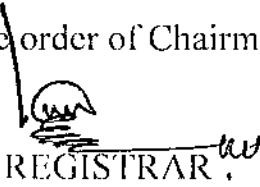


FORM OF ORDER SHEET

Court of _____

Case No.- 268/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/2/2023	<p>The appeal of Mr. Sher Ali presented today by Mr. Muhammad Hassaan Adil Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR.</p>

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 258/2023

Sher Ali

VS

Registrar PHC and Others

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APPELLANT

Through


BARRISTER
MUHAMMAD HASSAAN ADIL

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

Service Appeal No. 268/2023

Sher Ali

Assistant / Accountant Sessions Court (BPS-16)
Son of Shams-Ul-Qamar
Resident of Mohalla Panj Paoo, Tehsil Topi,
Swabi.

....APPELLANT

Versus

1. Registrar Peshawar High Court, Peshawar
2. District and Sessions Judge, Swabi at Judicial Complex, Shah Mansoor, Swabi
3. Departmental Promotion Committee / Departmental Selection Committee for Subordinate Staff of District Judiciary Swabi through its Chairman / District and Sessions Judge, Swabi at Judicial Complex Shah Mansoor, Swabi.
4. Riaz Muhammad, Assistant / Reader (BPS-16), District Judiciary Swabi at Judicial Complex Shah Mansoor, Swabi.
5. Mr. Sajjad Ali, Assistant / Reader (BPS-16), District Judiciary Swabi at Judicial Complex Shah Mansoor, Swabi.
6. Mr. Mian Nadir Shah, Assistant / Reader (BPS-16), District Judiciary Swabi at Judicial Complex Shah Mansoor, Swabi.
7. Mr. Khair-ul-Abrar, Assistant / Reader (BPS-16), District Judiciary Swabi at Judicial Complex Shah Mansoor, Swabi.
8. Mr. Sana Ullah, Assistant / Reader (BPS-16), District Judiciary Swabi at Judicial Complex Shah Mansoor, Swabi.

....RESPONDENTS

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR CORRECTION OF THE SENIORITY LIST AND PLACING THE APPELLANT AT SERIAL NO.3 IN THE SENIORITY LIST BELOW THE NAME OF Mr. SHER AFSAR KHAN FOR THE PURPOSE OF PROMOTION TO THE POST OF SUPERINTENDEND (BPS-17), WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT DATED 04-10-2022 HAS NOT BEEN RESPONDED BY THE RESPONDENTS.

Respectfully Sheweth,

1. That the appellant was appointed on 14.03.2013 (Annex "A") in prescribed manner as Assistant / Accountant (BPS-14) in the respondent no. 02's department, equipped with qualification of BBA (HONS) finance (Annex "B") which is relevant qualification for the post of assistant / accountant and superintendent. The appellant has rendered services for more than 9 years in the respondent's department.
2. That the post of Assistant/Accountant was upgraded from BPS-14 to BPS-15 vide order No. FD/SO(FR)7-20/2015 Dated 30.06.2015 (Annex "C"). Later on, the post was again upgraded from BPS-15 to BPS-16 vide order No. 6069-75/B&A Dated 23.11.2018 (Annex "D"). The services of the employee in the respondent no. 2's department is regulated by the rules titled as **Peshawar High Court (Subordinate Courts Staff) Recruitment Rules 2021**, hereinafter referred to as the Rules (Annex "E"), wherein the method of recruitment for the post of superintendent has been provided. The above said rules were initially amended in the year 2011 and later on in 2021.
3. That as per serial No. 4 of 2011 rules (Annex "F"), the criteria for filling the post of Assistant / Reader (BPS-11) are 25% by initial recruitment and 75% by promotion on the basis of seniority cum fitness from amongst holders of post of senior clerks (BPS-07) at serial no. 10 to 12 with at least three years services.
4. That Riaz Muhammad (respondent no. 04) was born on 28.03.1980 and was appointed as junior clerk (BPS-5) (Annex "G") vide appointment order dated 21.11.2001. Later on, he was appointed as Key Punch Operator (BPS-10) (Annex "H") in 2003 through Departmental Selection Committee.

5. That, however, on 10.02.2013, the respondent no. 04 submitted an application (**Annex "I"**) for appointment by transfer from the post of Computer Operator (BPS-14) to Assistant/Reader (BPS-14) which was rejected by the Departmental Promotion Committee/Departmental Selection Committee vide endorsement number 372(F-53)/D&SJ dated 15.02.2013 (**Annex "J"**) with the remarks that the available vacant post of Assistant was to be filled through initial quota and the said vacant post of Assistant/Reader had already been filled through initial recruitment by appointing Mr. Waqar Alam on 14.03.2013 (**Annex "K"**).
6. That against the said order, a representation was filed by the respondent no. 04 on 13.03.2013 (**Annex "L"**) before the Worthy District and Sessions Judge, Swabi which was forwarded, through letter no. 775/D&SJ dated 21-04-2014 to the Hon'ble Peshawar High Court, Peshawar for guidance. However, the office of the Worthy District and Sessions Judge, Swabi failed to provide attested copy of the letter no. 775/D&SJ dated 21-04-2014 to the appellant (**Annex "M"**). In response to the alleged letter sent to the Registrar Peshawar High Court, Peshawar, the Registrar Peshawar High Court, Peshawar, on 28.04.2014, sent a letter (**Annex "N"**) wherein it was provided that the competent authority has been pleased to refer the representation of Mr. Riaz Muhammad, Computer Operator, to DPC for reconsideration.
7. That the committee, being influenced by the said letter of the worthy Registrar, Peshawar High Court, Peshawar, changed the earlier order dated 15.02.2013 with other order dated 20.05.2014 (**Annex "O"**) without setting aside or reviewing the former order. Without following the due procedure, the respondent No. 4 was ordered to be appointed as Assistant/Reader (**Annex "P"**), which goes against the norms of law and procedure.
8. That to the utter surprise of the appellant, the respondent no. 04, after appointing him illegally, was also granted ante-date promotion i.e., 15.02.2013 (**Annex "Q"**), placing him above the appellant in the seniority list.
9. That, moreover, a tentative seniority list was issued in various years i.e., 2016, 2019, 2020 and now 2022, (**Annex "R"**) wherein the name and seniority list of the appellant, being Assistants / Accountant, has been kept separate from the Assistants / Readers, although it has clearly been provided by the law that for the post of Superintendent (BPS-17), there shall be a common seniority list of the Assistants / Readers, Assistants / Clerk of court, Assistants / Assistant Clerk of

Court, Assistant / Accountant and Assistants / Civil Nazir. Appellant objected against all the above said seniority lists (Annex "S"), in consequence to which the final seniority list of the year 2019 was sent by the Worthy District and Sessions Judge, Swabi to the Hon'ble Peshawar High Court, Peshawar for the sake of guidance (Annex "T") but till now no response or guidance has been received despite numerous reminders by the Learned District and Sessions Judge, Swabi.

10. That the appellant was further astounded when he came to know that a final seniority list, vide Endst: 467-90/F59/D&SJ dated 21-01-2022 (Annex "U"), of the paralegal staff for the year 2022 was published with the observations therein that the objections regarding the Tentative seniority list were disposed of, whereas, after about two days, i.e., on 24-01-2022, another letter no. 530/F-59/D&SJ (Annex "V") was sent to the Registrar Peshawar High Court, Peshawar in line of earlier office letter no. 2269/(F-59)/D&SJ (Annex "W"), wherein the Worthy District and Sessions Judge had again sought guidance regarding the seniority of Budget & Accounts Assistant and Assistant/Reader/Assistant/Clerk of Court/Civil Nazir, meaning thereby, that the final seniority list issued vide Endst: 467-90/F59/D&SJ dated 21-01-2022 was manipulated against the appellant to damage his career.

11. That the appellant submitted an application / representation dated 04-10-2022 (Annex "X") to the respondent-department against the above said grievances but the respondent doesn't even bother to answer the application / representation of the appellant.

12. That the appellant, realizing the violation of his rights, approaches this Hon'ble Court through instant appeal, *inter alia*, on the following grounds amongst others;

GRUNDS:

- A. That the order dated 20-05-2014, wherein the said respondent no. 04 has been ordered to be appointed as Assistant / Reader, without setting aside the former order, is not only illegal but also against the norms of justice.
- B. That the respondent has been appointed illegally by transferring him from one post to another, which was sanctioned for initial recruitment at first and for this specific reason, respondent no. 03 turned down his application initially but after

this, the respondent no. 04 by hook and crook managed to get himself appointed illegally without setting aside the former order, which not only violated law but also goes against the norms of justice.

- C. That the respondent no. 04 was initially appointed as a Junior clerk (BPS-05) who later on applied for the post of Key Punch Operator (BPS-15) through proper channel and got appointed on the said post. However, he, in the year 2013, again applied to the post of Assistant/Reader but through appointment by transfer. Had his appointment been legal, he would have applied at that time when the respondent no. 04 was a junior clerk but the respondent no. 04 was in knowledge regarding the illegality, therefore, he applied through proper channel and in accordance with law. Moreover, there is nothing on record to show that the respondent no. 04 was ever recommended by the competent authority for such appointment. The law, nowhere, provides change of cadre in one department, hence his appointment on 15-02-2013 as Assistant / Reader is illegal; hence he cannot be placed in the seniority list for the promotion of superintendent.
- D. That the respondent no. 04 was even not competent to challenge the order of the competent authority because said order of the respondent no. 03 clearly and expressly provided that the advertised post was to be filled through initial recruitment and not otherwise.
- E. That the respondent no. 04 was appointed against the post which was reserved for initial recruitment / direct recruitment, which he cannot claim as it was not reserved / specified for appointment by transfer, therefore, making his appointment not only against the law but also affecting the rights of other civil servants in the list. Similarly, the said post was reserved for direct / initial recruitment against which the respondent no. 04 was illegally appointed through transfer, doesn't vest any right in him to claim seniority / appointment since the post became vacant; hence he is not entitled to be placed at Serial no. 03 in the seniority list for the year 2022 and all the seniority lists to be published for future, in case the *lis* is not decided and fresh seniority list is published, is liable to be struck down.
- F. That the seniority lists issued by respondent no. 02 expressly goes against the mandate of Judicial Estacode wherein it has been provided that for promotion to the post of Superintendent, a common seniority list of Assistant / Reader,

Assistant / Clerk of Court , Assistant / Assistant Clerk of Court, Assistant / Accountant and Assistant / Civil Nazir (all BPS-16), shall be maintained. The table is reproduced herein below for the purpose of ready reference;

1	2	3	4	5
Sr. No	Nomenclature of Post	Minimum qualification for appointment by initial recruitment	Age Limit	Method of recruitment
1.	Superintendent BPS-17			By promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Assistant/Reader, Assistant/Clerk of Court, Assistant/Assistant Clerk of Court, Assistant/Accountant and Assistant/Civil Nazir at serial # 4 to 8 (all BPS-16)4 with at least five years' service as such: Provided that a common seniority list of holders of the posts at serial # 4 to 8 below shall be maintained for the purpose of promotion to the post of Superintendent BPS-17.

- G. That, discrimination on part of the respondents can be assessed from the fact that the date of appointment of respondent no. 04, in the tentative seniority list issued in the year 2016, had been shown to be 13-03-2013 despite the fact that he had not been granted ante-date promotion at that time. Similarly, in the tentative seniority list issued in the year 2019, the date of appointment of respondent no. 04 has been shown to be 10-02-2013 which reflects the undue influence of respondent no. 04 on the authorities.
- H. That the appellant has been discriminated, which goes against the provision of Articles 25 and 27 of the Constitution, 1973.
- I. That the appellant has not been treated in accordance with law, as against the provisions of Article 4 of the Constitution.
- J. That appellant reserve his right to urge additional grounds with leave of the Tribunal, after the stance of the respondents becomes known to him.

PRAYER:

It is, therefore, most respectfully prayed that on acceptance of the instant appeal, the Hon'ble Tribunal may graciously be pleased to declare the impugned appointment order dated 20-05-2014 as illegal, without lawful authority, *void abinitio*, and coram non iudice by restoring the original order dated 10-02-2013 with respect to respondent no. 04 by keeping him as a Key Punch Operator.

The Hon'ble tribunal may also be pleased to declare the seniority of respondent no. 04 as illegal, against the law and *void abinitio* and the appellant may please be placed at serial no. 03 in the seniority list below the name of Mr. Sher Afsar Khan . Furthermore, the respondents may also be directed to issue a common seniority list wherein the appellant be placed senior to respondent no. 4 to 8 and to the fresh candidates appointed or promoted after his appointment.

Moreover, the Hon'ble Tribunal may also direct the respondents to consider the promotion of the appellant to the post of Superintendent (BPS-17) while reckoning the seniority of the appellant from the date of his appointment i.e., 14-03-2013 as Assistant / Accountant.

Any other remedy to which the appellant is found fit in law, justice and equity may also be granted.

Sher Ali
APPELLANT

Through

Muhammad Hassaan Adil
BARRISTER
MUHAMMAD HASSAAN ADIL

Advocate High Court

AFFIDAVIT:

I, **Sher Ali**, Assistant / Accountant Sessions Court (BPS-16), Son of Shams-Ul-Qamar, Resident of Mohalla Panj Pao, Tehsil Topi, Swabi, do hereby solemnly affirm and declare on Oath that the contents of accompanying Appeal are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble court.

Sher Ali
DEPONENT

Dated: 02nd February, 2023

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

Service Appeal No. _____/2023

Sher Ali

VS

Registrar Peshawar High Court and Others

Application for restraining the respondents from passing promotion orders to the post of Superintendent (BPS-17) in the District Judiciary Swabi on the strength of impugned Seniority list dated 21-01-2022 till the final disposal of the instant appeal.

Respectfully Sheweth:

- 1) That the above titled appeal is being filed before this Hon'ble Tribunal along with instant application.
- 2) That the grounds of main appeal may kindly be considered as part and parcel of this application.
- 3) That appellant has a good prima-facie case in his favour and is also sanguine about its success.
- 4) That balance of convenience also leans in favour of appellant.
- 5) That if the relief as prayed for in the heading of this application is not granted; the very purpose of titled appeal will become infructuous.

PRAYER:

It is, therefore, prayed that on acceptance of this application, the respondents may graciously be restrained from passing promotion orders to the post of Superintendent (BPS-17) in the District Judiciary, Swabi on the strength of impugned Seniority list dated 21-01-2022 till the final disposal of the instant appeal.

Sher Ali
APPELLANT

Through

Muhammad Hassaan Adil

**BARRISTER
MUHAMMAD HASSAAN ADIL**

Advocate High Court

AFFIDAVIT

I, **Sher Ali**, Assistant / Accountant Sessions Court (BPS-16), Son of Shams-Ul-Qamar, Resident of Mohalla Panj Pao, Tehsil Topi, Swabi, do hereby solemnly affirm and declare on Oath that the contents of accompanying Application are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble court.

Sher Ali

DEPONENT

Dated: 02nd February, 2023

Annex - "A" (11)

OFFICE OF THE DISTRICT & SESSIONS JUDGE, SWABI

ORDER

Dated: 14-03-2013

On the recommendations of the Departmental Selection Committee, the Competent Authority is pleased to order the appointment on temporary basis of the following candidate as Assistant/Accountant (BPS-14) with effect from the date of assumption of charge of the post subject to medical fitness and antecedents verification:-

S. #	Name of Candidate	Father's Name
1	Mr. Sher Ali	Shams-ul-Qamar

- 2 His appointment to the service shall be subject to the following terms and conditions:-
- i. He will be governed by the N.W.F.P Civil Servants act, 1973 and N.W.F.P Government servant (Appointment, Promotion & Transfer) Rules, 1989.
 - ii. He will be allowed the minimum pay of BPS-14 plus other allowances as admissible under the rules.
 - iii. He shall be governed by such rules and instructions relating to leave, T.A, and Medical Attendance as may be prescribed from time to time.
 - iv. He shall be on probation initially for a period of one year extendable up-to two years.
 - v. He will be eligible for continuance and eventual confirmation in the post on satisfactory completion of his probationary period.
 - vi. His service shall be liable to be dispensed with at any time without notice and assigning any reason before the expiry of the period of her probation/ extended period of probation, if his work or conduct during this period is not found satisfactory. In the event of termination from service, fourteen days notice or in lieu thereof fourteen days pay will be paid by the Government. In case of resignation, he will give one month notice to the Competent Authority or in lieu thereof one month pay shall be forfeited to the Government. The

Handwritten notes and signatures:
N.W.F.P. Secy
14/3/13
[Signature]
[Signature]

resignation shall, however, be subject to the acceptance by the Competent Authority.

vii. He will be governed by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and the N.W.F.P. Government Servants Conduct Rules, 1987 and any other instructions which may be issued by the Competent Authority from time to time.

3. If the above terms and conditions of appointment are acceptable to him, he should report for duty to the undersigned immediately. The offer of appointment shall be deemed to have been cancelled if he fails to report for duty to the undersigned within one month from the date of issue of this order.

4. He shall join duty at his own expenses.

TARIQ YOUSAF
District & Sessions Judge, Swabi

No. 694-95 /D&SJ Dated Swabi the 14/03/2013

(F-53)
Copy forward for information & compliance to:

1. The Registrar Peshawar High Court Peshawar
2. The Medical Superintendent DHQ Hospital Swabi
3. The District Accounts Officer Swabi
4. Official concerned by name
5. Office

Handwritten notes:
Copy to be
sent to
D&SJ
Swabi

ATTESTED

TARIQ YOUSAF
District & Sessions Judge, Swabi

Personal Information

Full Name: **SHER Ali**
 Father's Name: **SHAMS-UL-QAMAR**
 C.N.I.C. 16202-9920924-1
 Gender: Male
 Marital Status: Single
 Date of Birth: 26th / mar / 1987
 Email: Sheralikhani8788@yahoo.com
 Passport: 0528676
 Landline Number: 0938273380
 Mobile Number: 00-92-3469809132
 00-92-3149083544
 Postal Address: Mohallah Panjpa0 , V-P-O Topi, Tehsil Topi, District Swabi, Khyber Pakhtunkhwa

Annex - "B"



13

Am I under any Service Bond with my current employee? **No**
 Have I suffered from any serious illness / disability **No**
 Have I been convicted for fraud / forgery / any other disciplinary action? **No**

My Career expectations:

To work with an aim to gain valuable hand on experience and professional skills in organization. There to utilize my skills in effective manner for organizational aims achievement.

Educational Information:

Bachelor (4 years) in Business Administration (Finance) 2009
Institute: NWFP Agricultural University Peshawar, **CGPA: 3.22/4.00**

Intermedlate in science / A Level 2005 **Pass Year: 2005**
Institute: Quaid-e-azam College, Jehangira road, Swabi, **Percentage: 69.64%**

Matric / O Level 2003 **Pass Year: 2003**
Institute: Tameer-e-millat public school, Batakara road, Topi. Swabi **Percentage: 69.64%**

Language Proficiency:

- + Excellent in Written and Spoken English, Urdu, Pushto.
- + English proficiency certified by university.

Professional Experience:

Designation: Accounts Assistant **Period: 25/01/2010 to 31/01/2012**
Employer: Saif textile mill Gadoon, Swabi (Accounting)
Address: Gadoon Industrial estate, Swabi, KPK, Pakistan.
Responsibilities: Maintaining cash book, maintaining debtors and creditors accounts, preparing and updating payroll of employees, interpreting financial statements.

References:

Will be provided upon request.

I certify that all informations in resume stated are true.

ATTESTED TO BE TRUE COPY

SUPERINTENDENT
 District & Sessions Judge
 Swabi

Deputy Controller of Examinations
 Peshawar

58-64
 50-55
 Below 50

B 3.00
 C+ 2.50
 C 2.00
 E 0.00

14

Serial No. 008310

NWFP Agricultural University Peshawar - Pakistan



Having fulfilled all the requirements for the Degree of

BACHELOR OF BUSINESS ADMINISTRATION (HONS)

In the subject of

FINANCE

Sher Ali S/O Shams UI Qamar

ATTACHED NO OF THIS COPY

is this Fourth day of March 20 10 admitted to the above Degree

Issue Date 18-03-2010

Registered No. 2006-Agr-U-14040

~~SUPERVISOR
District & Sessions Judge~~

Controller of Examinations

Handwritten signature

Registrar

Handwritten signature

Medical Officer

Vice Chancellor



NWFP AGRICULTURAL UNIVERSITY PESHAWAR (PAKISTAN)
OFFICIAL TRANSCRIPT OF RECORD

15

Name and Parentage: **Sher Ali S/O Shams Ul Qamar**

Class No. 97.

Univ. Reg. No. 2006-Agr-U-14040

Session: 2006-2009

Bachelor of Business Administration (Hons):

Specialization: (FINANCE)

First Semester	Credit Hours	Marks Obtained	Grade
Course No. Course Title			
BBA-301 Introduction to Business	3	57	C+
BBA-302 Business Mathematics-I	3	51	C
BBA-303 Computer Concepts	3	74	B+
BBA-304 Fundamentals of Accounting	3	51	C
EG-301 English Comprehension	3	84	A
PKIS-301 Pak Studies /Islamic Studies	3	70	B+
Second Semester			GPA 2.81
BBA-311 Introduction to Sociology	3	73	B+
BBA-312 Micro Economics	3	65	B
BBA-313 Business Maths-II	3	59	C+
BBA-314 Psychology / Human Behaviour	3	77	B+
BBA-315 Financial Accounting	3	90	A+
EG-311 Technical and Business Writing	3	50	C
Third Semester			GPA 3.03
BBA-401 Principles of Management	3	84	A
BBA-402 Macro Economics	3	65	B
BBA-403 Cost Accounting	3	82	A
BBA-404 Principles of Marketing	3	74	B+
BBA-405 Human Resource Management	3	80	A
EG-401 Communication Skills & Practices	3	83	A
Fourth Semester			GPA 3.50
BBA-411 Business Statistics	3	60	C+
BBA-412 Marketing Management	3	56	C+
BBA-413 Pakistan Economy	3	75	B+
BBA-414 Logic and Critical Thinking	3	90	A+
BBA-415 Business Finance	3	70	B+
EG-411 Business Communication	3	76	B+
Fifth Semester			GPA 3.17
BBA-501 Organizational Behaviour	3	84	A
BBA-502 Production & Operation Management	3	81	A
BBA-503 Development Economics	3	75	B+
BBA-504 Business Law	3	74	B+
BBA-505 Statistical Inferences	3	51	C
BBA-506 Financial Management	3	70	B+
Sixth Semester			GPA 3.22
BBA-511 Consumer Behaviour	3	70	B+
BBA-512 Maths & Stats Application to Business	3	52	C
BBA-513 Managerial Economics	3	73	B+
BBA-514 Corporate Law	3	86	A
BBA-515 Agricultural Business Management	3	96	A+
BBA-516 Financial Institution and Capital Markets	3	80	A
Seventh Semester			GPA 3.33
BBA-601 Business Research Methods	3	85	A
BBA-630 Islamic Banking (E-I)	3	87	A
BBA-633 Managerial Accounting (E-II)	3	72	B+
Eighth Semester			GPA 3.56
BBA-611 Small and Medium Enterprise (SME)	3	80	A
BBA-635 Investment and Portfolio Management (E-I)	3	74	B+
BBA-637 Corporate Finance (E-II)	3	60	C+
BBA-690 Project	6	85	A
GPA			3.37
The examination was taken in parts			Marks % age 72.81
CGPA			3.22

ERRORS AND OMISSIONS ACCEPTED

Prepared by: Sher Ali

Checked by: [Signature]

Date: 12-03-2010

Grading Procedure: The equivalence of marks % age, letter grade & grade point is as under:

Marks % age	Letter grade	Grade Point.
90-100	A+	4.00
80-89	A	3.67
70-79	B+	3.33
65-69	B	3.00
56-64	C+	2.60
50-55	C	2.00
Below 50	E	0.00

[Signature]
Controller of Examinations

Deputy Controller of Examinations
N.W.F.P. Agricultural University Peshawar

TESTED TO
SURETIN
District Sposi
Swabi

Altered
[Signature]
District Office
Swabi



HIGHER EDUCATION COMMISSION

Director General
(Accreditation & Attestation)

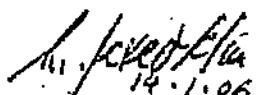
No.8-1/HEC/A&A/2006
January 14, 2006

NOTIFICATION

The Higher Education Commission recognizes all the Bachelor's degrees such as BE/B.Sc.Engg./B.Sc. (Hons) Agri./ B.Pharm/ MBBS/BS(CS)/B.S (IT)/BBA (Hons.) and LL.B or equivalent held after 4-year/8 semesters of studies and upon qualifying minimum 130 credit hours with admission requirement as Intermediate or equivalent involving 12-year schooling as equivalent to M.A/M.Sc degrees awarded after 4 years of post-intermediate education (2- year B.A/B.Sc + 2-year M.A/M.Sc.) in general stream for the purpose of employment in B-17 and for higher education.

ATTESTED TO BE TRUE COPY


SUPERINTENDENT
District & Sessions Judge
Swabi

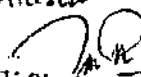

14-1-06
(Muhammad Javed Khan)

NWFP AGRICULTURAL UNIVERSITY PESHAWAR (PAKISTAN)



Endorsement No. 3108 /R/AUP

Dated: 14 / 12 / 2009

1. All Deans
2. All Chairmen
3. All Directors
4. Director, IBMS/CS
5. Controller of Examinations
6. Director Teaching

Attest


Dr. Taj Wali Shah
Medical Officer
Civil Hospital Topi (Swabi)


Registrar


17

S. No. 16508
Roll No. 25211
Group. Pre Engineering



Board of Intermediate and Secondary Education

Mardan D. Q.A. F.P. Pakistan

INTERMEDIATE EXAMINATION

SESSION 2005 - ANNUAL

This is to certify that SHER ALLI son of SHAMS UL QAMAR

and a student of Quaid-e-Azam Public School & college Swabi Registered No. 36-B/ICPCS-03

has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Mardan held in May/June - 2005 as a Regular candidate. He obtained 755 Marks out of 1100 and has been placed in Grade B Representing Very Good The Examination

was taken as a whole

Rashidul
Asstt. Secretary

ATTESTED TO BE TRUE COPY

SUPERINTENDENT
District & Sessions Judge
This certificate is issued without alteration or erasure.

Ali Nawaz
M.D. Toj Wali, S.M.S.
Medical Officer
Secretary
District Hospital Toj Wali

BOARD OF INTERMEDIATE & SECONDARY EDUCATION

MARDAN

DETAILED MARKS CERTIFICATE

Intermediate Examination (Pre-Engineering Group)
 Session 2005 (Annual/Supplementary)



S. No. MBRE-II

Name

Shah Ali

Roll No

25211

Father's Name

Shahid Qamar

No

3-1/2005

Subject	Marks Allowed				Marks Obtained			
	Part I	Part II	Part I	Part II	Part I	Part II	Part I	Part II
1. English	100	100	200					123
2. Urdu	100	100	200					140
3. Islamic Education	50	50	100					79
4. Pakistan Studies	50	50	100					79
5. Mathematics	100	100	200					130
6. Physics	100	75	200	78		56	17	151
7. Chemistry	100	75	200	80		34	18	132
Totals	550	500	1100					755

Errors and omissions excepted

Total Marks in Words: Seven hundred and fifty five

Date: 10 AUG 2005

Prepared by

Checked by

Controller of Examination
 Board of Intermediate & Secondary Education
 MARDAN

ATTESTED TO BE TRUE COPY

SUPPLEMENTARY
 District Sessions Judge
 Mardan

Attested
 Dr. Taj Wali Shah
 Medical Officer
 Civil Hospital Tari (Mardan)

20

BOARD OF INTERMEDIATE & SECONDARY EDUCATION
MARDAN

DETAILED MARKS CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
(SCIENCE GROUP)
SESSION 2003 ANNUAL/SUPPLEMENTARY



S. No. MBS 13284

Name: Sher Ali

Father's Name: Shamsul Qamar Roll No. 53332

Subjects	Total Number of Marks Alloted	Marks Obtained			
		Theory	Practical	In Figures	In Words
1. English	150			106	
2. Urdu	150			110	
3. Islamiyat	75			63	
4. Pakistan Studies	75			50	
5. Mathematics	100			81	
6. Physics	100			61	
7. Chemistry	100			60	
8. Biology / C.S.	100			61	
Total	850			592	B

Errors and omissions excepted.

Total Marks in Words Five hundred and ninety two

Prepared by _____

Checked by _____

Date of Preparation _____

Controller of Examinations
Board of Intermediate & Secondary Education
MARDAN

ATTESTED TO BE TRUE COPY

Attested
[Signature]

Dr. Taj Wali Shah
Medical Officer
Civil Hospital Tupte

[Signature]
SUPERINTENDENT
District & Sessions Judge
Swabi

21



SAIF TEXTILE MILLS LIMITED

MILLS: Phase III, Industrial Estate Gadoon Amazai, Swabi, N.W.F.P.
Voice: +92-938-270313, 270429, Fax: +92-938-270514, e-mail:stngdn@saifgroup.com



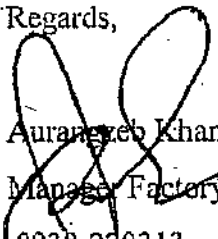
Jan 31, 2012

TO WHOM IT MAY CONCERN

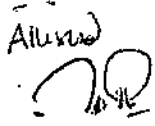
We feel immense pleasure to certify that Mr. Sher Ali S/O Shams ul Qamar worked in Saif textile Mills Ltd Gadoon industrial Estate from Jan 25, 2010 to Jan 31, 2012 as Accounts Ass. He was working within Accounts Department in Saif Textile Mills Ltd. He is honest, hardworking and obedient. We wish him best of luck in his future endeavors.

In case of any questions kindly refer to the undersigned.

Regards,


Aurangzeb Khan
Manager, Factory Accounts
0938-270313
E-Mail: Aurangzeb@Saifgroup.com




Dr. Taj Wali Shah
Medical Officer
Civil Hospital Topi (Swabi)

ATTENDED TO BE TRUE COPY


SUPERINTENDENT
District & Sessions Judge
Swabi

069

AWAN COLLEGE OF COMPUTER SCIENCE



TOPI (SWABI)

CERTIFICATE OF ACHIEVEMENT

A W A R D E D T O

MR/Ms/Mrs SHER ALI Son/Daughter of MR. SHAMS-UL-RAMAZ

has satisfactorily completed SIX MONTHS course of COMPUTER SCIENCE

Mrs. Das, Mrs. Word, Mrs. Excel, Power Point, Access, Power Point, Mrs-Paint.

in grade 'A'

In recognition of this certificate is awarded to him/her on the day

of the month of Jan 2001

ATTENDED TO BE TRUE AND

1st

Principal [Signature]

Dean Computer Science

SUPERINTENDENT
District & Sessions Judge
Swabi

Attest

[Signature]
Dr. Taj Wali Sh...
Medical Officer
Hospital Topi

DIRECTOR
Director S.W. 1213
Topi Dist. Swabi



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar, the 30-06-2015

Annex-
"C"

23

NOTIFICATION

NOTED SOICER/7-26/2015 The competent authority has been pleased to accord approval to the
upgradation of pay scales of the following provincial government employees with effect from 01-07
2015

- a. Two pay scale upgradation will be allowed to all provincial government employees from BS-01 to BS-05.
 - b. One pay scale upgradation will be allowed to all provincial government employees from BS-05 to BS-15.
 - c. Special Compensatory Allowance equal to difference of national upgradation of BS-15 to BS-17 will be allowed to all provincial government employees in lieu of upgradation.
 - d. Upgradation will be applicable to both pay and allowances with freezing limits and other conditions currently in vogue unless revised by the government.
 - e. Pay fixation on upgradation will be applicable w.e.f. 01-07-2015 or 01-01-2015 on the option to be given by the concerned employee.
- All provincial government employees who have been upgraded and block incrementally in last two years starting from 01-07-2010 or have been granted special allowance / pay equal to 40 % or more of their normal pay shall not be entitled for the instant upgradation.


Pay of existing incumbents of the posts shall be fixed in higher pay scales at a stage lower than in the next pay scale.

All the concerned Departments will amend their respective service rules in the light of the present notification.

The above upgradation scheme shall not be applicable to employees of Government, Semi Autonomous Bodies and Public Sector Companies.

Explanatory note and subsidiary instructions on the subject will be issued separately.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT


SUPERINTENDENT
District & Sessions Judge
Swat

Encl. No. & Date given.

Copy of the above is forwarded for information and necessary action to the:

(24)

- 1) PS in Additional Chief Secretary, FATA
- 2) All Administrative Secretaries Government of Khyber Pakhtunkhwa
- 3) Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar
- 4) Accountant General, Khyber Pakhtunkhwa, Peshawar
- 5) Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
- 6) Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
- 7) Secretary Provincial Assembly, Khyber Pakhtunkhwa
- 8) All Heads of Attached Departments in Khyber Pakhtunkhwa
- 9) Registrar, Peshawar High Court, Peshawar
- 10) All Deputy Commissioners, Political Agents, District & Sessions Judges / Executive Magistrate
Khyber Pakhtunkhwa
- 11) Chairman, Khyber Pakhtunkhwa, Public Service Commission, Peshawar
- 12) Registrar, Service Tribunal Khyber Pakhtunkhwa
- 13) Secretary to Govt. of Punjab, Sindh and Baluchistan, Finance Department, Lahore, Karachi
- 14) Line District Comptroller of Accounts, Peshawar, Mardan, Kohat, Barua, Abbottabad
Khan
- 15) The Senior District Accounts Officer Nowshera, Swabi, Charsadda, Haripur, Muzaffargarh
- 16) The Treasury Officer, Peshawar
- 17) All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA
- 18) PSO to Senior Minister for Finance, Khyber Pakhtunkhwa
- 19) PSO to Chief Secretary, Khyber Pakhtunkhwa
- 20) Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar
- 21) PS to Finance Secretary
- 22) PAs to All Additional Secretaries/ Deputy Secretaries in Finance Department
- 23) All Section Officers/Budget Officers in Finance Department
- 24) Mr. Jabir Hussain Bangash, President, Class-IV Association, Civil Secretariat, Khyber
Peshawar
- 25) Mr. Manzoor Khan, President, Civil Secretariat Driver Association Khyber Pakhtunkhwa, Peshawar
- 26) Mr. Akbar Khan Mohmand, Provincial President, Class-IV Association, Khyber Pakhtunkhwa

ATTESTED TO BE TRUE COPY

(MUSQAD AHMED)
SECTION OFFICER (P.E.)

SUPERINTENDENT
District & Sessions Judge
Swabi

Annex - "D"

25

PESHAWAR HIGH COURT PESHAWAR


ORDER

Dated Peshawar, the 23rd November 2018

In exercise of the powers conferred by the Government of Khyber Pakhtunkhwa, Finance Department Notification No.SO(A)/Cs/FD/2-1/96, dated 8.12.1996, Hon'ble the Chief Justice, Peshawar High Court, Peshawar is pleased to upgrade the posts of Budget & Accounts Assistant From BPS-15 to BPS-16 in the Court of District and Sessions Judges in the Khyber Pakhtunkhwa with immediate effect.

The expenditure involved will be met out of the sanctioned budget grant under head "03-Public Order & Safety Affairs-031-Law Courts-0311-Law Courts-03110-Courts-Justice-Sessions - Voted" for the year 2018-19.

By Order of the Chief Justice


(KHWAJA WAJUDDIN)
REGISTRAR

Encls: No. 6069-75/B&A

Dated: Peshawar, the 23/11/2018.

Copy forwarded for information and necessary action to:-

1. The Secretary, Govt of Khyber Pakhtunkhwa, Finance Department, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. All the District and Sessions Judges in the Khyber Pakhtunkhwa.
4. All the District Accounts Officer, in the Khyber Pakhtunkhwa.
5. The Assistant Registrar (General), Peshawar High Court Peshawar.
6. The Director FMIU, Finance Department for allotment of Position Code.
7. The Budget Officer-II, Finance Department for amendment in the Budget Book.

ATTESTED TO BE TRUE COPY

(KHWAJA WAJUDDIN)
REGISTRAR


SUPERINTENDENT
District & Sessions Judge
Swabi

C.No. 4(3-1)

Annex - "E"

26

PESHAWAR HIGH COURT (SUBORDINATE COURTS
STAFF) RECRUITMENT RULES, 2003

NOTIFICATION

Dated Peshawar the 26.3.2003

No. 39-J In pursuance of the provisions contained in Sub Rule (2) of Rule 3 of the [Khyber Pakhtunkhwa]¹ Civil Servants (appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules, issued in this behalf, the Competent Authority is pleased to lay down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall apply to posts in Subordinate Courts in the [Khyber Pakhtunkhwa]² specified in column # 2 of the said Appendix.

APPENDIX

Peshawar High Court (Subordinate Courts Staff) Recruitment Rules, 2003.

1 S No	2 Nomenclature of Post	3 Minimum qualification for appointment by initial recruitment	4 Age Limit	5 Method of recruitment
1	Superintendent BPS-17 ³			By promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Assistant/Reader, Assistant/Clerk of Court, Assistant/Assistant Clerk of Court, Assistant/Accountant and Assistant/Civil Nazir at serial # 4 to 8 (all BPS-16) ⁴ with at least five years' service as such:

¹ Substituted by The Khyber Pakhtunkhwa Laws (Amendment) Act, 2011

² Substituted by The Khyber Pakhtunkhwa Laws (Amendment) Act, 2011

³ Basic pay scale upgraded vide Notification No.FD/SO(FR)10-22/2014 Dated 20th May, 2014

⁴ Basic pay scale upgraded vide Notification No.FD/SO(FR)10-22/2014 Dated 20th May, 2014

Abjad Ali
ADVOCATE
SUPREME COURT

C.No. 2(2-2).

**PESHAWAR HIGH COURT (SUBORDINATE COURTS
STAFF) RECRUITMENT RULES, 2003****NOTIFICATION**

Dated Peshawar the 26.3.2003

No. 39-J In pursuance of the provisions contained in Sub Rule (2) of Rule 3 of the North West Frontier Province Civil Servants (appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules, issued in this behalf, the Competent Authority is pleased to lay down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall apply to posts in Subordinate Courts in the N.W.F.P specified in column # 2 of the said Appendix.

APPENDIX

Peshawar High Court (Subordinate Courts Staff) Recruitment Rules, 2003.

1 S No	2 Nomenclature of Post	3 Minimum qualification for appointment by initial recruitment	4 Age Limit	5 Method of recruitment
1	Superintendent BPS-16			By promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Assistant/Reader, Assistant/Clerk of Court, Assistant/Assistant Clerk of Court, Assistant/Accountant and Assistant/Civil Nazir at serial # 4 to 8 (all BPS-11) with at least five years service as such: Provided that a common seniority list of holders of the posts at serial # 4 to 8 below shall be maintained for the

Sherazad Sultana
ADVOCATE
SUPREME COURT

28

II-District Judiciary

2-Establishment of the District Courts...
Terms and Conditions of Service

2	Senior Sate Stenographer BPS-15	i. Bachelor's Degree from a recognized University and speed of 100 words per minute in Shorthand and 40 words per minute in typing in English. Preference will be given to the candidates having knowledge of MS Office. ii. In the Districts where Urdu is the Court language, speed of 30 words per minute in typing in Urdu as well.	18 - 30 years	purpose of promotion to the post of Superintendent BPS-16. i. Twenty five percent by initial recruitment; and ii. seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Stenotypist (BPS-12) with at least three years service as such.
3	Steno typist BPS-12	i. Intermediate or equivalent qualification from a recognized board, and ii. a speed of [50] words per minute in shorthand and 35 words per minute in	18 - 30 years	i. Seventy five percent by initial recruitment; and ii. twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Key Punch Operator (BPS-10) who possesses the required qualification as mentioned in column # 3.

Signature
[Illegible text]

29

II-District Judiciary

2-Establishment of the District Courts...
Terms and Conditions of Service

		typing in English. Preference will be given to the candidates having knowledge of MS Office. iii. In the Districts where Urdu is the Court language, speed of 30 words per minute in typing in Urdu as well.		
4	Assistant/Reader, BPS-11	Bachelor's Degree from a recognized University.	18 - 30 years	i. Twenty five percent by initial recruitment; and ii: seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Senior Clerks at serial # 10 to 12 (all BPS-7) with at least three years service as such.
5	Assistant/Clerk Of Court BPS-11	Bachelor's Degree from a recognized University.	18 - 30 years	i. Twenty five percent by initial recruitment; and ii: seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Senior Clerks at serial # 10 to 12 (all BPS-7) with at least three years service as such.
6	Assistant/Assistant Clerk of Court BPS-11	Bachelor's Degree from a recognized University.	18 - 30 years	i. Twenty five percent by initial recruitment; and ii: seventy five percent by promotion on the basis of seniority-cum-fitness, from amongst holders of the posts of

Sheraz Ali
ADVOCATE
DISTRICT COURT

II-District Judiciary

2-Establishment of the District Courts.
Terms and Conditions of Service

				Senior Clerks at serial # 10 to 12 (all BPS-7) with at least three years service as such.
7	Assistant/Accountant BPS-11	Bachelor's degree from a recognized University. Preference will be given to Bachelor's degree with Commerce, Economics or Mathematics/Statistics, as Special subject.	18 - 30 years	By initial recruitment.
8	Assistant/Civil Nazir BPS-11			By promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Junior Clerk/Naib Nazir (BPS-5), capable of keeping and examining accounts in English and Urdu, with five years service as such.
9	Key Punch Operator BPS-10	i. Intermediate with Statistics/Economics/Mathematics/Physics as one of the subjects; and ii. a minimum speed of ten thousand key operations per hour for punching data entry/verification.	18 - 30 years	By initial recruitment.

OFFICE ORDER.

Annex - "G"

31

On the retirement of Mr. Lal Jaubar, Superintendent Sessions Court, Swabi, Mr. Karim Dad Reader to the Court of Addl: District & Sessions Judge-II, Swabi and Mr. Mughal Khan Clerk of Court, Court of the Senior Civil Judge, Swabi, the following promotions, appointments and transfers are made in the public interest with immediate effect, subject to medical/physical fitness of the new appointees:

<u>SNO.</u>	<u>Name & Present Designation of Officials.</u>	<u>Promoted/Transferred/Appointed.</u>
1.	Mr. Kishwar Khan (BPS-11) Reader to ASJ, Lahor	Transferred & posted as C.O.C to the Court of SCJ, Swabi.
2.	Mr. Jehanzeb Khan (BPS-7) Reader to CJ-I, Lahor	Promoted to BPS-11 & posted as Reader to ASJ, Lahor
3.	Mr. Nausher Khan (BPS-7) E/C Sessions Court, Swabi	Promoted to BPS-11 & posted as Reader against the vacant seat of ASJ-I, Swabi with the direction to perform duty as Nazir of Sessions Court, Swabi till further order.
4.	Mr. Mohammad Gohar (BPS-7) Reader to CJ-IV, Swabi.	Promoted to BPS-11 & posted as Reader to ASJ-II, Swabi.
5.	Mr. Phool Badshah (BPS-5) Moharrir to ASJ-II, Swabi	Promoted to BPS-7 & posted as Reader to CJ-VI, Swabi.
6.	Mr. Sajjad Ali (BPS-7) Reader to CJ-VI, Swabi.	Transferred & posted as Reader to CJ-I, Lahor.
7.	Mr. Mohammad Aziz (BPS-5) Moharrir to SCJ, Swabi.	Promoted to BPS-7 & posted as Reader to CJ-IV, Swabi.
8.	Mr. Zakir Said (BPS-5) Moharrir to CJ-IV, Swabi.	Promoted to BPS-7 & posted as E/O Sessions Court, Swabi
9.	Mr. Asif Haroon (BPS-5) Naib Nazir to SCJ, Swabi.	Transferred & posted as [redacted]-Typist in Court of CJ-V against vacant seat.
10.	Mr. Riaz Ahmed s/o Abdul Jamil r/o Adina	Appointed in BPS-5 & posted on his first appointment as Moharrir in the Court of ASJ-II, Swabi.
11.	Mr. Anwer Khan Senior Bailiff to S.C.J, Swabi.	Promoted to BPS-5 & posted as Naib Nazir to SCJ, Swabi.
12.	Mr. Abdul Bazid Naib Qasid Sessions Court, Swabi.	Appointed as Moharrir to CJ-IV, Swabi in BPS-5.
13.	Mr. Arif s/o Siddiqullah BPS Kidar	Appointed as Moharrir to SCJ, Swabi in BPS-5.
	Mr. Anwer	Appointed as Process Server in BPS-1.
	Mr. [redacted]	Transferred & posted as Naib Qasid Sessions Court, Swabi.

- 16. Mr. Kalimullah s/o Mohammad Azim Khan
A. as ~~vacant~~
st vacant
- 17. Mr. Farhad Ali s/o Lajber Khan
Appointed
as, Chowk
st vacant
- 18. Mr. Ishaq Ali s/o Abdul Wahid
Appointed
as Khakr
vice No.
promoted

(MOHAMMAD IBRAHIM KHAN)
District & Sessions Judge
Swabi.

OFFICE OF THE DISTRICT & SESSIONS JUDGE, SWABI.

NO. 1002 / Dated Swabi, the 11 / 11 / 2001.

Copy forwarded for information & co

to the:

- 1. Learned Addl. District & Sessions Judge, Swabi
- 2. Learned Addl. District & Sessions Judge, L
- 3. Senior Civil Judge, Swabi,
- 4. Mr. Haq Nawaz, Civil Judge/J.M-IV, Swabi,
- 5. Mr. Sardar, Mohammad, Civil Judge/J.M-V, Swabi
- 6. S. Babar Ali Shah, Civil Judge/J.M-VI, Swabi
- 7. S. Adil Shah, Civil Judge/J.M-I, Lahor,
- 8. District Accounts Officer, Swabi,
- 9. All the Officials,
- 10. Office Copy.

(Signature)
Sessions Judge, Swabi

OFFICE OF THE DISTRICT AND SESSIONS JUDGE, SWABI.

No. 2021 / D & SJ, Swabi. Dated Swabi the 20/12 /05.APPOINTMENT ORDER.

In pursuance of the Peshawar High Court, Peshawar notification bearing Endst: No. D.R (ADMN) 43-A-14/2002 dated. Peshawar the 14th, November, 2002 r/w. Peshawar High Court, Peshawar letter No. 12941/Admn. dated Peshawar the 31st October, 2003, and in view of recommendation of the Departmental Selection Committee dated. 09.12.2003, the following appointments are hereby made on temporary basis, subject to medical fitness:-

<u>S.No.</u>	<u>Name of the Candidates.</u>	<u>Appointed.</u>
1.	Abdur Rab son of Mohammad Ishaq, R/O. Village Shewa, District, Swabi,	Steno-typist BPS. 12.
2.	Ashfaq Ali son of Malki Aman, R/O. village Jalbai, Teh: Lahor District, Swabi.	Steno-typist BPS. 12.
1.	Sar Bahadur s/o. Gul Bahadur, R/O. village Hund, Teh: Lahor, District, SWABI.	Key Punch Operator BPS. 10.
2.	Izhar Ali s/o. Jamil Khan, R/O. Lahor Distt: Swabi.	Key Punch Operator BPS. 10.
3.	Zahoor Ahmad s/o. Wazir Khan, R/O. Parlandi, Distt: Swabi.	Key Punch Operator BPS. 10.
4.	Gyad Panchi Shah s/o. D. Haidar Shah R/O. Maneri, Distt: Swabi.	Key Punch Operator BPS. 10.
5.	Mohammad Ilyas s/o. Mohammad Iqbal, Distt: Swabi.	Key Punch Operator BPS. 10.
6.	Riaz Muhammad son of Abdul Jamil Khan R/O. Vill: Adina, Teh: and Distt: SWABI.	Key Punch Operator BPS. 10.
1.	Ashfaq Ahmad son of Fuzle Rehman R/O. Swabi.	Junior Clerk (BPS. 5)
2.	Mohammad Parig son of Rehman Khan r/o. Adina, Swabi.	Junior Clerk (BPS. 5)
3.	Naseem Jan S/O. Misri Khan, R/O. Maneri Bala, Swabi.	Junior Clerk (BPS. 5)

- 1. MUR Ali son of Lalbulbul, P.O. Gu. Buzdar, Swabi. Junior Clerk (BFS.5)
- 2. Makhsum Ahmad s/o. Wazir Khan, R/O. Village Swabi. Junior Clerk (BFS.5)
- 3. M. Ali son of Murtaza Khan, P.O. Village Swabi, Swabi. Junior Clerk (BFS.5)
- 4. M. Iqbal Khan s/o. Ghuman, P.O. Marzbanpur, Swabi. Junior Clerk (BFS.5)
- 5. M. Fiaz Ahmad s/o. Sajjad Ahmad, P.O. Village Jalbai, Tehsil Kohat District FATA. Junior Clerk (BFS.5)
- 6. Muhammad Iqbal s/o. Sher Aman Khan R/O. Sa'ad Khan Qazi Abad, Swabi. Junior Clerk (BFS.5)
- 7. Mohammad Yahya s/o. Abdul Shafiq, Mail Qasid (BFS.1)
- 8. Mohammad Farooq s/o. Mustafa Nawaz. Mail Qasid (BFS.1)
- 9. Imtiaz son of Amanullah. Mail Qasid (BFS.1)
- 10. Infan s/o. Saahbaz. Mail Qasid (BFS.1)
- 11. Farhad Iqbal s/o. Mohd. Aziz. Chowkidar (BFS.1)
- 12. Mohammad Naeem s/o. Mohd Aziz. r/o. Jalbai, Swabi. Sweeper (BFS.1)
- 13. Waqas Masih son of Jamas Masih, R/O, Swabi. Sweeper (BFS.1)
- 14. Parveen Habi wife of Younus-Masih, r/o. Swabi. Sweeper (BFS.1)

The candidates are directed to report for their duty within fifteen days on receipt of this order. The candidates are also directed to produce medical fitness certificates, issued by the competent authority, before joining their duty. In case of their failure to attend the duty within the prescribed period, it will be considered that the candidates are not willing to join the duty. All the appointments in BFS.1 are subject to the contract policy of the Government of N.W.F.P.

(KHALED AMIN KHAN)
District & Sessions Judge, Swabi.

OFFICE OF THE DISTRICT & SESSIONS JUDGE, SWABI.

No. _____/DSJ, Swabi. Dated, Swabi the _____/2003.
Copy forwarded for information to the:-

- 1. Hon'ble Registrar, Peshawar High Court, Peshawar.
- 2. Hon'ble Member Inspection Team, Peshawar High Court, Peshawar.
- 3. District Accounts Officer, SWABI.
- 4. Medical Superintendent, DHQ Hospital, Swabi.
- 5. Individual by name.
- 6. Personal file/service record.

_____ District & Sessions Judge, SWABI.

Annex - "I"

35

2/13/13
District & Sessions Judge
Swabi

To,

The Hon'ble District & Sessions Judge/
Chairman Departmental Promotion Committee,
Swabi

Subject:

APPOINTED BY TRANSFER TO THE POST OF ASSISTANT/READER BPS-14 FROM THE POST OF COMPUTER OPERATOR BPS-14.

Respected Sir,

I have the honour to submit my application as under:-

That the applicant is serving as Computer Operator (BPS-14) since 19-12-2003 having qualifying service of more than ten (10) years.

That during my carrier did my job to the best of my abilities and achieved best performance certificate in the year 2011-12 from the then Hon'ble District & Sessions Judge, Swabi.

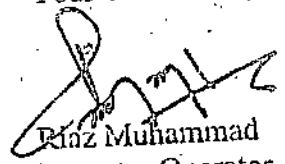
That the applicant has done graduation (Bachelor of Arts) and his LL.B is in progress in final year.

It has come in to the knowledge of the applicant that a post of Assistant/Reader BPS-14 is lying vacant under your kind control, and the applicant wants to serve as Assistant/Reader BPS-14.

Therefore, it is humbly requested that I may kindly be appointed by transfer to the post of Assistant/Reader BPS-14 from the post of Computer Operator BPS-14 being in the same basic pay scale, please.

Encls: All relevant rules


Your's obediently



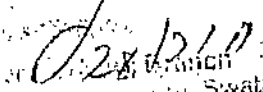
Riaz Muhammad
Computer Operator
Sessions Courts, Swabi

Date: 12-02-2013

ATTESTED TO BE TRUE COPY


SUPERINTENDENT
District & Sessions Judge
Swabi

Attested to be true COPY


District & Sessions Judge
Swabi

**MINUTES OF THE MEETING OF DEPARTMENTAL
PROMOTION COMMITTEE (DPC) DISTRICT SWABI.**

Meeting of the Departmental Promotion Committee District Swabi was held on 12.02.2013 in the chamber of District & Sessions Judge, Swabi. The following attended the meeting:


- | | | |
|----|--|------------------------------------|
| 1. | Mr. Tariq Yousafzai
District & Sessions Judge, Swabi | Chairman |
| 2. | Mr. Ihsanullah Khan Mahsud
Additional District & Sessions Judge-IV, Swabi | Nominee of the Peshawar High Court |
| 3. | Shah Waliullah Hamid,
Senior Civil Judge, Swabi. | Nominee of the Chairman |

Promotion to the posts of Junior Clerk/Muharrir (BPS-07) and Daftari (BPS-02) were considered by the committee. The details of recommendations of the committee are as under:

(1)- JUNIOR CLERK/MUHARRIR) BPS-07)

Two posts of the category of Junior Clerk/Muharrir BPS-7 were lying vacant. Of the two vacancies, one was available due to death of late Adnan Hayat (Junior Clerk) and the other was due to appointment of Wajid Ali Junior Clerk as Steno Typist. The seniority and service record of Faqir Gul and Kaleemullah, the candidates from amongst the category of Daftaris, was analyzed. Mr. Faqir Gul Daftari being senior of the two candidates was found eligible and hence was recommended for promotion to one of the two vacant posts of Junior Clerk/Muharrir BPS-7.

The application of Mst. Shahnaz Akhtar Qureshi, widow of deceased Adnan Hayat, against other post that was vacated due to death of her husband, was also considered in pursuance of the letter No.353-Admn dated 08.01.2013 of the Hon'ble Peshawar High Court, Peshawar. She had also applied for age relaxation. The application


SUPERINTENDENT
District & Sessions Judge
Swabi
29/01/2013

was found within the purview of Rule 10(4) of North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules read with Rule-3 Sub Rule-(4) Part-II of Initial Appointment to Civil Posts (Relaxation of Upper AGE Limit) Rules, 2008, So her application for appointment as Junior Clerk/Muharrir BPS-07 was accepted and she was recommended for appointment to the post being the most deserving candidate.

(2)- DAFTARI BPS-02

Due to promotion of Mr. Faqir Gul to the post of Junior Clerk, one post of Daftari became vacant. The office put up common seniority list of Chowkidars, Naib Qasids and Sweepers of the Sessions Divisions District Swabi. Mr. Sarfaraz Khan Chowkidar stood the test of seniority cum fitness and was, therefore, recommended for promotion to the post of Daftari (BPS-02).

(3) Accountant (BPS-14)

Application of Mr. Zulfiqar Ahmad, Junior Clerk/Nazir (BPS-07) to the post of Accountant (BPS-14), newly created post, was perused in pursuance of letter of Peshawar High Court, Peshawar bearing endorsement No. 8307/Admn dated 04.06.2012. It was decided that lack of prescribed qualification has rendered the application incompetent. Moreover, the appointment to the post could only be made through initial recruitment. Therefore, the departmental promotion committee is not the proper/competent forum for the purpose.

(4) Assistant /Reader (BPS-14)


Application of Mr. Riaz Muhammad, computer operator BPS-14 for appointment by transfer to the post of Assistant/Reader BPS-14, another post vacated due to retirement of Mr. Gul Nawab Khan, was also taken into consideration by the committee. The question arose whether the committee was competent to consider the application against the Quota

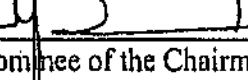
SUPERINTENDENT
District & Sessions
Swabi

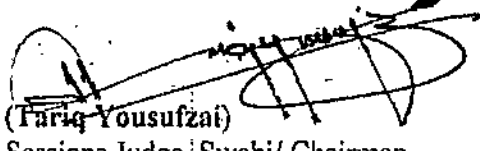
27/01/2013

reserved for initial recruitment? The committee resolved that appointment by way of initial recruitment is the sole prerogative of the Departmental Selection Committee; hence the application cannot be entertained by the present forum.

The chairman/competent authority may issue orders accordingly.

1) - Ihsanullah Khan Mehsud, 
Additional Sessions Judge, Swabi/ Nominee of Peshawar High Court

2) - Shah Waliullah Hamid, 
Senior Civil Judge, Swabi/ Nominee of the Chairman


(Farig Yousufzai)

District & Sessions Judge, Swabi/ Chairman

No. 372 (F-53) /D&SJ

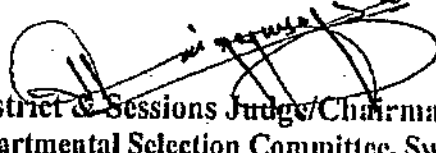
Dated Swabi the 15/02/2013.

Copy forwarded to:-

1. The Registrar, Peshawar High Court, Peshawar for favour of information, please.
2. Office.


SUPERINTENDENT
District & Sessions Judge
Swabi

22/01/2013


District & Sessions Judge/Chairman
Departmental Selection Committee, Swabi

SIP

OFFICE OF THE DISTRICT & SESSIONS JUDGE, SWABI

ORDER

Annex -
"K"

39

Dated: 14-03-2013

On the recommendations of the Departmental Selection Committee, the Competent Authority is pleased to order the appointment on temporary basis of the following candidate as Assistant/Reader (BPS-14) with effect from the date of assumption of charge of the post subject to medical fitness and antecedents verification:-

S.#	Name of Candidate	Father's Name
1	Mr. Waqar Alam Khan	Said Maroof Khan

2. His appointment to the service shall be subject to the following terms and conditions:-
- i. He will be governed by the N.W.F.P Civil Servants act, 1973 and N.W.F.P Government servant (Appointment, Promotion & Transfer) Rules, 1989.
 - ii. He will be allowed the minimum pay of BPS-14 plus other allowances as admissible under the rules.
 - iii. He shall be governed by such rules and instructions relating to leave, T.A, and Medical Attendance as may be prescribed from time to time.
 - iv. He shall be on probation initially for a period of one year extendable up-to two years.
 - v. He will be eligible for continuance and eventual confirmation in the post on satisfactory completion of his probationary period.
 - vi. His services shall be liable to be dispensed with at any time without notice and assigning any reason before the expiry of the period of her probation/ extended period of probation, if, his work or conduct during this period is not found satisfactory. In the event of termination from service, fourteen days notice or in lieu thereof fourteen days pay will be paid by the Government. In case of resignation, she will give one month notice to the Competent Authority or in lieu thereof one month pay shall be forfeited to the Government.

TESTED TO BE TRUE SD/

SUPERINTENDENT IV.
District & Sessions Judge
Swabi

40

BEFORE THE HON'BLE DISTRICT & SESSIONS JUDGES, SWABI

Representation / Departmental Appeal # 1111 /2013

Riaz Muhammad s/o Abdul Jamil Khan

(Computer Operator BPS-14) District Judiciary, Swabi

.....Appellant

VERSUS

1. The Chairman, Departmental Promotion Committee/District & Sessions Judges, Swabi

2. District & Sessions Judges, Swabi

.....Respondent

13/5/13
Superintendent
District & Session Judge
Swabi

Representation / Departmental Appeal read with 22(2) of the N.W.F-P Civil Servant Act, 1973 against the order of the minutes of the Departmental Promotion Committee vide endst: # 372(F-53) D&SJ dated: 15-02-2013 whereby the application of the appellant was rejected.

Respectfully Sheweth:-

That the appellant was appointed as Junior Clerk/Moharrar BPS-07 in the year 2001 by the competent authority.

Copies of the order and service book are annexed as annexure "B"

2: That the appellant had applied to the post of Computer Operator through proper channel and appointed as Computer Operator in BPS-14 in the year 2003.

Copies of the order is annexed as annexure "C" *Accepted to be true copy*

Ex. ... Branch
District & Sessions Judge Swabi
13/5/13

~~SUPERINTENDENT~~
SUPERINTENDENT
District & Sessions Judge
Swabi

3. That the appellant was awarded appreciation certificates by Hon'ble District & Sessions Judges posted at District Swabi.

41

Copies the certificates are annexed as annexure "D".

4. That the appellant had applied for the post of Assistant/Reader in BPS-14 which was vacant due to retirement of Gul Nawab Khan Assistant/Reader.

5. That the impugned order/minutes are illegal, the same are liable to be set aside/review and the appellant is entitled to be considered for appointment by transfer on the following grounds:-

GROUND


13/3/13
District & Session Judge
Swabi

That the appellant was not treated as accordance with relevant rules, as the order/minutes is illegal.

2. That as per section 7 (1), (2) & (3) containing of PART-II (Appointment by promotion or transfer) of the N.W.F-P Civil Servants Act, 1973, it is clear that Departmental Promotion Committee is competent for the *appointment by promotion or transfer*.

Copies of the relevant rules are attached as annexure "E".

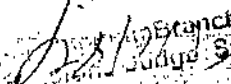
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SUPERINTENDENT
District & Sessions Judge
Swabi

3. That as per the above sections a person who possesses the same scale; he is entitled for the same post if the post is lying vacant in the same scale.

4. That in the minutes of Departmental Promotion Committee it was pointed out by the committee that the same vacant post (*Assistant/Reader EPS-14*) is specified for initial recruitment quota, while no formal order is available from the august

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District Judge Swabi

42

Peshawar High Court, Peshawar or from the office of the Hon'ble District & Sessions Judges regarding the filling of the post mentioned above through D.S.C.

Copies of the minutes are attached as annexure "F".

5. That in view of 13 years service and experience of the appellant as Computer Operator and as well as English Clerk in Sessions Division, it is therefore, requested that on acceptance of this representation/appeal the impugned order 15-02-2013 may kindly be set aside and the appellant may kindly be appointed by transfer to the post of Assistant/Reader in BPS-14 from the date of the application submitted to the promotion committee on 10-02-2013, please.

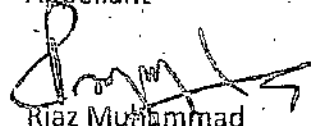
13/3/13
District & Sessions Judge
Swabi

ATTESTED TO BE TRUE COPY



SUPERINTENDENT
District & Sessions Judge
Swabi

Appellant



Riaz Muhammad
Computer Operator BPS-14
Sessions Court, Swabi

Through

Dated: 13-03-2013

Attested to be true copy

13/3/13
District & Sessions Judge
Swabi

To,

Annex - "M"

43

The Hon'ble
District & Sessions Judge
Swabi.

Subject: APPLICATION FOR ATTESTED COPIES OF THE REQUIRED DOCUMENTS

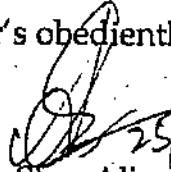
Respected Sir,

It is honorably submitted that I have been serving as B & A Assistant in this department since 14.03.2013 and I have submitted a departmental appeal in the hon'ble Peshawar High Court, Peshawar, In this regard I need attested copies of letter No 775/D&SJ dated 21.04.2014 sent by this office to the worthy Registrar Peshawar High Court, Peshawar.

It is, therefore, very humbly requested that the attested copy of the said application may be kindly be provided to me for onward submission the same, please.

I shall be very thankful to you for this act of kindness.

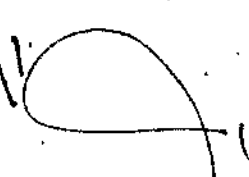
Your's obediently


25/01/2023.

Sher Ali

B & A Accounts Assistant
Sessions Court Swabi

Supra.
copy be issued

26/1/23

26/1/23

Annex - "N" S#11



The
PESHAWAR HIGH COURT
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58
Off: 9316135
Fax: 9210176

www.peshawarhighcourt.gov.pk
info@peshawarhighcourt.gov.pk
phcpsh@gmail.com

No. _____ /Admn:

Dated Pesh the 20/04/2014

From:

The Registrar,
Peshawar High Court,
Peshawar.

To:

The District & Sessions Judge
Swabi.

Subject: REPRESENTATION/DEPARTMENTAL APPEAL.


Dear Sir,

I am directed to refer to the subject noted above and to say that in view of your comments vide letter No.775/D&SJ dated 21.04.2014, the Competent Authority has been pleased to refer the representation of Mr. Riaz Muhammad, Computer Operator to you for reconsideration, please.

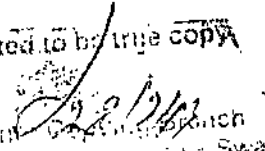
Faithfully yours,


REGISTRAR

ATTESTED TO BE TRUE COPY


SUPERINTENDENT
District & Sessions Judge
Swabi

Attested to be true copy


District & Sessions Judge Swabi

D:\Jail Quraan\QB\Main\General\Forms\02_Swabi\Misc\Letter.doc

Annex - "0" S# 12

45

MINUTES OF THE MEETING OF DEPARTMENTAL
PROMOTION COMMITTEE (DPC) DISTRICT SWABI

Meeting of the Departmental Promotion Committee was held on 20th May, 2014 in the Chamber of District & Sessions Judge, Swabi. The following attended the meeting.

1. Mr. Aymen Zia
District & Sessions Judge, Swabi/Chairman
2. Mr. Tahir Mehmood Khan,
Additional District & Sessions Judge, Swabi/
Nominee of the Chairman.
3. Mr. Aftab Iqbal,
Civil Judge, Mardan/Nominee of Peshawar High Court

POST OF ASSISTANT/READER BPS-14 (01 VACANCY)

This vacancy was lying vacant on the eve of the retirement of Mr. Noshir Khan Assistant. The working paper for the DPC was prepared according to which Mr. Sajjad Ali Senior Clerk followed by Mr. Mohammad Aziz and Mr. Dure Maknoon, Senior Clerks were in the seniority list. However, in the previous DPC, Mr. Riaz Mohammad, KPO (BPS-14) had applied for appointment for the subject post by transfer. At that time the post of Assistant/Reader was required to be filled through initial recruitment, therefore, his request was not considered which he challenged through a representation/departamental appeal and vide the Hon'ble Peshawar High Court, Peshawar letter No.8028/Admn dated 28.04.2014, the case of Mr. Riaz Mohammad was referred for re-consideration.

SUPERINTENDENT
District & Sessions Judge
Swabi

On the basis of 13 years service/experience as well as annual satisfactory confidential reports, the members of the committee unanimously agreed to fill the post of Assistant through appointment by transfer. Moreover, as per section 7(1), (2) and (3) of Part-II (Appointment by promotion or transfer of the N-W.F.P Civil Servants Act, 1973, it is clear that the DPC is competent for appointment by transfer. Therefore, in view of the cumulative experience and performance of Mr. Riaz

22/12/12

46

...KPO (BPS-14), he is hereby recommended for the post of Assistant/Reader (BPS-14) through appointment by transfer.

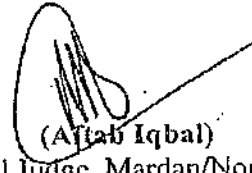
POST OF JUNIOR CLERK BPS-07 (01 VACANCY)

This post was lying vacant as Faiz-ur-Rehman was appointed as Computer Operator. As per working paper, Mr. Haseebullah Chowkidar is on top, however, keeping in view the last two years average ACRs, he was not found eligible for promotion, therefore, the next in seniority namely Mr. Mohammad Yahya Naib Qasid (BPS-02) having good ACRs at his credit is hereby recommended for the post of post of Junior Clerk (BPS-07)

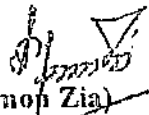
The appointing authority may issue promotion orders in accordance with observations made herein the minutes.



(Tahir Mahmood Khan)
Addl; Distt & Sessions Judge, Swabi/
Nominee of the Chairman



(Aftab Iqbal)
Civil Judge, Mardan/Nominee
of the Peshawar High Court,
Peshawar



(Aymon Zia)
District & Sessions Judge, Swabi/Chairman
Departmental Promotion Committee, Swabi

No 929-32 /D&SJ Dated Swabi the 20 /05/2014

F.53

Copy forwarded to:

1. Copy forwarded to the Registrar Peshawar High Court, Peshawar for information.
2. Office copy.

ATTACHED TO BE TYPE COPY



(Aymon Zia)
District & Sessions Judge, Swabi/Chairman
Departmental Promotion Committee, Swabi

SUPERINTENDENT
District & Sessions Judge
Swabi

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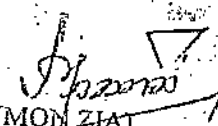
28/12/14
District & Sessions Judge, Swabi

OFFICE ORDER

Annex - "D" 47

Pursuant to the Departmental Promotion Committee meeting held on 20-05-2014, the following appointments/promotions are hereby ordered in the interest of public service with immediate effect.

S. #	Name of official with designation	From	To
1.	Riaz Muhammad Computer Operator	Appointed on transfer as Assistant/Reader in his own pay & scale	As Assistant/English Clerk, Session Division
2.	Muhammad Yahya Naib Qasid	Promoted as Junior Clerk in BPS-07	Posted in the Copying branch Session Division


(AYMON ZIA)
District & Sessions Judge,
Swabi

Ends: 944(53) (F-I)/D&SJ


Dated Swabi the 20/05/2014

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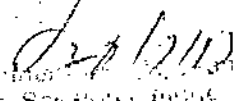
1. District Accounts Officer, Swabi
2. The Concerned officials
3. Information kiosk
4. Office


District & Sessions Judge,
Swabi

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SUPERINTENDENT
District & Sessions Judge
Swabi

Attested to be true copy


District & Sessions Judge,
Swabi

Annex - "Q"

48

**REGULAR SESSION OF MANAGEMENT COMMITTEE,
JUDICIAL COMPLEX, SWABI
MINUTES**

The regular session of Committee continued for four days, viz, Saturday, Tuesday, Saturday and Tuesday, the 11th, 14th, 18th and 21st days respectively of March 2017 daily from at 01:30 to 04: 30 p.m. It was chaired by Mr. Shakeel Azam Awan, Additional District & Sessions Judge-I, Swabi. Mr. Naveed Ullah Gigyani, Judicial Magistrate-II, Swabi attended it as Member.

As other learned Member, Mr. Rashid Rauf Swati, Senior Civil Judge, Swabi had since been transferred and been on leave as well, therefore, this session was, after obtaining oral approval from the Competent Authority (District & Sessions Judge, Swabi), held in *absentia* of such Hon'ble Member owing to too much pendency of assignments since long and that too relating to the matters requiring expeditious disposal.

The following staff members were asked to attend the session with all relevant records:

1.	Mr. Riaz Muhammad Khan	Assistant/English Clerk
2.	Mr. Sher Ali Khan	Budget & Account Assistant
3.	Mr. Zulfiqar	Muharrer/Acting Nazir

THE RUNNING AGENDA OF THE REGULAR SESSION COMPRISED:

- 1) Funds of 6 cabins and giving 50% thereof to District Bar Association, Swabi in the light of directive of Hon'ble Peshawar High Court, Peshawar;
- 2) Audit of funds of cabins and super-store including cafeteria since date of establishment thereof;
- 3) Review as to enhancement of rent rates in respect of cabins and super-store including cafeteria in the light of minutes of earlier meeting ;)

Shakeel Azam Awan
Addl. District & Sessions Judge
Swabi
28.3.17

ATTESTED TO BE TRUE COPY
SUPERINTENDENT
District & Sessions Judge
Swabi

Attested to be true copy
Swabi

49

Consideration of application filed by Nazir Ahmad/Mali-cum-Khadim for enhancement of his monthly wages;

- 5) Request of In-Charge, Sessions Record Room for extra-space to streamlining the keeping of records;
- 6) Re-fixation/revision of rates of 'photo copies' at Copiers' Shops situate within the premises of Judicial Complex, Swabi;
- 7) Matters relating to examination of 'petition-writers' to fill up the existing vacancies;
- 8) Matters pertaining to 'Seniority Lists of Paralegal Staff' including 'insertion of entries as to educational qualifications acquired by them during service, into their Service Books'; and
- 9) Other item, if any.

PART-I

ITEM # 1: Funds of 6 cabins and giving 50% thereof to District Bar Association, Swabi in the light of directive of Hon'ble Peshawar High Court, Peshawar

24.3.17

The Committee found that the Hon'ble Peshawar High Court, Peshawar was pleased to order the distribution of income of such cabins between District & Sessions Court and District Bar Association Swabi at the ratio of 50/50 vide letter # 64-1914-/B&A/ dated 25th March 2015 on the subject: "Minutes Of The Meeting Of Administration Committee Held on 6.2.2015 at 02:00 p.m.". Extract of the minutes (*Item # 10*) was enclosure to that letter. The same reads as under:-

"Item # 10:

Collection of rent from the cabins in the premises of Sessions Courts (requested by District Bar Association Kohat)

The Administration Committee decided that rent of the cabins within court premises shall be distributed between District & Sessions Judge concerned and District Bar Association at the ratio of-50/50. In this respect, a separate

ATTACHED TO ORIGINAL COPY

INDEPENDENT
District & Sessions Judge

Attested to the truth of the

28/12/17

50

account in Bank will be opened by District & Sessions Judge. The Administration Committee further decided that the mode of payment to the concerned District Bar Association would be through cross-cheque in the name of concerned District Bar Association against proper receipt, which shall be signed by President and General Secretary.

As a policy decision, the Administration Committee directed the Registrar to communicate the same to all District & Sessions' Judges and all Presidents of District Bar Associations throughout KPK for compliance in the letter and spirit.

RECORDED
28.3.17

The directive of Hon'ble High Court must be implemented forthwith. The Committee made it a focal point that the office would place the matter before the Competent Authority (District & Sessions Judge, Swabi) for giving immediate effect to the directive of Hon'ble High Court through issuing apt order as to the distribution of income of six (06) cabins between District Court and District Bar Association Swabi at the ratio of 50/50 (Fifty-Fifty) in the light of directions of Hon'ble Peshawar High Court Peshawar as hinted to in above-noted letter. The payment of such amount shall regularly be made on monthly basis through cross-cheque in the name of District Bar Association, Swabi against proper receipt to be signed by President and General Secretary, District Bar Association, Swabi.

ITEM # 2: Audit of funds of Cabins and Super-store including Cafeteria since establishment thereof

Sher Ali Khan, B&A Assistant and Mr. Zulfiqar, Nazir produced relevant record on the subject.

They produced 'Audit Opinion dated 26th January 2013 recorded in hand by Accounts Officer, Peshawar High Court Peshawar'. The Audit Opinion so recorded would read as under:-

[Handwritten signature]

ATTESTED TO BE TRUE COPY

SUPERINTENDENT
District & Sessions Judge
Swabi

"Audit Opinion:

The Receipts & Expdt in respect of Misc. Head, may be recorded properly in 'Misc. Head-Cash Book', which

Attested by

[Handwritten signature]
28/3/17

should be maintained in accordance with Rules of Cash Book laid down in Treasury Rules Vol-I in future." (51)

B&A Assistant, District & Sessions Court Swabi, it was noticed, began maintaining the record in the light of directions indicated in above-cited Audit Opinion. Details were unknown about internal audit as to receipts-n-expenditures in respect of period before 26.01.2013. The Committee, however, took serious view of this matter and accordingly recommended that the matter would require complete audit in all respects for three-fold reasons, viz, *firstly*, members of Committee were not accounts-n-audit experts; *secondly*, it was a financial matter which must be accounted for penny-wise; and *thirdly*, vide letter # 1254-79/3/A&A Cell/B&A dated 20.2.2013 of Registrar, Peshawar High Court, Peshawar on the subject: 'Advance Paras On The Accounts Of Receipt And Expenditure Pertaining To "Miscellaneous Head" Of The Lower Courts' accompanying guidelines contained in letter # 9150-71/Admn:/ dated 11th December 2000 of Peshawar High Court. Peshawar on the subject: "Collection of Rent from the Cabins in the Premises of Sessions Courts", "the Receipts-n-Expenditures under the Heads of Accounts (Miscellaneous)" were made subject to Internal Audit by the Budget & Accounts Branch of Peshawar High Court. Peshawar. The relevant portion of letter dated 11.12.2000 reads as follows:-

"Henceforth, the District and Sessions Judges shall collect rent from the cabins in the premises of Sessions Courts in the Province by entering into proper rent agreement with the occupants of such cabins. The rent so collected will be deposited in a District Account which will be opened by respective District & Sessions Judges under the "Miscellaneous Head". The deposits will be available for spending on Misc. needs of the Courts of District & Sessions Judges and the Courts subordinate thereto. The receipts and expenditures under above heads of account will be subject to internal audit by the Budget and Accounts Branch of the Peshawar High Court"

Sd/-
(Qalandar Ali Khan)
Registrar

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SUPERINTENDENT
District & Sessions Judge
Swabi

4

Attested to be true copy

Ex-28/2/13
District

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Letter # 1254-79/3/A&A Cell/B&A dated 20.2.2013 of Registrar, Peshawar High Court, Peshawar and letter # 9150-71/Admn:/ dated 11th December 2000 of Peshawar High Court. Peshawar, as quoted hereinbefore in relation to ITEM # 1 *ante*, shall be taken due care of as well.

In view of such position, it was resolved by this Committee that the Budget & Accounts Branch of District & Sessions Judge, Swabi would get the internal audit in respect of all receipts and expenditures under the above-noted head done from Budget & Accounts Branch of Peshawar High Court Peshawar within a period of three months. The matter would be placed before the Worthy District & Sessions Judge, Swabi for kind perusal and further directions, if any, in this behalf.

ITEM # 3: Review as to enhancement of rent rates in respect of cabins and super-store including cafeteria in the light of minutes of earlier meeting

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The agreement draft regarding revised terms-n-conditions in respect of Cabins, and General/Super-Store, Judicial complex Shahmansoor, Swabi prepared by office in the light of minutes dated 04th February 2017 of the Committee, was produced. The Committee examined it. It, however, needed certain changes. After incorporating such changes therein, it was vetted. The office (B&A Section) was directed to place the same along with these minutes before Worthy District & Sessions Judge, Swabi (Competent authority) for approval and further directions for renewing the agreements with all occupants/tenants of above-cited premises.

ITEM # 4: Consideration of application filed by Nazir Ahmad/*Mali-cum-Khadim* for enhancement of his monthly wages

The Committee was informed that Mr. Nazir Muhammad had been working as *Mali/Khadim* at Judicial Complex Shahmansoor, Swabi since 2008. He used to draw fixed monthly wages of Rs. 4000/- prior to 2014 and his emoluments were subsequently increased to Rs. 5000/- per month in July 2014. He was stated to bedrawing wages @ Rs. 5000/- per month since then. When asked about appointment order of or any service agreement executed with such employee, B&A Section informed that he was appointed through oral orders of the then Competent Authority and was being paid wages from funds of Cabins, Super-store and Cafeteria and such expenditure was being meted out of above head of

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'miscellaneous charges'. It was pointed out that neither appointment order had been issued in this regard, nor any service agreement had been executed with Mali/Khadim so that he could claim no benefits of regular appointment/service. The chair expressed grave concern and displeasure over such state of affairs. It was remarked by the chair that it was a case of gross socio-economic injustice. The then Competent Authority could have, it was further remarked by the chair, issued appointment order in writing in respect of Mali/Khadim by employing him on fixed monthly wages or his services could have been hired on contract basis to mete out expenditure from miscellaneous head of account, subject to internal audit. It was further pointed out by the chair that even sanction could have, in this behalf, been obtained by making a request to the Hon'ble High Court to bring such post on regular strength of establishment of Sessions Court Swabi.

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The committee recommended that the case be placed before the Competent Authority/District & Sessions Judge, Swabi for issuance of such direction, as might be deemed appropriate, as to appointment of Mr. Nazir Muhammad as Khadim/Mali on contingent basis/contract basis or fixed monthly wages through meting out expenditure thereoffrom Miscellaneous Head, subject to internal audit. Such appointment order would contain, *inter alia*, terms and conditions: he would be on fixed monthly wages; he would have no right to claim regular employment; and his service would be terminable at any time in lieu of one month wages *in advance* instead of/and or in lieu of notice. The Committee pointed out that the Competent Authority could now request the Hon'ble High Court for sanction to create a post of Mali (BPS: 3) in order to regularize his services in the interest of socio-economic justice. Humanitarian aspect of the case might be taken into account.

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The Chair expressed grave concern over such sorry state of affairs that the fault did, in fact, lie with the then learned District and Sessions Judge, Swabi (Competent Authority) who had hired services of Mali/Khadim through verbal order and that too against a non-sanctioned post by directing the office to mete out expenditure thereof from 'Miscellaneous Head of Account. For such faulty administrative decision, Mali/Khadim cannot be made scapegoat, nor can any other employee be held accountable for that. It is that Officer who did all that who can

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be held accountable. This matter can be brought into the notice of Hon'ble the Chief Justice, Peshawar High Court, Peshawar for perusal and necessary action, if any, against the delinquent Officer. This Para contains exclusively exclusive views expressed by Chairman of the Committee.

The Government of Pakistan and Provisional Government of Khyber Pakhtunkhwa have, while passing-n-authenticating Annual Finance Act (National and Provisional Budget 2016-17), laid down a formula of minimum package @ of Rs. 12000 per month for such employees. Therefore, the Committee was of the view that his monthly wages being meted out of *miscellaneous head of account* would need to be brought at par with budgetary criteria by enhancing it to Rs. 12,000/- per month.

The B&A Section showed a letter of Hon'ble Peshawar High Court. Peshawar as contained in Endst No. 1254-79/3/A&A cell/B&A dated 20.02.2013 along with other letter # 9150-71/Admn:/ dated 11th December 2000 of Peshawar High Court. Peshawar plus Annexure thereto. The guidelines and instructions regarding miscellaneous head transactions, etc., contained in annexure thereto were self-explanatory as to salary of the employee to be meted out of miscellaneous head.

The instruction (relevant) reads as follows:-

"Annexure-C

Expenses relating to Miscellaneous Head

- 1. ...
- 2. ...
- 9. *Expenses related with Court's garden.*
- 10. *Other miscellaneous expenses of Sessions Courts/Lower Courts".*

The Committee asked B&A Section to place this matter before worthy Competent Authority for perusal and appropriate orders.

ITEM # 5: Request of In-Charge, Sessions Record Room for extra-space to streamlining the keeping of records

After threadbare deliberation on this issue, it was directed, "Let the Caretakers of Judicial Complex Shahmansoor Swabi furnish complete report

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(working paper) concerning availability of space, if any, for facilitating the Record-Keeper in relation to streamlining the affairs of District and Sessions, Record Room". The Caretakers must ensure the submission of their joint report before next meeting. It would be taken up if and when the Caretakers submitted their report/working paper. The matter was accordingly put off till next meeting.

ITEM # 6: Re-fixation/revision of rates of 'photo copies' at Copiers' Shops situate within premises of Judicial Complex Swabi

After confirming the rate of 'photo stat per page' from market of provincial headquarters (Peshawar), it was observed that the rate being charged by Copiers' Shops at Judicial Complex Shahmansoor Swabi in respect of per page was highly exorbitant. Public interest would demand that such rates should be properly re-fixed and the 'Schedule of Rates/LIST OF RATES' displayed by all Photocopiers /occupants outside their cabins for public notice. The Shopkeepers operating Copier Machines inside Judicial Complex shall follow the schedule of rates thus fixed.

The committee recommended that there would be no difference in rate of photocopy generated through electricity-linked Photocopier Machine or through DC/Gas Generator-linked Photocopier Machine. They shall observe the rates as mentioned in the list below: -

LIST OF RATES FOR PHOTOCOPY PER PAGE

S. No.	Nature of Document	Rate Per Copy
1.	Ordinary Document (Legal/A-4 Paper)	Rs. 01.50 per page
2.	CNIC (Both Sides)	Rs. 03.00 per CNIC
3.	Excellent Paper (Legal/A-4 Paper)	Rs. 02.00 per page
4.	Excellent Paper CNIC (Both Sides)	Rs. 04.00 per CNIC

The office shall issue "Rate List" to the occupants of shops/cabins operating photocopier machines who would ensure the display of the same outside their respective shops in Judicial Complex, Shahmansoor Swabi. Violation of rate

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ITEM # 7: Matters relating to examination of 'petition-writers' to fill up the existing vacancies

The matter was discussed in earlier meeting on 4th February 2017. Item # 5 of agenda of earlier meeting and minutes recorded thereat were self-explanatory.

The committee would thus recommend that examination for filling up all the existing vacancies of petition-writers in Swabi and Sub-division Lahor be held in the last week of April 2017. The office was directed to obtain necessary approval from Worthy District and Sessions Judge, Swabi for holding such examinations and all other steps, as were necessary, for filling up the vacancies. The same would include: advertisement for inviting applications from candidates, last date for entertaining applications, scrutiny thereof, setting the papers, selection of examiners and date/s of holding such examination (paper/s).

Other Item:

Office failed to present working paper regarding fixation of rates chargeable by petition-writers in respect of petitions, deeds etc. despite being asked in earlier meeting to do so. Office shall present proper working paper before next meeting.

This matter was deferred till next meeting

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PART-II

REPORT RELATING TO SENIORITY AND OTHER CONNECTED MATTERS OF PARALEGAL STAFF

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ITEM = 8 Matters pertaining to 'Seniority Lists of Paralegal Staff' including 'insertion of entries as to educational qualifications, acquired by them during service, into their Service Books'

NOTE BENE:

As regards Seniority of Paralegal Staff and insertion of entries, as to qualifications acquired by them during service, into their respective 'Service Dossiers/Books', the Committee had got no mandate to determine anything qua these matters. The Committee was only asked to peruse the records of employees in the light of their respective 'objections/representations including applications', and to submit its REPORT to the Competent Authority (District & Sessions Judge, Swabi) who would determine all these matters and pass appropriate orders thereon. The work of the Committee was thus to assist the Competent Authority (C.A) in scanning the records in the light of pending objections of employees in order to apprise the Authority as to actual position. The authority-n-power to determine all these matters was exclusively resting with the C.A.

SPECIFIC NOTE:

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Memorandum

Requests of employee for incorporating facts as to higher qualifications, acquired by them during service, into their Service Books shall be seen in the light of extant legal scenario on the subject. The Government had since discontinued the policy of grant of 'qualification pay' on account of acquiring higher qualification to the employees of its departments other than Education Department. The decision of Government of Pakistan, Finance Division, Islamabad NWFP, Finance Department contained in office memo/notification # F.1 (5)IMP/2001 dated 4.9.2001 on the subject "Notification of revised pay scale 2001 and effect on employees" is self-contained. Thus insertion of higher qualifications in Service Books would thus carry no financial benefits.

1. Case of Mr. Javed Khan/Senior Scale Stenographer (B: 16) for being considered for promotion to post of Superintendent (B;17) through inserting his name in joint seniority list of Assistant/Reader, Assistant/Clerk of Court, Assistant/Accountant, Assistant/Civil Nazir:

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his contention may appear to be just if seen in relation to policy as set out in the corresponding policy/rules of Government of Khyber Pakhtunkhwa. As regards the rules regulating his service, "Stenographer BPS-16" is not specified in categories # 04 to 08, for purpose of being considered for promotion to the post of Superintendent, as mentioned at S. # 1, to the Appendix to the Peshawar High Court (Subordinate Courts Staff) Recruitment Rules 2003. Is it a difficulty within the meaning of S. 24 of Civil Servants Act 1973? If so, it is only the Competent Authority, which can pass an appropriate order. The Competent Authority for this purpose is Honorable, the Chief Justice, Peshawar High Court, Peshawar. The anomaly in the Rules may be brought in the notice of the Registrar for appropriate-n-suitable amendment, if need be, in the Rules (*ibid*).

2. Seniority dispute between Mr. Riaz Muhammad/Riaz Assistant (BPS-16) and Mr. Sher Ali/Budget and Accounts Assistant (BPS-15):

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It could not be resolved because posts of Assistant/Reader, Assistant/COC, Assistant/Accountant and Assistant/Civil Nazir, as mentioned in column # 04, 05, 7 and 8 in Appendix to the Peshawar High Court Peshawar (Subordinate Courts Staff) Recruitment Rules 2003 are in BPS 16. The post of B&A Assistant (BPS 15) does not find mention in the said appendix. Mr. Sher Ali Khan is serving as B&A Assistant (BPS 15). This seems to be a difficulty within the meaning of section 24 of Civil Servants Act 1973. Thus, it is the Competent Authority alone, which can pass an appropriate order in this regard. The Competent Authority for this purpose is Honorable the Chief Justice, Peshawar High Court. Peshawar. The matter may be brought in the notice of Registrar for appropriate amendment, if there be need of it, in the Rules (*ibid*).

3. Case of Mr. Riaz Muhammad, Assistant/Reader (BPS:16) regarding date of promotion against present post as 13.03.2013, instead of 20.05.2014, in his Service Book:

The record would show that he was ignored from being promoted to the post of Assistant/Reader (BPS: 16) by the DPC. He had filed a departmental appeal/representation. Vide Order dated 28.4.2014, Hon'ble Peshawar High Court was pleased to send the case back to DPC for reconsideration. DPC, after

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... regarding him for such promotion, had ordered his promotion to such post (BPS: 16) vide Order dated 20.5.2014. He was shown therein as promoted to such post *with immediate effect*. The same date was accordingly recorded in his Service Book.

He wants his date of appointment/promotion by transfer to be recorded as 10.02.2013 in Service Record on the grounds that after being ignored by DPC, his representation was sent by Hon'ble High Court to DPC for reconsideration and as a result of reconsideration, he was promoted. There was no legal bar or hitch in allowing him anti-date appointment/promotion by transfer: Provided nobody was adversely affected thereby.

The power to grant anti-date promotion was exclusively resting with the Competent Authority (D&SJ, Swabi).

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- 4. Case of Mr. Sher Afsar, Assistant/Civil Nazer (BPS: 16) for insertion of his name's entry in Seniority List:

The record would indicate that entry of his name was not made in the seniority list. He joined service on 01.10.1981 and he was promoted as Assistant/Civil Nazer (BPS: 14) on 02.02.2012. The post was upgraded to BPS: 16 and he was accordingly placed in BPS: 16 on 20.05.2014. Therefore, his name was supposed to be inserted at Serial # 6 in the Seniority List of Assistants/Readers below the name of Riaz Muhammad. The Competent Authority may issue an apt order in this regard.

- 5. Case of Mr. Sana Ullah Senior Clerk/Reader (B:14) for insertion of his qualification (B.A) in Service Book

He is shown to have done his graduation during service. Entry of his qualification (B.A) may be ordered by the Competent Authority to be inserted in Service Book, subject to verification of degree from the quarter concerned.

- 6. Case of Wahid Zaman/Junior Scale Stenographer (B: 14) for: i) insertion of entry as to higher qualification in service record; and ii) correction of his date of birth in Seniority List in accordance with entry inserted in

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Service Book; and iii) correction of date of joining service in Seniority List:

He is shown to have acquired higher qualification of B.Com. The same is sought out to be incorporated into his service book. C.A may allow it after verification thereof from the Varsity.

His date of birth as indicated in service book is 08.01.1991 but it is stated to be incorrectly recorded as 01.08.1991 in the Seniority List. The correction so asked for is not in Service Book but from Service Book into Seniority List. There is no legal bar in doing so. C.A may approve correction in Seniority List on the basis of entry already recorded in Service Book.

His date of appointment is 22.12.2014 as per Service Book but it incorrectly recorded in Seniority List as 20.12.2014. No bar exists to do it. The C.A may permit this rectification.

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7. Case of Mr. Yasir Farooq/Junior Scale Stenographer (B:14) for entry of academic qualification of B.A in Service Book:

He is now graduate. The Competent Authority may allow the entry in Service Book and Seniority List, subject to verification of degree from the quarter concerned.

8. Case of Mr. Afzal Khan/Junior Scale Stenographer (B:14) for entry of academic qualification of M.A (Political Science) in Seniority List:

His qualification of M.A finds mention in Service Book but needs to be copied into Seniority List. C.A may approve of it.

9. Case of Mr. Muhammad Riaz/Junior Scale Stenographer (B:14) for: i) insertion of entry as to qualification of B.A in his Service Book; and ii) correction of charge assumption date of present post as 09.02.2008 in Seniority List.

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He is now graduate. C.A may allow such entry in Service book, subject to verification of degree from University concerned.

His charge assumption report available on Service Book mentions the date of assumption of charge of present post as 09.02.2008. His service is shown to be verified. The same is shown to have been corrected in Service Book.

C.A may allow this prayer by directing correction in Seniority List from Service Book.

10. Case of Mr. Sana Ullah Senior Clerk/Reader (B:14) for entry of academic qualification of B.A in Seniority List:

His qualification is B.A now. He wants its insertion in Service Book. C.A may approve of it, after getting it verified from the channel concerned.

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11. Case of Syed Tamim Shah Bacha/Computer Operator (B: 14) for entry of his qualification of M.A (Pashto) in Service Book:

Syed Tamim Shah Bacha is holder of degree (M.A Pashto). It needs accordingly to be reflected in his service book. C.A may allow it after its verification from the Varsity concerned.

12. Case of Mr. Zahoor/Computer Operator for entries of qualification (Masters in in International Relations and DIT Certificate) in Service Book:

He is holding qualifications cited above. After verification thereof from the concerned Institutions, C.A may approve of insertion of the entries, in this respect, in Service Book of employee.

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Case of Mr. Faiz-ur-Rahman/Computer Operator (B:14) for entry of qualification (B.A) in Service Book:

He holds degree of B.A. After verification from Varsity, it needs to be reflected in his service book with corresponding entry in seniority list. C.A may approve of it.

14.Mr. Salman Saeed Computer Operator (B:14) for; i) insertion of qualification (LL.B) in Service Book; and ii) correction of date of joining service as 4.12.2010:

He holds LL.B degree. The same be got verified from concerned channel. C.A may approve its insertion in Service Book.

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Mr. Salman Saeed/Computer Operator is shown to have initially joined service in the Law Department, Government Pleader Office, Haripur of NWFP (now Khyber Pakhtunkhwa) on 04th December 2010 and he has come to Judicial Department through 'proper channel' on 22nd December 2014. He has, as per Service Book, got verified service. For purpose of length of service/pension, date of joining service is 4.12.2010.

C.A may accord approval to insert it in Seniority List, not for purpose of seniority but for pensionary benefits alone. The Competent Authority may order insertion of such entry in seniority list for purpose noted above, i.e., counting service towards pensionary benefits but after reverification of service from the quarter concerned,

15.Case of Mr. Muhammad Aqeel Azam/Computer Operator (B:14) for correction of name, entry of joining date of service and Seniority as against Syed Hamid Hussain/Computer Operators (B:14):

Both official are present. They have been heard. Their appointment orders attached to their respective Service Books are perused. A per such order dated 31.07.2008, Muhammad Aqeel Azam is shown at S # 01 while Mr. Syed Hamid

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Hussain at S = 02. The appointment order is stated to have been issued in order of merit. Syed Hamid Hussain has admitted that it was Muhammad Aqeel Azam who had topped the merit list of Computer Operators in that batch. The contention of Muhammad Aqeel Azam is genuine and correct.

C.A may approve placement of his name above the name of Syed Hamid Hussain in Seniority List of Computer Operators.

Muhammad Aqeel Azam is holder of M.Sc.(Economics). After its verification from Varsity concerned, C.A may grant approval its entry in Service Book.

As regards his name, it is already correctly recorded as Muhammad Aqeel Azam in service record.

Muhammad Aqeel Azam
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16. Case of Mr. Nasim Jan Junior Clerk/Muharrer(B: 11) for fixation of seniority vis-à-vis Mr. Zulfiqar Muharrer/Nazir (B: 11) and Mr. Rukhsar Muhammad Junior Clerk/Muharrer (B: 11):

Three official are present. Their personal files have been perused. According to appointment order # 2001/DSJ dated 20.12.2003 attached to their Service Books, Mr. Nasim Jan is mentioned at S # 03 while Mr. Rukhsar and Mr. Zulfiqar at S # 05 and 08. Thesame is based on order-of-merit. Mr. Nasim Jan thus stands senior to both of them on merits. Even if be taken for a movement if it is not a merit list, then date of birth of Mr. Nasim Jan is 15.02.1964 while date of birth Mr. Zulfiqar is 01.04.1980 and that of Mr. Rukhsar Muhammad 03.04.1983. From that point of view, as they belong to the same batch, Mr. Nasim Jan stands senior to them. However, it is only on the basis of order-of-merit that Seniority List needs to be corrected by placing Mr. Nasim Jan above both of them. C.A may approve it.

17. Case of Mr. Rukhsar Ahmad/Muharrer (B:11) for correction of date of birth as 23.03.1982 instead of 03.04.1982 on the basis of decree of Civil

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He is shown to have joined the service on 16.09.2000 He could ask for correction of his date of birth within two (02 years) of joining the service. In this respect, letter # SOR-II(S&GD) 5(40)/87) dated 15.02.1989 of Government of NWFP (available on ESTA CODE of Government of Khyber Pakhtunkhwa at Page # 150) is self-contained law on the subject. For the purpose of service, date of birth as recorded in Service Book at the time of joining service is final. GFR # ¹¹⁶⁷¹¹⁷ ~~1167117~~ also quite clear. Law only bars his plea for rectification of date of birth in Service Book.

The legal-cum-administrative bar cannot be ignored.

18. Case of Mr. Asghar Ali/Junior Clerk (B:11) for: i) correction of date of joining service as 1.12.2003 in Service Book; and ii) Seniority dispute with Mr. Johar Ali/Junior Clerk (B:11):

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Mr. Azhar Ali's date of joining service, as per service book, is 16.8.2001 but is incorrectly entered as 1.12.2003 in Seniority List. It is requiring correction in Seniority List as per entry in Service Book. C.A may allow its rectification.

Both Mr. Asghar Ali and Mr. Joher Ali Junior Clerks (B: 11) are present. They have been heard.

Mr. Asghar Ali is shown to have been promoted from BPS:03 to BPS: 7 (Now B: 11) on 31.07.2008 while Mr. Joher Ali was appointed in BPS: 7 (now B:11) by initial recruitment on the same date (31.7.2008). They were promoted and selected respectively by the same DPC on the same date. According to Rule-17 (2 of the Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules 1989, if the date of one recruited by promotion and that of another recruited by initial recruitment are the same, 'the person appointed otherwise shall rank senior to the person appointed by initial recruitment'. Thus, name of Mr. Asghar Ali needs to be placed above the name of Johar Ali in the Seniority List of Junior Clerks. C.A may pass apt order in this regard.

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19. Case of Mr. Izhar Ali/Computer Operator (B:14) for entry of academic qualification BCS instead of B.A in his Service Book:

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It is stated to be wrongly cited as B.A in S.L. He holds degree of BCS. the same, after being verified from the concerned quarter, needs to be inserted therein (Seniority List) by deleting entry of B.A therefrom. C.A may issue order in this behalf.

20. Case of Mr. Zar Bahadar and Mr. Tamim Shah/Computer Operators (B:14) for fixation of inter se seniority:

Both official are present and heard. According to the appointment order dated 20.12.2003 available on their service books, Mr. Zar Bahadar/Computer Operator is at S # 01 while Syed Tamim Shah at S # 04. It is based upon order-of-merit. The placement of Mr. Zar Bahadar's name below the name of Syed Tamim Shah in Seniority List is not correct. The same needs to be corrected by placing his name above the name of Syed Tamim Shah in the Seniority List of Computer Operators (B:14).

21. Case of Mr. Anwar Zeb Junior Clerk (BPS: 11) as to correction of date of appointment in Seniority List as 31.07.2008:

His date of appointment in Service Book is 31.07.2008 but it is wrongly inserted in Seniority List as 31.07.2009. It needs to be set right in the light of entry in Service Book. C.A may grant approval to this effect.

22. Case of Mr. Imtiaz Junior Clerk (BPS:11) for correction of date of birth as 8.11.1976 instead of 2.11.1976:

His date of birth as recorded in Service Book is 08.11.1976 but is carried to Seniority List wrongly as 2.11.1976. Date of birth in Seniority List needs to set right as per entry in Service Book. C.A can approve of it.

23. Case of Mr. Farhad Ali/Junior Clerk (B:11) for fixation of seniority vis-à-vis Mr. Imtiaz and Mr. Manzoor/Junior Clerks (BPS:11):

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They are present and heard. Farhad Ali is at S # 28 while Mr. Imtiaz and Mr. Manzoor are at S # 26 and 27 in the Seniority List. He seeks seniority against both of them.

Per record (Service Books), Mr. Farhad is shown to have been promoted from post of Naib Qasid to Junior Clerk on 14.06.2000 while Muhammad Imtiaz is also found to have been promoted to present post from post of NQ on 14.06.2013. As regards Muhammad Manzoor/Junior Clerk (Serial # 27), he is shown to have been appointed through initial recruitment on 14.06.2013. In view of his promotion earlier to Mr. Imtiaz, he (Mr. Farhad) is senior to him.

Mr. Farhad Ali was appointed as NQ on 21.11.2001 whereas Mr. Muhammad Imtiaz was appointed as N/Q on 19.12.2003. Therefore, Mr. Farhad was senior from Muhammad Imtiaz before promotion. He could accordingly retain his seniority.

According to Rule-17 (2 of the Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules 1989, 'the person appointed otherwise shall rank senior to the person appointed by initial recruitment'. Thus, Mr. Farhad and Mr. Imtiaz being promotees are senior to Mr. Manzoor, directly recruited one.

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Therefore, the names of Mr. Farhad, Mr. Imtiaz and Mr. Manzoor need to be place at serial # 26, 27 and 28 respectively in the Seniority List of Junior Clerks (B:11). The Competent Authority may accord approval for correction of Seniority List accordingly.

24. Case of Mr. Shahid/Naib Qasid (BPS: 3) for entry of academic qualification of S.S.C in service book:

He has acquired SSC. After verification from the concerned Board, it needs to be inserted in his Service Book. C.A may accord approval in this regard.

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25. Case of fixation of inter se seniority in respect of Mr. Amjad Hussain,

Mr. Javed Iqbal and Muhammad Islam (Senior Clerks (B:14):

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Amjad Hussain has been promoted to the present post on 01.04.2015. He seeks seniority against Mr. Javed Iqbal and Muhammad Islam Readers (BPS:14) who are at Serial # 10 and 11 respectively in Seniority List by being brought at S # 10.

All the three officials are present and have been heard. Their Service Books have been perused. As regards Mr. Javed Iqbal, he has been promoted to BPS:14 on 25.03.2010 while Muhammad Islam/Reader is shown to have been promoted as Reader on 14.06.2013. Date of promotion of Mr. Amjad Hussain to present post is 1.4.2015.

The relief seeker didn't question such promotion earlier before any forum. Being promoted later in point of time and that too in subsequent selection, he stands junior to those promoted in earlier selection. Rule 17 of the APT Rules 1989 (*ibid*) is, in this behalf, clear. If his request is accepted, it will be amounting anti-dating promotion. The same doesn't seem to be possible within the existing legal framework.

The matter may, however, be placed before Competent Authority for such orders as may be deemed just.

26. Case of Shahid Khan/NO (B:3) for entry of SSC in Service Book:

The same may be, after verification from the Board concerned, inserted in Service Book. C.A may accord approval.

27. Fixation of inter se Seniority of Amjad Iqbal and others/Naib Qasid (BPS:3) as mentioned in Seniority List at S # 13 to 20:

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SUPERINTENDENT
District & Sessions Judge
Swabi

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28.5.17

FROM MR. AMJAD
28.5.17

The records were seen. It is very strange because their seniority has not been correctly reflected in the List.

As per Appendix to the Peshawar High Court (Subordinate Courts Staff) Recruitment Rules 2003, there has to be a common/joint seniority list of Chawkidars/Naib Qasid/Sweeper/Mali/Water Carrier for promotion to Daftri (BPS:5).

Kindly see entries in serial # 21 and 25 to 30 in the Appendix (*ibid*).

Office may be asked to correct seniority list in order of dates of their initial appointments. Thus, serial # 12 to 21 will be changed in the following order: 17, 12, 13, 20, 18, 19, 14, 15, 16 and 21. They will be treated as 12 to 21 respectively in order noted in preceding sentence. This is in terms of dates of initial appointments-cum-age (*as per date of appointment in general but where dates of birth of two or more are the same, the elder in age shall rank senior to younger in age*) as provided for in Rule 17 in the Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules 1989.

Competent Authority may approve of it.

Conclusion:

PART-I

Let the matters (Items # 1 to 7) in Part-I ante may be placed before the worthy District and Sessions Judge, Swabi/Competent Authority for kind perusal and approval.

PART-II

As regards Item # 8 (Case # 1 to 27) in Part-II Ante, the same are in no way proposals, suggestions or recommendations because it is District and Sessions Judge, Swabi who is Competent Authority in respect of these matters for all legal intents and practical purposes under the Khyber Pakhtunkhwa Civil Servants Act 1973 and all the Rules framed thereunder including the Peshawar High Court (Subordinate Courts Staff) Recruitment Rules 2003.

SUPERINTENDENT
District & Sessions Judge
Swabi

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Examined
District & Sessions Judge
Swabi

12/03/2017
28.3.17

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This Committee has just, as directed by worthy Sessions Judge Swabi, assisted the Competent Authority in scanning the records of employees and highlighting the relevant provisions of law and rules.

The authority and power to decide and determine all these matters exclusively rest with the Competent Authority (D&SJ, Swabi).

[Signature]
28-3-17

SHAKEEL AZAM AWAN
Additional District and Sessions Judge-I,
Swabi
Chairman,
Management Committee Judicial Complex,
Shahmansoor, Swabi

[Signature]
28-3-17
Naveed Ullah Giggani
Judicial Magistrate-II, Swabi
Member
Management Committee Judicial Complex
Shahmansoor, Swabi

CERTIFICATE:

These minutes and report comprise twenty two (22) pages. Each page has been signed by the Chairman and the Member of the Committee.

[Signature]
Naveed Ullah Giggani
Judicial Magistrate-II/Member,
Management Committee Judicial Committee,
Shahmansoor, Swabi
28-3-17

No 12 - AD&SJ-Swabi dated 21/

- ✓ 1. Original to be placed before the worthy District & Sessions Judge, Swabi/Competent Authority
- 2. Copy for Member, Management Committee
- 3. Office Copy

[Signature]
28-3-17

SHAKEEL AZAM AWAN
Additional District and Sessions Judge-I,
Swabi
Chairman,
Management Committee Judicial Complex,
Shahmansoor, Swabi

ATTESTED TO BE TRUE COPY

[Signature]
SUPERINTENDENT
District & Sessions Judge
Swabi


Attested to be true copy

[Signature]
28-3-17

The Committee considered him and found him eligible for appointment through transfer. Therefore, for availability of the vacancy on the date as aforesaid (10.2.2013) he was qualified hence, his seniority is to be considered from the date as mentioned in his representation (date of refusal by DPC) i.e. (10-02-2013). Mr. Riaz Muhammad will since be deemed to be selected in earlier selection (10.2.2013) and that too against vacant sanctioned post, and Mr. Sher Ali later in point of time. Therefore, Mr. Sher Ali Budget & Accounts Assistant being appointed later on 14-03-2013 is to be placed below him in the Seniority List. Reliance is also placed on Rule 7 (1) (a) of the Rules (ibid) as underlined in italic hereinbefore, and case law reported as 'Khalid Mahmood v. C.S. Punjab & others' in 2013-PLC (C.S) Supreme Court of Pakistan p. 786. Order Accordingly.

Seniority List:

List, as approved, be issued and circulated forthwith.


MUHAMMAD ADIL KHAN
District and Sessions Judge
Swabi
(Competent Authority)

TENTATIVE LIST OF MINISTERIAL STAFF IN DISTRICT COURTS SWABI
(AS ON 12-05-2016)

Establishment: DISTRICT & SESSIONS COURTS, SWABI (MINISTERIAL STAFF)*

ASSISTANT/READERS

S#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	9
1.	Mr. Laiq Khair	16	Reader/Asst	03-01-1963 03-01-2023	Married	01-03-1981	08-07-2003	
2.	Mr. Ashiq Ali	16	Reader/Asst	16-05-1961 16-05-2021	Married	15-12-1983	14-06-2004	
3.	Mr. Riaz Ahmad	16	Reader/Asst *	03-04-1963 03-04-2023	Married	01-06-1987	14-06-2004	
4.	Mr. Pheol Baeha	16	Reader/Asst	13-02-1967 15-02-2027	F.A	21-09-1991	25-03-2010	
5.	*Mr. Riaz Muhammad	16	Reader/Asst	28-03-1980 28-03-2040	M.A (Political Science) & LLB	27-11-2001	13-03-2013	
6.	Mr. Sajjad Ali	16	Reader/Asst	01-03-1970 01-03-2830	Married	19-09-1991	01-04-2015	
7.	Muhammad Aziz	15	Reader/Asst	18-04-1957 18-04-2017	B.A	19-09-1991	03-05-2016	

* Placed on serial No. 05 in light of the Sec 4(a)(b) & 6 Civil Servants (Seniority) Rules, 1993.

ASSISTANT/ACCOUNTANT

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1.	2	3	4	5	6	7	8	9
1.	Mr. Shier Ali	15	Asst/Accountant	26-03-1987 26-03-2047	BBA (Hons)	14-03-2013	14-03-2013	

Annex - "R" (71)

ok

SENIOR SCALE STENOGRAPHERS

S.#	Name of Official	BPS	Designation	DOB/DOR	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	9
1	Mr. Javid Iqbal	16	Stenographer	15-11-1968 15-11-2028	Matric	01-12-1987	27-03-2001	
2	Muhammad Iqbal	16	Stenographer	01-03-1975 01-03-2035	B.A & L.L.B	05-09-2001	04-05-2006	
3	Muhammad Yahya	16	Stenographer	04-02-1972 04-04-2032	BA	30-06-1990	07-12-2006	
4	Mr. Dur-e-Arman	16	Stenographer	02-02-1969 02-02-2029	BA & LL.B	25-03-1997	03-11-2007	
5	Mr. Shams-ul-Islam	16	Stenographer	20-07-1977 20-07-2037	M.A	19-12-2003	03-11-2007	
6	Mr. Sabaz Ali	16	Stenographer	15-03-1988 15-03-2048	B.Com	02-02-2008	21-06-2012	

READERS / SENIOR CLERKS

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	9
1	Mr. Dur-e-Maknoon	14	Reader/Senior Clerk	19-03-1962 19-03-2022	Matric	01-10-1991	15-04-2003	
2	Mr. Khair-ul-Abrar	14	Reader/Senior Clerk	08-03-1971 08-03-2031	F.A	03-05-1995	15-04-2003	
3	Mr. Sana-ullah	14	Reader/Senior Clerk	05-01-1972 05-01-2032	F.A	20-11-1995	15-04-2003	
4	Mr. Khalid Mahmood	14	Reader/Senior Clerk	04-01-1975 04-01-2035	F.A	20-11-1995	15-04-2003	
5	Mr. Zaheer Khan	14	Reader/Senior Clerk	12-01-1974 12-01-2034	F.A	23-10-1996	14-06-2004	
6	Muhammad Saleem	14	Reader/Senior Clerk	19-03-1974 19-03-2034	F.A	04-01-1999	19-10-2007	
7	Muhammad Tariq	14	Reader/Senior Clerk	15-01-1962 15-01-2029	F.A	01-02-1989	02-02-2008	
8	Mr. Niaz Muhammad	14	Reader/Senior Clerk	10-02-1972 10-02-2032	F.A	01-06-1996	31-07-2008	
9	Muhammad Arif	14	Reader/Senior Clerk	15-03-1977 15-03-2037	F.A	05-09-1995	31-07-2008	

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 District of Faisalabad

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10	Mr. Farid Sobai	14	Reader/Senior Clerk	12-12-1979 12-12-2039	F.A.	15-08-2001	23-02-2019	
11	Muhammad Israr	14	Reader/Senior Clerk	01-02-1978 01-02-2038	Matric	15-05-2001	14-06-2013	
12	Syed Amjad Hussain	14	Reader/Senior Clerk	02-04-1977 02-04-2037	F.A.	15-08-2001	01-04-2015	
13	Mr. Khalid Mahmood	14	Reader/Senior Clerk	10-01-1980 10-03-2040	Matric	15-08-2001	03-03-2016	

STENO TYPIST

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	
1	Mr. Hazrat Ali	14	Steno typist	06-04-1969 06-04-2029	F.A.	05-07-1987	30-06-1990	
2	Mr. Yasir Farooq	14	Steno typist	15-03-1982 15-03-2042	F.A.	02-04-2001	02-04-2001	
3	Mr. Afzal Khan	14	Steno typist	02-12-1970 02-12-2030	F.A.	15-06-1993	05-05-2006	
4	Mr. Sahib Shah	14	Steno typist	03-11-1978 03-11-2038	M.A.	05-05-2006	05-05-2006	
5	Mr. Arshad Hossain	14	Steno typist	07-06-1972 07-06-2037	F.A.	22-12-1998	15-05-2006	
6	Mr. Israr Ghani	14	Steno typist	05-02-1987 05-02-2047	F.A.	02-02-2008	02-02-2008	
7	Mr. Riaz Muhammad	14	Steno typist	25-03-1975 25-03-2035	F.A.	06-10-1996	31-03-2008	
8	Mr. Abdul Waheed	14	Steno typist	01-01-1977 01-01-2037	F.A.	02-02-2008	21-06-2012	
9	Mr. Arshad Ali	14	Steno typist	02-04-1979 02-04-2039	M.A.	19-12-2003	14-03-2013	
10	Mr. Sher Ali	14	Steno typist	13-02-1983 13-02-2043	F.A.	20-12-2003	20-12-2014	
11	Mr. Waheed Zaman	14	Steno typist	01-08-1991 01-08-2051	B.A.	20-12-2014	20-12-2014	
12	Mr. Gulzar Ali	14	Steno typist	09-10-1995 09-10-2055	F.A.	20-12-2014	20-12-2014	

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 District Officer
 District Office
 12/12/2014

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COMPUTER OPERATORS

#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	9
1	Syed Fatin Shah	14	Computer Operator	11-04-1974 11-04-2034	F.A	20-12-2003	20-12-2003	
2	Mr. Zar Bahadar	14	Computer Operator	08-03-1978 08-03-2038	B.com	20-12-2003	20-12-2003	
3	Mr. Zainoor Ahmad	14	Computer Operator	01-04-1979 01-04-2039	B.A	20-12-2003	20-12-2003	
4	Muhammad Ilyas	14	Computer Operator	04-01-1980 04-01-2040	B.A	20-12-2003	20-12-2003	
5	Mr. Izzar Ali	14	Computer Operator	01-12-1981 01-12-2041	B.A	20-12-2003	20-12-2003	
6	Muhammad Syad	14	Computer Operator	10-04-1984 10-04-1944	B.A	02-02-2008	02-02-2008	
7	Syed Hamid Hussain	14	Computer Operator	04-03-1981 04-03-2041	M.Cs	31-07-2008	31-07-2008	
8	Mr. Aqil Azam	14	Computer Operator	16-04-1981 16-04-2041	B.A	31-07-2008	31-07-2008	
9	Mr. Faiz-ur-Rahman	14	Computer Operator	20-01-1983 20-01-2043	F.A	05-05-2006	23-10-2013	
10	Mr. Zubair Khan	14	Computer Operator	05-03-1988 05-03-2048	B.A	23-10-2013	23-10-2013	
11	Mr. Sikander Husayn	14	Computer Operator	25-04-1989 25-04-2049	MBA	23-10-2013	23-10-2013	
12	Muhammad Rabim	14	Computer Operator	09-05-1979 09-05-2039	B.A	27-01-2004	18-12-2014	
13	Muhammad Idrees	14	Computer Operator	24-03-1985 24-03-2045	B.A, LLB	18-12-2014	18-12-2014	
14	Mr. Qasim Ali	14	Computer Operator	10-04-1985 10-04-2045	BBA	18-12-2014	18-12-2014	
15	Muhammad Miskin	14	Computer Operator	03-02-1987 03-02-2047	B.A	18-12-2014	18-12-2014	
16	Mr. Salman Saeed	14	Computer Operator	30-04-1988 30-04-2048	MBA	18-12-2014	18-12-2014	

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JUNIOR CLERKS / MOHARRARS

1	2	3	4	5	6	7	8	9
Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks	
1. Mr. Qismat Ali	11	Junior Clerk / Moharrar	07-07-1981 07-07-2041	Matric	15-08-2001	15-08-2001		
2. Mr. Abdul Bazid	11	Junior Clerk / Moharrar	13-03-1978 13-03-2038	F.A	01-09-2001	21-11-2001		
3. Muhammad Arif (Topi)	11	Junior Clerk / Moharrar	03-03-1980 03-03-2040	F.A	17-08-2001	21-11-2001		
4. Mr. Ashraf Ali (K.S.K)	11	Junior Clerk / Moharrar	01-01-1976 01-01-2036	F.A	23-10-1996	16-04-2003		
5. Muhammad Arif (Jalhai)	11	Junior Clerk / Moharrar	23-10-1977 23-10-2037	Matric	23-10-1996	16-04-2003		
6. Mr. Zulfiqar Ahmad	11	Junior Clerk / Moharrar	01-04-1980 01-04-2040	F.A	08-05-2000	19-12-2003		
7. Mr. Rubshar Ahmad	11	Junior Clerk / Moharrar	03-04-1983 03-04-2043	F.A	16-09-2000	19-12-2003		
8. Mr. Nasim Jan	11	Junior Clerk / Moharrar	15-02-1964 15-02-2024	F.A	28-08-1988	20-12-2003		
9. Mr. Islam Bahadar	11	Junior Clerk / Moharrar	07-05-1976 07-05-2036	F.A	20-12-2003	20-12-2003		
10. Muhammad Syaz	11	Junior Clerk / Moharrar	02-02-1973 02-02-2033	Matric	31-01-2004	31-01-2004		
11. Muhammad Anwer	11	Junior Clerk / Moharrar	02-04-1979 02-04-2039	Matric	14-06-2004	14-06-2004		
12. Muhammad Tariq	11	Junior Clerk / Moharrar	01-06-1981 01-06-2041	Matric	18-05-2001	04-05-2006		
13. Mr. Qaiser Ali	11	Junior Clerk / Moharrar	13-02-1983 13-02-2043	B.A	05-05-2006	05-05-2006		
14. Mr. Zahid Jung	11	Junior Clerk / Moharrar	04-12-1984 04-12-2044	F.A	05-05-2006	05-05-2006		
15. Mr. Imran Khan	11	Junior Clerk / Moharrar	05-01-1983 05-01-2043	Matric	06-05-2006	06-05-2006		
16. Mr. Habib-ur-Rhman	11	Junior Clerk / Moharrar	03-03-1981 03-03-2041	F.A	20-07-2006	20-07-2006		
17. Mr. Imran-ullah	11	Junior Clerk / Moharrar	01-04-1979 01-04-2039	Matric	18-12-1998	19-10-2007		
18. Muhammad Ismail	11	Junior Clerk / Moharrar	03-04-1977 03-04-2037	F.A	28-02-2004	02-02-2008		
19. Mr. Abdul Basit	11	Junior Clerk / Moharrar	04-03-1981 04-03-2041	Matric	16-08-2001	02-02-2008		
20. Mr. Jolhar Ali	11	Junior Clerk / Moharrar	10-01-1981 10-03-2041	F.A	31-07-2008	31-07-2008		

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Ex. J. P. ... District & Sessions Judge

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27	Mr. Anwer /sb	11	Junior Clerk / Moharrar	01-11-1983 01-11-2043	F.A	01-12-2003	31-07-2008	
28	Mr. Farhad Ali	11	Junior Clerk / Moharrar	03-03-1988 03-03-2048	F.S.C	11-07-2009	31-07-2009	
29	Mrs. Najma Sultana	11	Junior Clerk / Moharrar	04-03-1983 04-03-2043	Matric	11-08-2001	14-02-2013	
30	Muhammad Farooq	11	Junior Clerk / Moharrar	02-10-1979 02-10-2039	B.Sc	14-02-2013	14-02-2013	
31	Muhammad Yahya	11	Junior Clerk / Moharrar	01-06-1971 01-06-2031	F.A	22-11-2001	13-06-2013	
32	Mr. Manzoor Hussain	11	Junior Clerk / Moharrar	02-11-1976 02-11-2036	F.A	20-12-2003	13-06-2013	
33	Mr. Farhad Ali	11	Junior Clerk / Moharrar	12-07-1993 12-07-2053	Matric	14-06-2013	13-06-2013	
34	Muhammad Farooq	11	Junior Clerk / Moharrar	02-06-1983 02-06-2043	Matric	22-11-2001	13-06-2013	
35	Muhammad Farooq	11	Junior Clerk / Moharrar	01-06-1966 01-06-2026	Matric	20-12-2003	13-06-2013	
36	Muhammad Farooq	11	Junior Clerk / Moharrar	30-03-1979 30-03-2039	Matric	22-12-2003	13-06-2013	
37	Mrs. Najma Sultana	11	Junior Clerk / Moharrar	04-04-1980 04-04-2040	B.A	01-04-2015	01-04-2015	
38	Danish Amin	11	Junior Clerk / Moharrar	21-01-1997 21-01-2057	F.A	10-10-2015	10-10-2015	
39	Haseeb Ullah	11	Junior Clerk / Moharrar	04-03-1981 04-03-2041	Matric	15-08-2001	05-11-2015	
40	Irfan Ali	11	Junior Clerk / Moharrar	14-11-1982 14-11-2042	F.A	19-12-2001	19-01-2016	
41	Alamzeb	11	Junior Clerk / Moharrar	02-01-1979 02-01-2039	Matric	20-05-2004	03-05-2016	

PESH IMAM

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	2	3	4	5	6	7	8	9
1.	Mufti Alta Ullah	05	Pesh Imam	06-03-1980 06-03-2040	Matric with Sanad Dars-e-Nizami	21-06-2012	21-06-2012	

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 District & District
 18/5/16

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DRIVER

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	Mr. Fazal Wahid	04	Driver	1978 2038	Illiterate	23-10-1996	31-07-2008	9

DAFTARI

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	Mr. Sarfaraz Khan	03	Daftari	1963 2023	Middle	03-09-1986	14-02-2013	9

RECORD LIFTER

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of Joining Service	Date of the Present Post	Remarks
1	Mr. Ishaq Ali	03	Daftari	05.04.1980 05-04-2040	Middle	24-11-2001	13-06-2013	9

CHOWKIDAR

S.#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of appointment/Joining Service	Date of the Present Post	Remarks
1	2	3	5	6	7	8	9	9
2	M. Usman	01	Chowkidar	1967 2004	Illiterate	31-10-1991		
3	Fazlurrahman	01	Chowkidar	1968 2035	Illiterate	1972-2005		
4	Fazlurrahman	01	Chowkidar	1969 2036	Illiterate	20-05-2004		
5	Muhammad Saqib	01	Chowkidar	04-04-1984 04-04-2044	F.A	04-02-2008		

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1	Amir	01	Chowkidar	18.03.1975 18-10-2015	F A	11.07.2008		
2	Muhammad Ali	01	Chowkidar	05.08.1976 05-10-2006	Matric	11.07.2008		
3	Muhammad Iqbal	02	Chowkidar	01.05.1977 01.05.2007	Matric	25.10.2013		
4	Muhammad	01	Chowkidar	05.02.1982 05.02.2012	Matric	25.10.2013		

NAIB QASID

S#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of appointment/ Joining Service	Date of the Present Post	Remarks
1	Muhammad Farooq	01	Naib Qasid	13.08.1970 13-03-2030	Illiterate	24.09.1991		
2	Momin Khan	01	Naib Qasid	1960 2030	Illiterate	29.09.1991		
3	Khalid Khan	01	Naib Qasid	1952 2019	Illiterate	18.04.1995		
4	Zafar Ali	02	Naib Qasid	03.09.1966 03-09-2026	Illiterate	01.05.1995		
5	Pir Jamal	01	Naib Qasid	18.10.1971 18-10-2031	Illiterate	20.07.1995		
6	Roz Amrin	01	Naib Qasid	1971 2031	Illiterate	07.11.1995		
7	Aziz Khan	01	Naib Qasid	1958 2018	Illiterate	02.11.1995		
8	Amir-ur-Rehman	01	Naib Qasid	1974 2034	Illiterate	07.07.1997		
9	Arwal Ali	01	Naib Qasid	18.09.1976 18-09-2036	Illiterate	01.02.2001		
10	Shahid Khan	01	Naib Qasid	01.06.1977 01-06-2037	Middle	26.04.2004		
11	Amjad Iqbal	01	Naib Qasid	15.03.1982 15-03-2042	Matric	26.05.2004		
12	Shah Faisal	01	Naib Qasid	20.04.1984 20-04-2044	F A	17.05.2006		
13	Azam Sher	01	Naib Qasid	20.01.1986 20-01-2046	Matric	17.05.2006		
14	Muhammad Amin	01	Naib Qasid	11.01.1989 11-01-2049	Matric	04.07.2008		

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18	Eid-ul-Rehman	01	Nab Qasid	01-02-1975	B.A	11-07-2008	
19	Muhammad Ibrahim	01	Nab Qasid	01-02-2015	Matric	11-03-2013	
	Fahir Rehman	01	Nab Qasid	01-01-1990	Matric	07-05-2004	
	Muhammad Ibrahim	01	Nab Qasid	01-01-2050	Matric	01-02-2008	
	Fahir Rehman	01	Nab Qasid	06-01-1986	Matric	01-02-2008	
	Eid-ul-Rehman	01	Nab Qasid	06-01-2016			
	Muhammad Asif	01	Nab Qasid	07-02-1977	Matric	01-02-2008	
				07-02-2017	F.A	01-02-2008	
				28-02-1980			
				28-02-2050			
				26-09-1983	Middle	08-05-2007	
				26-06-2011			
				10-03-1994	F.Sc	20-12-2014	
				10-03-2054			
20	Ijaz Ali	01	Nab Qasid				
21	Abdul Hakim	01	Nab Qasid				

SWEeper

S#	Name of Official	BPS	Designation	Date of Birth	Qualification	Date of appointment/ Joining Service	Remarks
1	Perween Bibi	01	Sweeper	01-07-1959 01-07-2019	Illiterate	19-12-2003	
2	Waqas Masih	01	Sweeper	19-06-1985 19-06-2015	Matric	19-12-2003	
3	Aashier Nazir	01	Sweeper	23-02-1981 23-02-2011	Illiterate	24-10-2013	
4	Khairun Nisbat	01	Sweeper	01-03-1988 01-03-2018	Illiterate	24-10-2013	
5	Herysan Bibi	01	Sweeper	25-06-1994 25-06-2050	Illiterate	25-10-2013	
6	Fahim Masih	01	Sweeper	07-07-1992 07-07-2052	Illiterate	27-11-2014	
7	Danish Sadiq	01	Sweeper	22-01-1999 22-01-2050	Matric	22-12-2014	
8	M. Asif	01	Sweeper	28-08-1978 28-08-2038	Matric	22-12-2014	
9	Ishaq Masih	01	Sweeper	18-07-1988 18-07-2048	Matric	22-12-2014	
10	Inderyas	01	Sweeper	23-07-1996 23-07-2056	Matric	22-12-2014	

Attest
11/11/17
11/11/17

80

Name of Official	BPS	F/Name	Designation	Date of Birth	Qualification	Date of appointment/Joining Service	Remarks
2.	3	4	5	6	7	8	9
Zubair Shah	01	Mir Akbar Shah	Mali	1973 2033	Illiterate	29.03.2011	
Muhammad Bahadar	01	Amir Bahadar	Mali	20.04.1982 20.04.2042	Middle	22.12.2014	

Water Carrier

S#	Name of Official	BPS	F/Name	Designation	Date of Birth	Qualification	Date of appointment/Joining Service	Remarks
1	2	3	4	5	6	7	8	9
11.	Amjad Ali	01	Muraj Ali	Water Carrier 1	01.05.1987 01.05.2047	Illiterate	28.06.2012	

Note:- Tentative seniority list, issued on 01-04-2016, if any official have got any objection, than apply with written objection/application within one month.

Superintendent
Sessions Court, Swabi

SUPERINTENDENT
District & Sessions Judge
Swabi

Attested to be true copy

Examination
District & Sessions Judge Swabi

81

TENTATIVE SENIORITY LIST OF MINISTERIAL STAFF DISTRICT JUDICIARY SWABI (Jan, 2019)

Assistants/Readers

SN	Name of Official	BPS	Designation	Date of Birth	Date of Retirement	Qualification	Date of Joining Service	Date of the Present Post	Signature
1	2	3	4	5	6	7	8	9	10
1	Mr. Latif Khan	18	Reader/Asst	03-01-63	05-01-23	Matric	01-03-81	08-07-03	<i>[Signature]</i>
2	Mr. Ashiq Ali	16*	Reader/Asst	16-03-61	16-05-21	Matric	15-12-83	14-06-04	<i>[Signature]</i>
3	Mr. ^{Baqdar} Pheed Beglar	16*	Reader/Asst	15-02-67	15-02-27	F.A	21-09-91	25-03-10	<i>[Signature]</i>
4	Mr. Riaz Muhammad	16	Reader/Asst	28-03-80	28-03-40	M.A/LLB	27-11-01	10-02-13	<i>[Signature]</i>
5	Sher Afzar Khan	16	Civil Nazim/Asst	22-02-63	22-02-23	BA & LLB	01-10-81	20-05-14	<i>[Signature]</i>
6	Mr. Sajjad Ali	16	Reader/Asst	01-03-70	01-03-30	Matric	19-09-91	01-04-15	<i>[Signature]</i>
7	Quresh Mahmood	16	Reader/Asst	19-03-62	19-03-22	Matric	01-10-91	26-05-17	<i>[Signature]</i>

B&A Assistant

1	Mr. Sher Ali	16	B&A Assistant	26-03-87	26-03-47	BBA (Hons)	14-03-13	14-03-13	<i>[Signature]</i>
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Senior Scale Stenographers

1	Mr. Javid Iqbal	16	Senior Scale Stenographer	15-11-68	15-11-28	Matric	01-12-87	27-03-01	<i>[Signature]</i>
2	Muhammad Yahya	16	Senior Scale Stenographer	04-02-72	04-04-32	B.A	30-06-90	07-12-06	<i>[Signature]</i>
3	Mr. Dhire-Amin	16	Senior Scale Stenographer	02-02-69	02-02-29	BA & LLB	25-03-97	03-11-07	<i>[Signature]</i>
4	Mr. Shams-ul-lah	16	Senior Scale Stenographer	20-07-77	20-07-37	M.A	19-12-03	03-11-07	<i>[Signature]</i>
5	Mr. Yasir Farooq	16	Senior Scale Stenographer	15-03-82	15-03-42	B.A	02-04-01	26-05-17	<i>[Signature]</i>
6	Mr. Afzal Khan	16	Junior Scale Stenographer	02-12-70	02-12-30	M.A	15-06-93	26-05-17	<i>[Signature]</i>

Senior Clerks

1	Mr. Khair-ul-Abrar	14	Reader/Senior Clerk	08-03-71	08-03-31	F.A	01-05-95	15-04-03	<i>[Signature]</i>
2	Mr. Saad-Ullah	14	Reader/Senior Clerk	05-01-73	05-01-32	B.A	30-11-93	15-04-03	<i>[Signature]</i>
3	Mr. Khalid Mahmood (S)	14	Reader/Senior Clerk	04-01-75	04-01-35	F.A	20-11-95	15-04-03	<i>[Signature]</i>
4	Mr. Zareer Khan	14	Reader/Senior Clerk	12-01-74	12-01-34	B.A	23-10-96	14-06-04	<i>[Signature]</i>
5	Muhammad Saleem	14	Reader/Senior Clerk	19-03-74	19-03-34	F.A	04-01-99	19-10-07	<i>[Signature]</i>
6	Muhammad Tariq	14	Reader/Senior Clerk	15-01-69	15-01-29	F.A	01-02-89	02-02-08	<i>[Signature]</i>

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SUPERINTENDENT
District & Sessions Judge

82

TENTATIVE SENIORITY LIST OF MINISTERIAL STAFF
DISTRICT JUDICIARY SWABI (as on 20.02.2020.)

Assistants/Readers

SN	Name of Official	NPS	Dedignation	Date of Birth/	Date of Retirement	Qualification	Date of Joining Service	Date of the Present Post	Signature
1	2	3	4	5	6	7	8	9	10
1	Mr. Laiq Khan	16	Reader/Asst	1/5/1963	1/5/2023	Matric	3/1/1981	7/8/2003	[Signature]
2	Mr. Ashiq Ali	16	Reader/Asst	16/5/1961	3/16/2021	Matric	13/15/1983	6/14/2004	[Signature]
3	Mr. Pbool Badshah	16	Reader/Asst	2/15/1967	2/15/2027	F.A	9/21/1991	3/23/2010	[Signature]
4	Sher Afsar Khan	16	Civil Nazir/Asst	2/13/1963	2/12/2023	BA & LLB	10/1/1981	2/2/2012	[Signature]
5	Mr. Riaz Muhammad	16	Reader/Asst	3/11/1966	3/12/2026	BA & LLB	11/17/1986	11/13/2013	[Signature]
6	Mr. Sajjad Ali	16	Reader/Asst	3/1/1970	3/1/2030	Matric	9/19/1991	4/1/2015	[Signature]
7	Dur-e-Maknoon	16	Reader/Asst	3/9/1962	3/9/2022	Matric	10/1/1991	5/16/2017	[Signature]
8	Mian Nadir Shah	16	Reader/Asst	3/1/1996	3/1/2056	BA	29.03.2019	3/29/2019	[Signature]

B&A Assistant

1	Mr. Sher Ali	16	B&A Assistant	3/26/1967	3/26/2047	BA (Hons)	3/11/2004	3/11/2013	[Signature]
---	--------------	----	---------------	-----------	-----------	-----------	-----------	-----------	-------------

Senior Scale Stenographers

1	Mr. Javid Iqbal	16	Senior Scale Stenographer	11/15/1968	11/15/2008	Matric	12/1/1987	3/27/2001	[Signature]
2	Muhammad Yahya	16	Senior Scale Stenographer	2/4/1972	4/4/2032	B.A	6/30/1990	12/7/2006	[Signature]
3	Mr. Dur-e-Aman	16	Senior Scale Stenographer	2/2/1969	2/2/2029	BA & LLB	3/13/1997	11/3/2007	[Signature]
4	Mr. Shams-ul-Islam	16	Senior Scale Stenographer	7/20/1977	7/20/2037	M.A.	12/19/2003	11/3/2007	[Signature]
5	Mr. Yasir Farooq	16	Senior Scale Stenographer	3/15/1982	3/15/2042	B.A	4/2/2001	5/26/2017	[Signature]
6	Mr. Afzal Khan	16	Senior Scale Stenographer	12/2/1970	12/2/2030	M.A	6/15/1993	5/26/2017	[Signature]

Senior Clerks

1	Mr. Khair-ul-Abbar	14	Reader/Senior Clerk	3/8/1971	3/8/2031	F.A	5/2/1995	4/15/2003	[Signature]
2	Mr. Sans-Ullah	14	Reader/Senior Clerk	1/5/1972	1/5/2032	B.A	11/20/1995	4/15/2003	[Signature]
3	Mr. Khalid Mahmood (S)	14	Reader/Senior Clerk	1/4/1973	1/4/2033	F.A	11/20/1995	4/15/2003	[Signature]
4	Mr. Zarsher Khan	14	Reader/Senior Clerk	1/13/1974	1/13/2034	P.A	10/23/1996	6/14/2004	[Signature]
5	Muhammad Saleem	14	Reader/Senior Clerk	3/19/1974	3/19/2034	F.A.	1/4/1999	10/19/2007	[Signature]
6	Mr. Niaz Muhammad	14	Reader/Senior Clerk	2/10/1972	2/10/2032	F.A	6/1/1996	7/31/2008	[Signature]
7	Muhammad Arif	14	Reader/Senior Clerk	3/15/1977	3/15/2037	F.A	9/5/1995	7/31/2008	[Signature]
8	Mr. Javid Iqbal	14	Reader/Senior Clerk	12/12/1979	12/12/2039	F.A	8/16/2001	3/25/2016	[Signature]
9	Muhammad Islan	14	Reader/Senior Clerk	2/1/1978	2/1/2038	Matric	5/15/2001	6/14/2013	[Signature]
10	Syed Amjad Hussain	14	Reader/Senior Clerk	4/2/1977	4/2/2037	F.A	4/15/2001	4/1/2015	[Signature]
11	Mr. Khalid Mahmood (S)	14	Reader/Senior Clerk	3/10/1980	3/10/2040	Matric	8/15/2001	5/3/2016	[Signature]

ATTESTED:
SUPERINTENDENT
District & Sessions Judge
Swabi

LLB
LLB hi mention

Some waiting for reply of application
The please

83

DECLARATIVE COMMON SENIORITY LIST FOR PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)
DISTRICT SWABH AS STOOD ON 01.11.2020

Sr. No	Name of Official	Academic Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of appointment in present position (BS-16)	Remarks	Signature
1	Mr. Laiq Khan	Matric	05.01.1963	01.03.1981	08.07.2003		
2	Mr. Ashiq Ali	Matric	16.05.1961	13.12.1983	14.06.2004		
3	Mr. Phool Badsah	F.A	15.02.1967	21.09.1991	25.03.2010		
4	Mr. Sher Afsar Khan	BA LLB	22.02.1963	01.10.1981	02.02.2012		
5	Mr. Riaz Muhammad	MA LLB	28.03.1980	27.11.2001	10.02.2013		
6	Mr. Sajjad Ali	Matric	01.03.1970	19.09.1991	01.04.2015		
7	Mr. Dur-e-Maknoon	Matric	19.03.1962	01.10.1991	26.05.2017		
8	Mr. Mian Nadir Shah	BA	01.03.1996	29.03.2019	29.03.2019		

Prepared By:

Checked By:

Counter Signed By:

Sadawal Shah
Computer Operator
Sessions Division Swabi

Siraj Hussain
Superintendent Sessions Division,
Swabi

Haiz Naseem Akbar
District & Sessions Judge,
Swabi

DECLARATIVE COMMON SENIORITY LIST FOR PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)
DISTRICT SWABH AS STOOD ON 01.11.2020

8-A/14

84

TENTATIVE SENIORITY LIST OF ASSISTANT OF DISTRICT JUDICIARY SWABI AS ON 07.11.2020

No	Name of Official	Academic Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of regular promotion as (RS)	Date of regular promotion as (RS)	Date of appointment in present position (RS)	Remarks	Signature
1	Mrs. Sher AH	BBA (Hons)	26/03/1987	14/03/2013 (DCA Assistant)			14/03/2013	Regular	

Prepared By:

Adhwal Shah
Computer Operator
Sessions Division Swabi

Checked by:

Siraj Hussain
Superintendent Sessions Division,
Swabi

Counter Signed By:

Hafiz Naseem Akhtar
District & Sessions Judge,
Swabi

Seniority List of Assistant of District Judiciary Swabi

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~~SUPERINTENDENT
District & Sessions Judge
Swabi~~

86

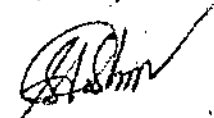
108

FINAL SENIORITY LIST OF B & A ASSISTANT
 DISTRICT JUDICIARY SWABI AS STOOD ON 23.06.2021 for the Year 2021-2021

Number of B & A Assistants: 11 as per Govt. Order No. 2878-291-5966, dt. 03.11.2010

Sr. No	Name of Official	Academy Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of regular promotion as (BS-)	Date of regular promotion as (BS-)	Date of appointment in present position (BS-16)	Remarks	Signature
1	Mr. Sher Ali	BBA (Hons)	26.03.1987	14.03.2013 (B&A Assistant)	---	---	14.03.2013	Objection Disposed of vide order No. 04 dated 05.03.2021 in court file No. 18/Admn of 2021.	


Prepared By:


 Sadawat Shah
 Computer Operator
 Sessions Division Swabi

Checked By:


 Siraj Hussain
 Superintendent Sessions
 Division,

Counter Signed By:


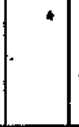
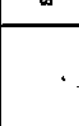
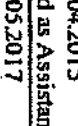
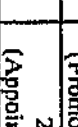
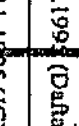



 Hafiz Naseem Akbar
 District & Sessions Judge,
 Swabi

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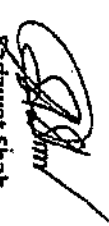

 SUPERINTENDENT
 District & Sessions Judge
 Swabi

78


PENTATIVE SENIORITY LIST FOR PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)
OF DISTRICT SWABI AS STOOD ON 07.01.2022 for the Year 2022

Sr. No	Name of Official	Academic Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of appointment in present position (BS-16)	Remarks	Signature
1	Mr. Laiq Khan	Matric	05.01.1963	01.03.1981	08.07.2003 (Promoted as Assistant)		 08/11/22
2	Mr. Sher Afsar Khan	BALB	22.02.1963	01.10.1981	02.02.2012 (Promoted as Civil Nazir)		 08/11/22
3	Mr. Riaz Muhammad	M.A.L.L.B	28.03.1980	27.11.2001	10.02.2013 (Appointed by Transfer as Assistant)		 08/11/22
4	Mr. Sajjad Ali	Matric	01.03.1970	19.09.1991	01.04.2015 (Promoted as Assistant)		 12/11/22
5	Mr. Dur-e-Maknoon	Matric	19.03.1962	01.10.1991	26.05.2017 (Promoted as Assistant)		 08/11/22
6	Mr. Mian Nadir Shah	B.A	01.03.1996	29.03.2019	29.03.2019 (Appointed as Assistant)		 08/11/22
7	Mr. Khair-ul-Abrar	F.A	08.03.1971	02.05.1991 (Dafar)	31.07.2021 (Promoted as Assistant)		 08/11/22
8	Mr. Sana-Ullah	B.A	05.01.1972	20.11.1995 (JC)	25.09.2021 (Promoted as Assistant)		 08/11/22


Prepared By:


Sadawat Shah
Computer Operator
Sessions Division Swabi

Checked By:


Siraj Hussain
Superintendent, Sessions Division,
Swabi

Countersigned By:

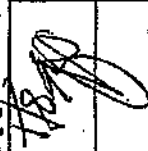

Muhammad Rauf Khan
District & Sessions Judge,
Swabi

SUPERINTENDENT
District & Sessions Judge
Swabi


54/14

88


TENTATIVE SENIORITY LIST OF B & A ASSISTANT
OF DISTRICT JUDICIARY SWABI AS STOOD ON 07/01/2022 for the Year 2022

Sr. No	Name of Official	Academe Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of regular promotion as (BS)	Date of regular promotion as (BS)	Date of appointment in present position (BS-16)	Remarks	Signature
1	Mr. Sher Ali	BBA(Hons)	26.03.1987	14.03.2013 (B&A Assistant)	---	---	14.03.2013		


Prepared By:


Sadawat Shah
Computer Operator
Sessions Division Swabi


Checked By:


Siraj Hussain
Superintendent Sessions Division, Swabi

Countersigned By:


Muhammad Rauf Khan
District & Sessions Judge,
Swabi

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SUPERINTENDENT
District & Sessions Judge
Swabi

Annex - "5"

The Honorable
District & Sessions Judge
Swabi

Subject: **REQUEST FOR CORRECTION IN SENIORITY LIST.**
Respected Sir,

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75-14
With due respect, it is, humbly submitted that I have been serving as Budget & Accounts Assistant in sessions division since 14.03.2013 on regular basis. I have received a copy of the seniority list issued by office of the learned Superintendent Sessions Division, Swabi on 17.05.2016 with directions to submit any sort of grievance if any, on consequent of seniority list; therefore I submit the following grievances:

1. That my seniority has been maintained separately from the category of assistants and other staff members, whereas for the promotion to the post of Superintendent a Combined seniority list must be made amongst all the categories (as given in ESTA Code) who are eligible for the promotion to post of superintendent and as well be subject to the date of their appointment/present posting.
2. That according to seniority rules my name may be placed on serial No.5 at the category of Assistants, however in the seniority list issued by the office of Superintendent is not correct and against the canon of justice on the following ground:
3. That I have joined the post of Budget & Accounts Assistant w.e.f. **14.03.2013** and it is correct that **serial No.1 to 4** in the category of assistants are senior to me, whereas afterward all other Assistants are junior to me, according to **Seniority rules & as well in "ESTA CODE" (Establishment Code Khyber Pakhtunkhwa 2011)** due to their appointments/Transfer after me.
4. That my current position as shown in the subject seniority list will definitely affect my further promotion to the post of Superintendent which is made on seniority basis from the post of assistants discretely.
5. It is further honorably submitted that Assistants have already been availed their quota of promotions to the post of Superintendent.

Seniority
in Capital
No 5

In view of the above, it is humbly requested, that my seniority in the seniority list may be considered and my name may be placed at the due/right place, and quarter concerned may kindly be directed to omit the said error and issue a correct revise seniority list, so that my promotion in future may not be affected & I may not feel, feeling disparity in future, please. I shall be very grateful to you for this kindness.

Yours Obediently,

Sher Ali
ADVOCATE
SUPREME COURT

Sher Ali
Sher Ali

Budget & Accounts Assistant,
Sessions Division Swabi

Date 16/06/2016

90

To: The Honorable
District & Sessions Judge
Swabi

Subject: **REQUEST FOR CORRECTION/RESETTING OF SENIORITY LIST.**

Respected Sir,

With due respect, it is, humbly submitted that I have been serving as Budget & Accounts Assistant since 14.03.2013 on regular basis. I have received the seniority list issued by Superintendent Sessions Court, Swabi on 22.01.2019 with directions to submit any sort of grievance if any, on consequent of seniority list; therefore I submit the following grievances:

1. That my seniority list has been maintained separately from the Assistants and other staff members.
2. That as per Judicial Esta code the post of superintendent will be filled by promotion amongst the post Assistant / Reader , Assistant / Clecrk of Court , Assistant/ Accountant , Assistant / Civil Nazir (copy attached).
3. That the seniority list has been prepared on the basis of date of appointment to present of all the employees of this establishment.
4. That the S.No 04 in list of Readers Mr. Riaz Muhammad placed, but he has been appointed by transfer to the same post Le Assistant on 20.05.2014 vide office order bearing No.944 (53) (F-1)/D&S dated 20.05.2014, with immediate effect (mentioned in that order).
5. As I have joined the post of Budget & Accounts Assistant on 14.03.2013, so as such my name may be place on S.No: 04 in the list of Assistants.
6. That my current position as shown in the said issued seniority list will definitely affect my further promotion to the post of superintendent which is made on seniority basis from the post of assistants and other staff members.


In view of the above, it is humbly requested, that my seniority as Budget & Accounts Assistant in the seniority list may be considered and combined to the list of Assistant and my name may be placed at the due/right place, so that my promotion in future is not affected.

~~RECEIVED TO BE THE COPY~~

SUPERINTENDENT
District & Sessions Judge
Swabi

Date 22/01/2019

Yours Obediently,


Sher Ali,
Budget & Accounts Assistant,
Sessions Division Swabi

To:

The Honorable
District & Sessions Judge
Swabi

5

Receipt No.	707
Dated:	27-11-2020
File No.	F-59
OFFICE OF THE DISTRICT & SESSIONS JUDGE SWABI	

91

Subject: **REQUEST FOR CORRECTION/RESETTING OF SENIORITY.**

Respected Sir,

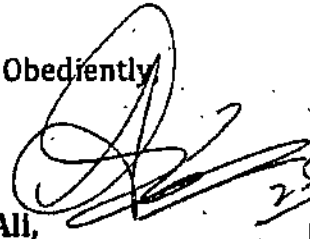
With due respect, it is, humbly submitted that I have been serving this department as Budget & Accounts Assistant since 14.03.2013 on regular basis. I have received the seniority list issued by Superintendent Sessions Court, Swabi on 23.11.2020 with the directions to submit any sort of grievance if any, on consequent of seniority list; therefore I submit the following grievances:

1. That as per Judicial Esta code page No; 228 "Provided that a common seniority list of holders of the posts at serial # 4 to 8 below shall be maintained for the purpose of promotion to the post of Superintendent BPS-16". However, in the above said seniority list my name is placed separately from the assistants and other staff members.
2. That my current position as shown in the said issued seniority list will definitely affect my further promotion to the post of superintendent which is made on seniority basis from the post of assistants and other staff members.
3. It is further submitted, that the said seniority list is prepared on the basis of joining of the present post, so if approved then as per my service period my name may kindly be placed at the due/right place i.e at S.No 05 (further details will be provided if asked) in the list of Assistants.
4. That I had already requested **twice** for the above correction against the seniority list of the previous year and before, which is not decided so far.

In view of the above, it is humbly requested, that my seniority as Budget & Accounts Assistant in the seniority list may be considered and my name may be placed at the due/right place, so that my promotion in future may not be effected, please.

I shall pray for your long life and prosperity in life.

Yours Obediently,


Sher Ali,
Budget & Accounts Assistant,
Sessions Division Swabi

Date: 25.11.2020

Annex - "T"

92



The District Judiciary Swabi

Phone # 0938-280172
Fax - # 0938-280117

dsjswabi@yahoo.com
dsjswabi@gmail.com

No: 2269 / (F-59) D&S]

Dated Swabi: 19 / 6 / 2019

To:

The worthy Registrar,
Peshawar High Court,
Peshawar.

Subject: GUIDANCE REGARDING SENIORITY OF BUDGET & ACCOUNTS ASSISTANT AND ASSISTANT-READER/ ASSISTANT-CLERK OF COURT/CIVIL NAZIR.

Respected Sir,

Your kind attention is invited to the subject matter and to submit that tentative seniority list of paralegal staff of District Judiciary, Swabi for the year 2019 was issued and circulated. Certain objections

upon the said seniority list were raised and resolved by the Management Committee. Amongst the said objections, Mr. Sher Ali, the Budget & Accounts Assistant of this establishment also submitted objection upon the seniority list, alleging therein that his name has not

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SUPERINTENDENT
District Sessions Judge
Swabi

included in the joint seniority list with Assistants/Readers/COC/Civil Nazir as required under the rules and his name was separately mentioned under the category "B&A Assistant". He also objected the ibid seniority list to the extent that his name has been placed below Mr. Riaz Muhammad Assistant/Reader on the ground mentioned in his objection application. (Copy of objection application is annexed herewith as Annexure-A). The same was referred to the Management Committee of this establishment for consideration.

The Management Committee sought reply of Mr. Riaz Muhammad Assistant/Reader in the matter in question who submitted the same (Copy is annexed as Annexure-B).

The Management Committee after due deliberation and consultation over the matter of inter-se seniority of Mr. Sher Ali Budget & Accounts Assistant and Mr. Riaz Muhammad, Assistant/Reader recommended that the matter may be referred to the august Peshawar High Court, Peshawar for guidance (The minutes of meeting of the Management Committee is annexed as Annexure-C while seniority list is Annexure-D).

It is pertinent to mention here that prior to the instant objection application, similar objections were raised by the objector (Mr. Sher Ali, B&A Assistant) before the then Competent Authority, which was dealt with by the then Management Committee. The relevant extracts of the Minutes of the meeting of Management Committee dated 28/03/2017 are annexed as Annexure-E whereas order of the Competent Authority (District & Sessions Judge, Swabi) as Annexure-F.

The law/rule does not answer the query, therefore, it is requested that guidelines to this office may kindly be issued on the following so that the issue may be resolved once for all.

- 1) Whether the Budget & Accounts Assistant can be included in the joint seniority list of Assistants/Readers, Assistant/Clerk of Court and Civil Nazir for the purpose of promotion to the post of Superintendent.

TESTED TO BE TRUE COPY

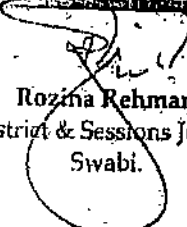
[Signature]
SUPERINTENDENT
District & Sessions Judge
Swabi


8)

94 / 70

2) Whether the Budget & Accounts Assistant is senior to Muhammad Riaz Assistant/Reader as per objection of Budget & Accounts Assistant.

ATTESTED TO BE TRUE COPY


Rozina Rehman,
District & Sessions Judge,
Swabi.


SUPERINTENDENT
District & Sessions Judge
Swabi



The District Judiciary Swabi

Phone # 0938-280372
Fax # 0938-280117

dsjswabi@yahoo.com
dsjswabi1@gmail.com

Annex - "U"

9.5

Final


F 59

2022

OFFICE ORDER

21.01.2022

The Final Seniority List of the paralegal staff for the year 2022, after disposal of objections received in the backdrop of Tentative Seniority List issued vide Endst: No. 201-202/(F-59)/D&SJ dated 07.01.2022, is hereby displayed for information of all concerned. Copy of the List may be obtained from the office of Superintendent.



(Muhammad Rauf Khan)
District & Sessions Judge,
Swabi

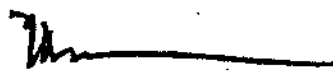
Endst: 467-90/F59/D&SJ

Dated: 21.01.2022

Copy forwarded for information and the needful to:

1. All the Judicial Officers & Incharge Attached Offices to display the list manifestly for intimation of staff posted with them.



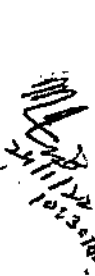




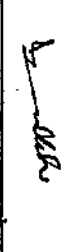

SUPERINTENDENT
District & Sessions Judge
Swabi


District & Sessions Judge,
Swabi

96

FINAL COMMON SENIORITY LIST FOR PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)
OF DISTRICT JUDICIARY SWABI FOR THE YEAR 2022 AS STOOD ON 21.01.2022.


Te: Tentative Seniority List was issued vide Endst: No. 201-2022/F59/D&SJ dated 07.01.2022.


No	Name of Official	Academic Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of appointment in present position (BS-16)	Remarks	Signature
1	Mr. Laiq Khan	Matric	05.01.1963	01.03.1981	08.07.2003 (Promoted as Assistant)	No objection received	
2	Mr. Sher Afsar Khan	B.A.LL.B	22.02.1963	01.10.1981	02.02.2012 (Promoted as Civil Nazari)	No objection received	
3	Mr. Riaz Muhammad	M.A.L.L.B	28.03.1980	27.11.2001	10.02.2013 (Appointed by Transfer as Assistant)	No objection received	
4	Mr. Sajjad Ali	Matric	01.03.1970	19.09.1991	01.04.2015 (Promoted as Assistant)	No objection received	
5	Mr. Dur-e-Maknoon	Matric	19.03.1962	01.10.1991	26.05.2017 (Promoted as Assistant)	No objection received	
6	Mr. Mian Nadir Shah	B.A	01.03.1996	29.03.2019	29.03.2019 (Appointed as Assistant)	No objection received	
7	Mr. Khair-ul-Abbar	F.A	08.03.1971	02.05.1995 (Dafar)	31.07.2021 (Promoted as Assistant)	No objection received	
8	Mr. Sana-Ullah	B.A	05.01.1972	20.11.1995 (JC)	25.09.2021 (Promoted as Assistant)	No objection received	


Prepared By:

Checked By:

Countersigned By:



Sadawat Shah
Computer Operator
Sessions Division Swabi


SUPERINTENDENT
Siraj Hussain
District & Sessions Superintendent Sessions Division,
Swabi



Muhammad Rauf Khan
District & Sessions Judge,
Swabi

**FINAL COMMON SENIORITY LIST OF B & A ASSISTANT
OF DISTRICT JUDICIARY SWABI FOR THE YEAR 2022 AS STOOD ON 21.01.2022.**


e: Tentative Seniority List was issued vide Endstr: No. 201-2022/F59/D&SJ dated: 07.01.2022.

Name of Official	Academic Qualification	Date of Birth	Date of 1st entry in Dist. Judiciary on regular basis	Date of regular promotion as (BS)	Date of regular promotion as (BS)	Date of appointment in present position (BS-16)	Remarks	Signature
Mr. Sifat Ali	B.A. (Hons)	26/03/1968	12/01/2018 (On Assessment)			10/05/2018	Obtaining 2nd year dis. of Remission No. 26015 dated 19/06/2021	


Prepared By:


Sadawat Shah
Computer Operator
Sessions Division Swabi

Checked By:


Sifraj Hussain
Superintendent Sessions Division, Swabi

Countersigned By:


Muhammad Rauf Khan
District & Sessions Judge,
Swabi

(76)

Annex - "V"

98



**The District Judiciary
Swabi**

Phone # 0938-280372
Fax# 0938-280128
Email: dsjswabi@gmail.com

No. 530 /F-59/D&SJ

Dated 24.01.2022

To

The Worthy Registrar,
Peshawar High Court,
Peshawar.

Subject: **GUIDANCE REGARDING SENIORITY OF BUDGET & ACCOUNTS
ASSISTANT AND ASSISTANT/READER/ASSISTANT/CLERK OF
COURT/CIVIL NAZIR.**


Dear Sir,

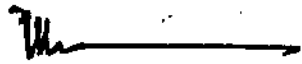
Kindly refer to this office letter No.2269/ (F-59)/D&SJ dated 19.06.2019 on the subject noted above and to state that guidance in the matter has not been received so far (copy of letter enclosed for ready reference).

You are therefore requested to guide this office in the matter, please.

Encl: A.A

Yours faithfully,


SUPERINTENDENT
District & Sessions Judge
Swabi


Muhammad Rauf Khan
District & Session Judge,
Swabi

Annex - "W"

99



The District Judiciary Swabi

Phone # 0938-280372
Fax # 0938-280117

djswabi@yahoo.com
djswabi@gmail.com

No. 2269 / (F- 59) D&S]

Dated Swabi: 19 / 6 / 2019

To:

The worthy Registrar,
Peshawar High Court,
Peshawar.

Subject: GUIDANCE REGARDING SENIORITY OF BUDGET & ACCOUNTS ASSISTANT AND ASSISTANT-READER/ ASSISTANT- CLERK OF COURT/CIVIL NAZIR.

Respected Sir,

Your kind attention is invited to the subject matter and to submit that tentative seniority list of paralegal staff of District Judiciary, Swabi for the year 2019 was issued and circulated. Certain objections upon the said seniority list were raised and resolved by the Management Committee. Amongst the said objections, Mr. Sher Ali, the Budget & Accounts Assistant of this establishment also submitted objection upon the seniority list, alleging therein that his name has not been included in the joint seniority list with Assistants/Readers/COC/Civil Nazir as required under the rules and his name was separately mentioned under the category "B&A Assistant". He also objected the ibid seniority list to the extent that his name has been placed below Mr. Riaz Muhammad Assistant/Reader on the ground mentioned in his objection application. (Copy of objection application is annexed herewith as Annexure-A). The same was referred to the Management Committee of this establishment for consideration.

SUPREME JUDICIAL
6/19/2019 10:00 AM
Swabi

The Management Committee sought reply of Mr. Riaz Muhammad Assistant/Reader in the matter in question who submitted the same (Copy is annexed as Annexure-B).

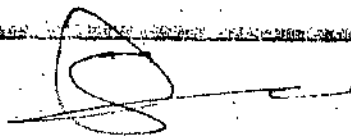
The Management Committee after due deliberation and consultation over the matter of inter-se seniority of Mr. Sher Ali Budget & Accounts Assistant and Mr. Riaz Muhammad, Assistant/Reader recommended that the matter may be referred to the august Peshawar High Court, Peshawar for guidance (The minutes of meeting of the Management Committee is annexed as Annexure-C while seniority list is Annexure-D).

It is pertinent to mention here that prior to the instant objection application, similar objections were raised by the objector (Mr. Sher Ali, B&A Assistant) before the then Competent Authority, which was dealt with by the then Management Committee. The relevant extracts of the Minutes of the meeting of Management Committee dated 28/03/2017 are annexed as Annexure-E whereas order of the Competent Authority (District & Sessions Judge, Swabi) as Annexure-F.

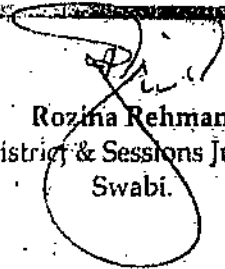
The law/rule does not answer the query, therefore, it is requested that guidelines to this office may kindly be issued on the following so that the issue may be resolved once for all.

- 1) Whether the Budget & Accounts Assistant can be included in the joint seniority list of Assistants/Readers, Assistant/Clerk of Court and Civil Nazir for the purpose of promotion to the post of Superintendent.

2) Whether the Budget & Accounts Assistant is senior to Muhammad Riaz Assistant/Reader as per objection of Budget & Accounts Assistant.



SUPERINTENDENT
District & Sessions Judge
Swabi



Rozina Rehman,
District & Sessions Judge,
Swabi.

BEFORE THE HONOURABLE SENIOR PUISNE JUDGE, PESHAWAR HIGH COURT, PESHAWAR AS APPELATE AUTHORITY

DEPARTMENTAL APPEAL NO. _____/2022

Annex- "X"

Through: Proper Channel

Subject: **DEPARTMENTAL APPEAL AGAINST THE FINAL SENIORITY LIST FOR PROMOTION TO THE POST OF SUPERINTENDENT BPS-17 OF THE DISTRICT JUDICIARY SWABI FOR THE YEAR 2022**

Respected Sir,

The appellant humbly submits as follows;

1. The appellant is permanent resident of District Swabi. (Annex-A)
2. That the appellant was appointed as Assistant/Accountant (BPS-14) vide order dated 14.03.2013 in District Judiciary Swabi. (Annex-B)
3. That the rules of the subordinate Judiciary were notified with the name and title as Peshawar High Court (Sub Ordinate Courts Staff) recruitment Rules 2021(Annex-C) where in method of recruitment for the post of Superintendent is as under:

S.NO	Nomenclature of Post	Minimum Qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1.	Superintendent			By promotion on the basis of Seniority -cum- fitness, from the amongst holder of the posts of Assistant /Reader, Assistant / Clerk of Court, Assistant/ Assistant Clerk of Court, Assistant/ Accountant and Assistant/ Civil Nazir, at S# 4 to 08 with at least five years' service as such: Provided that a common seniority list of the holders of the posts at serial # 4 to 8 below shall be maintained for the purpose of promotion to the post of Superintendent BPS-17

4. That every year the Hon'ble District & Sessions Judge, Swabi / Competent Authority prepared common seniority list of the paralegal staff on the basis of joining of the present posts, which were circulated to the staff of this establishment and wherein the Appellant was required to be placed in Common Seniority of the Assistant/ Readers below Mr. Sher Afar Khan, while the appellant

was placed as separate (Annex-D) and the applicant has raised objections on all the said seniority lists in each calendar year.

- 5. That in all the Seniority Lists prepared and circulated, the name of appellant has been reflected separately from the Assistants and others, The Competent Authority mentioned the names of all the Assistants/Readers in the requisite column, **entered the category of Civil Nazir, Clerk of Court but ignored only Assistant /Accountant (Annex-E)**, which is against the *ibid* rules and ineffective upon the rights of applicant However, the Competent Authority /Hon'ble District & Sessions Judge Swabi, issued the impugned seniority list vide office order No.201-202 /F59/D&SJ Dated 07.01.2022, wherein ignored the above mentioned *ibid* rules and did not placed my name in the requisite column for promotion of the post of Superintendent. However, placed my name separately, which is ineffective upon my valuable rights.
- 6. That in response to the said objections raised by the applicant and on recommendation of the Management Committee, the Hon'ble District & Sessions Judge /Competent Authority has referred the matter to the Hon'ble Peshawar High Court for guidance vide letter No. 2269/(F-59)/D&SJ Dated: 19.06.2019 and reply of which is still awaited. (Annex-F)
- 7. It worth to be mention here that the name of appellant may kindly be placed at S.No. 03 after Mr. Sher Aisar Khan Assistant/ Civil Nazir in the common seniority list of the Assistant/ Readers which was prepared and issued in the year 2022, , because the appellant was appointed on 14.03.2013 and all the officials from S.No 03 to 08 in the list of Assistants are promoted/Appointed in 2014 and onward **"With Immidiate Effect"** (Annex-G). whereas some **date of joining of the present post (Assistant) are shown incorrect**, which is ineffective upon the rights of appellant.
- 8. That the reply of the above letter was not received due to which the applicant has approached the august Peshawar High Court. Peshawar through Writ Petition No 1688-P/2022. The same was disposed with directives vide order dated 28.09.2022. The concluding Para of the said judgement is re-produced for ready reference;

"At the very outset, the worthy AAG produced copy of final Seniority list issued on 21.02.2022, which is placed on record. As such, without dilating upon the issue as to whether the tentative Seniority List can be

challenged before the court or not. We deem it appropriate to dismiss this petition, however the petitioner would be at liberty to raise his voice against the final seniority List, if aggrieved, before the proper forum".

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9. It is pertinent to mention here that due to retirement of Mr. Laiq Khan, the learned Superintendent BPS-17 on 04.01.2023, Mr. Sher Afsar Civil Nazir /Assistant is senior, who will also retire on 19.02.2023. After the retirement of both the above named persons, the said post of Superintendent will be vacant and the applicant, as per Judicial Esta Code 2021, is entitled to promote on the said post of Superintendent.

PRAYER:

In view of above it is humbly prayed that my name may kindly be included in the common seniority list for promotion of the post of Superintendent on the suitable place i.e. At Serial No. 3 below Sher Afsar Assistant/ Civil Nazir of Final Common Seniority List for the year-2022, so that the grievances of the applicant could be minimized with reference to availing the chance of promotion in future, please.

It is further requested that till the final decision of this departmental appeal, the promotion to the post of Superintendent amongst the holders, after the retirement of Mr. Sher Afsar Assistant /Civil Nazir, be stayed.

I shall pray for your long life and prosperity forever.

Appellant /Applicant

(SHER ALI)

Assistant /Accountant

Sessions Division, Swabi

Dated: 04-10-2022

OFFICE OF THE DISTRICT & SESSIONS JUDGE, SWABI

No. 6954 (F/85)/D&SJ

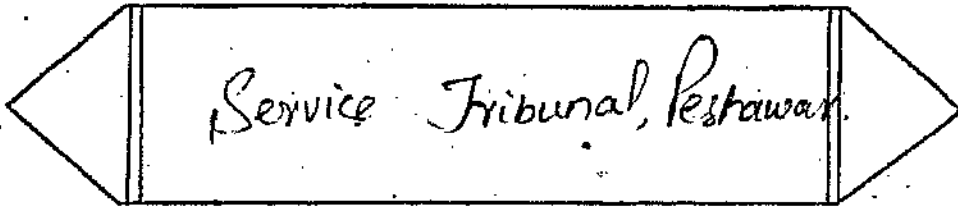
Dated: 05 /10/2022

Forwarded in original to the learned Additional Registrar (Judicial) for onwards submission, please.

(Muhammad Rauf Khan)

District & Sessions Judge, Swabi

بعدالت



2023 پنجاب

02/02/23

Appeal

موزخه
مقدمه
دعوی
جرم

شہیر علی
بنام رجسٹرڈ ارنیٹنگ اور ٹیلی گرافک
سکولٹ وغیرہ

Cell No: 0303-8373453

CNIC No: 17301-4151097-9

BC No: 85490

باعث تحریر آئنگ

[Signature]

شہیر علی ولد سعید العزم کلنر صوابی

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلق
آن مقام لنڈن کیلئے بہر رجسٹرڈ محمد حسام احمد عادل
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر رسالت، فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور
پسورت ڈگری کرنے اجراء اور صولی چیک دروپیر اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا ایبل کی برآمدگی اور منسوخ
نیز دائر کرنے ایبل نگرانی و نظر خانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائنا تو ائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی
مذکورہ کریں۔ لہذا کالت نامہ لکھ دیا کہ سند ہے۔

Attested & Accepted
[Signature]

المقوم 02
ماہ فروری 2023

بہ مقام

لنڈن کے لئے منظور ہے۔

Email :- mha50@student.london.ac.uk