

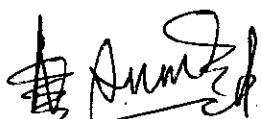
09.11.2021

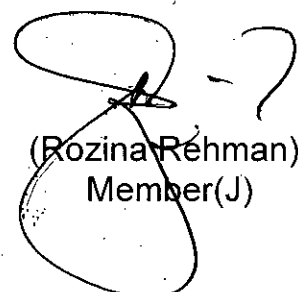
Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General for official respondents present. Counsel for private respondent No.8 present.

The appellant has filed the instant service appeal against the Notification dated 12.09.2019, whereby, private respondent No.8 (Syed Javid Iqbal) was transferred and posted against the vacant post in the office of Deputy Commissioner, Swat. Service appeal filed by Syed Javid Iqbal has been partly allowed and remitted to the Department for decision afresh, copy whereof has been placed on file of instant appeal.

In view of the peculiar facts and circumstances of the case, this appeal is adjourned sine die till the decision by the competent authority in respect of the departmental appeal of Syed Javid Iqbal. The appellant would be at liberty to seek restoration of the instant appeal after the decision of the departmental appeal of Syed Javid Iqbal, if so desired.


(Ahmad Sultan Tareen)
Chairman


(Rozina Rehman)
Member(J)

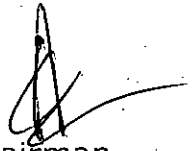
20.10.2021

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 7 and private respondent No. 8 in person present.

Certain facts need further clarification, therefore, case to come up for further arguments on 04.11.2021 before this D.B.



(Rozina Rehman)
Member (Judicial)



Chairman

04.11.2021

Counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Request for adjournment was made on behalf of both the parties. Request is accorded and case is adjourned to 09.11.2021 before Special D.B comprising the undersigned.



(Rozina Rehman)
Member (J)



Chairman



27.07.2021

Counsel for the appellant present.

Mr. Usman Ghani, learned District Attorney for official respondents and private respondent No. 8 along with his counsel Mr. Amin Ur Rehman Yousafzai, Advocate present.

Learned District Attorney seeks adjournment to further prepare the brief. Granted. To come up for arguments on 14/09/2021 before D.B.



(Rozina Rehman)
Member(J)



Chairman

14.09.2021

Junior to counsel for appellant present.

Usman Ghani learned District Attorney for respondents present.

Former made a request for adjournment. Request is acceded. To come up for arguments on 22.09.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

22.09.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General for official respondents present. Counsel for private respondent present.

Arguments heard. To come up for order on 20.10.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman


29.03.2021

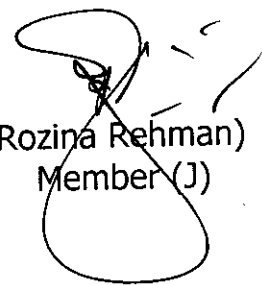
Appellant present through counsel.

Muhammad Rasheed learned Deputy District Attorney for respondents present.

Application in hand was submitted seeking restoration of the service appeal No.1609/2020 which was dismissed for non-prosecution on 25.01.2021. The instant application for restoration was submitted on 28.01.2021 which is well within time, hence, application stands accepted and appeal stands restored. It be entered on its old number.

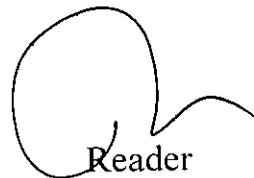
A request for full arguments in the main appeal was made; granted. To come up alongwith two connected appeals on 12/4/2021 for final hearing, before D.B.


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

12.04.2021

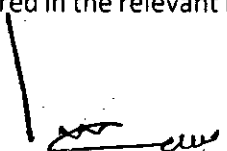



Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 27.07.2021 for the same as before.


Reader

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 39 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28.01.2021	<p>The Restoration Application submitted by Mr. Alamgir Khan through Miss. Afshan Naz Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	08.02.2021	<p>This Restoration Application be put up before Bench on <u>08-02-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present. Notices be issued to respondents for submission of reply to the application as well as arguments on 29.03.2021 before D.B.</p> <p style="text-align: center;">  (Atiq Ur Rehman Wazir) Member (E) </p> <p style="text-align: right;">  Chairman </p>

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

IN Appeal # 1609/2019.

Alamgir Khan

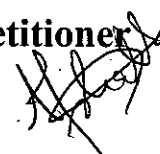
VERSUS

Government of Khyber Pakhtunkhwa through Chief
Secretary and others.

INDEX

S#	Description	Annexure	Pages
1.	Application		1-2
2	Affidavit		3

Dated: 28/01/2021.

Petitioner

Through
Afshan Naz
Advocate, High Court
Peshawar.

3

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

IN Appeal # 1609/2019.

R.A. NO 39/2021



Alamgir Khan

VERSUS

Government of Khyber Pakhtunkhwa through Chief
Secretary and others.

APPLICATION FOR RESTORATION
OF THE CAPTIONED CASE.

Respectfully Sheweth;


1. That the Petitioner is law abiding citizen and belong to the respectable family.
2. That service appeal No.1609/2019 was pending before this Honorable Tribunal, which was dismissed in default on 25.01.2021.
3. That the petitioner was unaware of the date fixed and hence was not able to attend of the instant case.
4. That similar nature / connected cases has been fixed on 08-02-2021. Hence, the above mentioned case may be fix for 08-02-2021.
5. That if the service appeal of the petitioner is not restored then the petitioner will suffer irreparable loss.

2

6. That the law always favour adjudication on merits.
7. That the instant appeal be restored in the best favour of Justice and be disposed up on merit.

It is, therefore, humbly prayed that on acceptance of the instant petition, the captioned case may graciously be restored and be decided together with the clubbed case, on merits.

Dated: 28/01/2021.



Petitioner

Through



Afshan Naz
Advocate, High Court
Peshawar.

3

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

IN Appeal # 1609/2019.

Alamgir Khan

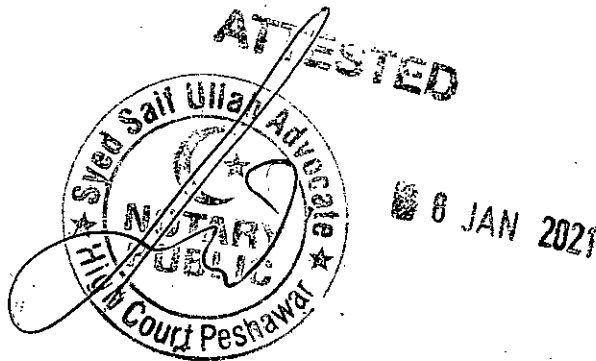
VERSUS

Government of Khyber Pakhtunkhwa through Chief
Secretary and others.

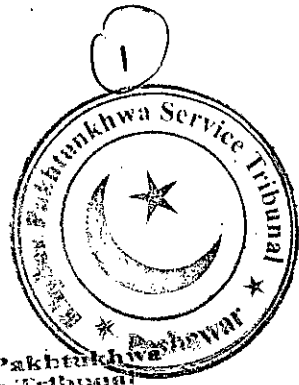
AFFIDAVIT

I, *Alamgir Khan S/o Aitibar Gul, R/o Saidu Sharif, Swat*, do hereby solemnly affirm and declare that all the contents of the accompanied application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.


DEPONENT



BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR



Service Appeal No. 1609 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1696

Dated 29-11-2019

Alamgir Khan S/o Aitabar Gul
R/o Saidu Sharif, District Swat
Presently posted as Assistant Deputy Commissioner,
Commissioner Office, Swat.....**Appellant**

VERSUS

1. Govt of KPK through Chief Secretary,
Civil Secretariat, Peshawar
2. Secretary Establishment, KPK,
Civil Secretariat, Peshawar
3. Secretary, Revenue and Estate Department, Peshawar
- ✓4. Senior Member, Board of Revenue, Peshawar
- ✓5. Commissioner Malakand Division (Rev/Gen),
Saidu Sharif, Swat
- ✓6. Deputy Commissioner, Swat
7. Deputy Commissioner, Bajawar
8. Syed Javid Iqbal, Superintendent,
Deputy Commissioner Office, Swat.....**Respondents**

Filed to-day

Registrar
29/11/19

Service appeal u/s 4 of the Khyber
Pakhtunkhwa Services Tribunal Act, 1974
against the Notification No. Esst:II/
POSTING/TRANSFER/29572-75 DATED
12.09.2019, whereby respondent No.08
was transferred/ posted against the
vacant post in Deputy Commissioner
office, swat against the law, rules, policy

Certified to be true copy


Registrar
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

1609/2019

2

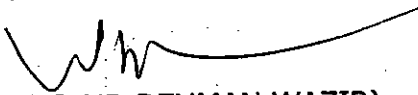


25.01.2021

Nemo for appellant. Muhammad Rasheed, learned Deputy District Attorney alongwith Muhammad Ajmal Assistant Secretary for official respondents and counsel for private respondent No.5 present.

It is already past 03:30 pm and the case has been called several times but no one appeared on behalf of appellant. The appeal is therefore, dismissed for non-prosecution. File be consigned to the record room.

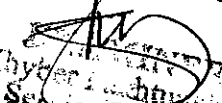
Announced
25.01.2021


(ATIQU-UR-REHMAN WAZIR)
MEMBER (E)


(HAMID FAROOQ DURRANI)
CHAIRMAN

Date of Presentation of Application 28/1/21
Number of Words 800
Copying Fee 10/-
Urgent 4/-
Total 14/-
Name of Applicant _____
Date of Cont. Auction of Copy 28/1/21
Date of Delivery of Copy 28/1/21

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

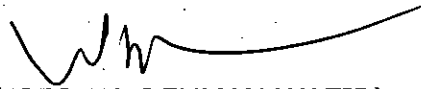
1609/2019

25.01.2021

Nemo for appellant. Muhammad Rasheed, learned Deputy District Attorney alongwith Muhammad Ajmal Assistant Secretary for official respondents and counsel for private respondent No.5 present.

It is already past 03:30 pm and the case has been called several times but no one appeared on behalf of appellant. The appeal is therefore, dismissed for non-prosecution. File be consigned to the record room.

Announced
25.01.2021



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

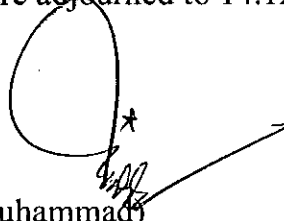


(HAMID FAROOQ DURRANI)
CHAIRMAN

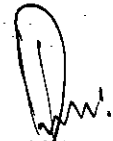
24.11.2020

Counsel for the appellant present. Addl: AG alongwith Mr. Muhammad Ajmal, Assistant Secretary for official respondents and counsel for private No.8 present.

Learned counsel for the appellant requests for time to go through the record as appended with the memorandum of appeal No. 4938/2020 titled Syed Javed Iqbal vs Government of Khyber Pakhtunkhwa and others. Learned counsel for private respondent No.8 graciously undertakes to provide copies of the relevant record to the appellant/ his counsel. In the circumstances, the appeal in hand as well as connected appeals are adjourned to 14.12.2020 before D.B.



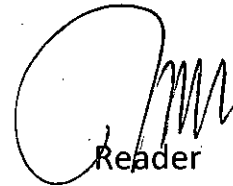
(Mian Muhammad)



Chairman

14.12.2020

Appellant with counsel present. Addl: AG alongwith Mr. Muhammad Ajmal, Assistant Secretary for official respondents and counsel for private respondent No. 8 present. Due to pandemic of Covid-19, the case is adjourned to 14.01.2021 for the same as before.



Reader

14.01.2021

Counsel for the appellant, Addl. AG alongwith Muhammad Asif, Asstt. for official respondents and counsel for private respondent No. 8 present.

To come up for arguments alongwith Service Appeal No. 4838/2020 on 25.01.2021 before the D.B.



(Atiq-ur-Rehman Wazir)
Member(E)



Chairman

21.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 15.07.2020 for the same. To come up for the same as before S.B.

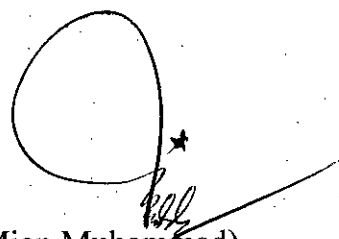

Reader

15.07.2020

Counsel for the appellant present. Addl: AG alongwith Mr. M. Arif, Supdt and Mr. Ahmad Sher, PS for respondents No. 3,4,5 and 6 present. None present on behalf of respondents no. 1,2,7 and 8.

Written reply on behalf of respondents not submitted. Representative of respondents No. 3,4,5 and 6 seeks further time. Notices be issued to respondents No. 1,2,7 and 8 for reply. Last opportunity granted.

Adjourned to 09.09.2020 before S.B.


(Mian Muhammad)
Member(E)

09.09.2020

Appellant in person Addl. AG alongwith Mukhtiar Ali, Asstt. Secretary and Ahmad Sher P.S on behalf of respondents No. 4, 5 and 6 present. Private respondent No. 8 in person present.

Private respondent No. 8 has furnished reply which is made part of the record. Nemo on behalf of respondents No. 2 and 7 despite last opportunity, hence proceeded against ex-parte. The matter is assigned to D.B for arguments on 24.11.2020. The appellant may furnish rejoinder within a fortnight, if so advised.


Chairman

Service Appeal No. 1609/2019

18.02.2020

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith M/S Muhammad Arif, Superintendent on behalf of official respondent No. 4, Zia-ud-Din, Reader on behalf of official respondent No. 7 and private respondent No. 8 in person present. Representatives of official respondents No. 4 & 7 as well as private respondent No. 8 requested for time to furnish written reply/comments. Representatives of official respondents No. 1 to 3, 5 & 6 are absent, therefore, notices be issued to them with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Adjourned to 12.03.2020 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

12.03.2020

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Ahmad Sher, P.S on behalf of official respondents No. 5 & 6 present. Representative of official respondents No. 5 & 6 seeks further time to furnish written reply/comments. Neither written reply on behalf of official No. 1 to 4 & 7 submitted nor their representatives are present, therefore, notices be issued to them with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Private respondent No. 8 is also absent, therefore, notice be also issued to him for attendance and filing of written reply/comments. To come up for written reply/comments on 21.04.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

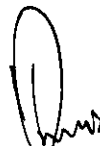
03.01.2020

Counsel for the appellant present.

Contends that through impugned notification dated 12.09.2019 the respondent No. 8 was transferred and posted as Superintendent BPS-17 at the Deputy Commissioner office Swat against a vacant post. Resultantly, the case of promotion of appellant against the post of Superintendent was adversely affected although he was fit and eligible in all respects for promotion to BPS-17. At the time of recommendation of appellant for promotion to be placed before the DPC, the post in the relevant office was duly available but was filled in by transfer of respondent No. 8 which was against the rules regarding promotion of officials in the Board of Revenue.

Subject to all just exceptions, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 18.02.2020 before S.B.

Appellant Deposited
Security & Process Fee
3/1/20

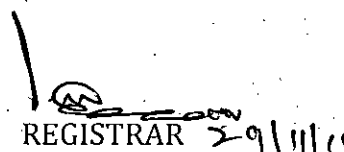
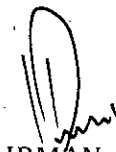

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1609/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/11/2019	<p>The appeal of Mr. Alamgir Khan presented today by Ms. Afsha Naz Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 29/11/19</p>
2-	02/01/20.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>03/01/20</u></p> <p> CHAIRMAN</p> <p>20/11/19</p>

P-33
delay

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 1609 /2019

Alamgir Khan.....Appellant

VERSUS

Govt of KPK through Chief Secy and others.....Respondents

INDEX

S.No	Description of Documents	Annex	Pages
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3.	Addresses of parties		12
4.	Copy of letter dated 25/03/2019	A	13-20
5.	Copy of letter dated 08/04/2019	B	21
6.	Copy of Notification dated 23/01/2015	C	22-26
7.	Copy of Amended Rules with better copy	D	27-28
8.	Copy of Joint Seniority List	E	29-31
9.	Copies of transfer order and promotion order of Respondent No 8	F-G	32-33
10.	Copy of departmental appeal and order dated 05.11.2019	H	34-35
11.	Wakalat Nama		

Through

Appellant

Afsha Naz
Ms. Afsha Naz

Advocate High Court

Date: 29 / 11 /2019

1

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 1609 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1696

Date 29-11-2019

Alamgir Khan S/o Aitabar Gul
R/o Saidu Sharif, District Swat
Presently posted as Assistant Deputy Commissioner,
Commissioner Office, Swat.....**Appellant**

VERSUS

1. Govt of KPK through Chief Secretary,
Civil Secretariat, Peshawar
2. Secretary Establishment, KPK,
Civil Secretariat, Peshawar
3. Secretary, Revenue and Estate Department, Peshawar
- ✓4. Senior Member, Board of Revenue, Peshawar
- ✓5. Commissioner Malakand Division (Rev/Gen),
Saidu Sharif, Swat
- ✓6. Deputy Commissioner, Swat
7. Deputy Commissioner, Bajawar
8. Syed Javid Iqbal, Superintendent,
Deputy Commissioner Office, Swat.....**Respondents**

Filed to-day


Registrar
29/11/19

Service appeal u/s 4 of the Khyber
Pakhtunkhwa Services Tribunal Act, 1974
against the Notification No. Esst:II/
POSTING/TRANSFER/29572-75 DATED
12.09.2019, whereby respondent No.08
was transferred/ posted against the
vacant post in Deputy Commissioner
office, swat against the law, rules, policy

and in sheer violation of the vested and accrued rights of appellant as appellant being senior is entitled for promotion to the post of Superintendant while the subsequent amendments made through Notification dated 27 or 25/06/2019 and transfer order dated 12/09/2019 of respondent no 08 from Bajawar to Swat are illegal, void, inoperative, ineffective upon the vested and accrued rights of appellant and liable to set at naught.

Prayer in Appeal:

On acceptance of this appeal, the impugned order/notification bearing No. Esst:II/posting/transfer/29572-75 dated 12/09/2019 of Respondent No 08 may kindly be set aside/withdrawn/cancelled and the case of appellant for promotion to the post of superintendant may kindly be considered as per the policy published vide notification No. 2074/Esst:I/II/13/SSRC Dated 23/01/2015 with further prayer that the subsequent amendments dated 27/06/2019 or 25/06/2019 may kindly be declared as illegal, void, ineffective and inoperative upon the accrued and vested rights of appellant.

Any other relief not specifically prayed for but this Honourable Tribunal deems proper may also be granted

Respectfully Sheweth:

1. That the appellant is the *bonafide* resident of District Swat and was appointed as junior clerk on 01/08/1984, promoted as senior clerk on 01/01/95

and Assistant on 06/03/2008 and since then continued his services with zeal and zest and to the satisfaction of his high ups.

2. That the post of superintendant became vacant due to retirement of Mr. Ubaidullah on 06/01/2019 in the Deputy Commissioner Office, Swat and the appellant, being senior and fit for promotion, was sanguine about his long awaited promotion since 2008 to the post of Superintendant as per Laws/Rules/Policy in vogue since 2015.
3. That That the case of appellant along with working paper was sent for promotion to the post of Superintendant (BPS-17) by Deputy Commissioner, swat vide letter No. 10049/4/DC/Esst: dated 25/03/2019 to Secretary to Commissioner, Malakand Division, Saidu Sharif. **(Copy of letter alongwith working paper is enclosed as annexure "A")**
4. That the worthy commissioner (Rev/Gen) vide letter No. 1403-04/2/24/Esst: dated 08/04/2019 forwarded the case of Appellant for promotion to the post of superintendant (BPS-17) to the Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar with a request that meeting of departmental promotion committee may be arranged to consider the promotion case of appellant. **(Copy of letter No. 1403-04/2/24/Esst: dated 08/04/2019 is annexure "B")**
5. That the case of Appellant for Promotion was forwarded on the basis of Notification No. 2074/Esst:I/II/13/SSRC Dated 23/01/2015 where

method of recruitment in the appendix reads as under:

By promotion, on the basis of seniority cum fitness from amongst the assistants (BPS-16) of the District concerned with at least five years service in the offices of respective Deputy Commissioners and Political Agents

(Copy of Notification No. 2074/Est:I/II/13/SSRC Dated 23/01/2015 is Annexure "C").

6. That the Government of Khyber Pakhtunkhwa, Board of Revenue, Revenue and Estate Department issued a Notification Dated 25/27/06/2019 whereby the existing entries in Column No. 05 of the appendix were substituted as under:

By promotion, on the basis of seniority cum fitness from amongst the Assistants with five years service as such in the offices of commissioner and Deputy Commissioners on the basis of joint seniority list of Assistants of the Division concerned

(Copy alongwith better copy of amended rules is annexed as annexure "D").

7. That Respondent No 08 was initially appointed as junior clerk followed by Assistant (Direct Recruitment) on 29/12/2008 in the office of Commissioner, Malakand Division and as per joint seniority list of Assistants (BPS-14), Malakand Division prepared/circulated on 31/12/2013, the Appellant at Serial No.59 ranked Senior to Respondent No 08 at Serial No. 70. **(Copy of joint seniority list is annexed as annexure "E").**

8. **That** Respondent No 08, being son of an EX-DOR managed his transfer from District Swat to Bajawar as Assistant against the Law, Rules and Policy governing the subject and thereby illegally manipulated his promotion to the post of superintendant at Bajawar. **(Copies of transfer order and promotion order of Respondent No 8 are annexed as annexure "F" and "G" respectively).**
9. That Respondent No. 08, as stated earlier being influential, obtained his transfer order from District Bajawar to District Swat on the vacant post of superintendant in the Deputy Commissioner Office and thereby affected the seniority and accrued rights of Appellant.
10. That a departmental representation was filed on 18/09/2019 which was filed by the competent authority without assigning any reason vide order No.Esst:II/DPC/Swat/34954 dated 05/11/2019. **(Copy of departmental appeal and order No.Esst:II/DPC/Swat/34954 dated 05/11/2019 are annexure "H").**
11. That transfer order of Respondent No.08 and application of the new amendments to the appellant when his case for promotion was duly pending is against the settled principles of law, Rules and Policy and the amendments made vide notification dated 25/27/06/2019 are illegal, void, inoperative and ineffective to the extent of Appellant's vested and accrued rights for promotion, inter alia, on the following grounds:

GRUNDS:

- A. That the Petitioner is performing duties as Assistant since 2008 with the entire satisfaction of his superior officers and eligible to be promoted to the post of superintendant, however, respondents, in spite of availability of the said post, are reluctant, reasons best known to them, which has caused grave miscarriage of justice.

- B. That the Appellant has a legitimate expectation of being promoted as case of Appellant was forwarded by Respondent No05 and Respondent No 06 much before the amendments were promulgated. Every statute, Rules and Policy has a prospective effect instead of retrospective effect but in the case of appellant this golden principle of interpretation of statute has been ignored for the reason to accommodate a blue eyed official i.e. Respondent No 08. On this score, the impugned amendments bearing notification dated 27/06/2019 and the impugned transfer order of respondent No 08 is liable to be set at naught and the Appellant being senior to Respondent No. 08 is legally entitled for promotion as Superintendant.

- C. That inaction of Respondent No 1 to 4 are against the Rules/Policy of Government of Khyber Pakhtunkhwa, furthermore, transfer of junior against the post of superintendant would achieve nothing but to discourage the talent and performance of the seniors which defeat the cause of justice, fair play and the service Rules.

- D. That the transfer orders of respondent No 08 from District swat to Bajawar and his promotion to the post of superintendant in Bajawar followed by his transfer to swat on vacant post of superintendant thereby effecting seniority of the Appellant is against the Law, Rules and Policy governing the subject and so liable to be set aside and Appellant be promoted on the said post.
- E. That the Post of Superintendant has been filled in sheer violation of the legal and vested rights of Appellant and Respondent No 08 was first illegally transferred from Swat to Bajawar, where his promotion was done in violation of the Law and Rules governing the subject and through the impugned transfer order of Respondent No 08, the Appellant who was senior to Respondent No 08 as per seniority list circulated on 31/12/2013 has become junior which order of Respondent No 04 is illegal, unlawful, without lawful authority, void-ab-initio and of no legal effect, hence be set at naught and Appellant be promoted as per his seniority cum fitness to the post of superintendant.
- F. That the amendments made through notification dated 27/06/2019 are illegal, void, without lawful authority and so inoperative upon the legal and vested rights of appellants.
- G. That any other grounds, with the permission of this Hon'ble Tribunal, will be taken at the time of arguments.

It is, therefore, most humbly prayed that, on acceptance instant Service Appeal, the impugned transfer order of respondent No.5 bearing endorsement No. Esst:II/Posting/Transfer/29572-75 Dated 12/09/2019, made by respondent No.04 as Superintendant DC Office, Swat and all prior transfer and promotion orders of Respondent No. 08 may be declared as illegal, unlawful, without lawful authority, void-ab-initio and of no legal effect, hence be set at naught and respondents No. 1 to 07 may further be directed to promote the Appellant as superintendant DC, Office Swat on the vacant post as per letters dated 25/03/2019 and 08/04/2019 of Respondent No. 06 and 05 respectively, in accordance with law / rules governing the subject bearing notification No. 2074/Esst:II/13/SSRC Dated 23/01/2015 , so as to secure the ends of justice & equity.

Further, to declare the amendments made vide notification dated 27/25/06/2019 as illegal, void, ineffective and inoperative upon the accrued and vested rights of appellant.

Any other relief, not specifically prayed for and deemed appropriate by this Honourable tribunal in circumstances of the case may also be granted.

[Handwritten Signature]

Appellant

Through

[Handwritten Signature]

Ms. Afsha Naz
Advocate High Court

Date: 29 / 11 / 2019

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____/2019

Alamgir Khan.....**Appellant**

V E R S U S

Govt of KPK through Chief Secy and others.....**Respondents**

AFFIDAVIT

I, Alamgir Khan S/o Aitabar Gul R/o Saidu Sharif, District Swat, presently posted as Assistant Deputy Commissioner, Commissioner Office, Swat, do hereby solemnly affirm and declare on oath that the contents of accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


DEPONENT

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____/2019

Alamgir Khan.....**Applicant/ Appellant**

V E R S U S

Govt of KPK through Chief Secy and others.....**Respondents**

**APPLICATION FOR REQUISITIONING OF
RECORD**

Respectfully Sheweth:

1. That the titled service appeal is filed before this Hon'ble Tribunal, in which no date of hearing has yet been fixed.
2. That the appellant has challenged the transfer orders and promotion orders of respondent no 08 being illegal, against, the law and effect the legally accrued rights of applicant/ appellant.
3. That the appellant/petitioner, despite concerted efforts, was denied the (i) transfer order of respondent No 08 from swat to Bajawar, (ii) Promotion order in Bajawar along with seniority list of assistants at Bajawar and criteria for promotion and (iii) subsequent transfer order from Bajawar to Swat.

- (11)
4. That the above mentioned orders and service record of appellant along with the seniority list of assistants at Bajawar is necessary for just disposal of the instant appeal.

It is, therefore, respectfully prayed that on acceptance of this application, the service record of respondent No.8 may kindly be requisitioned from DC Office, Bajawar and Swat, to meet the ends of justice.

Through Applicant/ Appellant



Ms. Afsha Naz
Advocate High Court

Date: 29 / 11 / 2019

AFFIDAVIT:

It is stated on oath that the contents of **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


DEPONENT

12

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____/2019

Alamgir Khan.....**Appellant**

V E R S U S

Govt of KPK through Chief Secy and others.....**Respondents**

ADDRESSES OF PARTIES

APPELLANT

Alamgir Khan S/o Aitabar Gul
R/o Saidu Sharif, District Swat
Presently posted as Assistant Deputy Commissioner,
Commissioner Office, Swat

RESPONDENTS

1. Govt of KPK through Chief Secretary,
Civil Secretariat, Peshawar
2. Secretary Establishment, KPK,
Civil Secretariat, Peshawar
3. Secretary, Revenue and Estate Department, Peshawar
4. Senior Member, Board of Revenue, Peshawar
5. Commissioner Malakand Division (Rev/Gen),
Saidu Sharif, Swat
6. Deputy Commissioner, Swat
7. Deputy Commissioner, Bajawar
8. Syed Javid Iqbal, Superintendent,
Deputy Commissioner Office, Swat

Through

Appellant



Ms. Afsha Naz

Advocate High Court

Date: 29 / 11 / 2019



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

Tel No: 0946-9240336

Fax No: 0946-9240329

E-mail: Deputycommissionerswat1@gmail.com

No. 10049 /4/DC/Estt:

Dated: 25/3 /2019

Annex - A
13

To,

The Secretary to Commissioner,
Malakand Division, Saidu Sharif.

Subject:- PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)

Memo:

Please refer to the above cited subject.

The post of Superintendent (BS-17) has fallen vacant due to retirement of Mr. Obaidullah, Superintendent on 06/01/2019. For smooth running of the office routine work, the above post is required to be filled up through DSC/DPC, therefore, working paper, 06 copies of synopsis, non-involvement certificate, seniority list and original ACRs of the following Assistants for the period noted against each are sent herewith for further necessary action, please:-

S. No	Name of Assistant	Period	Remarks
1-	Mr. Shah Jehan		ACRs and personal file already forwarded to BOR vide Ex-DOR/ Collector Swat Memo: No. 7882/ Estt/DOR-Swat, dated: 15/11/2010 (copy enclosed). ACR for the period from 28/01/2016 to 15/09/2016 duplicate in original are enclosed.
2-	Mr. Alamgir	1984 to 2018	-
4-	Mr. Muhammad Iqbal-I	1985 to 2018	-

DEPUTY COMMISSIONER,
SWAT.

Attested
[Signature]

WORKING PAPER FOR FILLING UP THE VACANT POST OF SUPERINTENDENT (BS-17)

The post of Superintendent (BS-17) in this office has fallen vacant due to retirement of Mr. Obaidullah, Superintendent on 06/01/2019.

According to service rules, the post of superintendent is to be filled in "By promotion on the basis seniority-cum-fitness from amongst the Assistants (BS-16) of the district concerned with at least 05 years service in the offices of respective Deputy Commissioners and Political Agents".

Panel of the senior most Assistants is given below:-

S. No	Name of Assistant	Date of Birth	1 st entry into Govt: Service	Date of Regular Appointment/ Promotion as Assistant
1-	Mr. Shah Jehan	02/03/1960	22/08/1982	23/04/2004
2-	Mr. Alamgir	03/02/1965	01/08/1984	06/03/2008
3-	Mr. Sher Muhammad	12/04/1959	02/02/1981	11/03/2010
4-	Mr. Muhammad Iqbal-I	07/05/1964	07/04/1985	11/03/2010

- 1- Personal file of the official at S. No. 01 above (Mr. Shah Jehan Assistant) has already been forwarded to the Board of Revenue, Khyber Pakhtunkhwa vide Ex-DOR/Collector, Swat 7882/Estt/DOR-Swat, dated: 15/11/2010 (copy enclosed). ACR for the period 28/01/2016 to 15/09/2016 (duplicate in original) is also enclosed.
- 2- Original ACRs for the period from 1984 to 31/12/2018 in respect of the official at S. No. 2 and ACRs for the period from 1985 to 31/12/2018 in respect of the official at S. No. 4 and 06 copies of synopsis of both the above officials are enclosed.
- 3- The official at S. No. 3 is going to be retired on superannuation w.e.f 11/04/2019 and has verbally informed his unwillingness for promotion.

The post is required to be filled up through Departmental Selection/ Promotion Committee, therefore, the case is submitted for placing before the Departmental Selection/ Promotion Committee for discussion/decision, please.

DEPUTY COMMISSIONER
SWAT.

Attested
[Signature]



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

15

Dated: 11 /01/2019

NOTIFICATION NO. 13/DC/Estt: / 1035

In pursuance of Section 8 (1) of the Khyber Pakhtunkhwa, Civil Servant Act, 1973, Tentative Seniority List of Assistants (BPS-16) of the office of Deputy Commissioner, Swat as stood on 31/12/2018 is hereby circulated for information of all concerned. Objections if any on the seniority list may be file in this office within 15 days, in case no objection are received within the stipulated period this seniority list shall be deemed as Final:-

S. No	Name	Qualification	Date of Birth	Date of 1 st Entry into Govt: Service	Date of regular appointment/ Promotion as Assistant	Method of Appointment	Remarks
1.	Mr. Shah Jehan	MA	02/03/1960	22/08/1982	23/04/2004	Promotee	
2.	Mr. Alamgir	MA	03/02/1965	01/08/1984	06/03/2008	Promotee	
3.	Mr. Sher Muhammad	FA	12/04/1959	02/02/1981	11/03/2010	Promotee	
4.	Mr. Muhammad Iqbal-I	MA/LLB	07/05/1964	07/04/1985	11/03/2010	Promotee	
5.	Mr. Muhammad Iqbal-II	BA	15/03/1960	04/04/1985	08/06/2011	Promotee	
6.	Mr. Fazal Muhammad	BA/LLB	07/03/1961	05/03/1981	08/06/2011	Promotee	
7.	Mr. Sadiq Akbar	BA/LLB	08/12/1960	20/01/1986	08/06/2011	Promotee	
8.	Mr. Sherin	BA	09/09/1959	11/03/1986	08/06/2011	Promotee	
9.	Mr. Ismail	BA	03/12/1962	11/03/1986	08/06/2011	Promotee	
10.	Mr. Javed	FA	03/01/1966	11/03/1986	08/06/2011	Promotee	
11.	Mr. Attaullah Shah	FA	14/04/1966	23/11/1986	08/06/2011	Promotee	
12.	Mr. Itbar Ali	BA	13/04/1965	13/11/1986	11/04/2012	Promotee	
13.	Mr. Muhammad Rahim	Double MA	08/01/1967	19/09/1987	11/04/2012	Promotee	
14.	Mr. Ghani Rahman	BA	12/08/1968	29/09/1987	11/04/2012	Promotee	

15.	Mr. Anwar Sahib	Matric	09/03/1963	29/09/1989	11/04/2012	Promotee	
16.	Mr. Khurshid Ali	MA/LLB	10/04/1968	09/12/1991	11/04/2012	Promotee	
17.	Mr. Muhammad Illiyas	Matric	01/01/1970	01/07/1992	11/04/2012	Promotee	
18.	Mr. Alam Zeb	Matric	01/04/1964	12/11/1983	11/04/2012	Promotee	
19.	Mr. Naeemullah	FA	20/09/1970	12/08/1993	01/03/2018	Promotee	
20.	Mr. Muhammad Arif	FA	05/04/1973	09/01/1986	01/03/2018	Promotee	
21.	Mr. Alim Said	FA	02/03/1961	07/02/1982	01/03/2018	Promotee	
22.	Mr. Muhammad Iqbal-III	FA	12/12/1972	31/12/1990	01/03/2018	Promotee	
23.	Mr. Hassan Ali	Matric	08/01/1970	21/06/1995	01/03/2018	Promotee	
24.	Mr. Izat Ali	FA	01/01/1974	05/01/2007	23/11/2018	Promotee	
25.	Mr. Zafar Ali	FA	01/05/1968	23/11/1993	23/11/2018	Promotee	
26.	Mr. Iftikhar Nasar	FA	15/04/1972	01/08/1992	23/11/2018	Promotee	
27.	Mr. Khalid Khan	FA	13/11/1969	21/06/1995	23/11/2018	Promotee	

No. 1036-69 /13/DC/Estt:

- Copy forwarded to:-
- 1- All the Assistant Commissioners in Swat for circulation among the Assistants working in their respective offices.
 - 2- All Assistants working in this office.

DEPUTY COMMISSIONER,
SWAT.

DEPUTY COMMISSIONER,
SWAT.

5

SYNOPSIS OF THE CHARACTER ROLL OF MR. ALAMGIR ASSISTANT.

S. No	Period.	Post held.	Remarks of the Reporting Officer.		Remarks of the Countersigning Officer.	
			Good Remarks.	Adverse.	Good Remarks.	Adverse.
1.	1984.	J/Clerk.	A new entrant, work satisfactory	-	Countersigned	-
2.	1985.	J/Clerk.	Work satisfactory	-	Countersigned	-
3.	1986	J/Clerk.	A sensitive and hard working clerk	-	A good worker	-
4.	01/01/1987 to 08/12/1987	J/Clerk.	A submissive and good subordinate	-	A good worker	-
5.	01/01/1988 to 28/08/1988	J/Clerk	A well handed and hard worker	-	Countersigned	-
6.	29/08/1988 to 31/12/1988	J/Clerk	Not yet fit, may become fit on his turn.	-	A good report	-
7.	01/01/1989 to 31/12/1989	J/Clerk	An efficient Junior Clerk	-	A good report	-
8.	01/01/1990 to 31/12/1990	J/Clerk	A silent worker	-	I agree	-
9.	01/01/1991 to 25/09/1991	J/Clerk	Efficient and noble worker	-	Countersigned	-
10.	26/09/1991 to 31/12/1991	J/Clerk	A hard working, obedient and cooperative clerk	-	Countersigned	-
11.	01/01/1992 to 31/08/1992	J/Clerk	Acquired computer skill and is capable clerk	-	Very good worker	-
12.	01/09/1992 to 31/12/1992	J/Clerk	He is an obedient, hardworking and a good operator of computer.	-	A good and hard working official/computer operator	-
13.	01/01/1993 to 31/12/1993	J/Clerk	An intelligent, obedient and hard working clerk. Performs his duty quite diligently.	-	As above.	-
14.	01/1/1994 to 26/06/1994	J/Clerk	A submissive, hard working and intelligent Junior Clerk	-	Agree	-
15.	27/06/1994 to 31/12/1994	J/Clerk	A submissive, hard working and intelligent Junior Clerk.	-	Countersigned	-
16.	01/01/1995 to 31/12/1995	S/Clerk	A submissive, obedient and industrious Senior Clerk	-	Countersigned	-

[Handwritten signature]

17.	01/01/1996 to 16/07/1996	S/Clerk	Intelligent and hardworking official	-	Countersigned	-
18.	17/07/1996 to 31/12/1996	S/Clerk	Intelligent and hardworking official	-	Countersigned	-
19.	01/01/1997 to 05/06/1997	S/Clerk	An efficient and hardworking official	-	Countersigned	-
20.	06/06/1997 to 31/12/1997	S/Clerk	A calm and efficient accountant	-	Countersigned	-
21.	01/01/1998 to 31/12/1998	S/Clerk	A calm and gentle personality	-	Countersigned	-
22.	01/01/1999 to 31/12/1999	S/Clerk	A devoted and dependable accountant	-	Countersigned	-
23.	01/01/2000 to 30/06/2000	S/Clerk	A good worker who manages his job promptly with the use of Computer	-	Countersigned	-
24.	01/07/2000 to 31/12/2000	S/Clerk	A quite willing worker. Work quite satisfactory	-	I agree with the assessment of the reporting officer. The incumbent is a good worker.	-
25.	01/01/2001 to 31/12/2001	S/Clerk	A quite worker. Work remained good during the period under report	-	Agree	-
26.	01/01/2002 to 31/12/2002	S/Clerk	Honest and dutiful	-	Countersigned	-
27.	01/01/2003 to 31/12/2003	S/Clerk	Honest, dutiful and fit for promotion	-	Countersigned	-
28.	01/01/2004 to 31/12/2004	S/Clerk	The official is an honest and laborious in his duties.	-	Agree with reporting officer	-
29.	01/01/2005 to 12/05/2005	S/Clerk	A pious man, hard working and command over his task, well experienced in (P&D) work.	-	Countersigned	-
30.	13/05/2005 to 31/12/2005	S/Clerk	He is obedient, hard worker, efficient and intelligent official. His work was found satisfactory	-	I agree with the remarks of reporting officer. No doubt he is a hard worker and well behaved official.	-

[Handwritten signature]

31.	01/01/2006 to 31/12/2006	S/Clerk	Intelligent, cooperative and hard worker. He knows his job very well and his work was very satisfactory	-	Agreed with the remarks of reporting officer	-
32.	01/01/2007 to 31/12/2007	S/Clerk	He is a hard worker, intelligent and very cooperative official and knows his job very well.	-	I agree with the remarks of reporting officer	-
33.	01/01/2008 to 31/12/2008	Assistant	A sound and religious person who has full command on his work and takes keen interest in his duty. A good and confident worker.	-	Agreed with the remarks of reporting officer	-
34.	01/01/2009 to 31/12/2009	Assistant	He is a hard worker, intelligent and very cooperative official and knows his job very well.	-	His devotion to official duty is exemplary, in fact he is an asset of the department	-
35.	01/01/2010 to 31/12/2010	Assistant	Very much obedient, punctual, hardworking, trustworthy and devoted official.	-	Agreed with the remarks of the reporting officer.	-
36.	01/01/2011 to 31/12/2011	Assistant	Very much devoted, trustworthy, punctual and obedient official.	-	As per remarks of the reporting officer	-
37.	01/01/2012 to 31/12/2012	Assistant	He is hard worker and intelligent official. He knows his job very well. Fit for promotion on his turn.	-	Agreed with the reporting officer	-
38.	01/01/2013 to 31/12/2013	Assistant	He is obedient, punctual and hard working official. He knows his job very well. Fit for promotion on his own turn.	-	Agreed with the reporting officer	-
39.	01/01/2014 to 31/12/2014	Assistant	An obedient, punctual and hard working official. He knows his job well. His performance during the period was found satisfactory. Fit for promotion on his own turn.	-	As per remarks of the reporting officer	-
40.	01/01/2015 to 31/12/2015	Assistant	He is honest, hard worker, punctual, obedient and submissive. He is well skilled in budget preparation.	-	Countersigned	-

41.	01/01/2016 to 31/12/2016	Assistant	The official is honest, trustworthy, obedient.	-	I agree with the assessment of the reporting officer	-
42.	01/01/2017 to 31/12/2017	Assistant	The official is honest, hardworking, trustworthy, obedient, punctual. He is an asset for this office. Specially he has full skill in budget preparation and also have knowledge on CDLD programme.	-	I agree with reporting officer.	-
43.	01/01/2018 to 31/12/2018	Assistant	The officer is punctual, dedicated and hard worker.	-	Agreed with the assessment of Reporting Officer	-

DEPUTY COMMISSIONER,
SWAZ.

Attested
AP



OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

Tel# 0946-9240458
Email: secretarytocmd@gmail.com

No. 1403-04 /2/24/Estt;
Dated 08 /04/2019

To:

The Secretary, Board of Revenue,
Khyber Pakhtunkhwa, Peshawar.

Subject: PROMOTION TO THE POST OF SUPERTINTENDENT (BS-17).

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of the Deputy Commissioner, Swat Memo: No. 10049/4/DC/Estt; dated 25.03.2019 along with its enclosures, the contents of which are self explanatory.

I am further directed to request that meeting of the Departmental Promotion Committee may be arranged to consider promotion of Assistant (BS-16) to the post of Superintendent (BS-17) lying vacant in the Deputy Commissioner's Office, Swat please.

Encl: As above.

Yours faithfully,


ASSISTANT TO COMMISSIONER (REV/GEN)
MALAKAND DIVISION

Endst: No. & Date Even.

Copy forwarded to the Deputy Commissioner, Swat with reference to his letter quoted above, for information please.


ASSISTANT TO COMMISSIONER (REV/GEN)
MALAKAND DIVISION

Diaty No 6888
Date 22-4-2019
DC Office Swat.

E/A
22-4-19
DC Swat
17/4
Attended
AP

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

Peshawar Dated the 23/01/2015

NOTIFICATION

No. 2074/Estt:II/135/SSRC. In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department, in consultation with Establishment Department and the Finance Department, hereby lays down the method of recruitment qualification and other condition specified in column 3 to 5 of the Appendix to this Notification and applicable to posts borne on the cadre strength of Deputy Commissioners specified in column 2 of the said Appendix.

APPENDIX

Sl.No	Nomenclature of posts with BPS	Minimum qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1	Superintendent (BPS-17)			By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants (BPS-16) of the district concerned with at least five years service in the offices of respective Deputy Commissioner and Political Agents.

Senior Scale Stenographer (BPS-15)	(i) At least Second Class Bachelor's Degree, from a recognized university; (ii) a speed of 70 words per minute in shorthand in English and 45 words per minutes in typing; and (iii) Knowledge of computer using MS Word, MS Excel.	20 to 32 years	(a) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents; and (b) forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with atleast five years service as such in the offices of respective Deputy Commissioners and Political Agents: Provided that if no suitable person is available for promotion then by initial recruitment.
Assistant (BPS-16)	At least Second Class Bachelor's Degree from a recognized University.	20 to 30 years	(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with atleast five years service as Junior and Senior Clerk in the Offices of Deputy Commissioners and Political Agents of district concerned; and (b) twenty five percent by initial recruitment from amongst the candidates of the district concerned.
Head Clerk (BPS-14)			By transfer from amongst Senior Clerks (BPS-14) of the district concerned.
Stenographer (BPS-14)	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board;	18 to 30 years	By initial recruitment from amongst the candidates of the district concerned.

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

25


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

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

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, 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.


DEPUTY SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE & ESTATE DEPARTMENT

Attested


Better Copy

ANNEX-D

28

Better copy of Notification Dated 25/27/06/2019

GOVERNEMENT OF KHYBER PAKHTANKHWA,

BOARD OF REVENUE,

REVENUE & ESTATE DEPARTMENT

Peshawar dated 25/27/06/2019

NOTIFICATION

NO. Esst/II/135/SSRC/..... in pursuance of provisions contained in sub rule(2) of rule 3 of the Khyber pakhtunkhwa civil servants(appointment, promotion and transfer) Rules, 1989, the Revenue & estate Department in consultation with establishment and finance department hereby directs that in this department's notification No. 2074/Esst:I/II/13/SSRC Dated 23/01/2015 , the following further amendments shall be made, namely

(a) Against serial No. 1, in column No.05, for the existing entry the following shall be substituted, namely,

“By promotion on the basis of seniority cum fitness from amongst the assistants with five years' service as such in the office of commissioner and deputy commissioner on the basis of joint seniority list of assistant of the division concerned”

(b) -----

(c) -----

Sd/-

Secretary to Government of
Khyber Pakhtunkhwa

Attested
Attested
A/for



29
AJWK - E

**TENTATIVE DIVISIONAL SENIORITY LIST OF ASSISTANTS (BPS-14) MALAKAND
DIVISION AS STOOD ON 31.12.2013**

S.No	Name of Official	Qualification	Date of Birth	Date of entry into Govt. service	Date of appointment/promotion to the present post	Office	Domicile	Method of appointment	Remarks
1.	Mr. Habib Ahmed Jan	M.A	01.03.1963	02.07.1987	01.06.1990	DC Swat	Swat	Direct	
2.	Mr. Gul Badshah	Matric	12.05.1956 ✓	03.08.1977	07.05.1996	DC,Dir (L)	Dir (L)	Promotee	
3.	Mr. Amir Abdullah Khan	B.A	20.05.1972	24.03.1998	24.03.1998	DC,Shangla	Shangla	Direct	
4.	Mr. Muhammad Akbar	B.A	01.02.1963	06.07.1982	20.06.2000	DC Shangla	Shangla	Promotee	
5.	Mr. Izaz Ullah Khan	B.A	14.02.1959	12.03.1981	20.06.2000	DC Shangla	Shangla	Promotee	
6.	Mr. Muhammad Zahir Shah	M.A	04.01.1966	01.06.1986	23.12.2002	DC Chitral	Chitral	Promotee	
7.	Mr. Khan Zada	B.A	15.08.1959	09.01.1984	22.12.2003	DC,Buner	Buner	Promotee	
8.	Mr. Saifur Rehman	B.A	10.06.1964	09.01.1984	22.12.2003	DC,Buner	Buner	Promotee	
9.	Mr. Fazal Wadood	M.A	10.02.1959	21.11.1982	22.12.2003	DC Buner	Buner	Promotee	
10.	Mr. Khalid Kamal	B.Com	29.12.1963	09.02.1992	22.12.2003	DC,Buner	Buner	Promotee	
11.	Mr. Tariq Aziz	B.A	26.12.1972	22.01.1992	22.12.2003	DC Buner	Buner	Promotee	
12.	Mr. Saran Zeb	B.A	14.05.1973	09.02.1992	22.12.2003	DC Buner	Buner	Promotee	
13.	Mr. Sher Azam Khan	Matric	01.03.1956 ✓	01.07.1975	24.12.2003	DC Chitral	Chitral	Promotee	
14.	Qazi Israr Ahmad	Matric	06.05.1956 ✓	01.07.1975	24.12.2003	DC Chitral	Chitral	Promotee	
15.	Mr. Shah Nadir Khan	F.A	04.05.1954	24.10.1977	24.12.2003	DC,Chitral	Chitral	Promotee	
16.	Mr. Pardes Khan	M.A	01.03.1957	07.02.1977	15.01.2004	DC Dir (L)	Dir (L)	Promotee	
17.	Mr. Mohibullah	B.A	20.04.1958	02.02.1977	15.01.2004	DC Dir (L)	Dir (L)	Promotee	
18.	Mr. Abdul Rauf	Matric	11.11.1955 ✓	02.02.1977	15.01.2004	DC Dir (L)	Dir (L)	Promotee	

Control Dog

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19.	Mr. Abdul Salam	F.A	04.03.1956	07.02.1977	18.03.2004	DC,Dir (L)	Dir (L)	Promotee	
20.	Mr. Muhammad Shad	M.A	01.04.1957	06.06.1977	18.03.2004	DC,Dir (L)	Dir (L)	Promotee	
21.	Mr. Faizullah	M.A	02.03.1959	04.07.1977	18.03.2004	DC,Dir (L)	Dir (L)	Promotee	
① 22.	Mr. Muhammad Karim	F.A	11.02.1957	01.07.1975	19.03.2004	DC ,Swat	Swat	Promotee	
② 23.	Mr. Obaid Ullah	B.A	07.01.1959	08.07.1979	19.03.2004	DC Swat	Swat	Promotee	
24.	Mr. Abdul Qasim	Matric	01.05.1954	04.04.1975	05.04.2004	DC Dir (U)	Dir (U)	Promotee	
25.	Mr. Shah Jehan	M.A	20.03.1960	22.08.1982	23.04.2004	DCSwat	Swat	Promotee	Promoted as Tehsil (BPS-16) on ACB for purpose of pay vide SMBR office order No. 8880/Adm. 28.04.2004.
26.	Mr. Gul Parvez Khan	F.A	01.05.1965	10.05.1983	31.05.2004	DC Shangla	Shangla	Promotee	
27.	Mian Syed Ahmed	Matric	30.04.1964	17.11.1984	31.05.2004	DC Shangla	Shangla	Promotee	
28.	Mr. Sultan Bahadar	MA	08.05.1957	06.10.1980	29.07.2004	DC ,Malakand	Dir (L)	Promotee	
29.	Mr. Ilyas Ahmad	MA	18.10.1976	01.08.2004	01.08.2004	DC ,Chitral	Chitral	Direct	
30.	Mr. Muhammad Israr	M.A	05.04.1964	06.10.1988	23.08.2004	DC Dir (L)	Dir (L)	Direct	
31.	Mr. Gul Shahzada	BA	13.04.1958	09.08.1982	12.10.2004	DC Malakand	Malakand	Promotee	
32.	Mr. Amir Hamza	FA	01.02.1962	01.04.1985	12.10.2004	DC Malakand	Malakand	Promotee	
33.	Mr. Burhan ud Din	BA	03.02.1955	01.05.1980	12.10.2004	DC Malakand	Malakand	Promotee	
34.	Mr. Amani Gul	M.A.	11.03.1961	23.08.1980	12.10.2004	DC Malakand	Malakand	Promotee	
35.	Mr. Badshah Iftikhar	MA	03.04.1960	17.12.1980	12.10.2004	DC Malakand	Malakand	Promotee	
36.	Mr. Iqbal Hussain	Matric	08.09.1956	17.12.1980	12.10.2004	DC Malakand	Malakand	Promotee	
37.	Mr. Muammar Khan	FA	08.02.1963	17.12.1980	12.10.2004	DC Malakand	Malakand	Promotee	
38.	Mr. Masaud Aman	F.A	21.04.1963	15.11.1989	23.11.2004	Commissioner Malakand Division	Swat	Promotee	
39.	Mr. Sher Zaman Khan	M.A	03.09.1958	29.06.1977	11.01.2005	DC Dir (U)	Dir (U)	Promotee	

Cont. P-3

Un-
Mr. Faiz Khan
Mr. Muhammad
Mr. Muhammad
Mr. Miraj
Mr. Na-

Revised

						Division			
103.	Mohammad Shah Zeb	BA	03.02.1960	09.12.1991	22.02.2010	DC Shangla	Shangla	Promotee	
104.	Mr. Showkat Ali	F.A	15.01.1972	25.11.1993	22.02.2010	DC Shangla	Shangla	Promotee	
105.	Mr. Waris Khan	Matric	02.04.1959	05.02.1985	22.02.2010	DC Shangla	Shangla	Promotee	
106.	Mr. Bakht Zamin	F.A	30.05.1972	21.06.1995	22.02.2010	DC Shangla	Shangla	Promotee	
107.	Mr. Liaqat Ali	B.A	10.03.1974	21.06.1995	22.02.2010	DC Shangla	Shangla	Promotee	
108.	Mr. Jehan Bahadar	B.A	05.05.1963	07.05.1983	22.02.2010	DC Shangla	Shangla	Promotee	
109.	Mr. Inayatullah	MBA Finance	26.04.1982	20.02.2010	22.02.2010	DC Shangla	Shangla	Direct	
110.	Hazrat Usman	M.A	20.05.1983	21.05.2004	22.02.2010	DC Shangla	Shangla	Direct	
111.	Muhammad Nazir	Matric	12.04.1955	✓ 01.06.1977	11.03.2010	DC Swat	Swat	Promotee	
112.	Mr. Shahi Sultan	B.A	13.05.1956	✓ 28.11.1978	11.03.2010	DC Swat	Swat	Promotee	
113.	Mr. Shamsul Iqbal	B.A	21.12.1957	✓ 01.06.1979	11.03.2010	DC Swat	Swat	Promotee	
114.	Mr. Sher Muhammad	F.A	12.04.1959	02.02.1981	11.03.2010	DC Swat	Swat	Promotee	
115.	Muhammad Ismail	F.A	05.02.1961	03.02.1981	11.03.2010	DC Swat	Swat	Promotee	
116.	Muhammad Iqbal-I	M.A,LLB	07.05.1964	✓ 07.04.1985	11.03.2010	DC Swat	Swat	Promotee	
117.	Mr. Noor Jalli	M.A	25.12.1958	✓ 08.04.1985	11.03.2010	DC Swat	Swat	Promotee	
118.	Mr. Shams-ur-Rahman	F.A	09.04.1954	✓ 19.06.1986	30.04.2010	DC,Shangla	Shangla	Promotee	
119.	Mr. Saad Ali Shah	Matric	14.08.1972	17.03.1995	30.04.2010	DC,Shangla	Shangla	Promotee	
120.	Mr. Shah Feroz	B.A	15.03.1972	19.08.1996	30.04.2010	DC,Shangla	Shangla	Promotee	
121.	Mr. Shah Manzoor Khan	F.A	28.02.1961	02.06.1984	02.06.2010	DC Dir (L)	Dir (L)	Promotee	
122.	Mr. Mohammad Diyar	B.A	10.03.1960	08.04.1985	08.06.2010	DC Dir (L)	Dir (L)	Promotee	
123.	Mr. Iqbal Aam	B.A	16.03.1963	11.10.1986	08.06.2010	DC Dir (L)	Dir (L)	Promotee	
124.	Mr. Rahmanullah	B.A	15.02.1977	19.11.1996	21.07.2010	DC Dir (U)	Dir (U)	Promotee	

Sur Dawood
 Mr. Nooruddin
 Mr. Ahmad
 Mr. Sultan
 Mr. Abdr

From list with condition transfer the vs. Swat

	Muhammad Salim	M.A	01.03.1959	17.12.1980	24.10.2009	DC Dir (L)	Dir (L)	Promotee
	Muhammad Islam	M.A	03.10.1966	01.10.1988	28.10.2009	DC Dir (U)	Dir (U)	Promotee
	Mr. Arif Ullah	B.A	04.03.1967	01.10.1988	28.10.2009	DC Dir (U)	Dir (U)	Promotee
	Mr. Salahuddin	F.A	06.04.1978	19.11.1996	28.10.2009	DC Dir (U)	Dir (U)	Promotee
	Mr. Muhammad Dawood	B.A	07.04.1960	21.11.1981	02.11.2009	DC Dir (L)	Dir (L)	Promotee
85.	Mr. Massawat Khan	Matric	19.03.1958	21.12.1981	02.11.2009	DC Dir (L)	Dir (L)	Promotee
86.	Mr. Fazal Rabi	B.A	01.10.1959	01.04.1978	02.11.2009	DC Dir (L)	Dir (L)	Promotee
87.	Mr. Shah Zamin	B.A	01.01.1958	04.03.1981	02.11.2009	DC Dir (L)	Dir (L)	Promotee
88.	Mr. Umar Wahid	Matric	04.04.1961	04.10.1982	02.11.2009	DC Dir (L)	Dir (L)	Promotee
89.	Mr. Muhammad Sadiq	Matric	01.04.1962	20.07.1983	02.11.2009	DC Dir (L)	Dir (L)	Promotee
90.	Mr. Khalid Ahmad Jan	M.A	16.03.1983	04.11.2009	04.11.2009	DC Dir (L)	Dir (L)	Direct
91.	Mr. Umar Zaman	M.A	01.02.1984	04.11.2009	04.11.2009	DC Dir (L)	Dir (L)	Direct
92.	Mr. Farzand Ali Shah	F.A	15.02.1958	01.12.1983	23.11.2009	DC Chitral	Chitral	Promotee
93.	Mr. Nisar Jalal	B.A	20.03.1956	27.12.1983	23.11.2009	DC Chitral	Chitral	Promotee
94.	Mr. Abdul Aziz	B.A	18.02.1964	11.08.1983	23.11.2009	DC Chitral	Chitral	Promotee
95.	Mr. Saadat Hussain Khan	M.A	28.07.1983	26.11.2009	26.11.2009	DC Chitral	Chitral	Direct
96.	Mr. Tariq Ahmad	MBA	15.01.1984	26.11.2009	26.11.2009	DC Chitral	Chitral	Direct
97.	Mr. Muhammad Riaz Shahid	F.A	20.05.1977	26.08.2003	13.12.2009	DC Dir (U)	Dir (U)	Direct
98.	Mr. Muhammad Khalid Khan	M.A	30.04.1973	30.06.2005	15.12.2009	DC Dir (U)	Dir (U)	Promotee
99.	Mr. Sadiq Ullah	M.A	03.05.1984	15.12.2009	15.12.2009	DC Dir (U)	Dir (U)	Direct
100.	Mr. Muhammad Usman	MCS	20.04.1985	15.12.2009	15.12.2009	DC Dir (U)	Dir (U)	Direct
101.	Mr. Rajab Ali	MA,LLB	03.02.1969	29.09.1987	17.12.2009	Commissioner Malakand Division	Swat	Direct
102.	Mr. Umar Zada	M.A, B.Ed	01.02.1983	17.12.2009	17.12.2009	Commissioner Malakand	Malakand	Direct

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Muhammad Saif
 Muhammad Ishaq
 Arif Ullah
 Salahuddin
 Mr. Muha
 Mr. Mr
 85.
 86.
 87.
 88.

Transferred from live Deptt: Swat with cond that he will not suffer seniority of others Assistants. The official charge in F&P Deptt: Swat on 01.07.2008, and thus seniority assigned to him from the said date.

63.	Mr. Habib Islam Baig	M.A	25.03.1957	20.04.1981	29.05.2008	DC Chitral	Chitral	Promotee	
64.	Mr. Muhammad Farooq	F.A	12.05.1963	19.05.1981	29.05.2008	DC Chitral	Chitral	Promotee	
65.	Mr. Asad Khan	MA	01.12.1985	30.05.2008	30.05.2008	DC Malakand	Malakand	Direct	
66.	Mr. Daud Khan	MSc	18.02.1981	30.05.2008	30.05.2008	DC, Malakand	Malakand	Direct	
67.	Mr. Fazal Hadi	Matric	25.09.1958	01.12.1978	29.05.2003	DC, Swat	Swat	Promotee	Transferred from live Deptt: Swat with cond that he will not suffer seniority of others Assistants. The official charge in F&P Deptt: Swat on 01.07.2008, and thus seniority assigned to him from the said date.
68.	Mian Fazli Hamid	F.A	10.02.1963	26.10.1982	29.12.2008	Commissioner Malakand Division	Malakand	Promotee	
69.	Mr. Ahmad Iqbal	F.A	01.01.1957	23.05.1979	29.12.2008	Commissioner Malakand Division	Swat	Promotee	
70.	Syed Javed Iqbal	BA, LLB	26.05.1972	06.06.1994	29.12.2008	Commissioner Malakand Division	Swat	Direct	
71.	Mr. Asghar Ali Khan	MA (IR)	10.04.1978	29.12.2008	29.12.2008	Commissioner Malakand Division	Swat	Direct	
72.	Mr. Mehboob Nadeem	M.A	02.03.1980	29.12.2008	29.12.2008	Commissioner Malakand Division	Swat	Direct	
73.	Mr. Muhammad Ayub	B.A	01.01.1962	08.06.1991	21.01.2009	DC Buner	Buner	Promotee	
74.	Mr. Yousuf Ali	BA-LLB	04.04.1962	13.03.1986	25.02.2009	DC, Shangla	Shangla	Promotee	
75.	Mr. Fazal Alla	Matric	04.10.1962	17.11.1986	25.02.2009	DC, Shangla	Shangla	Promotee	
76.	Mr. Javed Iqbal	M.A	12.09.1981	25.02.2009	25.02.2009	DC Shangla	Shangla	Direct	
77.	Mr. Arshad Ali	M.A	10.02.1984	25.02.2009	25.02.2009	DC Shangla	Shangla	Direct	
78.	Mr. Abdul Haseeb	Matric	04.02.1965	04.07.1983	15.05.2009	DC Chitral	Chitral	Promotee	
79.	Mr. Sher Zaman	Matric	12.03.1961	30.09.1980	24.10.2009	DC Dir (L)	Dir (L)	Promotee	

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	Umar Zada	M.A	21.04.1955	15.08.1977	11.01.2005	DC Dir (U)	Dir (U)	Promotee
	Sardaraz Khan	B.A	11.08.1955	04.10.1974	13.07.2005	DC,Dir (L)	Dir (L)	Promotee
	Mr. Muhammad Nawaz Khan	Matric	07.05.1955	03.07.1979	13.07.2005	DC, Dir (L)	Dir (L)	Promotee
	Mr. Muhammad Arif	Matric	03.03.1955	03.07.1979	13.07.2005	DC Dir (L)	Dir (L)	Promotee
	Mr. Mirajuddin	M.A	03.02.1975	06.10.2005	06.10.2005	DC,Chitral	Chitral	Direct
45.	Mr. Nazir Ali	M.A	03.03.1979	06.10.2005	06.10.2005	DC,Chitral	Chitral	Direct
46.	Mr. Ateequr Rehman	M.A	15.03.1981	06.10.2005	06.10.2005	DC Chitral	Chitral	Direct
47.	Mr. Ahmad Hazrat	B.A	22.12.1957	26.08.1978	21.02.2006	DC,Dir (U)	Dir (U)	Promotee
48.	Mr. Samiur Rehman	B.A	22.04.1980	26.02.2006	26.02.2006	DC, Buner	Buner	Direct
49.	Mr. Khwaja Muhammad	Matric	12.01.1967	27.11.1985	19.05.2006	Commissioner Malakand Division	Malakand	Promotee
50.	Mr. Muhammad Alam	M.A	23.06.1956	21.09.1978	10.06.2006	DC Dir (U)	Dir (U)	Promotee
51.	Mr. Syed Khalil Ahmad	Matric	11.12.1957	02.01.1979	10.06.2006	DCDir (U)	Dir (U)	Promotee
52.	Mr. Saraf Ali	B.A	10.01.1983	01.03.2004	22.06.2006	DC,Buner	Buner	Promotee
53.	Mr. Attaullah	MSc	17.06.1977	22.06.2006	22.06.2006	DC,Buner	Buner	Direct
54.	Mr. Miraj Ahmad	Matric	13.10.1955	06.04.1981	25.08.2006	DC,Chitral	Chitral	Promotee
55.	Mr. Muhammad Qasim	F.A	02.02.1957	06.04.1981	25.08.2006	DC,Chitral	Chitral	Promotee
56.	Mr. Usman Ali	B.A	24.01.1956	13.07.1978	12.04.2007	DC Swat	Swat	Promotee
57.	Mr. Ghulam Mustafa	M.A	15.02.1979	01.02.2002	31.10.2007	DC Dir (U)	Dir (U)	Direct
58.	Mr. Jehan Zeb	BA	01.04.1965	23.12.1982	22.02.2008	DC Malakand	Malakand	Promotee
59.	Mr. Alamgir	M.A	03.02.1965	01.08.1984	06.03.2008	DC,Swat	Swat	Promotee
60.	Mr. Saeedullah Jan	Matric	01.03.1954	19.06.1974	18.03.2008	PA Bajaur	Bajaur	Promotee
61.	Mr. Muhammad Aslam Khan	M.A	10.05.1984	01.07.2005	14.04.2008	DC,Dir (U)	Dir (U)	Direct
62.	Mr. Abdullah	M.A	01.01.1956	03.05.1975	23.05.2008	DC Dir (L)	Dir (L)	Promotee



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

Peshawar dated the 12/09/2019.

ANOR-F
32

NOTIFICATION:

No. Estt:II/Posting / Transfer/..... The Competent Authority is pleased to transfer Syed Javed Iqbal Superintendent (BPS-17) Deputy Commissioner Office Bajaur and posted him as Superintendent (BPS-17) Deputy Commissioner Office Swat against the vacant post with immediate effect.

By order of
Senior Member

No. Estt:II/Posting / Transfer/ 29572-75

Copy forwarded to the:-

1. Commissioner Malakand Division, Saidu Sharif Swat.
2. Deputy Commissioner Bajaur and Swat.
3. District Accounts Officer Bajaur and Swat.
4. Official concerned.

E.A

Assistant Secretary (List)

DC(S)

16/09/2019

AWN x - G
(33)

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 14/06/2016

NOTIFICATION

No. Estt:II/DPC/ On the recommendation of Departmental Promotion Committee, Syed Javed Iqbal, Assistant (BS-16) office of the Political Agent Bajuar is promoted a Superintendent (BS-17) on regular basis with immediate effect.

On promotion, Syed Javed Iqbal Superintendent 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.

Consequent upon his promotion, he is posted as superintendent in the office of Political Agent Bajuar Agency against the vacant post.

By order of
Senior Member

End: No. Estt:II/DPC/ 16496-99

Copy forwarded to the:-

1. Commissioner Malakand Division Saidu Sharif at Swat.
2. Political Agent Bajuar.
3. District Accounts Officer, Bajuar Agency.
4. Officer concerned.

attested

[Signature]

[Signature]
Secretary

ANNEX - H
34

To,

The Honorable Chief Secretary,
Govt: of Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL

Respected Sir,


It is submitted that my promotion case from the post of Assistant (BPS-16) to the rank of Superintendent (BS-17) was sent to the Board of Revenue, Khyber Pakhtunkhwa vide Deputy Commissioner, Swat letter No. 10049/4/DC/Estt: dated: 25/03/2019 and Commissioner, Malakand Division letter No. 1403-04/2/24/Estt: dated: 08/04/2019 under Notification No. 2074/Estt:I/II/135/SSRC, dated: 23/01/2015 wherein method of recruitment for the post of Superintendent is "by promotion on the basis of seniority cum fitness from amongst the Assistants (BPS-16) of the District concerned with at least five years service in the offices of respective Deputy Commissioner".

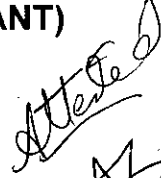

Now, the Board of Revenue, Khyber Pakhtunkhwa vide Notification No. Estt:II/Posting/Transfer/29572-75, dated: 12/09/2019 has transferred/posted Syed Javed Iqbal Superintendent against the vacant post in Deputy Commissioner Office, Swat which affected my seniority and promotion case already submitted to the Board of Revenue, Khyber Pakhtunkhwa.

Sir, my case for promotion to the post of Superintendent was submitted to the concerned authorities vide Notification No. 2074/ Estt:I/II/135/SSRC, dated: 23/01/2015 being senior most among the Assistants but unfortunately not processed before promulgation of the new policy.

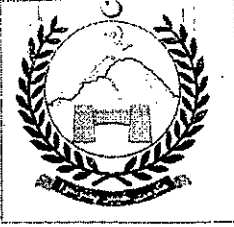
It is, therefore, humbly requested that the posting order of Syed Javed Iqbal Superintendent may kindly be cancelled/withdraw and my case for promotion to the post of Superintendent may kindly be considered under District Promotion Policy, please.

Yours Obediently,


(ALAMGIR, ASSISTANT)
DC Office Swat.
Dated: 18/09/2019


Attested


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GOVERNMENT OF KHYBER PAKHTUNKHWA,
BOARD OF REVENUE,
REVENUE & ESTATE DEPARTMENT.
No.Estt:II/DPC/Swat/ 34954
Dated Peshawar the 5/11/2018

To

Mr. Alamgir, Assistant,
Deputy Commissioner office Swat.

SUBJECT: APPEAL

Your Departmental Appeal has been examined and filed by the Competent
Authority.


Assistant Secretary (Estt.)



قیمت
50 روپے

26814



ایڈوکیٹ: افسانہ

بار کونسل ایسوسی ایشن نمبر: 13-bc-4239

رابطہ نمبر: 0338-1878787

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

منجانب: صدیقی / ایپلانٹ	دعویٰ: Promotion (Service)
بنام	علت نمبر:
	مورخہ:
	جرم:
	ٹھانہ:

بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ

آن مقام پشاور کیلئے افسانہ / جوہر اعجاز ایڈوکیٹس کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 29/11/19

العبد العبد واہد العبد

مقام

Handwritten signature

Handwritten signature

نوٹ: اس وکالت نامہ کی فوٹو کاپی قابل قبول ہوگی۔

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 1609-M/2019

ALAMGIR KHAN..... Appellant.

VERSUS

Government of Khyber Pakhtunkhwa etc Respondent

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<u>S. No</u>	<u>Description of Documents</u>	<u>Annexure</u>	<u>Pages</u>
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2.	Comments		1-2
3.	Affidavit		3
4.	Seniority List	"A"	4
5.	Authority Letter		5



AHMED SHER

(PS to Deputy Commissioner, Swat)

Contact: 0344-9620588

Office# 0946-9240470

CNIC# 15601-1008447-9

①

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

Service Appeal No. 1609/2019

Mr. Alamgir Khan s/o Aitbar Gul
R/O Saidu Sharif District Swat

..... APPELLANT

VERSUS

1. Govt: of KP through Chief Secretary, Civil Secretariat Peshawar.
2. Secretary Establishment, KP Civil Secretariat Peshawar.
3. Secretary, Revenue & Estate Department, Peshawar.
4. Senior Member, Board of Revenue, Peshawar.
5. Commissioner, Malakand Division, Saidu Sharif.
6. Deputy Commissioner, Swat.
7. Deputy Commissioner, Bajawar.
8. Syed Javid Iqbal, Superintendent, Deputy Commissioner Office Swat.

..... RESPONDENTS

JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 4, 5 & 6

Respectfully Sheweth,

- 1- Correct.
- 2- Correct to the extent that the post of Superintendent became vacant due to retirement of Mr. Obaidullah on attaining the age of superannuation on 06/01/2019 in the office of Deputy Commissioner, Swat. As per seniority list for filling the post of Superintendent, a panel of three senior most Assistants as per policy/law/rules under 2015 was sent to the office of Commissioner, Malakand Division for further submission to the Board of Revenue, Khyber Pakhtunkhwa (letter attached as Annexure-A) wherein the appellant was at S. No. 2 of the seniority list of Assistants (BPS-16).
- 3- Correct.
- 4- Correct.
- 5- Correct.
- 6- Correct.
- 7- Correct.
- 8- No comments.
- 9- No comments.

10-In-correct. On 08/04/2019 the Commissioner, Malakand Division forwarded promotion case of Assistant to the post of Superintendent (BS-17) against the only one vacant post in Deputy Commissioner Office Swat. During examination of the case, the PERs of the senior most official namely Mr. Shah Jehan were found missing, therefore, the Commissioner, Malakand Division was asked to provide the missing ACRs for the period from 2010 to 2018 to enable the Board of Revenue to place the case before DPC. The same were provided by the Commissioner, Malakand Division on 11/07/2019 and accordingly M/S Zahir Shah and Tariq Aziz were promoted as Superintendent (BS-17) on the basis of joint seniority list of Assistant of Malakand Division on their own turn. It is pertinent to mention that amendment in the rules have been notified vide Revenue & Estate Department Notification dated: 27/06/2019 according to which the post of Superintendent (BS-17) shall be filled in by promotion on the basis of seniority-cum-fitness, from amongst the Assistant with five years service as such in the office of Commissioners and Deputy Commissioners on the basis of joint seniority list of Assistants of the Division concerned. The appellant is a junior most Assistant of the office of Deputy Commissioner, Swat. His name is at S. No. 22 of the Divisional Seniority list of Assistants of Malakand Division. The request of the official does not cover the rules, hence his application/appeal was dismissed.

11-No comments.

PRAYER

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

**Senior Member Board of Revenue
RESPONDENT NO. 4**

**Commissioner, Malakand Division
RESPONDENT NO. 5**

Commissioner Malakand Division.

**Deputy Commissioner, Swat
RESPONDENT NO. 6**

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 1609-M/2019

ALAMGIR KHAN..... Appellant.

VERSUS

Government of Khyber Pakhtunkhwa etc Respondent

AFFIDAVIT

I, **Ahmad Sher** (Private Secretary to Deputy Commissioner, Swat) do hereby solemnly affirm and state on oath that the whole contents of these comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this august court.

Deponent



Ahmad Sher

(PS to Deputy Commissioner, Swat)
Office Phone No. 0946-9240470
Cell No. 0344-9620588
CNIC No.15601-1008447-9



OFFICE OF THE DEPUTY COMMISSIONER, SWAT.

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

No. 10049 /4/DC/Estt.

E-mail: Deputycommissionerswat1@gmail.com

Dated: 25/3 /2019

To,

The Secretary to Commissioner,
Malakand Division, Saidu Sharif.

Subject:- PROMOTION TO THE POST OF SUPERINTENDENT (BS-17)

Memo:

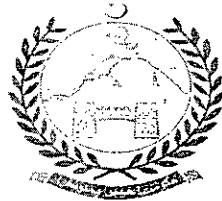
Please refer to the above cited subject.

The post of Superintendent (BS-17) has fallen vacant due to retirement of Mr. Obaidullah, Superintendent on 06/01/2019. For smooth running of the office routine work, the above post is required to be filled up through DSC/DPC, therefore, working paper, 06 copies of synopsis, non-involvement certificate, seniority list and original ACRs of the following Assistants for the period noted against each are sent herewith for further necessary action, please:-

S. No	Name of Assistant	Period	Remarks
1-	Mr. Shah Jehan		ACRs and personal file already forwarded to BOR vide Ex-DOR/ Collector Swat Memo: No. 7882/ Estt/DOR-Swat, dated 15/11/2010 (copy enclosed). ACR for the period from 28/01/2016 to 15/09/2016 duplicate in original are enclosed.
2-	Mr. Alamgir	1984 to 2018	-
3	Mr. Muhammad Iqbal-I	1985 to 2018	-

DEPUTY COMMISSIONER,
SWAT.

5



OFFICE OF THE
DEPUTY COMMISSIONER
SWAT.

AUTHORITY LETTER

Mr. Ahmed Sher (Private Secretary to Deputy Commissioner, Swat) is hereby authorized to file comments on behalf of Government in Honorable Service Tribunal Khyber Pakhtunkhwa, Peshawar in case titled "Service Appeal No. 1609/2019 Titled Alamgir Khan Versus Government of Khyber Pakhtunkhwa through Chief Secretary etc".


Deputy Commissioner,
Swat

BEFORE THE HONOURABLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR.

Service Appeal No. 1609/2019

Mr. Alamgir Khan son of Aitbar Gul r/o Saidu Sharif.....Petitioner.

Versus.

Government of Khyber Pakhtunkhwa through Chief Secretary and others.....

Respondents.

INDEX.

S#	Particulars.	Annexure	Page#
1	Reply.	-	1-2
2	Affidavit.	-	3
3	Copy of P.A. Bajaur letter dated 25.2.2015	A	4
4	Copy of Commissioner Malakand order dated 27.2.2015	B	5
5	Copy of Service Rules, 2015	C	6-10
6	Copy of Promotion Notification by the BOR	D	11
7	Copy of Transfer Notification dated 12.9.2019	E	12
8	Copy of Divisional Rules, 2019	F	13-14

Respondent No.8

Javed

(SYED JAVED IQBAL)
Respondent No.8.

Dated: 09-09-2020

BEFORE THE HONOURABLE,

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No.1609/2019

Mr. Alamgir Khan son of Aitbar Gul r/o Saidu Sharif.....Petitioner.

Versus.

Government of Khyber Pakhtunkhwa through Chief Secretary and others.....

Respondents.

Para wise Reply by Respondent No.8.

Respectfully sheweth:

Respondent No.8 submits Para wise Reply in the subject appeal as under:-

PRELIMINARY OBJECTIONS.

1. That the appellant has no cause of action or locus standi.
2. That the appellant has been estopped by his own conduct to file the instant appeal.
3. That the appellant has not come to this honourable Tribunal with clean hands.
4. That the appeal is liable to be dismissed due to misjoinder and non joinder of the necessary parties.
5. That the appeal is badly time barred.

ON FACTS.

1. No comments. Not relevant to the Respondent No.8.
2. No comments. As against Para-1 above.
3. No comments. As above.
4. No comments. As above.
5. No comments. As above.
6. No comments. As above.
7. Incorrect. The question of seniority between appellant and the Respondent No.8 does not arise because the respondent^{No.8} was promoted to the post of Superintendent in District Bajaur on the basis of Seniority List of the office of Deputy Commissioner (the then Political Agent) Bajaur in pursuance of the District Cadre Ministerial Service Rules notified on 23.01.2015 by the Revenue and Estate Department, Khyber Pakhtunkhwa.
8. Incorrect. On requisition of the services of a competent Assistant by the then Political Agent Bajaur vide letter No.1035/S/5 dated 25.2.2015(copy Annex-A), services of the Respondent No.8 were placed at the disposal of the then PA Bajaur by the Commissioner Malakand Division vide order No.533/2/3/Estab: dated 27.02.2015 (Copy Annex-B). The P.A. Bajaur being competent authority adjusted Respondent No.8 in his office and on vacation of the post of Superintendent, case of a panel of Assistants of Bajaur was forwarded to the

Board of Revenue, Revenue and Estate Department Peshawar for the purpose of promotion. Respondent No.8 being Senior most and eligible at that time was promoted as Superintendent in pursuance of Rules notified vide Notification Endost: No.2075-2114/Admn-1/1/296/Amendment dated 23.01.2015 (Copy Annex-C) by the BOR through Departmental Promotion Committee (Copy of Notification Annex-D), as the post of Superintendent was District cadre at that time. The Appellant has never been affected by transfer/promotion of Respondent No.8 in the District Bajaur nor he raised any objection at that time, as the Appellant was employee of the D.C. Office Swat and had no concern with Respondent No.8.

- 9. Incorrect. Respondent No.8 served as Superintendent for more than 03 years in District Bajaur, the hardest area of Malakand Division and has been transferred to the office of D.C. Swat by the Competent Authority i.e. the Senior Member Board of Revenue, Revenue and Estate Department, Government of Khyber Pakhtunkhwa vide Notification No.Estt:II/Posting/Transfer/29571 dated 12.9.2019 (Copy Annex-E) in pursuance of the amendments dated 27.6.2019 (Annex-F) in the District Ministerial Service Rules.
- 10. No comments.
- 11. Transfer order of the Respondent No.8 has been issued by the Competent Authority against the vacant post as per Rules.

ON GROUNDS.

- A. No comments. Not relevant to the Respondent No.8.
- B. Incorrect. Para-9 of the Facts is re-iterated.
- C. No comments.
- D. Incorrect. All orders in favour of the Respondent No.8 have been issued as per Rules. Transfer of Respondent No.8 from District Bajaur to District Swat being Superintendent has not affected seniority of the Appellant who is an Assistant in the D.C. Office Swat.
- E. Incorrect. As explained above.
- F. No comments.
- G. No comments.

In view of the above it is humbly prayed that appeal of the appellant being baseless and against the Rules may be dismissed with cost.


(SYED JAVED IQBAL)
Respondent No.8.

BEFORE THE HONOURABLE CHAIRMAN, KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.

BEFORE THE HONOURABLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR.

Service Appeal No.1609/2019

Mr. Alamgir Khan son of Aitbar Gul r/o Saidu Sharif.....Petitioner.

Versus.

Government of Khyber Pakhtunkhwa through Chief Secretary and others.....

Respondents.

AFFIDAVIT

I Syed Javed Iqbal Respondent No.8, do hereby solemnly declare and affirm that the contents of the accompanied Reply are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.



Deponent

(Annex — A)

(4)

OFFICE OF THE
POLITICAL AGENT BAJAUR.

No: 1035 /S/S Dt: 25/02/2015

To

The Commissioner,
Malakand Division
At Saidu-Sharif, Swat.

Subject: NEW INITIATIVES AND PROVISION OF OFFICE ASSISTANT.

This Administration is planning to initiate some new initiatives in Education and Health alongwith reforms in Levies and Judicial system. For the purpose, a competent Office Assistant may please be provided to look after and manage the office work for the purpose.


POLITICAL AGENT BAJAUR.

(Annex - B)

5



OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

Dated 27/02/2015

OFFICE ORDER:

No. 533 /2/3/Estt. In pursuance of the Political Agent, Bajaur Agency, letter No. 1035/S/5, dated 25.02.2015, the services of Syed Javed Iqbal, Assistant (BPS-16) of this office are hereby placed at the disposal of the Political Agent, Bajaur for further posting against the vacant post of Assistant in his office with immediate effect in the public interest.

Sd/-
COMMISSIONER MALAKAND DIVISION

No. 534-40 /2/3/Estt.-

Copy forwarded to:

1. The Secretary, Law and Order Department FATA Secretariat, Peshawar.
2. The Political Agent, Bajaur Agency.
3. The District Comptroller of Accounts, Swat.
4. The Agency Account officer, Bajaur Agency.
5. Accounts Officer (Local).
6. Official Concerned
7. Personal File.

AA.

031.3

SECRETARY TO COMMISSIONER
MALAKAND DIVISION
Ph# 0946-9240458

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

(Annex - C) 6

Annex C 6

NOTIFICATION
Peshawar, dated 23/01/2015

No. Estt:VII/135/SSRC/2033. In pursuance of provisions contained in Sub-Rule (2) of rule 3 of the North West-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all rules issued in this behalf, the Revenue Department in consultation with the Establishment and Administration Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the appendix to the notification which shall be applicable to post born in the cadre of Commissioners Specified in Column 2 of the said appendix.

AMENDMENTS

In the Appendix:-

S.No	Nomenclature of post with pay scale	prescribed qualification	Age	Method of recruitment
1.	Superintendent (BPS - 17)		-	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants (BPS-16) with five years service as such in the offices of Commissioners of the Division concerned.
2.	Private Secretary (BPS - 17)		-	By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers (BPS-16) with at least five years service in the offices of Commissioners, Deputy Commissioners and Political Agents of the Division concerned
2A	Accounts Officer (BPS-16).		---	By transfer from the Treasury Department/ Accountant General Office Khyber Pakhtunkhwa. Provided that an official earlier adjusted from surplus pool will be considered as rightly adjusted.

S.No	Nomenclature of post with pay scale	prescribed qualification	Age	Method of recruitment
3.	Assistant (BPS-16).	At least Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least five years service as Junior and Senior Clerk in the Offices of Commissioner of Division concerned; and (b) twenty five percent by initial recruitment.
4.	Senior Scale Stenographer (BPS - 16)	(j) At least Second Class Bachelor's Degree, from a recognized University; (ii) a speed of 70 words per minute in shorthand in English and 45 words per minutes in typing; and knowledge of computer using MS Word, MS Excel.	20 to 32 years.	(a) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst Stenographers with atleast five years service as such in the offices of Commissioners concerned; and (b) forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Computer Operators with atleast five years service as such in the office of Commissioner concerned: Provided that if no suitable candidate is available for promotion, then by initial recruitment.
5.	Stenographer (BPS - 14)	(i) At least second class Intermediate or equivalent qualification from a recognized Board (ii) A speed of 50 words per minute in shorthand in English and 35 words per minute in typing; and Knowledge of computer in using MS Word, MS Excel.	18 to 30 years.	By initial recruitment.
6.	Senior Clerk (BPS-14).	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks of the offices of Commissioner concerned with at least two years service as such.
"6A	Head Vernacular Clerk / Head Clerk (BPS-14).	-	(a) By transfer from amongst Senior Clerk (BPS-14) of the offices of Commissioner and Deputy Commissioner having at least one year experience of Revenue and Land acquisition matters; or (b) Naib Tehsildars (BPS-14) of the Division concerned.

S.No	Nomenclature of post with pay scale	prescribed qualification	Age	Method of recruitment
7.	Computer Operator (BPS - 12)	i. At least second Class Bachelor Degree in Computer Science/ Information Technology (BCS/BIT four years), from a recognized university; or ii. At least Second Class Bachelor's Degree from a recognized university with one year Diploma in Information Technology from a recognized Board of Technical Education.	18-28 Years.	By initial recruitment.
"8A	Caretaker (BPS-11).	At least second class Bachelor Degree or equivalent qualification from recognized university alongwith Certificate / Diploma in Housekeeping / hotel management from a recognized institute.	18-30 Years.	By initial recruitment.
8.	Junior Clerk (BPS - 11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) A speed of 30 words per minute in typing.	18 - 30	a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Qasids and Naib Qasids including holders of other equivalent posts in the Division concerned with two years service as such, who have passed Secondary School Certificate Examination; and b) Sixty seven percent by initial recruitment. <u>Note:</u> For the purpose of promotion there shall be maintained a common seniority list of Qasids and Naib Qasids etc with reference to the date of their regular appointment: Provided that no separate seniority list of Matric and non-matric BS-1 (Class-IV) employees can be maintained being single cadre. Their seniority shall be fixed with reference to the date of their regular appointment: Provided further that where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.
9.	Driver BPS - 4)	Literate having LTV driving license issued by the competent authority. preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.	18 - 32 years	By initial recruitment.

9

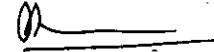
9

S.No	Nomenclature of post with pay scale	prescribed qualification	Age	Method of recruitment
10A	Cook / Waiter (BPS-4).	Literate with three years practical experience in any hotel or guest house as cook / waiter.	18-32 Years.	By initial recruitment.
10B	Qasid	---	---	By promotion on the basis of seniority-cum-fitness, from amongst the Naib Qasids with two years service as such.”; and
10	Naib Qasid / Chowkidar / Behishti / Mali / Sweeper (BPS - 01)	Literate	18-32 Years.	By initial recruitment.

Sd/-
SECRETARY TO GOVERNMENT
REVENUE AND ESTATE DEPARTMENT

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**

(Annex-D) (11)

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 14/06/2016

NOTIFICATION

No. Estt:II/DPC/_____. On the recommendation of Departmental Promotion Committee, Syed Javed Iqbal, Assistant (BS-16) office of the Political Agent Bajuar is promoted as Superintendent (BS-17) on regular basis with immediate effect.

On promotion, Syed Javed Iqbal Superintendent 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.


Consequent upon his promotion, he is posted as superintendent in the office of Political Agent Bajuar Agency against the vacant post.

By order of
Senior Member

End: No. Estt:II/DPC/ 16496-99

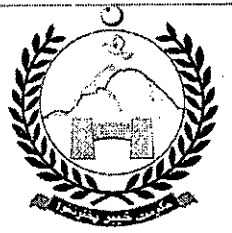
Copy forwarded to the:-

1. Commissioner Malakand Division Saidu Sharif at Swat.
2. Political Agent Bajuar.
3. District Accounts Officer, Bajuar Agency.
4. Officer concerned.


Secretary - I

(Annex - E)

12



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

Peshawar dated the 12/09/2019.

NOTIFICATION:

No. Estt:II/Posting / Transfer/ 29571 The Competent Authority is pleased to transfer **Syed Javed Iqbal** Superintendent (BPS-17) Deputy Commissioner Office Bajaur and posted him as Superintendent (BPS-17) Deputy Commissioner Office Swat against the vacant post with immediate effect.

By order of
Senior Member

No. Estt:II/Posting / Transfer/ 29572-75

Copy forwarded to the:-

1. Commissioner Malakand Division, Saidu Sharif Swat.
2. Deputy Commissioner Bajaur and Swat.
3. District Accounts Officer Bajaur and Swat.
4. Official concerned.

Assistant Secretary (Estt)

Annex (F)

13

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

Peshawar Dated the 27/10/2019

NOTIFICATION

No. Estt: I/ II/135/SSRC /

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department in consultation with the Establishment Department and Finance Department, hereby directs that in this Department's Notification No. 5869/Admn: I/II/296/Amendment, dated: 13.06.2006, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix, -

- (a) against Serial No. 1, in column No. 5, for the existing entry, the following shall be substituted, namely:
- "By promotion, on the basis of seniority cum-fitness, from amongst the Assistants with five years' service as such in the offices of Commissioners and Deputy Commissioners on the basis of joint seniority list of Assistants of the Division concerned.";
- (b) against Serial No. 2, in column No. 5, for the existing entry the following shall be substituted, namely:
- "By promotion, on the basis of seniority cum-fitness, from amongst the Senior Scale Stenographers with at least five years' service as such in the offices of the Commissioners and Deputy Commissioners at Divisional level."; and
- (c) against Serial No. 7A, in column No. 5, for the existing entry, the following shall be substituted, namely:
- "By transfer from amongst Senior Clerks of the office of the Commissioner of the Division concerned."

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

14

No. Estt./II/135/SSRC/22360-67

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. Accountant General, Khyber Pakhtunkhwa.
5. All Commissioners in Khyber Pakhtunkhwa.
6. All Deputy Commissioners in Khyber Pakhtunkhwa.
7. PS to Minister for Revenue & Estate Khyber Pakhtunkhwa.
8. Controller, Government Printing Press Peshawar with the request to publish the above notification in official gazette and supply hundred printed copies thereof to the undersigned for record.

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



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

Peshawar dated the 13/09/2019.

Flag - R

ORDER

No. Estt: II/DPC/Cmr/Mkd/ 29621 On the recommendation of Departmental Promotion Committee, the following Assistants (BS-16) are hereby promoted as Superintendent (BS-17) on regular basis with immediate effect.

S.No.	Name and Designation	Name of office	Promoted
1.	Mr. Zahir Shah, Assistant	Deputy Commissioner office Chitral	Superintendent (BS-17)
2.	Mr. Tariq Aziz, Assistant	Deputy Commissioner office Buner	Superintendent (BS-17)

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

Consequent upon their promotion, the following posting / transfer is hereby ordered with immediate effect:-

S.No.	Name of Superintendent	From	To
2.	Mr. Muhammad Zahir Shah	On promotion as Superintendent	Superintendent Deputy Commissioner office Upper Chitral
2.	Mr. Tariq Aziz	On promotion as Superintendent	Superintendent Deputy Commissioner office Bajaur

By Order of Senior Member

No. Estt: II/DPC/Cmr/Mkd/ 29622-25

Copy forwarded to the:-

1. Commissioner Malakand Division, Saifu Sharif Swat.
2. Deputy Commissioner Buner, Chitral and Bajaur.
3. District Accounts Officers Buner, Chitral and Bajaur.
4. Officers concerned.

Assistant Secretary (Estt:)

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GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

SUBJECT: MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 02.08.2019 AT 11:00 AM UNDER THE CHAIRMANSHIP OF SENIOR MEMBER BOARD OF REVENUE KHYBER PAKHTUNKHWA.

A meeting of Departmental Promotion Committee was held on 02.08.2019 at 11:00 AM in the office of Senior Member Board of Revenue under his Chairmanship for consideration of the promotion case of Assistants BS-16 to the post of Superintendents BS-17 in Malakand Division.

The following attended the meeting:-

- | | |
|---|-----------|
| 1. Mr. Fazal Hussain,
Deputy Secretary.,
Finance Department. | Member |
| 2. Nazma Shaheen,
Section Officer (Reg-IV),
Establishment Department. | Member |
| 3. Mr. Khurshid Alam,
Secretary-I, Board of Revenue. | Secretary |

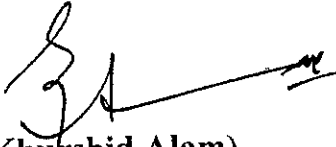
PROMOTION OF ASSISTANT BS-16 TO THE POST OF SUPERINTENDENT BS-17 IN MALAKAND DIVISION.

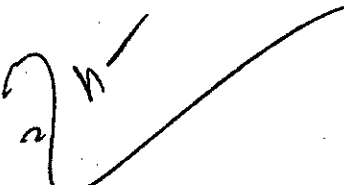
There are total 12 sanctioned post of Superintendent BS-17 in Malakand Division out of which two posts are lying vacant. For the purpose of promotion to the post of Superintendent BS-17, the Committee examined the record of the recommendees and made the following recommendations:-


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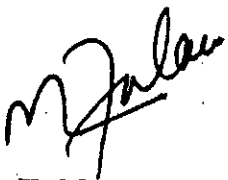
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S. No.	Name of official	Recommendations
1.	Mr. Amir Abdullah	Promoted to the post of Tehsildar on 04.07.2019
2.	Mr. Muhammad Zahir Shah, Assistant (BS-16).	Being the senior most, he was considered and found suitable for promotion to the post of Superintendent BS-17 on regular basis.
3.	Mr. Saifur Rehman	Already promoted as Superintendent on regular basis on 26.04.2019.
4.	Mr. Fazal Wadood	Retired on 10.02.2019.
5.	Mr. Tariq Aziz, Assistant (BS-16).	Being the next senior most he was considered and found suitable for promotion to the post of Superintendent BS-17 on regular basis.


(Khurshid Alam)
Secretary – I
Board of Revenue
(Secretary)


(Nazma Shaheen)
Section Officer (Reg-IV)
Establishment Department
(Member)


(Fazal Hussain)
Deputy Secretary (Reg)
Finance Department
(Member)


(Dr. Fakhre Alam)
Senior Member
Board of Revenue
(Chairman)