

Original

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.826/2022

Irshad Ali, PMS BS-17.....

Khyber Pakhtunkhwa
Service Tribunal

Appellant

Case No. 3559

VERSUS

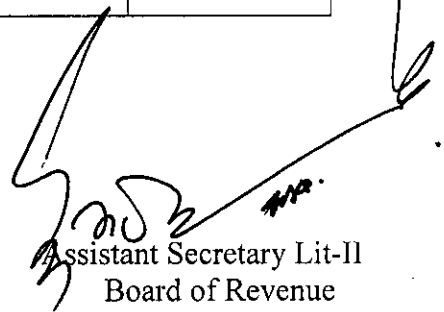
Dated 14/2/2023

Senior Member Board of Revenue & others.....

Respondents

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Assistant Secretary Lit-II
Board of Revenue

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No 826/2022.

Irshad Ali, PMS BS-17..... Appellant.

VERSUS

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

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 1 & 2:-

RESPECTFULLY SHEWETH.

PRELIMINARY OBJECTIONS.

1. That the appellant has got no cause of action to file instant appeal.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the Appellant is estopped by his own conduct to file the appeal.
4. That the appeal is barred by law and limitation.

ON FACTS.

1. Correct to the extent that the appellant was appointed in the year 2009 (Annexure-A).
2. Correct to the extent that the quota of the appellant's cadre was enhanced from 50% to 60%. It is pertinent to mention here that the appellant was appointed as Naib Tehsildar on 22.01.2009 while rules were notified on 26.12.2008 (Annexure-B).
3. Incorrect. The quota of Naib Tehsildar was enhanced from 50% to 60% which was in their favour by including District Kanungos and District Revenue Accountants who were also in BS-14 and have equal right for promotion.
4. Correct to the extent of inclusion Sub Registrar, but the post of Sub Registrar BS-14 is equal to Naib Tehsildar, having equal right of promotion as Tehsildar. Amendments in Notification dated 02.12.2011(Annexure-C) were approved by the SSRC strictly in accordance with law / rules.
5. Incorrect. Separate seniorities are prepared for different cadre i.e. Naib Tehsildars, Sub Registrars and District Kanungos etc however for promotion to the post of Tehsildar, a joint seniority list is prepared at Provincial level. The appellant wrongly interpreted the ratio of quota.
6. Incorrect. The incumbent of different categories were promoted as per their seniority and according to law/rules.
7. Incorrect. Notifications dated 04.06.2013 (Annexure-D) and 18.06.2013 (Annexure-E) were issued with approval of the Competent Authority.
8. Incorrect. The incumbents of other cadres i.e. District Kanungo, District Revenue Accountants and Sub Registrars having BPS-14 were also eligible for promotion to the post of Tehsildar BS-16. The conditions of qualification was deleted after SSRC meeting (Annexure-F).
9. Incorrect. Eligible officials were promoted and no violation of Rules/Regulation was committed.
10. Incorrect. As per Para-VII of the Promotion Policy, 2009, promotion will always be notified with immediate effect.
11. Incorrect. No ineligible incumbents have been promoted as Tehsildar. There is no weightage in the claim of the appellant. No illegal promotion benefits what so ever extended to any official.
12. Incorrect. Appeal of the appellant is not maintainable under the rules.

ON GROUNDS

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- A. Incorrect. Order dated 16.11.2017 (Annexure-G) is correct and according to law/rules.
- B. As in Para-10 of the facts.
- C. Incorrect. The appellant was promoted strictly in accordance with law after completion of the prescribed length of service on the available posts of Tehsildars.
- D. As in "C" above.
- E. Incorrect. All the employees have been promoted strictly in accordance with law/rules on their own turn.
- F. Incorrect. Naib Tehsildar and Sub Registrars BPS-14 having one and the same job (Revenue) therefore Sub Registrars are also eligible on the basis of joint seniority list for promotion as Tehsildar.
- G. Incorrect. The appellant after fulfillment the legal criteria has been promoted as Tehsildar on his own turn.
- H. Incorrect. Promotion always made on the basis of the seniority list and on availability of posts. No laziness was shown by the Department while promoting the appellant.
- I. Incorrect. Right of the appellant has not been affected and promotion is given when the appellant became eligible.
- J. As in Para "G" above.
- K. As in Para "H" above.
- L. Incorrect. The case of the appellant was placed before the Departmental Promotion Committee on availability of posts of Tehsildar and was accordingly promoted on his own turn and in time. No delay was occurred while promoting the appellant.
- M. Incorrect. The incumbent of other cadres were promoted as Tehsildar on their own turn as per seniority-cum-fitness and no illegal benefits were given to any official.
- N. Incorrect. The promotion of District Kanungo, District Revenue Accountant and Sub Registrar has not been declared by the Tribunal as nul and void.
- O. Incorrect. There is no provision of "Graduation" in promotion cases rather they gets promotion as per their seniority.
- P. Incorrect. The appellant has been promoted as Tehsildar and then as PMS on his own turn. No illegal and un-justified benefits were extended to any other official.
- Q. Incorrect. Promotion is always made on seniority-cum-fitness basis and on availability of posts.
- R. Incorrect. The appellant has been promoted as Tehsildar and then PMS BS-17 on his own turn strictly in accordance with law/rules. The adjustment of promotion quota is the mandate of Standing Service Rules Committee (SSRC).
- S. Incorrect. All the proceedings were carried out in a fair and transparent manner, after conducting the SSRC meeting.
- T. Incorrect. Rules has been amended by the SSRC and no discrimination has been done with the appellant.
- U. Incorrect. The appellant has been treated in accordance with law/rules.
- V. Incorrect. Judgement in case titled is not applicable in the instant case.

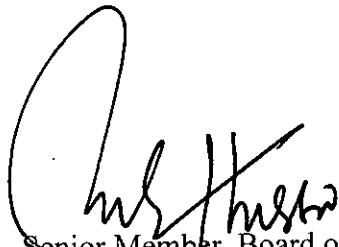
W. Incorrect. No violation of any rules have been made.

X. Incorrect. According to Para-VI of the Promotion Policy 2009, promotion shall always be notified with immediate effect. The appellant has no legal right to claim antedate promotion

Y. As in "X" above.

Z. The respondent will also seek permission to submit additional grounds at the time of arguments.

Keeping in view the above, the appeal of the appellant having no legal grounds may graciously be dismissed with costs.



Senior Member, Board of Revenue
Respondent No. 1 & 2

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

Peshawar dated the 22/01/2009.

ORDER

No _____ /Admn:V/PSC. On the recommendation of NWFP Public Service Commission, the Board of Revenue NWFP, has accepted / appointed the following as direct Naib Tehsildars (BPS - 14) (Probationer/ Trainee) in order of seniority as noted against each, w.e.f 2nd February, 2009 subject to the conditions laid down below:-

S.No	Name of Naib Tehsildar	Permanent Address	Order of Merit	Domicil
1.	Mr. Shakir Ullah S/O Khan Mir	Mohalla Shudan Khel, Vill: Però Khel, Tehsil Landi Kotal Khyber Agency	11	Khyber Agency
2.	Mr. Munir Ahmad S/O Jhangi Khan	Barooni Laghari Gate, Bagh Ghali Al-Noor Masjid Street Sahab Jan Colony House No. 69 DIKhan.	13	S.W Agency
3.	Mr. Rahamd Ullah khan S/O Ahmad Khan	Vill: Daulat Khel Presiding Officer, Isak Khel Teh: & Distt: Lakki Marwat.	14	Lakki Marwat
4.	Mr. Abdul Kabir S/O Akram Jan	Vill: Lora Miana Presiding Officer, Shah Ghari Tana Tehsil Painsi Lalma Khyber Agency, Mohalla Gori.	16	Khyber Agency
5.	Mr. Imtiaz Ali Shah S/O Muhammad Ali Shah	Village & P/O Varana Shah Abad, Tehsil Takheti Nusrati, District Karak	17	Karak
6.	Mr. Khalid Khan S/O Ifitikhar Hussain	Vill: & PO, Khar Bajaur Agency.	18	Bajaur Agency
7.	Mr. Fazli Wadood S/O Fazli Mahmood	Village Sadullah Mohmand Agency	19	Mohmand Agency
8.	Muhammad Riaz Khan S/O Musa Khan	Vill: Musakki PO, & Tehsil Mirali North W. Agency.	20	N.W Agency
9.	Mr. Irshad Ali S/O Dost Muhamamd	PO, & Tehsil Tangi District Charsadda. Vill: Muzaffar Khan Kali.	21	Mohmand Agency
10.	Mr. Noor-ul-Amin S/O Zar Moeen	Hassan Abad Colony P/O Zafar Abad Colony DIKhan.	22	DIKhan
11.	Mr. Amir Nawaz S/O Gul Daraz	Main Bazar Panyala Mohalla Hassan Khel Tehsil Paharpur District DIKhan.	25	DIKhan
12.	Mr. Shah Wazir S/O Abdul Khan	Waziristan Hotel and Restaurant Wana road	26	S.W Agency

S.No	Name of Naib Tehsildar	Permanent Address	Order of Merit	Domicile
		Wazirabad Tank N.W.F.P. S.W. Agency Wana		
13.	Mr. Imran S/O Ahmad Jan	Vill: Khushali Tehsil Mirali N.W. Agency	27	N.W. Agency
14.	Mr. Sikandar Khan S/O Sar Zamin Khan	Vill: & PO, Tehsil Charbagh Moh. Manri Distt: Swat	28	Swat
15.	Mr. Ishtiaq Ahmad Khan S/O Allauddin	Vill: PO, old Sakhakot Malakand Agency	29	Malakand Agency
16.	Mr. Shamsul Islam S/O Faqr Gul	Vill: & PO, Ghari Usmani Khel tehsil Dargai Malakand Agency	30	Malakand Agency
17.	Mr. Allah Noor S/O Hazrat Noor	Teh: & PO, Darazinda FR, DIKhan.	31	F.R. DIKhan
18.	Mr. Riaz Muhammad S/O Noor Muhammad	Vill: Murdar Algad Tehsil Lada S.W. Agency	33	S.W. Agency
19.	Muhammad Tariq Aziz S/O Ayaz Khan	Vill: Meran Teh: PO, Meran Shah N.W. Agency	34	N.W. Agency
20.	Mr. Zeeshan Abdullah S/O Abdullah Khan	Vill: Murdar alleged Tehsil Lada S.W. Agency	35	S.W. Agency
21.	Muhammad Hayat S/O Sanab Gul	Civil Colony Vill; & PO, Ghallanai Mohmand Agency	36	Mohmand Agency
22.	Mr. Shah Saud S/O Khitab Gul	Vill: Mashogagar Moh. Mauzam Khel PO, Badabar, District Peshawar	38	Peshawar
23.	Muhammad Ilyas S/O Shah Nasim Khan	Mohalla Khatak Khel Vill: PO, Hazara tehsil & Distt: Swat.	39	Swat
24.	Mr. Yasir Salman Kundi S/O Hamid Khan Kundi	C/O Ahmad Khan Kundi CRBC, Chok Chashma road PO, Sheikh Yousaf DIKhan.	40	Lakle Marwat
25.	Mr. Sher Alam Khan S/O Sher Afzal	Vill: Tigdari Teh: & PO, Khwaza Khela Distt: Swat.	41	Swat
26.	Mr. Akmal Khan S/O Umar dir	Vill: Garori Khel, Charkhel PO, Sabir Abad Teh: & distt: Karak.	42	Karak
27.	Mr. Zahidullah Khan S/O Hazrat Zaman	75/16 A, Old Grain Market, inside Miryan Gate Bannu. C/O Malik Rahmatullah	43	Bannu
28.	Mr. Yadullah Khan Khattak S/O Mohibullah Khattak	Distt: Mardan Teh: Takhtabai, PO, Lund Khwar, Mohallah Pelakhel	44	Mardan
29.	Mr. Ahmad Hashmi S/O Fazli Rabbi	Village Raidgari, Tehsil & P/O Laal Qilla, Maidan, District Dir Lower	47	Dir Lower
30.	Muhammad Saeed S/O Muhammad Shafiq	Mohallah Rehman Abad, Village Qamber, P/O Rahim Abad, Tehsil Babuzai District Swat.	48	Swat
31.	Mr. Jamshad Khan S/O Mir Kaman Khan	New Colony, Post Office & Tehsil Matta District Swat.	49	Swat

S.No	Name of Naib Tehsildar	Permanent Address	Order of Merit	Domicile
32.	Mr. Amin Ullah Khan S/O Dost Muhammad Khan	Village Baggi Qamar P/O Rehmani Khel, Tehsil Baharpur, District D.I. Khan	55	DI Khan
33.	Mr. Islahuddin S/O Syed Badshah	Village Nawab Dhery, P/O Takker, Tehsil Takht Bhai, District Mardan	57	Mardan.
34.	Mr. Zahid Younis S/O Muhamamd Younis	Village & P/O Latember, Tehsil & District Karak	58	Karak
35.	Mr. Naimat Ullah S/O Khanim Ullah	Village & P/O Dheri Likoani, Tehsil & District Mardan	61	DIR
36.	Muhammad Riaz S/O Fazal Aziz	Village & P/O & Tehsil Munda, District Dir Lower	62	Dir Lower
37.	Muhammad Yar S/O Faqr Gul	Village & P/O Sakha Kot Bazar, Tehsil Dargai, Mohallah Hussain Gul, Malakand Agency	63	Malakand Agency
38.	Mr. Sher Ali Khan S/O Sahibzar Gul	Sher Ali Khan Haq Brothers, Landay Kass, Mingora Swat.	65	Swat
39.	Miraj - Muhammad S/O Yaqoot Khan	Karak	66	Karak
40.	Mr. Munawar Shah S/O Abdur Rashid	Village Sehsadda, P/O Chakdarra, Tehsil Adinzai, District Dir Lower	69	Dir Lower
41.	Mr. Iftikhar uddin S/O Zewar Din	Gulbahar Colony No. 1, Mardan Road GPO Charsadda.	72	Charsadda
42.	Muhammad Khalid Zaman S/O Shams-uz-Zaman	Mohallah Akokhel Village & P/O Baghicha Dheri Tehsil & District Mardan	77	Mardan
43.	Mr. Younis Khan s/O Waqif Khan	Village & P/O Akhagram Tehsil Wari, District Dir Lower	78	Dir Lower
44.	Mr. Mujahid Ali S/O Khalil-ur-Rehman	Village Kand Taza Din, P/O Pabbi Tehsil & District Nowshera	80	Nowshera
45.	Syed Abdul Akbar Shah S/O Syed Gul Chaman	Village Pir Abad, P/O Bakhshali, District Mardan	88	Mardan
46.	Mr. Anwar Zeb S/O Alam Zeb	Mubarik House, Quaid Abad Colony, Tehsil Bazar District Charsadda	92	Charsadda
47.	Syed Sultan Haider Shah S/O Syed Gulzar Hussain Shah	Shaikh Abad No. 3, House No. 946/14-A, Peshawar City	97	Peshawar
48.	Mr. Aftab Ahmad S/O Javed Muhammad	Village & P/O Chaghar Matti, Tehsil & District Peshawar	100	Peshawar
49.	Mr. Dil Naz Khan s/O Alam Zeb	Tehsil & District Swat, Village & P/O Kalu Khan, Mohallah Bazid Khel	101	Swat
50.	Mr. Kifayat Ullah S/O Haji Akbar	Gulbahar No. 3, Street Idrees Abad, Peshawar City.	103	Peshawar

S.No	Name of Naib Tehsildar	Permanent Address	Order of Merit	Domicile
51.	Mr. Faqir Hussain S/O Muhamma. Younis	Kandi Taza Din P/O Pabbi Tehsil and District Nowshera.	107	Nowshera
52.	Mr. Zulfiqar Khan S/O Arsala Khan	Village, Hassan Ghari, Shami Road, Peshawar.	112	Peshawar
53.	Mr. Waqar Ahmad S/O Muhammad Irfan	Village & P/O Kanshian, Tehsil Balakot, District Manshera.	576	Mansehra
54.	Mr. Muhammad Faraz Qurashi S/O Muhammad Riaz Qureshi	Street No. 1, Phool Ghulab Road, Al-Mansoor Town, Ayub Medical Complex, Abbottabad	601	Abbottabad
55.	Mr. Fazal-ur Rehman S/O Habib-ur-Rehman	Village & P/O Pindhashim Khan, Tehsil & District Haripur.	770	Haripur
56.	Mr. Farukh Jadoon, S/O Anwar Ahmad Khan	Village & P/O Langran, Via Havelian District Abbottabad.	823	Abbottabad
57.	Mr. Fayaz Ahmad S/O Pir Khan	Village & P/O Birangalli, Mohallah Haran Birangali, Tehsil & District Abbottabad.	872	Abbottabad
58.	Bilal Ahmad S/O Farid-ud-Din	Village Kalis, P/O KTS, Tehsil & District Haripur	935	Haripur
59.	Mr. Tanveer Shahzad S/O Muhammad Sahif	Al-Hafeez Commercial Corporation, Baidra Road, Mohallah Lahorbanda, Mansehra	936	Mansehra
60.	Mr. Ejaz Ahmad S/O Muhammad Riaz	Thanda Meira, Village & P/O Salhad, Tehsil & District Abbottabad	991	Abbottabad
61.	Muhammad Salim S/O Muhammad Saddiq	Village Badhair, Post Office Nathia Gali, Tehsil & District Abbottabad	1075	Abbottabad
62.	Muhammad Sohail S/O Muhammad Ayub	Village & P/O Panduthana Tehsil & District Abbottabad.	1315	Abbottabad

TERMS & CONDITIONS:-

- They shall, for all intents and purposes, be Civil Servants except for purpose of pension or gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount contributed by them towards Contributory Provident Fund (C.P.F) alongwith the contributions made by Government to their account in the said fund, in the prescribed manner.
- They shall be governed by the NWFP Civil Servants Act 1973, all the laws applicable to the Civil Servants and Rules made there-under.
- They shall, initially, be on probation for a period of two years extendable upto 3 years.

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- d. Their services will be liable to termination at any time without assigning any reason before the expiry of the period of probation/extended period of probation, if their performance during this period is not found satisfactory. In such an event, they will be given one month's notice of termination from service or one month's pay in-lieu thereof. In case they wish to resign at any time, a month's notice shall be necessary or in lieu thereof a month's pay shall be forfeited.
 - e. Their services shall be liable to termination during initial/extended period of probation without any notice.
 - f. During the period of training of one year, they will be entitled to such pay & allowances as are admissible to them under the rules.
 - g. During the period of training of one year, they will not be entitled for any DDA.

If the above terms & conditions are acceptable to the above selectees, they should report to the Senior Member, Board Revenue on 02.02.2009

-Sd/-

Senior Member
Board of Revenue, NWFP

No. 1782-1907 / Admn: V/PSC

Copy to :-

1. Private Secretary to Chief Secretary, NWFP.
2. Secretary to Government of NWFP Finance Department Peshawar for information and necessary action. Necessary provision for their payment of salaries during the training period may kindly be arranged and funds allocated to this office.
3. Secretary to Government of NWFP Establishment Department with reference to Notification No: SOR - II E&AD/2(4)/08, dated 16.09.2008.
4. Secretary NWFP Public Service Commission.
5. Deputy Director Pakistan Provincial Service Academy, NIM Peshawar
6. Settlement Officer, Chitral for information and necessary action. He is requested to please Chalk out his training programme in Chitral Settlement operation.
7. All District Officer (R&E)/Collector, in NWFP
8. Accountant General, NWFP
9. District / Agency Accounts Officers, in NWFP.
10. All candidates concerned.
11. The Budget Officer, Board of Revenue NWFP for necessary action. A statement showing financial implications involved in the proposal for payment of salaries to the trainees for a period of one year may please be prepared and sent to the Finance Department NWFP for getting creation of Trainees posts.

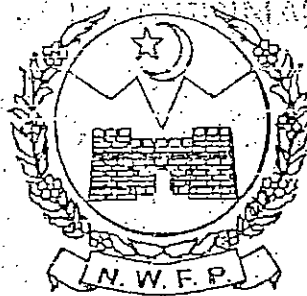
*Jahid
Khalil*

Secretary
Board of Revenue NWFP

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
G A Z E T T E

815/152

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North-West Frontier Province

Published by Authority

PESHAWAR, WEDNESDAY, 4TH FEBRUARY, 2009

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE,
REVENUE AND ESTATE DEPARTMENT.

NOTIFICATION

Peshawar, dated 26th December, 2008. X

No. 32102-61/Admn:I/135/SSRC. -- 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 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts borne on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

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N.-W.F.P. GOVERNMENT GAZETTE, EXTRAORDINARY, 4th February, 2009.

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APPENDIX

1	2	3	4	5	6	7
S. No.	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by Initial recruitment or by transfer	Minimum Qualification For appointment by Promotion.	Age limit	Method of recruitment.
1.	Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission.	Second Class Graduation from any University recognized by the Higher Education Commission.	21-30 years for initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of Seniority cum-fitness from amongst the Graduate Naib Tehsildar with at least Five Years Service as such. The condition of Graduation will be applicable after five years from the date of issuance of this Notification; and (c) Twenty percent by Promotion, on the basis of Job Seniority-cum-fitness from amongst the Graduate Assistants/Senior Scale Stenographer of Board Revenue NWFP Director Land Record NWFP Revenue Appellate Court/Sub-Registrar with at least Five Years Service as such.
2.	Naib Tehsildar (BPS-14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission.	Second Class Graduation from any University recognized by the Higher Education Commission.	21-30 years for initial recruitment	(a) Fifty percent by initial recruitment, through NWF Public Service Commission based on the result of Competitive Examination conducted by it in accordance with syllabus, and (b) Thirty percent by promotion, on the basis of Seniority cum-fitness from amongst Graduate Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. The condition of Graduation will be applicable after five years from the date of issuance of this Notification.

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					(c) Twenty percent by promotion, on the basis of joint Seniority-cum-fitness from amongst Junior Scale Stenographer and Assistants, in the office of Political Agent Frontier Region, Assistant/Junior Scale Stenographer of Ex-Deputy Commissioner/Commissioner's offices presently working in the offices of DCO/ACO/EDC (F&P) and DOR, who are Graduate with five Years Service as such.
3.	District Kanungo (Saddar Kanungo) (BPS-14)				By transfer from amongst Naib Tehsildar.
4.	Head Clerk (Revenue) (BPS-140)				By transfer from amongst Naib Tehsildar.
5.	District Revenue Accountant (BPS-14)				By transfer from amongst Naib Tehsildar.
6.	Kanungo (BPS-09)	District Officer (Revenue & Estate)/ Collector			By promotion, on the basis of joint Seniority-cum-fitness, on District level from amongst the Patwaris/Tehsil Revenue Accountant and Wasil Baqi Nawis who have passed the Departmental Examination of Kanungo with at least five Years Service as such.

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N.W.F.P. GOVERNMENT GAZETTE, EXTRAORDINARY, 4th February, 2009.

1	2	3	4	5	6	7
7.	Senior Tehsil Revenue Accountant (BPS 07) and Junior Tehsil Revenue Accountant Wasil Baqi Nawis/Additional Wasil Baqi Nawis (BPS-05)					By transfer from amongst Patwaris.
8.	Patwar (BPS-05)	District Officer (Revenue & Estate)/ Collector	Intermediate or equivalent qualification, who have passed the Patwari Examination having one year diploma in information technology from any institution technology recognized by Board of Technical Education.	18 to 30	By initial recruitment.	By initial appointment for amongst the Patwari passed candidates entered in Register maintained by the District Collector of the District concerned having one year diploma in information technology from an institution recognized by Board of Technical Education. The condition of diploma will be applicable after three years from the date of issuance of Notification.

Sd/-
SECRETARY TO GOVERNMENT OF NWFP,
REVENUE AND ESTATE DEPARTMENT.

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GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 27/12/2011

NOTIFICATION

No. Estt: I/296/Amendment/ 27134
In pursuance of provisions contained in Sub-Rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department in consultation with the Establishment, Finance and Law Departments hereby directs that in this Departments Notification No. 32102/Admn: I/135/SSRC, dated 26.12.2008 read with Notification No. 12389/Admn: I/296/amendment, dated 30.07.2011 the following further amendments shall be made, namely :-

AMENDMENTS

In the Appendix:-

1	<p>Tehsildar (BPS-16)</p> <p>Against S.No. 1, in column No. 7, for the existing entries, at clauses (a) (b) and (c), the following shall be substituted, namely:</p> <p>(a) Twenty percent by initial recruitment, through Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and</p> <p>(b) Sixty percent by promotion, on the basis of Joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrars with at least five years service.</p> <p>(c) Twenty percent by promotion on the basis of Joint seniority-cum-fitness from amongst Superintendents of the offices of Board of Revenue, (Revenue & Estate and Land Settlement & Consolidation Department) Commissioners, DOR and Political Agents and Senior Scale Surnographers of the offices of Board of Revenue, Commissioners, Additional Commissioners, DCOs and Political Agents having five years service.</p>
2	<p>Naib Tehsildar (BPS-14) (Divisional Cadre)</p> <p>Against S.No. 2, in column No. 7, for the existing entries, at clause (b) (c) and (d) the following shall be substituted, namely:</p> <p>(b) Twenty five percent by promotion, on the basis of seniority-cum-fitness from amongst Kanungos with atleast five</p>

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		<p>(c) Twenty five percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of BOR, Commissioners, Additional Commissioners, DCOs, DOR, offices and Executive District Officers (F&P), with at least five years service, Political Moharrirs of the office of Political Agent / Assistant Political Agents, with 10 years service.</p> <p>(d) The official so appointed shall successfully complete Settlement / Revenue training and pass Kanungo Certificate Examination.</p> <p><u>EXPLANATION</u>: Ministerial employees of the Board of Revenue eligible for appointment to the post of Naib Tehsildar under the provision of clause (c) shall, for the purposes of the said clause, be deemed to belong to the division and zone respectively in which their home district is situate.</p> <p>Note:- Vacancy in a division will be filled on respective divisional basis.</p>
3	District Kanungo (BPS -14)	<p>Against S.No. 3, in column No. 7, for the existing entries, the following shall be substituted, namely;</p> <p>By selection on seniority - cum - fitness with due regard to seniority from amongst Intermediate passed Kanungos with at least 03 years.</p>
4	Head Clerk (Revenue) BPS-14 (Divisional cadre).	<p>Against S.No. 4, in column No. 7, for the existing entries, the following shall be substituted, namely;</p> <p>Assistant having dealt with revenue or acquisition matters for at least 03 years.</p>
5	District Revenue Accountant. (BPS-14)	<p>Against S.No. 5, in column No. 7, for the existing entries, the following shall be substituted, namely;</p> <p>By promotion on the basis of selection on seniority from amongst Kanungos with at least 03 years service.</p>
6	Kanungo (BPS-9)	<p>Against S.No. 6, in column No. 7, for the existing entries, the following shall be substituted, namely;</p> <p>By promotion, on the basis of joint seniority - cum - fitness, on District level from amongst the patwaris / Tehsil Revenue Accountant who have passed the Departmental Examination of Kanungo.</p>

Encl-vii

Patwari (BPS-5).	<p>Against S.No. 8. in column No. 7, for the existing entries, at clause (a) and (b) the following shall be substituted; namely;</p> <p>(a) By initial appointment from amongst the Patwari passed candidates entered in the Register maintained by the District Collector of the district concerned having one year certificate in information technology from any Institution Recognized by Board of Technical Education.</p> <p>(b) Successfully completed 09 months Settlement training. This condition will be applicable w.c.f January, 2014</p>
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M. N. Khan
SECRETARY,

No. *11/296/Amendment* /Admn:11/296/Amendment

Copy forwarded for information and necessary action to the:-

1. Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
2. Secretary to Government of Khyber Pakhtunkhwa Finance Department.
3. Secretary to Government of Khyber Pakhtunkhwa Law Department.
4. Secretary Khyber Pakhtunkhwa Public Service Commission.
5. Registrar Peshawar High Court.
6. Accountant General Khyber Pakhtunkhwa.
7. All Commissioners / Political Agents in Khyber Pakhtunkhwa.
8. All District Officers (R&E)/Collectors, in Khyber Pakhtunkhwa.
9. Private Secretary to Minister for Revenue Khyber Pakhtunkhwa.
10. Controller, Government Printing Press Peshawar with the request to publish the above notification in the official Gazette and supply 50 printed copies thereof to the undersigned for record.

G. Khan
DEPUTY SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
REVENUE & ESTATE DEPARTMENT



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 14/06/2013

NOTIFICATION

No. Estt/26/1338 consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority is pleased to order the promotion the following Naib Tehsildar, District Kanungo, District Revenue Accountant & Sub-Registrar. (BPS - 14) to the post of Tehsildar (BPS - 16) on regular basis with immediate effect:-

S.NO	NAME OF OFFICER
1.	Mr. Hazrat Qamar
2.	Mr. Muhammad Siddique
3.	Mr. Misri Khan
4.	Mr. Bashir Ahmad ✓
5.	Mian Samiullah Jan ✓
6.	Mr. Abdul Haleem ✓
7.	Mr. Asghar Shah ✓
8.	Mr. Ali Sher Khan ✓
9.	Mr. Abdul Ghaffar ✓
10.	Mr. Muhammad Taj
11.	Mr. Said Rehman ✓
12.	Mr. Qaisar Khan ✓
13.	Mr. Najib Ullah ✓
14.	Mr. Muhammad Ghulam ✓
15.	Mr. Muhammad Hayat ✓
16.	Mr. Waheed Ahmad ✓
17.	Mr. Muhammad Hamayun ✓
18.	Mr. Sarir Ahmad ✓
19.	Mr. Muhammad Riaz ✓
20.	Muhammad Nawaz ✓
21.	Mr. Mir Laiq ✓
22.	Mr. Naurman Ali Shah ✓
23.	Mr. Shourin Shah ✓
24.	Mr. Hidayat Ullah ✓
25.	Mr. Ghulam Sarwar ✓
26.	Mr. Farzand Ali ✓
27.	Mr. Said Rahim ✓
28.	Mr. Fazli Raziq ✓
29.	Mr. Asmat Ullah ✓
30.	Mr. Hussian Bakhsh ✓
31.	Mr. Abdur Rashid ✓
32.	Mr. Fateh Ullah ✓
33.	Mr. Mulazim Hussein ✓
34.	Mr. Muhammad Israr ✓
35.	Mr. Afzal Khan ✓
36.	Mr. Gul Said ✓
37.	Mr. Jehanzeb ✓
38.	Mr. Anwar-ul-Haq ✓
39.	Mr. Kutab Khan ✓

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

3. Consequent upon above, the following postings / transfers are orders with immediate effect:-

S.NO.	NAME OF OFFICER	FROM	TO
1.	Mr. Hazrat Qamar	District Revenue Accountant Buner	Services placed at the disposal of Commissioner, Malakand for further posting
2.	Mr. Muhammad Siddique	District Revenue Accountant Peshawar	Reader to Member - II, Board of Revenue
3.	Mr. Misri Khan	Sub-Registrar Malakand	Services placed at the disposal of Commissioner, Mardan for posting as Tehsildar Takht Bhai.
4.	Mr. Bashir Ahmad	Tehsildar Swabi	Retained on the same post.
5.	Mian Samiullah Jan	Tehsildar Tangi	Retained on the same post.
6.	Mr. Abdul Haleem	District Kanungo Battagram	Services placed at the disposal of Commissioner, Hazara for further posting.
7.	Mr. Asghar Shah	Tehsildar / Recovery Officer NHA Abbottabad	Services placed at the disposal of Commissioner, Hazara for posting as Tehsildar Balakot.
8.	Mr. Ali Sher Khan	Tehsildar on Special Duty Board of Revenue	Retained on the same post.
9.	Mr. Abdul Ghaffar	Tehsildar Seraj Naurang	Retained on the same post.
10.	Mr. Muhammad Taj	District Kanungo Haripur	Services placed at the disposal of Commissioner, Hazara for further posting.
11.	Mr. Said Rehman	Tehsildar Anti-corruption Peshawar	Retained on the same post.
12.	Mr. Qaisar Khan	Tehsildar (FR) Bannu	Retained on the same post.
13.	Mr. Najeeb Ullah	Special Tehsildar Irrigation (Rod Kohi) Dikhan	Retained on the same post.
14.	Mr. Muhammad Ghulam	District Kanungo Karak	Services placed at the disposal of Commissioner, Kohat for further posting.
15.	Mr. Muhammad Hayat	Tehsildar (OPS) National Accountability Bureau	Retained on the same post.
16.	Mr. Waheed Ahmad	Tehsildar (OPS) Allai	Retained on the same post.
17.	Mr. Muhammad Hamayan	Sub-Registrar Dir Lower	Services placed at the disposal of Commissioner, Malakand for further posting.
18.	Mr. Sarir Ahmad	Tehsildar Nowshera	Retained on the same post.
19.	Mr. Muhammad Riaz	Tehsildar / Recovery Officer Peshawar Circle Peshawar	Services placed at the disposal of Commissioner, Peshawar for posting as Tehsildar Pabbi.
20.	Muhammad Nawaz	Tehsildar Battagram	Retained on the same post.
21.	Mr. Mir Laiq	Tehsildar Mardan	Retained on the same post.
22.	Mr. Nauman Ali Shah	PT, Lower Orakzai	Retained on the same post.
23.	Mr. Shourin Shah	Tehsildar (OPS) Shabqadar	Retained on the same post.
24.	Mr. Hidayat Ullah	Tehsildar (OPS) Behrain	Retained on the same post.
25.	Mr. Ghulam Sarwar	Naib Tehsildar Martung	Services placed at the disposal of Commissioner, Malakand for further posting.
26.	Mr. Farzand Ali	Naib Tehsildar Chagagh	Services placed at the disposal of Commissioner, Malakand for further posting.

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S.NO.	NAME OF OFFICER	FROM	TO
27.	Mr. Said Rahim	Tehsildar / Recovery Officer (OPS) Swat	Services placed at the disposal of Commissioner, Malakand for posting as Tehsildar Timergara.
28.	Mr. Fazli Raziq	Naib Tehsildar (Revenue) DGO Office Swat	Services placed at the disposal of Commissioner, Malakand for further posting.
29.	Mr. Asmat Ullah	District Revenue Accountant Lakki	Services placed at the disposal of Commissioner, Bannu for further posting.
30.	Mr. Hussian Bakhs	Head Clerk (Revenue) DIKhan	Services placed at the disposal of Commissioner, DIKhan for further posting.
31.	Mr. Abdur Rashid	District Revenue Accountant Tank	Services placed at the disposal of Commissioner, DIKhan for further posting.
32.	Mr. Fateh Ullah	At the disposal of FATA Secretariat	Retained on the same position.
33.	Mr. Mulazim Hussain	Settlement Naib Tehsildar Panyala	Services placed at the disposal of Commissioner, DIKhan for further posting.
34.	Mr. Muhammad Israr	HCR DC Office Bannu	Services placed at the disposal of Commissioner, Bannu for further posting.
35.	Mr. Afzal Khan	Tehsildar Khadu Khel (OPS) Buner	Retained on the same post.
36.	Mr. Gul Said	Sub-Registrar Hangu	Recovery Officer NRSP Mardan
37.	Mr. Jehanzeb	Sub-Registrar Mardan	Services placed at the disposal of Commissioner, Mardan for further posting.
38.	Mr. Anwar-ul-Haq	Naib Tehsildar Chakaiser	Services placed at the disposal of Commissioner, Malakand for further posting.
39.	Mr. Kutab Khan	Head Clerk (Revenue) Tank	Services placed at the disposal of Commissioner, DIKhan for further posting.

By order of
Secretary to Government of Khyber Pakhtunkhwa
Revenue & Estate Department

No. Estt: 1/261 / 1339 - 4.22

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. All Commissioners, in Khyber Pakhtunkhwa.
3. All Deputy Commissioners, in Khyber Pakhtunkhwa.
4. All Political Agents in Khyber Pakhtunkhwa.
5. Superintending Engineer (O) PESCO Peshawar Circle Peshawar.
6. Regional Operating Officer, National Rural Support Programme Khyber Pakhtunkhwa Nowshera.
7. Deputy Secretary (Law & Order) FATA Secretariat Khyber Pakhtunkhwa.
8. Officers concerned.

Deputy Secretary to Government of Khyber Pakhtunkhwa
Revenue & Estate Department.



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20/2/13

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 18/06/2013

NOTIFICATION

No. Estt: 126/12342. Consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority is pleased to order the promotion the following Naib Tehsildar, District Kanungo, District Revenue Accountant & Sub-Registrar (BPS - 14) to the post of Tehsildar (BPS - 16) on regular basis with immediate effect:-

S.NO	NAME OF OFFICER
1.	Mr. Gul Ghazi Khan X
2.	Mr. Mukhtiar Ali X
3.	Mr. Mushtaq Ahmad X
4.	Mr. Liaqat Ali X
5.	Mr. Ghulam Farooq ✓
6.	Mr. Naz Amin X
7.	Mr. Tariq Saleem ✓
8.	Mr. Akbar Ifikhar Ahmad ✓
9.	Muhammad Ayub Khan ✓
10.	Mr. Shafi-ur-Rehman X
11.	Mr. Attaullah X
12.	Mr. Musadiq Hussain X
13.	Mr. Abdul Qayum X
14.	Muhammad Bashir X
15.	Mr. Ifikhar Ahmad X
16.	Muhammad Akram X
17.	Mr. Ghulam Qasim X

2. On promotion, the above officers will be on probation for a period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule 15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules - 1989.

3. Consequent upon above, the following postings / transfers are orders with immediate effect:-

S.NO.	NAME OF OFFICER	FROM	TO
1.	Mr. Gul Ghazi Khan	Tehsildar Takhti Nasrati (OPS)	Retained on the same station.
2.	Mr. Mukhtiar Ali	District Revenue Accountant Swabi	Services placed at the disposal of Commissioner Mardan Division for further posting.
3.	Mr. Mushtaq Ahmad	Sub-Registrar Korak	Services placed at the disposal of Commissioner Bannu Division for further posting.
4.	Mr. Liaqat Ali	Sub - Registrar Charsadda	Tehsildar / Recovery Officer Peshawar Circle
5.	Mr. Ghulam Farooq	Political Tehsildar (FR) Kohat	Retained on the same post.
6.	Mr. Naz Amin	PNT Barang Bajaur Agency	Services placed at the disposal of Commissioner, Malakand, for further posting.
7.	Mr. Tariq Saleem	Tehsildar Dornai	Retained on the same post.
8.	Mr. Akbar Ifikhar Ahmad	PT, Ali Zai Kurram Agency	Retained on the same post.
9.	Muhammad Ayub Khan	Tehsildar Bannu	Retained on the same post.

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21/8/11


NO.	NAME OF OFFICER	FROM	TO
10.	Mr. Shafi-ur-Rehman	District Kanungo Swat	Services placed at the disposal of Commissioner, Malakand for further posting.
11.	Mr. Attaullah Khan	Tehsildar Charsadda	Retained on the same post.
12.	Mr. Musadiq Hussain	Tehsildar Thall	Retained on the same post.
13.	Mr. Abdul Qayum	Tehsildar Kohat	Retained on the same post.
14.	Muhammad Bashir	Tehsildar Ghazi	Retained on the same post.
15.	Mr. Ifikhar Ahmad	Naib Tehsildar Manshra	Services placed at the disposal of Commissioner, Hazara for further posting.
16.	Muhammad Akram	DRA DIKhan	Services placed at the disposal of Commissioner, DIKhan for further posting.
17.	Mr. Ghulam Qasim	Naib Tehsildar Paroha DIKhan	Services placed at the disposal of Commissioner, DIKhan for further posting.

By order of
Secretary to Government of
Revenue & Estate Department

No.Estr:1/26/12343-400

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. All Commissioners, in Khyber Pakhtunkhwa.
3. All Deputy Commissioners, in Khyber Pakhtunkhwa.
4. All Political Agents in Khyber Pakhtunkhwa.
5. Superintending Engineer (O) PESCO Peshawar Circle Peshawar.
6. Deputy Secretary (Law & Order) FATA Secretariat Khyber Pakhtunkhwa.
7. Officers concerned.
8. Personal Files.


Deputy Secretary to Government of
Revenue & Estate Department.

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

NOTIFICATION
Peshawar, dated 23- 01-2015

O. 1942/Estt:1/135/SSRC. 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 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX

	3	4	5	6	7
		Minimum initial recruitment by transfer	Minimum Qualification for appointment	Age limit	Method of recruitment
1. Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrar with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such.

AS/Estt

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1	2	3	4	5	6	7
1-A	Member / Members Board of Revenue	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
1-B	Inspector of Stamps	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
2.	Naib Tehsildar (BPS 14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 years For initial recruitment	(a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and (b) twenty five percent by promotion on the basis of Seniority - cum - fitness from amongst Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. (c) fifteen percent by promotion, on the basis of joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned; and (d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as Political Muharrirs of the offices of Political Agents with atleast ten years service."
3.	District Kanungo (Saddar Kanungo) (BPS 14)	Administrative Secretary (SMBR)				By promotion on the basis of seniority-cum-fitness, from amongst the Kanungo of the concerned District with at-least three years service as such
4.	Head Clerk Revenue (BPS - 14)					By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

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	2	3	4	5	6	7
	District Revenue Accountant (BPS 14)	Administrative Secretary (SMBR)				By promotion, on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant of the district with at least three years service as such.
6.	Kanungo (BPS - 11)	District Collector				By promotion, on the basis of seniority-cum-fitness, from amongst the Patwaris and Naib Office Kanungos of the district concerned with three years service as such and who have passed the Departmental examination of Kanungo.
7.	Tehsil Accountant	District Collector				By promotion on the basis seniority-cum-fitness from amongst the Naib Tehsil Accountants having three (03) years service as such.
8.	Patwari (BPS - 09)	District Collector	Intermediate or equivalent qualification, who have passed the Patwar Examination.		18 to 35	By initial appointment from amongst the Patwar passed candidate entered in the Tehsil patwar candidate register maintained by District Collector of the district concerned.
9.	Naib Tehsil Accountant / Naib Tehsil Office Kanungo	District Collector				By transfer from amongst the Patwaris.

Sd/-
 SECRETARY TO GOVERNMENT
 REVENUE AND ESTATE DEPARTMENT

44
Nc1943-8 /Estt:1/135/SSRC

Copy forwarded for information and necessary action to the:-

1. Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
2. Secretary to Government of Khyber Pakhtunkhwa Finance Department.
3. Secretary to Government of Khyber Pakhtunkhwa Law Department.
4. Secretary Khyber Pakhtunkhwa Public Service Commission.
5. Registrar Peshawar High Court.
6. Accountant General Khyber Pakhtunkhwa.
7. All Commissioners / Political Agents in Khyber Pakhtunkhwa.
8. All Deputy Commissioners, Khyber Pakhtunkhwa.
9. Private Secretary to Minister for Revenue Khyber Pakhtunkhwa.
10. Controller, Government Printing Press Peshawar with the request to publish the above notification in the official Gazette and supply 50 printed copies thereof to the undersigned for record.

DEPUTY SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE & ESTATE DEPARTMENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.826/2022

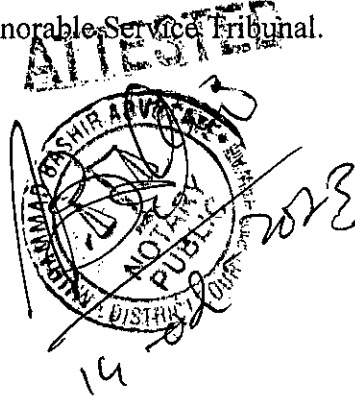
Irshad Ali, PMS BS-17.....Appellant

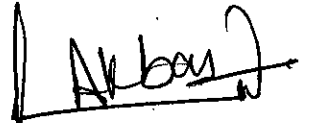
VERSUS

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

AFFIDAVIT

I, Mr. Imran Akbar, Assistant (Lit-II) Board of Revenue, Khyber Pakhtunkhwa , do hereby solemnly affirm and declare that the contents of the accompanying **Para-wise Comments** submitted in the subject service appeal are true and correct to the best of my knowledge and belief and that nothing has concealed from this Honorable Service Tribunal.




DEPONENT