashraf, (Presently NT on Stop gap)
- 2- Mr. Nadeemullah, -do- } *arrangement*
- 3- Mr. Mohd Razaq, -do-
- 4- Mr. Iqbal Huda, -do-
- 5- Mr. Akhtar Zeb, -do-
- 6- Mr. Ghain Mohd, -do-
- 7- Mr. Qasherman, -do-
- 8- Mr. Mohd Ashraf, -do-
- 9- Mr. Shad Mohd, Kanungo-
- 10- Mr. Abdul Jallil, Kanungo.
- 11- Mr. Munir-uz-Zaman, Kanungo.
- 12- Mr. Mohd Bashir, Kanungo.

DISTT. REVENUE ACCOUNTANTS.

- 1- Mr. Shaukat Hussain, (Presently NT on Stop)
- 2- Mr. Attaur Rehman, -do- } *arrangement*

TEHSIL REVENUE ACCOUNTANT.

- 1- Mr. Sikandar Khan, (Presently NT on stop gap)
- 2- Mr. Abdul Karim, -do- } *arrangement*
- 3- Mr. Aurangzeb, -do-
- 4- Mr. U. Aziz, -do-
- 5- Mr. Mohd Zahoor, -do-
- 6- Mr. Sajid Hussain, -do-
- 7- Mr. Mota Hussain, -do-
- 8- Mr. Ghulam Murtaza, TRA-
- 9- Mr. Abdul Wahed, TRA.

Attached

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MINISTERIAL EMPLOYEES.

- 1- Mr. Mohd Pervez, Asstt: Commissioner's Office. *(Promoted)*
- 2- Mr. Javed Hussain, Asstt: Commissioner's Office. *(Promoted)*
- 3- Mr. Hazrat Yousaf, Asstt: DC's Office, Batagram. *(Promoted)*
- 4- Mr. Ali Asghar Shah, Asstt: Board of Revenue. *(Promoted)*
- 5- Mr. Jehanzeb, Steno to ACR, Hazara Divn. *(Promoted)*
- 6- Mr. Iqbal, S/Clerk, DC's Office, Mansehra. *(Promoted)*
- 7- S. Tayyab Hussain, Shah, Sr. Clerk, Commr's Office. *(Retired)*
- 8- Mr. Aurangzeb, J/C, DC's Office, Abbottabad. *(Promoted)*
- 9- Mr. Aktaur Rehman, JC, DC's Office, Mansehra. *(Promoted)*
- 10- Mr. Taimur Khan, JC, DC's Office, Mansehra. *(Promoted)*
- 11- S. Artab Hussain Shah, JC, Commr's Office. *(Promoted)*
- 12- Mr. Ashfaq, JC, DC's Office, Abbottabad. *(Promoted)*
- 13- Mr. Shabir, JC, DC's Office, Abbottabad. *(Promoted)*
- 14- Mr. Munir Akhtar, JC, Commr's Office. *(Promoted)*

Before proceeding further into promotion/selection process, the DPC after lengthy discussion reached to the conclusion to follow the rules strictly and thus the case of the following officials was dropped in view of their being overage.

- 1- Mr. Mohammad Ashraf-
- 2- Mr. Nasimullah-
- 3- Mr. Mohammad Rustom-
- 4- Mr. Akhtar Zeb-
- 5- Mr. Sain Mohammad-
- 6- Mr. Mohammad Ashraf-
- 7- Mr. Abdul Jalil-

The following two were dropped being junior most.

- 1- Mr. Munir-uz-Zaman, Kgo, Abbottabad.
- 2- Mr. Mohd Bashir, Kgo, Haripur.

The DPC also decided that the Officials noted at S.No. 1 to 6-above who are presently performing as NT on stop gap will continue till the recruitment of new incumbents by the PSC or next DPC as the case may be.

The DPC after careful perusal of the service record of the eligible candidates in all the cadres recommended their promotion as NT on regular basis which includes;

- 1- Mr. Gul Nawaz, Kgo (Present NT on stop gap arrangement)
- 2- Mr. Noshervan, Kgo

However the promotion of Mr. Noshervan (S.No.2) was subjected to the production of his missing ACR for the year 1994). Kanungo, Batagram. Kanungo, Batagram.

- 3- Mr. Shad Mohammad,
- 4- Mr. Mohd Chaffar-

(As the Official at S.No.4 (Mohammad Chaffar) was not included in the panel (working paper) thus keeping in view the seniority position, the DPC xxx recommended his promotion after requisitioning his service record. This promotion was on the recommendation of Rep: of Board of Revenue who stressed to give sufficient representation to the cadre of Kanungos).

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Atter

P. 10



3...
Santat Hussain, DRA (Presently NT on stop gap)
-do- (Arrangements)
Raur Rehman, DRA

The reasons for their regular promotion was also that they were holding the posts of DRAs on regular basis, thus they were recommended for selection as Naib Tehsildar.

Mr. Mohd Zahoor, TRA (Presently NT on stop gap)

The service record of the Official was examined minutely but his case was decided to be deferred because in the ACR for the year 1998, he was found "Not suitable yet" for promotion and his ACR for the year 1999 was not available. It was decided that he might get good ACR for the year 1999 and may be considered in the next DPC.

It was also decided that the following

1. Rev: Accountants temporarily promoted as NT on stop gap
placements shall continue till the recruitment of new incumbents
by PSC or next DPC as the case may be;

- 1- Mr. Sikandar Khan, TRA
 - 2- Mr. Abdul Karim, TRA
 - 3- Mr. Aurangzeb, TRA
 - 4- Mr. Dilpazir, TRA
 - 5- Mr. Sajid Hussain, TRA
- } Presently working as NT on stop gap arrangements.

8- Mr. Mohammad Pervez, Asstt: Commissioner's Office.

(There were 14 candidates in the let. The seniority list was prepared. The Rep: of Board of Rev: was of the opinion that since Mr. Iqbal, Sr. Clerk of DO's Office, Manshera who was also a candidate is senior one on the basis of joining service earlier, so he may be considered for promotion but the Chairman as well as the second member of the DPC did not agree for the reasons that although Mr. Iqbal, Sr. Clerk is senior on the basis of length of service yet belongs to a junior cadre and that in the presence of an official of Sr. cadre, consideration of an official of Jr. cadre will not be proper. Thus finally the DPC recommended Mr. Mohd Pervez, Asstt: Commr's Office for promotion as NT against the seat meant for Ministerial employees.

the recommendations for promotion
at promotion quota, the meeting ended with

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(Stamp)

COMMISSIONER,
Division, Abbottabad.
(Chairman.)

35

2. 11



No. 6759-60 /Dt. Abbottabad the 10/17/2000.

Copy forwarded to :-

- 1- The Secretary, Board of Revenue, NWFP., Peshawar.
- 2- The Assistant to Commissioner (Rev/GA) - Hazara Divn. Abbottabad.

For Commissioner,
Hazara Division, Abbottabad.

Attest

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ANNEXURE 'F'

GOVERNMENT OF NWFP REVENUE AND ESTATE DEPARTMENT

Peshawar dated the 17/02/2006.

ORDER

No. Admn. V/AS(P)/Sajid. In pursuance of the judgement of the NWFP Service Tribunal Peshawar dated 13.5.2004 in Service Appeal No. 660/2001 filed by Mr. Sajid Hussain TRA presently working as DRA (officiating Naib Tehsildar) Haripur is hereby promoted as Naib Tehsildar (BPS-14) on regular basis with immediate effect. He will get seniority with effect from 15.7.2000 without arrears.

Sd/-

Senior Member,
Board of Revenue, NWFP

Encl: No. & date even.

Copy forwarded to the:-

1. Registrar, NWFP, Service Tribunal Peshawar w/r to this letter No. 2654/ST, dated 12.12.2005.
2. ✓ District Officer (Revenue & Estate), Collector, Haripur.
3. District Accounts Officer, Haripur.
4. Private Secretary to Senior Member, Board of Revenue, NWFP.
5. P.A to Secretary Board of Revenue, NWFP.
6. Official concerned.
7. Personal file.
8. Office order file.

Secretary
Board of Revenue, NWFP

Attested
H. J. M.

GOVERNMENT OF NWFP,
REVENUE AND ESTATE DEPARTMENT.

Peshawar dated the 17/02/2006.

ORDER

No. Admn: V/AS(F) / Sajid. In pursuance of the judgment of the NWFP Service Tribunal Peshawar dated 13.05.2004 in Service Appeal No. 660/2001, filed by Mr. Sajid Hussain TRA recently working as DRA (officiating Naib Tehsildar) Haripur is hereby promoted as Naib Tehsildar (BPS-14) on regular basis with immediate effect. He will get seniority with effect from 15.7.2000 without arrear.

Sd/-

Senior Member,
Board of Revenue NWFP

Endts: No. & date even.

Copy forwarded to the:-

1. Registrar NWFP Service Tribunal Peshawar w/r to his letter. No.2654/ST dated 12.12.2005.
2. District Officer (Revenue & Estate) / Collector, Haripur.
3. District Accounts Officer, Haripur.
4. Private Secretary to Senior Member Board of Revenue, NWFP.
5. P.A to Secretary Board of Revenue, NWFP.
6. Official concerned.
7. Personal file.
8. Office order file.

Secretary
Board of Revenue NWFP

GOVERNMENT OF NWFP
REVENUE AND ESTATE DEPARTMENT

Peshawar dated the 23/8/2006

ORDER

NO. 1070-78 / Adm / (AS) / G. Murtaza, Sardin, Ghulam, Murtaza
Tehsil Revenue Accountant, Abbottabad is hereby transferred and posted as Naib
Tehsildar / DRA, District Haripur, (in his own pay & Scale) against the vacant post with
immediate effect.

B/C
DOB

Sd/-
Senior Member,
Board of Revenue, NWFP

Encls. NO. & date given

Copy forwarded to:-

- 1 ✓ District Officer (Revenue & Estate) Collector, Abbottabad.
- 2 ✓ District Officer (Revenue & Estate) Collector, Haripur.
- 3 ✓ District Accounts Officer, Abbottabad/Haripur.
- 4 ✓ Private Secretary to Senior Member, Board of Revenue, NWFP.
- 5 ✓ PA to Secretary, Board of Revenue, NWFP.
- 6 ✓ Personal file.
- 7 ✓ Office order file.
- 8 ✓ Official concerned.

Secretary
Board of Revenue, NWFP
Handwritten signature



**GOVERNMENT OF NWFP,
REVENUE AND ESTATE DEPARTMENT.**

Peshawar dated the 03/08/2006.

ORDER

No. 10070-78 /Admn: AS(F) /G.Murtaza. Sardar Ghulam Murtaza Tehsil Revenue Accountant, Abbottabad is hereby transferred and posted as Naib Tehsildar / DRA. District Haripur. (in his own pay & scale) against the vacant post with immediate effect.

Sd/-
Senior Member,
Board of Revenue NWFP

Endts: No. & date even.

Copy forwarded to the:-

1. District Officer Revenue & Estate/ Collector, Abbottabad.
2. District Officer (Revenue & Estate) / Collector, Haripur.
3. District Accounts Officer Abbottabad/ Haripur.
4. Private Secretary to Senior Member Board of Revenue, NWFP.
5. P.A to Secretary Board of Revenue, NWFP.
6. Personal file.
7. Office order file.
8. Official concerned.

Secretary
Board of Revenue NWFP

*Attested
W J*

40

GOVERNMENT OF NWFP
REVENUE AND ESTATE DEPARTMENT



PESHAWAR DATED THE 2/10/2007.

ORDER

No. _____ /Admn.V/P/C) With the approval of the Competent Authority,
Mr. Ghulam Murtaza Tehsil Revenue Accountant Presently working as District Revenue Accountant
Haripur own pay & scale is hereby promoted as Naib Tehsildar BPS-14 on Acting charge basis with
immediate effect. On promotion he will continue as District Revenue Accountant, Haripur.

By Order of
Senior Member,
Board of Revenue, NWFP

No. 20006-1 / Admn.V/P/C)

Copy forwarded to the

- 1. District Officer (Revenue & Estate) Collector, Haripur
- 2. District Account Officer, Haripur
- 3. Assistant Secretary, Litigation Board of Revenue, NWFP
- 4. Official Concerned
- 5. Personal file
- 6. Officer Order file

Secretary
Board of Revenue, NWFP

BETTER COPY

41

GOVERNMENT OF NWFP,
REVENUE AND ESTATE DEPARTMENT.

Peshawar dated the 21/09/2007.

ORDER

No. _____/Admn:V/PF(G) with the approval of the Competent Authority, Mr. Ghulam Murtaza Tehsil Revenue Accountant presently working as District Revenue Accountant Haripur own pay & scale is hereby promoted as Naib Tehsildar BPS-14 on Acting charge basis with immediate effect. On promotion he will continues as District Revenue Accountant, Haripur.

By Order of
Senior Member,
Board of Revenue NWFP

No. 20006-11 / Admn: V/PF(G)

Copy forwarded to the:-

1. District Officer Revenue & Estate/ Collector, Haripur.
2. District Accounts Officer Haripur.
3. Assistant Secretary Litigation Board of Revenue, NWFP.
4. Official concerned.
5. Personal file.
6. Office order file.

Secretary
Board of Revenue NWFP

Signature
11
Signature

42

15/02/2019

29



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated 01/02/2019

O.R.D.E.R.

No.Estt:V/Tentative.S.List/NT/2018/ 7755 In pursuance of Section 8 (1) of the Civil Servant Act, 1973 Tentative Seniority List of regular Naib Tehsildar as it stood on 31.12.2018 is hereby circulated for information / objection if any to all concerned.

By order of
Senior Member

No.Estt:V/Tentative.S.List/NT/2018/ 7756-80

Copy alongwith copy of Tentative Seniority List of Naib Tehsildar/2018:-

Abbottabad

1. All Deputy Commissioners in Khyber Pakhtunkhwa with the request to circulate the same amongst the Naib Tehsildars working under their control for information / objection if any within 15 days positively.
2. Office Order file.

Assistant Secretary (Estt)

Attested

	Name of Naib Tehsildar / Qualification	Date of Birth / Domicile	Date first entry into Government Service	Date of appointment as Naib Tehsildar on regular basis	Method of Recruitment	Remarks
1.	Mr. Abdul Qadeer (MSc)	15.08.1962 DIKhan	28.08.1995	28.08.1995	Promotee	Appointed as Tehsildar (BPS - 16) on acting charge basis.
2.	Mr. Yadullah Khattak (M.A)	23.05.1979 Mardana	02.02.2009	02.02.2009	Direct	Naib Tehsildar
3.	Muhammad Yar (M.A)	02.02.1979 Malakand	02.02.2009	02.02.2009	--do--	--do--
4.	Syed Sultan Haider Shah (BA. LLB)	08.12.1972 Peshawar	02.02.2009	02.02.2009	--do--	--do--
5.	Mr. Aftab Ahmad (MSc)	08.12.1982 Peshawar	02.02.2009	02.02.2009	--do--	--do--
6.	Mr. Dil Nawaz Khan (LLB)	22.03.1979 Swabi	02.02.2009	02.02.2009	--do--	--do--
7.	Mr. Kifayat Ullah (M.A)	09.01.1977 Peshawar	02.02.2009	02.02.2009	--do--	Reinstated into Service till the decision of CPLA
8.	Mr. Faqir Hussain (B.A)	10.10.1983 Nowshera	02.02.2009	02.02.2009	--do--	Naib Tehsildar
9.	Mr. Zulfiqar Khan (M.Com)	15.04.1983 Peshawar	02.02.2009	02.02.2009	--do--	--do--
10.	Mr. Waqar Ahmad (M.A)	24.04.1980 Mansehra	02.02.2009	02.02.2009	--do--	--do--
11.	Muhammad Faraz Qurashi (MBA)	17.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
12.	Mr. Fazal ur Rehman (M.A)	10.07.1975 Haripur	02.02.2009	02.02.2009	--do--	--do--
13.	Mr. Farukh Jadoon (BSc)	04.05.1984 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
14.	Mr. Fayaz Ahmad (M.A)	10.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
15.	Mr. Bilal Ahmad (BA. B.Ed)	10.10.1978 Haripur	02.02.2009	02.02.2009	--do--	--do--
16.	Mr. Tanveer Shahzad (M.A)	30.12.1977 Mansehra	02.02.2009	02.02.2009	--do--	--do--
17.	Mr. Ejaz Ahmad (M.A)	15.04.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
18.	Muhammad Salim (M.A / LLB)	03.05.1978 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
19.	Mr. Adil Waseem (B.A)	25.12.1988 Nowshera	27.02.2009	27.02.2009	Direct	--do--
20.	Mr. Tanzil-ur-Rehman (B.A)	13.02.1988 NWA	14.04.2009	14.04.2009	--do--	--do--

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24.	Qianoos Khan (B.A)	14.02.1962 Kohat	01.07.1991	02.05.2009	--do--	--do--
	Mr. Amir Zareen (Matric)	06.08.1959 Shangla	01.03.1978	02.05.2009	--do--	--do--
	Mr. Shah Wazir (Matric)	02.02.1960 Swat	05.04.1981	02.05.2009	--do--	--do--
25.	Mr. Sher Bahadar (B.A)	07.04.1965 Tank	10.10.1992	02.05.2009	--do--	--do--
26.	Mr. Shaukat Iqbal (M.A)	2/11/1973 DIKhan	19.10.1992.	02.05.2009	--do--	--do--
27.	Mr. Abdur Rashid (MSC)	05.01.1962 Swabi	28.08.1988	02.05.2009	--do--	--do--
28.	Mr. Ahmad Ali M.A (B.Ed)	17.04.1962 Swabi	28.08.1988	02.05.2009	--do--	--do--
29.	Mr. Gohar Ali (B.A)	31.03.1980 Bannu	29.05.2009	29.05.2009	Direct	--do--
30.	Mr. Mehmood Shah (Matric)	01.02.1959 Peshawar	04.10.1977	02.06.2009	Promotee	--do--
31.	Mr. Sher Dil (B.A)	24.01.1974 Kohistan	10.04.1995	02.06.2009	--do--	--do--
32.	Muhammad Shoaib (B.A)	01.01.1968 Kohat	09.12.1990	02.06.2009	--do--	--do--
33.	Muhammad Arshad (B.A)	20.01.1967 Kohat	02.09.1984	26.06.2009	--do--	--do--
34.	Mr. Zafar Iqbal (B.A. L.L.B)	25.02.1963 Kohat	02.04.1987	02.07.2009	--do--	--do--
35.	Mr. Nawab Gul (M.A)	15.11.1966 Kohat	01.01.1995	02.07.2009	--do--	--do--
36.	Mr. Umbaras Khan (B.A)	30.06.1960 Mardan	30.08.1988	07.07.2009	--do--	--do--
37.	Mr. Shakeel-ul-Rehman (B.A)	10.02.1978 Bannu	06.01.2009	11.07.2009	Direct	--do--
38.	Mr. Shiekh Muhammad Jamil (M.A)	15.02.1964 DIKhan	21.10.1992	18.07.2009	Promotee	--do--
39.	Mr. Sardar Ghulam Murtaza (F.A)	01.11.1965 Abbottabad	04.06.1988	30.06.2010	--do--	--do--
40.	Mr. Abdul Salam (F.A)	14.11.1981 Lakki Marwat	01.09.2004	27.05.2015	--do--	--do--
41.	Mohammad Khan (F.A)	06.02.1980 Mardan	24.04.2008	27.05.2015	--do--	--do--
42.	Mohammad Naeem (B.A)	02.02.1961 Abbottabad	15.04.1985	27.05.2015	--do--	--do--
43.	Mr. Jehan Ali (F.A)	05.03.1962 Malakand	11.08.1993	27.05.2015	--do--	--do--
44.	Mr. Bakht Jehan (M.A)	15.03.1964 Dir Lower	05.06.1986	27.02.2015	--do--	--do--

ANNEXURE 'G'

45

IN THE PESHAWAR HIGH COURT, CIRCUIT BENCH, ABBOTTABAD.

W.P.No. 213 / of 2002

- Sardar Ghulam Murtaza S/o Haji Painda Khan resident of Bagan Tehsil and District Abbottabad Now Tehsil Revenue Accountant (T.R.A.)/Wasil Baqi Naweas Abbottabad
- 2- Muhammad Zahoor S/o Amir Khan resident of Ganda Tehsil and District Mansehra presently Naib Tehsildar Land Acquisition Mansehra
- 3- Sajid Hussain S/o Ghulam Sarwar resident of Haripur now District Revenue Accountant (D.R.A.) Haripur
- 4- Muhammad Naeem Ahmed S/o Malik Abdul Qayyum resident of Kalas Post Office Khalabat Township, Haripur now Tehsil Revenue Accountant Haripur
- 5- Abdul Haleem S/o Abdul Aziz resident of Kholian-cum-Kalawan Post Office Sarai-Saleh Haripur now T.R.A. Ghazi District Haripur
- 6- Awal Khan S/o Qalander Khan resident of Dobandi, Post Office Baldher Tehsil Haripur now Additional T.R.A. Haripur
- 7- Muhammad A. Waheed S/o Abdul Rahim resident of Battagram Tehsil & District Battagram now T.R.A. Battagram.

PETITIONERS

VERSUS

- 1- Government of N.W.F.P. through its Secretary Revenue Department Peshawar Secretariat Peshawar.
- 2- Board of Revenue N.W.F.P. Peshawar through Secretary of the Board of Revenue N.W.F.P. Peshawar.

RESPONDENTS

N.P.P.

No: 1702

11-12-02 FILED TODAY

Addl Registrar Peshawar High Court Circuit Bench Abbottabad

No: 1559 19.8.02.

FILED TODAY

Addl Registrar Peshawar High Court Circuit Bench Abbottabad 19/8/02

3/11/02

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ORDER SHEET
PESHAWAR HIGH COURT
BENCH ABBOTTABAD.

S.NO.	DATE	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/ JUDGES.
	26.9.07	<p>W.P.No.213/2002</p> <p>Present: Qazi Rashidul Haq Advocate for the petitioner. Mr.Wajid Khan DAG for official respondents. Mr.Masood Jan Assistant Secretary Board of Revenue.</p> <p>The learned counsel for the petitioner submitted an order dated 24.9.2007 whereby the petitioner has been promoted as Naib Tehsildar in BPS-14 on acting charge basis w.e.f. issuance of notification dated 24.9.2007.</p> <p>2. With the issuance of the said notification the grievance of the petitioner stands redressed. The term promotion on acting charge basis is used for the promotion of the senior most person in due process of law but his regular promotion is withheld merely for deficiency in the length of required service for such promotion. Thus the promotion on acting charge basis is a regular promotion for all practical purposes. However, such promotee is not entitled to the annual increments till the time of completion of deficiency in the required length of service. Thus with the issuance of the said order, which is confirmed by the representative of the respondents, the petition stands redressed and disposed of accordingly.</p> <p>3. However, it may be observed that if the official respondents put a different interpretation to the terms "acting charge" basis or do not convert the promotion on acting charge basis into regular promotion after the completion of the deficiency in the required length of service, the petitioner shall be at liberty to seek his remedy in accordance with law.</p> <p><i>3/11/09</i></p> <p><i>sd/Judge,</i> <i>sd/Judge,</i> <i>sd</i></p>

ANNEXURE "i" 49



OFFICE OF THE
ADDL: ASSISTANT COMMISSIONER (REV)
ABBOTTABAD

ORDER:

The post of DRA of this office has become vacant due to retirement of Mr. Muhammad Riaz, DRA since 20-04-2014. Mr. Muhammad Shabir is already working as ADRA since long. Therefore, he is hereby ordered to look after the duties of DRA in addition to his own duty till the regular posting of DRA by the Board of Revenue.

This has the approval of competent authority.

ADDL: ASSISTANT COMMISSIONER (REV)
ABBOTTABAD

Endost No: 1176-78

Dated: 13/05/2014

Copy forwarded to the:

1. Secretary Board of Revenue, Khyber Pakhtunkhwa Peshawar for favour of information please.
2. Commissioner Hazara Division Abbottabad for favour of information please.
3. Additional Deputy Commissioner Abbottabad.

ADDL: ASSISTANT COMMISSIONER (REV)
ABBOTTABAD

No. 1370 For Insurance Notices see reverse. Rs. Ps. ...

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgment is due.

To Secy Board of Revenue 30.

Received a registered* addressed to Secy Board of Revenue Date Stamp

*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Initials of Receiving Officer Secy Board of Revenue

Insured for Rs. 3000 (in words)

Weight 300 (in words)

Insurance fee Rs. 30

Name and address of sender Peshawar

By insured.

ANNEXURE "H"

47



(15)
GOVERNMENT OF NWFP
REVENUE & ESTATE DEPARTMENT

Dated Peshawar the 14/03/2009

ORDER

No. _____ /Admn:V/PE/(H) On the recommendation of Departmental Promotion Committee held under the Chairmanship of Senior Member Board of Revenue on 27.02.2009, in light of the NWFP Service Tribunal Judgments dated 19.05.2008 and 05.06.2008 as well as the direction of Peshawar High Court dated 19.01.2009, the Committee examined the promotion of the Ministerial staff of Kohat Division and unanimously agreed / recommended the promotion of the following Ministerial staff as under:-

S.No	Name	Remarks
1.	Mr. Abdul Samad Assistant of the office of Commissioner Kohat Division	Promoted as Naib Tehsildar (BPS - 14) on regular basis w.e.f 10.04.2001. He will go six months settlement / revenue training
2.	Mr. Hameed Khan Assistant of the office of Commissioner Kohat Division	Promoted as Naib Tehsildar (BPS - 14) on regular basis w.e.f 10.04.2001. He will go six months settlement / revenue training
3.	Mr. Haider Hussain Assistant of the office of Commissioner Kohat Division	His regular promotion as Naib Tehsildar (BPS - 14) w.e.f 10.04.2001 is hereby modified and is considered on regular basis w.e.f 03.01.2006 instead of 10.04.2001. He will continue as Tehsildar Banda Daud Shah District Katak (Own Pay & Scale)
4.	Mr. Javed Khan Junior Clerk of the office of DCO Kohat	His promotion as Naib Tehsildar (BPS - 14) on regular basis w.e.f 03.01.2006 is hereby modified and is considered as Naib Tehsildar (BPS - 14) on Acting Charge Basis. His services already played at the disposal of FATA Secretariat for further posting as Political Naib Tehsildar
5.	Mr. Quiser Naz Junior Clerk of the office of Deputy Commissioner Kohat	His promotion as Naib Tehsildar (BPS - 14) on regular basis w.e.f 10.04.2001 is hereby modified and is considered as Naib Tehsildar (BPS - 14) on Acting Charge Basis. He will continue as Tehsildar Hangu (Own Pay & Scale)

48
1



M/S. Javed Khan and Qaiser Naz Naib Tehsildars (BPS - 14) on Acting charge basis will be considered for promotion as Naib Tehsildar on regular basis as and when vacancy occur in Ministerial employees quota in Kohat Division.

By Order of
Senior Member
Board of Revenue NWFP

No 6446-69 / Admn: V/PF/ (II)

Copy to:-

1. Commissioner Peshawar Division Peshawar.
2. Commissioner Kohat Division Kohat.
3. Political Agent Khyber Agency.
4. District Coordination Officer, Kohat.
5. District Officer (Revenue & Estate)/Collector, Kohat, Nowshera, Karak, and Hangu.
6. Agency Accounts Officer Khyber Agency.
7. Accounts Officers Nowshera, Kohat, Karak and Hangu.
8. Official concerned.
9. Office Order File

Secretary
Board of Revenue NWFP

ANNEXURE "J" 50

FROM MEMBER OFFICE

FAX NO. : 0919213989

Sep. 2017 4:20PM P1

Handwritten signature and stamp



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 18/09/2017

O.R.D.E.R

No.Estt:V/PH/Waqar/Comm/_____ The Competent Authority is pleased to post Mr Waqar Atunad Naib Tehsildar Pattan as District Revenue Accountant Abbottabad against the vacant post with immediate effect and in public interest.

Note:- Malik Mohammad Shabbir Junior Clerk office Deputy Commissioner Abbottabad is relieved from the additional charge of the post of District Revenue Accountant Abbottabad

By order of
Senior Member

No.Estt:V/PH/Waqar/Comm/19540-44

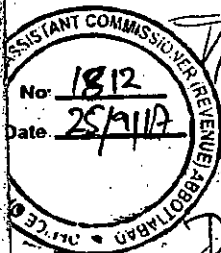
Copy forwarded to the:-

1. Commissioner Hazara Division Abbottabad.
2. Deputy Commissioners Kohistan Abbottabad.
3. District Accounts Officer Kohistan Abbottabad.
4. Official concerned.

Personal file

Handwritten initials: AAC (Rv) / AEL (Rv)

Handwritten initials: DC



Handwritten initials: DRA and other marks

Handwritten signature: H. Khan

BETTER COPY

51

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

Peshawar dated the 18/09/2017.

O.R.D.E.R

No. Estt: V/PF/Waqar/Comm/_____ The Competent Authority
is pleased to post Mr. Waqar Ahmed Naib Tehsildar Pattan as District Revenue
Accountant Abbottabad against the vacant post with immediate effect and in public
interest.

Note:- Malik Mohammad Shabbir Junior Clerk office of Deputy
Commissioner Abbottabad is relieved from his additional
charge of the post of District Revenue Accountant Abbottabad.

By Order of
Senior Member,

No. Estt: V/PF/Waqar/Comm / 19540-44

Copy forwarded to the:-

1. Commissioner Hazara Division Abbottabad.
2. Deputy Commissioner Kohistan/ Abbottabad.
3. District Accounts Officer Kohistan and Abbottabad.
4. Official concerned.
5. Personal file.

Sd/-
Assistant Secretary (Estt:)

11/9/17
[Signature]

52



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

No. Estt: V/PF/M. Shabir. Hazara/8378
Dated the 20/04/2017.

To

The Deputy Commissioner
Abbottabad.

SUBJECT: POSTING OF DISTRICT REVENUE ACCOUNTANT.

I am directed to refer to your letter No. 3599/AE(Rev) dated 31.03.2017 on the subject and to state that Mr. Malik Muhammad Shabbir Ahmad Junior Clerk who is working as ADRA is hereby authorized to look after the work of District Revenue Accountant Abbottabad till promotion of regular District Revenue Accountant please.

Sd/-
Assistant Secretary (Estt:)

Allesha
Allesha

ANNEXURE 'K' 53



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT
Peshawar dated the 30/02/2019

ORDER

No.Estt:V/DPC/NT/2019/_____ On the recommendation of Departmental Promotion Committee meeting dated 18.02.2019, the Competent Authority is pleased to order the appointment of the following Political Muharrirs (BS-11) of Peshawar Division to the post of Naib Tehsildar (BS-14) on acting charge basis with immediate effect :-

S. No.	NAME OF OFFICIAL	OFFICES
1.	Mr. Shahid Shah	Political Muharrir of Peshawar Division
2.	Mr. Roshan Lal	Political Muharrir of Peshawar Division
3.	Mr. Said Muhammad	Political Muharrir of Peshawar Division
4. ✓	Mr. Ghuncha Gul	Political Muharrir of Peshawar Division

Consequent upon their appointment as Naib Tehsildar on Acting Charge Basis their services are placed at the disposal of Commissioner Peshawar Division for further posting in the Division.

By order of
Senior Member

No.Estt:V/DPC/NT/2019/ 4780-85

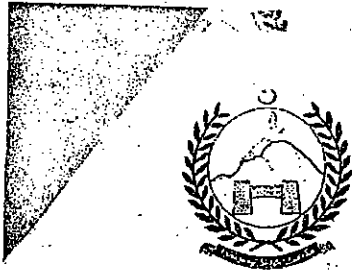
Copy forwarded to the:-

1. Commissioner, Peshawar Division.
2. Deputy Commissioner of the respective District.
3. District Accounts Officers of the respective District
4. P.S to Senior Member Board of Revenue.
5. Officials concerned.
6. Personal Files.


Assistant Secretary (Estt.)

ANNEXURE 'L'

54



OFFICE OF THE
DEPUTY COMMISSIONER
ABBOTTABAD

No. 4720-24
Dated: 28/05/2019

ANNEXURE 'L'

ORDER:

Consequent upon the recommendation of the Departmental Promotion/ Selection Committee Meeting held on 28.05.2019 and minutes circulated vide Endst No. 4710/EB dated 28.05.2019 the following Junior Clerks (BPS-11) of this office are hereby promoted to the post of Senior Clerks (BPS-14) on regular basis with immediate effect on usual terms and conditions.

1. Gulzeb
2. Malik Muhammad Shabbir

They will remain on probation for a period of one year as prescribed in term of Section 6(2) of Khyber Pakhtunkhwa Civil Servent Act 1973 read with the Rule (15) of Khyber Pakhtunkhwa Civil Servent (Appintment, Promotion, Transfer) Rules, 1989.

[Signature]
DEPUTY COMMISSIONER

ENDST: NO. & DATE EVEN:

Copy for information and necessary action to the:

1. District Comptroller of Accounts, Abbottabad
2. Account Officer, DC's Office, Abbottabad with the directions to make necessary entries in the Service Book of the official concerned accordingly.
3. District Nazir(Local).
4. Official concerned

[Signature]
DEPUTY COMMISSIONER

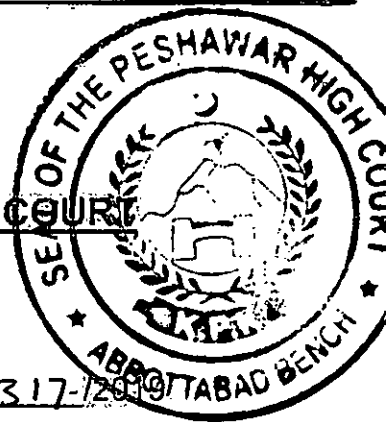
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A/Asst
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checked
11/5/19
14

ANNEXURE 'M'

55

BEFORE THE HONORABLE PESHAWAR HIGH COURT

ABBOTTABAD BENCH



W.P No. 1317-12019

Malik Muhammad Shabbir S/o Malik Muhammad Younis
Senior Clerk BPS-14, Deputy Commissioner office District,
Abbottabad.

PETITIONER

VERSUS

1. Govt of KPK through Secretary Revenue Department,
Peshawar Secretariat, Peshawar.
2. The SMBR, Khyber Pakhtunkhwa, Peshawar.
3. The Commissioner Hazara Division, Abbottabad.
4. The Deputy Commissioner, District, Abbottabad.

..... RESPONDENTS

=====

WRIT PETITION, UNDER ARTICLE 199 OF THE CONSTITUTION
OF ISLAMIC REPUBLIC OF PAKISTAN, 1973. DECLARATION TO
THE EFFECT THAT PETITIONER IS ENTITLED FOR PROMOTION
AS "NAIB TEHSILDAR" BEING MOST SENIOR AND WORKING
AS CLERK (BPS-14) IN THE OFFICE OF RESPONDENT NO.4 BUT
RESPONDENT NO.1 AND 2, DID NOT PROMOTE THE
PETITIONER AS "NAIB TEHSILDAR" DURING THE 52 YEARS
SERVICE PERIOD OF THE PETITIONER DESPITE MANY TIME
RECOMMENDATIONS OF RESPONDENT NO.4, WHILE
RESPONDENT NO.2 IGNORING THE PETITIONER, PROMOTED
THE COLLEAGUE OF THE PETITIONER AS "NAIB TEHSILDAR"
WHO IS MOST JUNIOR TO THE PETITIONER ON THE BASIS OF
POLITICAL INTERFERENCE, NEPOTISM, AND FAVORITISM,

Certified to be True Copy
EXAMINER

28 NOV 2019

Peshawar High Court Atd. Bench
Authorized Under Sec: 75 Evid Grds.

THIS ACT OF RESPONDENTS IS ARBITRARY, UN-
CONSTITUTIONAL, DISCRIMINATORY, AGAINST THE LAW AND
PROMOTION RULES OF THE NAIB TEHSILDAR, AND, WITHOUT
LAWFUL JURISDICTION.

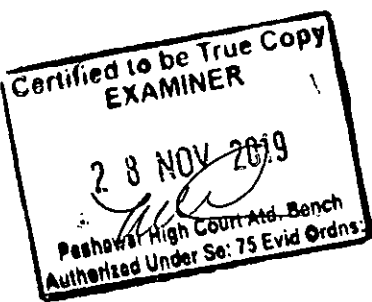
PRAYER:

ON ACCEPTANCE OF THE INSTANT WRIT PETITION,
RESPONDENTS, MAY KINDLY BE DIRECTED TO PROMOTE THE
PETITIONER AS NAIB TEHSILDAR WITH ALL BACK BENEFITS,
AT PAR SUCH LIKE THE COLLEAGUE OF THE PETITIONER,
WHO WAS PROMOTED AS "NAIB TEHSILDAR" FROM THE
MINISTERIAL CADRE IN THE LIGHT OF DPC, WHICH IS HELD BY
RESPONDENTS NO. 3 & 4 IN THE YEAR 1996 AND 2000. ANY
OTHER REMEDY WHICH THIS HONOURABLE COURT DEEMS
FIT AND APPROPRIATE, MAY ALSO BE GRANTED IN THE
FAVOUR OF PETITIONER.

RESPECTFULLY SHEWETH:

FACTS:

1. That, the petitioner joined the office of Deputy
Commissioner as Junior Clerk in the year 1990 and
thereafter, in the year 1991, the petitioner was posted as
"A.D.R.A." vide order dated 11/03/1991 and, thus, the
petitioner started to perform his duty. (Copy of the order
dated 11/03/1991 is annexed as annexure "A")



2. That, petitioner having B.A qualification, was eligible for promotion as "Naib Tehsildar" in the year 1996 and 2000 due to which the petitioner was recommended for the promotion as Naib Tehsildar on 13/06/1996 by the competent authority i.e. respondent No.4 but no avail. (Copy of Recommendation letter regarding the promotion of petitioner, by respondent No.4 dated 13/06/1996 and copy of B.A Degree of petitioner, are annexed as annexure "B" & "C" respectively)

3. That, on 29/11/1998, petitioner submitted an application for promotion as "D.R.A / Naib Tehsildar and similarly petitioner again submitted an application on 22/11/1999 before respondent No.3 for promotion as Naib Tehsildar (Copies of the applications dated 29/11/1998 and 22/11/1999 are annexed as annexure "D & D-1")

4. That, as result of applications submitted by the petitioner, respondent No.3 constituted D.P.C in the year 2000 and petitioner was included in the list of D.P.C for promotion as "Naib Tehsildar" (Copy of the D.P.C recommendation regarding the promotion of the petitioner as Naib Tehsildar, is annexed as annexure "E")

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EXAMINER
28 NOV 2019
Peshawar High Court And Bench
Authorized Under Sec. 75 Evid Ordns

5. That, after that, a colleague of the petitioner namely Sajid Hussain, who was also included in the D.P.C. of the year 2000, promoted as "Naib Tehsildar" by the respondent No.2 on 17/02/2006 from the post of D.R.A but ignored the petitioner for promotion. (Copy of the promotion order of the colleague of the petitioner, dated 17/02/2006 is annexed as annexure "F")

6. That, one colleague of the petitioner namely Sardar Ghulam Murtaza TRA, feeling aggrieved by the respondents for the promotion of Naib Tehsildar filed a writ petition No.213/2002 before this honourable court and during the pendency of said writ petition, respondent No.2 promoted the petitioner of the said WP No.213/2002 as Naib Tehsildar vide order dated 03/08/2006 and later on, the said petitioner transferred and posted as Naib Tehsildar on acting charge basis as Naib Tehsildar Haripur on 03/08/2006 and now the said colleague of the petitioner has been promoted as "Tehsildar" vide order dated 31/12/2008 (Copies of the promotion orders as Naib Tehsildar dated 03/08/2006, as acting Naib Tehsildar dated 24/07/2007 and as Tehsildar dated 31/12/2008 and copy of the judgment of Hon'ble Peshawar High Court Abbottabad bench dated 26/09/2007 are annexed as annexure "G, H & I" respectively)

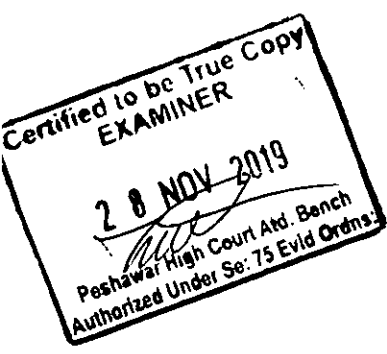
Certified to be True Copy
EXAMINER
28 NOV 2019
Peshawar High Court Atd. Bench
Authorized Under Sec. 75 Evid Ordns.

7. That, respondent No.2 on 14/03/2009, promoted two employees from the Ministerial Staff as "Naib Tehsildar" who was working as "Junior Clerk" but the petitioner was again ignored for promotion as Naib Tehsildar although the petitioner was most senior and well experienced then the said employees who were promoted by the respondents. (Copy of the promotion order dated 14/03/2009 as Naib Tehsildar of the Junior Clerks is annexed as annexure "J")

8. That, on 13/05/2014, competent authority delegated the petitioner an additional charge of D.R.A. due to having a vast experience in Revenue department. (Copy of the order of delegating additional charge of D.R.A. to the petitioner dated 13/05/2014, is annexed as annexure "K")

9. That, after performing 04 years duty as additional charge of District Revenue Account (D.R.A), the petitioner was relieved from the said post on 18/09/2017. (Copy of relieving of additional charge of the post of D.R.A. dated 18/09/2017, is annexed as annexure "L")

10. That, despite recommendation of respondent No.4 and submitting numbers of applications by the petitioner for promotion as Naib Tehsildar, respondent No.2



ignored the petitioner time and again and promoted four Moharrars from Peshawar Division as Naib Tehsildars under political influence on 20/02/2019 without considering the policy of seniority for promotion. (Copy of the promotion order of four Moharrars from Peshawar Division as Naib Tehsildar dated 20/02/2019 is annexed as annexure "M")

11. That, petitioner being most senior, is entitled for promotion as Naib Tehsildar while the respondents promoted the petitioner as "Senior Clerk" on 23/05/2019 thus, respondents violated their own recommendations as earlier respondent No.4 has already recommended the petitioner for promotion as Naib Tehsildar because the petitioner was most deserving for promotion as Naib Tehsildar due to the Seniority and vast experience. (Copy of promotion order of the petitioner as Senior Clerk dated 23/05/2019, is annexed as annexure "N")

12. That, the petitioner performed his whole service with the entire satisfaction of the respondents and no adverse entry has been made by the respondent in the ACR of the petitioner, which shows the eligibility of the petitioner for promotion as Naib Tehsildar" (Copy of the ACR of the petitioner is annexed as annexure "O")

Certified to be True Copy
EXAMINER
28 NOV 2019
Peshawar High Court Atk. Bench
Authorized Under Sec: 75 Evid Ordns

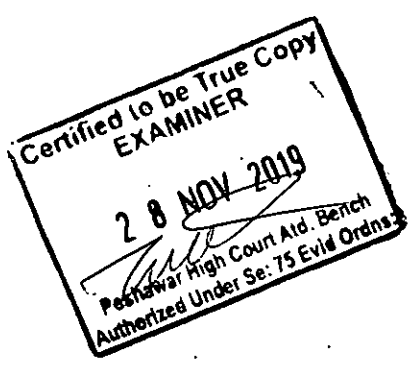
13. That, feeling aggrieved by the unlawful, malafide and discriminatory act of the respondents, petitioner have no alternate and efficacious remedy except to knock the door of this honourable court inter-alia on the following amongst other grounds:-

GROUNDS:

i. That, petitioner is entitled for promotion as Naib Tehsildar at the basis of seniority and, by fulfilling all the requirements which had laid down in the old rules of the promotions of Naib Tehsildar / Tehsildar but respondents, malafidly ignored the petitioner from his right of promotion like other colleagues of the petitioner, thus, act of the respondents is arbitrary, unconstitutional, discriminatory and malafide, therefore, not tenable in the eyes of law.

ii. That, petitioner has been discriminated throughout as his other colleagues / ministerial staff members have already been promoted as Naib Tehsildar under the old rules but the same rules is not being applied by the respondents for petitioner only.

iii. That, petitioner time and again, recommended for promotion and the petitioner was also enlisted in the working papers prepared in the year 2000 but no recommendation of D.P.C whatsoever, has come out



so far and respondents did not promoted the petitioner till now.

iv. That, petitioner seeks permission to advance other grounds and proof at the time of hearing.

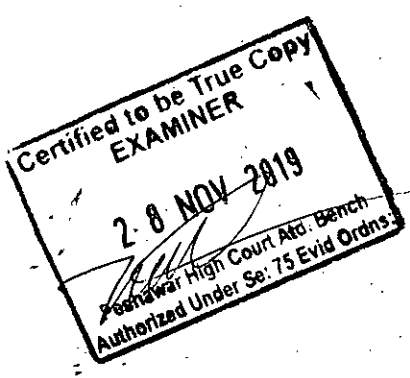
v. That, the Stamp paper having worth Rs. 500/- is attached herewith.

vi. That, the intimation notices has been served to the all respondents. (Copies of the notices alongwith registered postal receipts as annexure "P").

vii. That, all other codal formalities, as prescribed, has been compiled with.

PRAYER:

In view of the above submission, it is therefore, most humbly prayed that, on acceptance of the instant Writ Petition, Respondents, may kindly be directed to promote the petitioner as Naib Tehsildar with all back benefits, at par such like the colleague of the petitioner, who was promoted as "Naib Tehsildar" from the ministerial cadre in the light of DPC, which is held by respondents No. 3 & 4 in the year 1996 and 2000.



Any other remedy which this honourable court deems fit and appropriate may also be granted in the favour of petitioner.

INTERIM RELIEF:

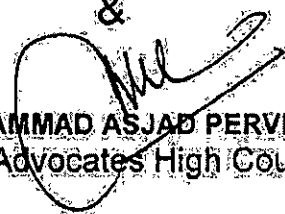
As an interim relief, it is most humbly prayed that respondent may kindly be directed not to made any further promotions of Naib Tehsildars, till the final disposal of the instant writ petition.

..... PETITIONER

Through:

Dated: -07/11/2019


Sardar Muhammad Akmal

&

(MUHAMMAD ASJAD PERVEZ ABBASI)
Advocates High Court

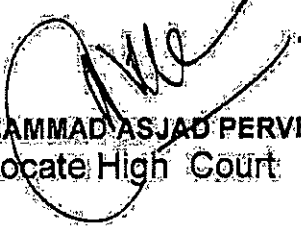
VERIFICATION:

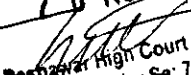
Verified that the contents of instant Writ Petition are true and correct to the best of my knowledge and belief and no material facts has been concealed from this Honourable Court.

Dated: -07/11/2019


DEPONENT

IDENTIFIED BY:-


(MUHAMMAD ASJAD PERVEZ ABBASI)
Advocate High Court

Certified to be True Copy
EXAMINER
28 NOV 2019

Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns.

ANNEXURE 'N'
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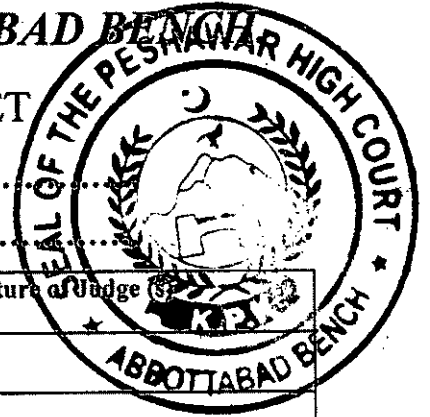
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PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM OF ORDER SHEET

Court of.....

Case No.....of.....



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge
1 27.11.2019	2 WP No. 1317-A/2019. Present: Mr. Muhammad Asjaz Parvez Abbasi and Sardar Muhammad Akmal, Advocates for petitioner. Sardar Muhammad Asif, AAG for respondents. *** IJAZ ANWAR, J. Through this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner <i>Malik Muhammad Shabbir son of Malik Muhammad Younis</i> has invoked the jurisdiction of this Court with the following prayer:- <i>That on acceptance of instant writ petition, respondents may kindly be directed to promote the petitioner as Naib Tehsildar with all back benefits, at par such like the colleague of the petitioner, who was promoted as Naib Tehsildar from the ministerial cadre in the light of DPC, which is held by respondents No. 3 and 4 in the year 1996 and 2000.</i> 2. At the very outset, learned counsel for petitioner stated at the bar that petitioner would not press this petition anymore, if this writ petition is converted into departmental appeal/representation of the petitioner and send the same to the

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EXAMINER
28 NOV 2019
Peshawar High Court Afd. Bench
Authorized Under Sec. 75 Evid. Ordns.

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respondent/department for its decision in accordance with law.

3. In view of the submission of learned counsel for petitioner, without touching the facts of the case, in the larger interest of justice, this writ petition is converted into departmental appeal/representation of the petitioner and send the same to the respondent/department for its decision in accordance with law within prescribed time. In case petitioner is not satisfied with the decision of department, he may approach the proper forum. Office is directed to do the needful.

Sd/- JUDGE

Sd/- JUDGE

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EXAMINER
28 NOV 2019
Peshawar High Court Adl. Bench
Authorized Under Sec. 75 Evid Ordns.

ANNEXURE "D" '66'

BEFORE THE SENIOR MEMBER BOARD OF REVENUE KHYBER PAKHTUNKHWA

Malik Muhammad ShabirPetitioner/ appellant
Versus
Senior Member Board of RevenueRespondent

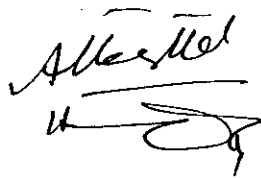
ORDER.

1. Peshawar High Court has converted the writ petition filed by Malik Muhammad Shabir (Senior Clerk) Reader to Additional Assistant Commissioner (Rev) Abbottabad into Departmental Appeal / Representation and decision according to law / rules.
2. Appellant present in person. Patiently heard and also submitted written reply on 14.01.2020 requesting therein for promotion as Naib Tehsildar.
3. Facts of the case are that the appellant is Senior Clerk of the office of Deputy Commissioner Abbottabad. Prior to his promotion as Senior Clerk, he filed an appeal before the Service Tribunal for promotion as Naib Tehsildar on the analogy of one Muhammad Saeed Khan Junior Clerk who was promoted as Naib Tehsildar through Administrative Order by the then Senior Member Board of Revenue (Ahsanullah Khan) illegally in violation of law / rules. In the internal enquiry, his illegal promotion order as Naib Tehsildar was withdrawn on 09.09.2016. The Service Tribunal vide order dated 16.08.2012 decided the appeal of the present appellant in his favour but in the meantime in light of order dated 09.09.2016, Mr. Muhammad Saeed was repatriated to his parent office as Junior Clerk, therefore the request of the appellant in light of judgment of Service Tribunal was not honored.

Perusal of the record reveals that neither in the past nor in the existing Service Rules, there is provision for promotion of Junior and Senior Clerk of the Board of Revenue, Commissioner and Deputy Commissioners offices for promotion as Naib Tehsildar, the Departmental Appeal of the appellant having no legal ground is dismissed. File be consigned to record room after completion.

ANNOUNCED
22.01.2020


MUHAMMAD AKBAR KHAN
SENIOR MEMBER



قیمتی

کورٹ فیس

وکالت نامہ

BEFORE THE ^{K.P.A.} Service Tribunal
~~BEFORE THE RESERVE AD HOC~~

عنوان: Senior Member بنام: Malik M. Shabbir

منجانب: Appellant

نوعیت مقدمہ: Service Appeal

باعث تحریر آنکہ A. Ahsan

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آل مقام

Fozzullah Ishaq & Hamayun Ishaq

بدیں شرط وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ایڈریج مختار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام پکھری کے علاوہ کسی اور جگہ ساعت ہونے پر یا بروز پکھری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پر داختمہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط صدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسیدہ دینے اور داخل کرانے کا ہر قسم کا بیان دینے اور سپروٹائلی و رضی نامہ و فیصلہ بر خلاف کرنے و اقبال دعویٰ کا اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یک طرفہ درخواست حکم انتہائی یا ڈگری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو شرط ادا نیگی علیحدہ پیروی مختار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا پیرسٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند ہے۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

المرقوم: 18/4/2026

بمقام:

Ahsan
18/4/2026

Fozzullah Ishaq

Hamayun Ishaq

Malik M. Shabbir