

S.A #.1170/2019 Amjid Naeem Vs. Revenue Department.

Order

16.12.2021

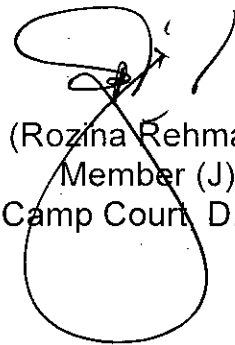
Counsel for the appellant present.

Noor Zaman Khan Khattak learned District Attorney alongwith Abdul Haleem Superintendent for respondents present.

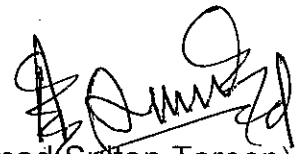
It has been pointed out to us that when the appeal No.1170/2019 was been preferred, an earlier Appeal bearing No.1047/2019 preferred on 31.07.2019 was pending. Attention of learned counsel was diverted to the prayer in Appeal No.1170/2019 wherein relief against the order dated 25.03.2019 is sought but the same was not challenged in Appeal preferred priorly on 31.07.2019 by appellant despite the fact that the said order was in field. Having come across this situation, the learned counsel agreed that this appeal may be treated as infructuous and if any ground is available to the appellant to be taken against the said order, the same shall be taken during arguments on Appeal No.1047/2019. Thus, appeal No.1170/2019 is dismissed having become infructuous. No order as to costs. File be consigned to the record room

Announced.

16.12.2021



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan



(Ahmad Sultan Tareen)
Chairman
Camp Court, D.I.Khan

23.11.2021

Appellant alongwith his counsel Mr. Waqar Alam, Advocate, present. Mr. Abdul Haleem, Superintendent alongwith Mr. Muhammad Rasheed, Deputy District Attorney for official respondents present.

To come up alongwith connected Appeal bearing No. 1047/2019 titled "Amjid Naeem Vs. Government on 16.12.2021 before the D.B at Camp Court D.I.Khan.



(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan




Chairman
Camp Court D.I.Khan

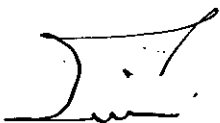


30.09.2021

Mr. Waqar Alam, Advocate, for the appellant present. Mr. Abdul Haleem, Superintendent alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Since other connected service appeals which are fixed for today, have been adjourned on the request of learned counsel for private respondents in the said appeals, therefore, the instant appeal is also adjourned to 25.10.2021 for arguments before the D.B on at Camp Court D.I.Khan.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

25.10.2021

Counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Abdul Haleem Superintendent for respondents present.


To come up alongwith connected appeal bearing No. 1047/2019 titled Amjid Naeem Vs. Government on 23.11.2021 before D.B at Camp D.I. Khan.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)
CAMP COURT, D.I KHAN


(ROZINA REHMAN)
MEMBER (J)
CAMP COURT, D.I KHAN

22.12.2020

Due to Pandemic of Covid-19, the case is adjourned to
22.02.2021 for the same.

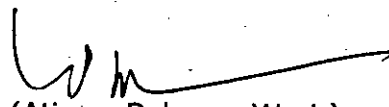

Reader

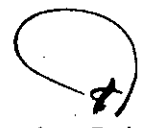
22.02.2021

Appellant present through counsel.

Noor Zaman Khan Khattak learned District Attorney for
respondents present.

Former made a request for adjournment. Adjourned. To
come up for arguments on 24.03.2021 before D.B at Camp
Court, D.I. Khan.

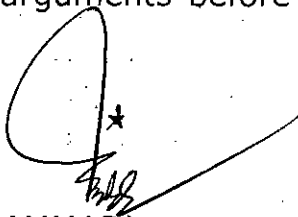

(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I Khan



(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

24.03.2021

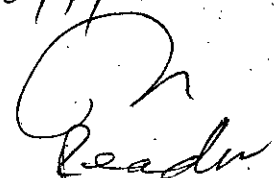
Learned counsel for the appellant present. M/S Muhammad
Shafqat Awan, Superintendent and Zain-ul-Abadin,
Superintendent alongwith Mr. Asif Masood Ali Shah, Deputy
District Attorney for the respondents present.

Former made a request for adjournment. Adjourned. To
come up for arguments before D.B at Camp Court D.I.Khan on
21.06.2021.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

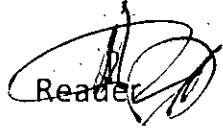
*Due to covid,19 therefore to
come up for the same on 30/9/21*


Reader

27.7 .2020

Due to COVID19, the case is adjourned to

25/9/2020 for the same as before.

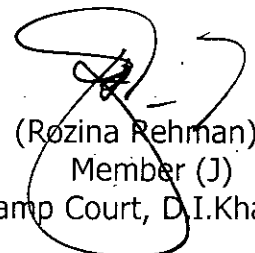

Reader

25.09.2020

Appellant present in person.

Mr. Muhammad Jan learned Deputy District Attorney alongwith Abdul Halim Superintendent and Muhammad Shafqat Superintendent for respondents present.

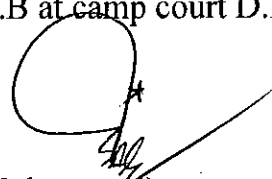
Representatives of respondents submitted written reply/comments. To come up for rejoinder, if any, and arguments on 29.10.2020 before D.B at Camp Court, D.I.Khan.

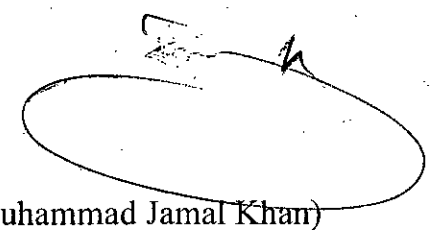

(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

29.10.2020

Appellant in person is present. Mr. Usman Ghani, District Attorney for respondents is present.

Since the Members of the High Court as well as of the District Bar Association, D.I.Khan are observing strike today, therefore, the case is adjourned to 22.12.2020 for arguments before D.B at camp court D.I.Khan.



(Mian Muhammad)
Member (E)


(Muhammad Jamal Khan)
Member (J)
Camp Court D.I.Khan

Service Appeal No. 1170/2019

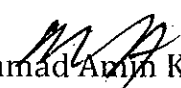
30.01.2020

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Abdul Haleem, Superintendent for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for adjournment. Adjourned to 27.02.2020 for written reply/comments before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan.

27.02.2020

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith M/S Abdul Haleem, Superintendent and Shafqat, Superintendent for the respondents present. Written reply on behalf of respondents not submitted. Representatives of the department requested for further time to furnish written reply/comments. Adjourned to 27.03.2020 for written reply/comments before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan.

28.11.2019

Counsel for the appellant Amjid Naeem present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving as Junior Clerk in the office of Political Assistant. It was further contended that as per seniority list of Junior Clerks of Political Assistant dated 25.02.2019, the appellant has been shown at serial no. 2 of the said seniority list of Junior Clerks of Political Muharrars. It was further contended that as per rule/notification dated 23.01.2015 10% quota has been allocated to Junior Clerks and Political Muharrars for promotion to the post of Naib Tehsildar. It was further contended that the post of Naib Tehsildar was vacant therefore, the appellant was appointed as Naib Tehsildar against the vacant post but in his own pay and scale vide order dated 25.03.2019. It was further contended that the appellant filed departmental appeal against the said order dated 25.03.2019 but the same was not responded hence, the present service appeal. It was further contended that the appellant is fully entitled and eligible for promotion to the post of Naib Tehsildar therefore, the respondent-department was bound to regularly promote the appellant from the post of Junior Clerk to the post of Naib Tehsildar but they have illegally posted/appointed the appellant in own pay and scale instead of regular promotion.

The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 30.01.2020 before S.B at Camp Court D.I.Khan.

Amount Deposited
Security & Process Fee

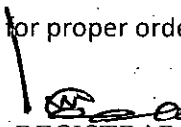


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1170/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/09/2019	<p>The appeal of Mr. Amjid Naeem presented today by Mr. Muhammad Waqar Alam Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 23/9/19</p>
2-	15-11-2019	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28-11-2019</u></p> <p> CHAIRMAN</p>

**BEFORE THE HONOURABLE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL, CAMP
COURT DERA ISMAIL KHAN**

Service Appeal No. 1170 /2019

Amjid Naem **VERSUS** Govt. of KPK and others

**SERVICE APPEAL
INDEX**

S.No	Particulars of the Documents	Annexur e	Page
1.	Grounds of Service Appeal and stay application and affidavits	--	1-7
2.	Copies of the service record i.e appointment order, service book first three pages along with arrival report	A	8-16
3.	Copies of the office order dated: 25/03/2019, 08/03/2019 and 10/04/2019	B	17-24
4.	Copy of the seniority list	C	25-28
5.	Copy of the Departmental appeal	D	29-30
6.	Copy of Notification dated: 23/01/2015	--	31-37
7.	Wakalatnama in favor of M. Waqar Alam AHC		38

Dated: 21 /09/2019

Humble Appellant


Amjid Naem

Through Counsel


M. Waqar Alam
Advocate High Court

wagaralam1982@gmail.com
Mob#0333-995-0616

**BEFORE THE HONOURABLE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL, CAMP
COURT DERA ISMAIL KHAN**

Khyber Pakhtukhwa
Service Tribunal

Service Appeal No. 1170 /2019

Diary No. 1292

Dated 23/9/2019

Amjid Naem s/o Muhammad Yaqoob caste Khiyara r/o Basti
Khanchka Wali Dera Ismail Khan.-(Presently working as Naib
Tehsildar OPS Tehsil Sararogha District South Waziristan date
of appointment 01/10/1989)

Appellant

Versus

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Senior Member Board of Revenue & Estate Department, Khyber Pakhtunkhwa Peshawar.
3. The Commissioner Dera Ismail Khan.
4. The Deputy Commissioner, Dera Ismail Khan.
5. The Deputy Commissioner, South Waziristan.
6. The Assistant Commissioner, South Waziristan.

Respondents

**APPEAL UNDER SECTION 4 OF THE KPK SERVICES
TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED OFFICE
ORDER NO.1276-82/ESTT; (NTS) DATED 25/03/2019
VIDE WHICH THE APPELLANT WAS
APPOINTED/TRANSFERRED/POSTED AS NAIB TEHSILDAR
IN OWN PAY AND SCALE AGAINST THE VACANT POST IN
THE BEST PUBLIC INTEREST WITH IMMEDIATE EFFECT BY
VIOLATING THE SERVICE RULES REGULATIONS AND NOT
GIVING THE OTHER BENEFITS OF SERVICE AGAINST THE
PERMANENT POST TO THE APPELLANT MOREOVER THE
APPELLANT FILED A DEPARTMENTAL APPEAL REGARDING**

Filed to-day

Registrar

23/9/19

(Signature)

THE IMPUGNED ORDER DATED: 25/03/2019 WHICH WAS NOT DECIDED TILL DATE AFTER LAPS OF 90 DAYS BY RESPONDENT #2 HENCE THE ACT OF THE RESPONDENT NO.2 IS IMPUGNED HEREBY.

PRAYER

On acceptance of this appeal, impugned office order No.1276-82/Estt; (NTs) DATED 25/03/2019 issued by respondent No.3 may please be modified to the extent of appellant by directing the official respondent to appoint the appellant against the post of Naib Tehsildar on regular basis instead of OPS and this Honorable Tribunal may also be requested by appellant that the back benefit may also be decreed in the favor of appellant against the respondents in the best interest of justice and equity.

Note: That the addresses of the Parties given in the heading of the Petition are true and correct for the purpose of service.

Respectfully Sheweth:-

The Appellant most respectfully submits as under:-

BRIEF FACTS:

1. That the appellant was initially appointed as Junior Clerk on 01/10/1989 in the office of respondents and has been serving the department with great zeal and zest and to the entire satisfaction of their superiors. Copies of the service record is enclosed as **Annexure-A.**
2. That the appellant was promoted vide impugned dated: 25/03/2019 by the Commissioner Dera Ismail Khan vide which the services against the permanent post assigned to the appellant on OPS basis which act of the respondents is totally unjustified and against the law. Copies of the office order dated: 25/03/2019, 08/03/2019 and 10/04/2019 are jointly enclosed herewith as **Annexure B.**

[Handwritten signature]

3. That the appellant is senior most employees in the department and performing his duties in different divisions as Senior Clerk and Superintendent and on this ground the appellant were shown as senior most Political Moharirs in the seniority list which is prepared by the office of Deputy Commissioner Dera Ismail Khan on 25/02/2019. Copy of the seniority list is enclosed as **Annexure: C.**
4. That the appellant being senior most Political Moharir is promoted/ appointed against the vacant post of Naib Tehsildar by the competent authority but unfortunately the appointment order of the appellant is made in OPS basis which is bad in law as well as against the settled realities.
5. That on 26/05/2019 the appellant filed a departmental appeal to the competent authority which was not decided in the statutory period laid down under the law. Copy of the Departmental appeal is enclosed as **Annex: D.**
6. That the appellant is having no other remedy but to knock the doors of this Honourable Tribunal by invoking the jurisdiction under section 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974, inter alia, on the following grounds,

GROUND

- a) That the impugned office order dated 25/03/2019 passed by the respondents is illegal, unjustified, without lawful authority and against the settled laws of the land, hence, liable to be set aside/ modified.
- b) That the appellant has been serving the department since long and eligible for promotion according to their seniority which was accordingly accorded by the competent authorities in different seniority lists which was complied

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by themselves, hence, at this belated stage the appellant deserved to be promoted against the vacant post on permanent basis but the official respondents appointed/ adjusted/ transferred the appellant in own pay scale is a result of malafide hence, bad in law.

- c) That according to the statutes of the department the appellant served the as Political Moharirs in the office of respondents and is entitled for promotion against the post of Naib Tehsildar on regular basis, hence, the order dated: 25/03/2019 passed by the Commissioner Dera Ismail Khan is the result of non reading, miss reading of the statutes of the department, hence, the appellant is illegible for the promotion on regular basis not own pay and scale.
- d) That the appellant is working against the budgetary post of Naib Tehsildar, then in the light of the various judgments of the august forum as well as this Honourable Tribunal the appellant deserves to be regularized on the post on which he performs his duties with all back benefits.
- e) That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

PRAYER:

On acceptance of this appeal, impugned office order No.1276-82/Estt; (NTs) DATED 25/03/2019 issued by respondent No.3 may please be modified to the extent of appellant by directing the official respondent to appoint the appellant against the post of Naib Tehsildar on regular basis instead of OPS and this Honourable Tribunal may also be requested by appellant that the back benefit may also be decreed in the

MS

**favor of appellant against the respondents in the
best interest of justice and equity.**

Date: ___/09/2019


Yours Humble Appellant

Amjid Naem

Through Counsel,


Muhammad Waqar Alam
Advocate High Court

AFFIDAVIT:

I, Amjid Naem s/o Muhammad Yaqoob caste Khiyara r/o Basti Khanchka Wali Dera Ismail Khan. (Presently working as Naib Tehsildar OPS Tehsil Sararogha District South Waziristan), do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and that nothing has been concealed from this Honourable Tribunal.

Dated: ___/09/2019


DEPONENT

BEFORE THE HONOURABLE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL, CAMP
COURT DERA ISMAIL KHAN

Service Appeal No. _____/2019

Amjid Naem. **VERSUS** Govt. of KPK and others

SERVICE APPEAL

APPLICATION FOR INTERIM RELIEF REGARDING DIRECTION TO OFFICIAL RESPONDENTS TO NOT TAKE ANY ADVERSE ACTION AGAINST THE APPELLANT TILL FINAL DISPOSAL OF THE INSTANT SERVICE APPEAL AND THE STATUS QUO MAY ALSO BE GRANTED IN FAVOUR OF THE APPELLANT.

Respectfully Sheweth;

The appellant humbly submit as under;


1. That the above titled service appeal is being filed before this Honourable Tribunal and contents of the instant application may please be considered as integral part of main service appeal.
2. That that the appellant have prima facie case and balance of convenience also tilts in favour of appellant.
3. That the respondents are intending to deprive the appellant from their valuable rights of appellant and if the application of the appellant is not accepted then the appellant will face complications and will suffer irreparable loss and purpose of institution of instant service appeal will become futile.
4. That this Honourable Tribunal has got vast and ample powers to entertain the application in hand.

M. Naem

It is therefore, humbly prayed that the instant application may kindly be accepted as prayed for.

Date: ___/09/2019

Your humble appellant


Amjid Naem
Through Counsel

AFFIDAVIT:

I, Amjid Naem s/o Muhammad Yaqoob caste Khiyara r/o Basti Khanchka Wali Dera Ismail Khan. (Presently working as Naib Tehsildar OPS Tehsil Sararogha District South Waziristan), do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and that nothing has been concealed from this Honourable Tribunal.

Dated: ___/09/2019


DEPONENT



Annex: A - 8 -

OFFICE OF THE DEPUTY COMMISSIONER, D.I. KHAN.

23
872

ORDER.

Consequent upon the approval of the Departmental Selection and Promotion Committee DIKhan held on 29.10.1991 to the Recruitment of Junior Clerks, the following appointments are hereby ordered in the Ministerial Establishment of this office :-

- 1/ Mr. Abdul Hakim S/O Sara Khan r/o Tareen Colony Moh: Khakwani, DIKhan is appointed as Junior Clerk in BPS-5 and posted as Moharrir to EAC/Rod Kohi, DIKhan vice Mohammad Iqbal promoted as Senior Clerk.
- 2/ Ex-Naik Clerk Bad Shah Jan S/O Shah Jehan is appointed as Junior Clerk in BPS-5 and posted as Assistant with Steno-grapher to DC, DIKhan vice NO.3
- 3/ Mr. Mohammad Rafique Assistant (J/C) with Steno-grapher to DC, DIKhan is transferred and posted as Reader to Anstts Commissioner, Kulachi vice Abdur Rashid promoted as Senior Clerk.
- 4/ Mr. Fazal Rehman S/O Asad Jan is appointed as Junior Clerk in BPS-5 and should continue on the existing post.
- 5/ Mr. Mohammad Jalim S/O Mohammad Akram is appointed as Junior Clerk in BPS-5 and should continue on the existing post.
- 6/ Mr. Anjad Naeem S/O Mohammad Yaqoob is appointed as Junior Clerk in BPS-5 and should continue on the existing post.
- 7/ Mr. Mohammad Yousaf S/O Gul Sher is appointed as Junior Clerk in BPS-5 and should continue on the existing post.
- 8/ Mr. Riaz Ahmad S/O Haji Abdul Jabbar r/o Kirri Alizai is appointed as Junior Clerk in BPS-5 and posted as Moharrir Vernacular Record Room, vice NO. 9.
- 9/ Mr. Amanullah Moharrir V.R.R. is transferred and posted as Reader with Resident Magistrate Bahapur against the newly created post.
- 10/ Mr. Mohammad Abbas S/O Abdul Karim r/o Mohallah Chak Siddiquia City DIKhan is appointed as F/C vice NO. 11
- 11/ Mr. Ramzan Ferry Clerk is transferred and posted as Moharrir with Resident Magistrate Bahapur against the newly created post.

Attested
[Signature]

(9/)

(11/)

12/

Mr. Mohammad Atif S/O Abdul Qadir is appointed as Junior Clerk in BPS-5 and should continue on the existing post.

13/

Mr. Munir Ahmad S/O Nazir Ahmad r/o Staff Colony Superintendent P.O. DIKhan is appointed as Junior Clerk in BPS-5 and posted as Junior Clerk with Tehsildar, Land Acquisition, DIKhan on the vacant post of Mr. Khalil ullah under suspension.

14/

Mr. Zaffar Abbas S/O Ashiq Hussain is appointed as Junior Clerk in BPS-5 and should continue on the existing post.

15/

Mr. Abdul Hamid S/O Abdur Rahim is appointed as Offg. Junior Clerk in BPS-5 and should continue on the existing post.

16/

Mr. Qureshi Mohammad Asghar S/O Abdul Khaliq is appointed as Offg. Junior Clerk in BPS-5 and should continue on the existing post.

17/

Mr. Mohammad Jamshed Anwar S/O Mohammad Anwar is appointed as Offg. Junior Clerk in BPS-5 and should continue on the existing post.

NOTE:

All the Candidates are directed to produce their Medical Fitness Certificates.

[Signature]
Deputy Commissioner,
Dera Ismail Khan.

NO. 1444 31/BC Dated DIKhan the 5 / 11 / 1991.

Copy to all concerned for information and compliance.

[Signature]
Deputy Commissioner,
Dera Ismail Khan.

-000-

Attested
[Signature]

LAND MANAGEMENT (LAND & STATE) DIKHAN
REVENUE OFFICER (REV.)
TEHSIL ACC'T: CAN/FUND
SCALE 05 PERM. PRIN: 1
REPAID 36,670.00

Annex: "A" Departmental Re-fixation of pay in
of Amjad Naeem, J. Clerk working - 10 -
as N.T. Acct: Duraben, D.I. Khan

PS-5 (2415-115-5805) P. NO. 188953
J. Clerk working as N.T.A. Pay on 01-12-06 P = 4945/- PM.

Revised Pay Scale, 2007
PS-5 (2780-135-6830) Pay Fixed on 01/07/07 P = 5750/- PM.

Made in PS-7 (J. Clerk)
PS-7 (2940-160-7740) Pay Fixed on 01/07/07 P = 5820/- PM. B-7

to Pay on 01-09-07 P = 5980/- PM. ^{msp. Adv.} increment.

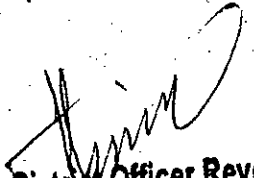
to Pay on 01-12-07 P = 6140/- PM. A: incre

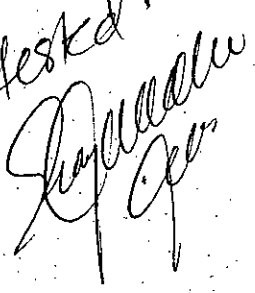
Revised Pay Scale 2008.

PS-7 (3530-190-9230) Pay Fixed on 01/07/08 P = 7330/- PM.
J. Clerk working as N.T.A.

to Pay on 01/08/08 P = 7520/- PM. A: Incr.

Next increment on 01-12-2008.


District Officer Revenue &
Estate/Collector D.I. Khan

Attested,


1. Name Amjad Naleem (نام)

2. Nationality and Religion Islam
Code = Khiana (قومیت اور مذہب)

3. Residence Boshi Khan Wala
(مستقل رہائش)

4. Father's name and residence Haji Mohamad
Yaqub (والد کا نام اور رہائش)

5. Date of birth by Christian era as nearly as
can be ascertained 24-2-1965
Twenty four thousand
two hundred + thirty five
(تاریخ پیدائش)

6. Exact height by measurement
(قد و قامت)

7. Personal mark for identification Wound mark
on left elbow (نشان شناخت)

8. Left hand/right hand thumb and finger-impressions of (None-gazetted) officer.
(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (چوہنگیا)

Ring Finger (چھنگیا کے ساتھ کی انگلی)



Fore Finger (انگشت شہادت)

Thum (انگوٹھا)



9. Signature of Government servant Amjad x
(سرکاری ملازم کے دستخط)

10. Signature and designation of the Head of
the Office, or other Attesting Officer

(تصدیق کنندہ افسر کے دستخط اور مہر)

Attested

A-Examination passed
1985 under the Rule
No-20502 for the Board
Intermediate & Secondary Education

Deputy Commissioner
D. I. KHAN

Attested
D. I. KHAN

Note :-The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجات کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9-10 میں دستخطوں کے لیے مہر چاہئے۔ انگلیوں کے نشانات کچھ ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

1	2	3	4	5	6	7	8
Name of post درجہ ملازمت	Whether substan- tive or officiating, and whether permanent or temporary عارضی مستقل یا قائم مقام	If officiating, state— (i) substantive appointment of (ii) whether ser- vice counts for pension under rule 3.20 of C.S.R. (Pb.) volume II اگر عارضی ہے تو کی وہ رول کے مطابق پنشن کا مستحق ہے	Pay in substantive post تنخواہ بطور عارضی ملازمت	Additional pay for officiating. زائد تنخواہ زائد تنخواہ بطور قائم مقام	Other em- oluments falling under the term "pay" ماسوائے تنخواہ دیگر الائوس	Date of ap- point- ment تاریخ تقریری	Signature Governmen- servant دستخط سرکاری ملازم
700 - 25 - 1200 (5) Junior clerk with Ac Kulerki			RS. P. 700/-	RS. P. 25/- A. mant.		1-10-1991	
Junior clerk Musharraf Ali Khan			700/-	25/- A. mant.		5-9-1991	
Junior clerk Musharraf Ali Khan			725/-			1-12-1990	
Junior clerk Musharraf Ali Khan			1182/- 1280/- 92/- 1280/-	Two Advan- t. F. (2x49)		1/9/91	5-11-1991

531

9	10	11	12	13		14	15
Signature and name of Head of the office or other Attesting officer in Station columns 9 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer dismissal etc)	Signature of the Head of the office of other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censur or reward or praised of the Government servant
				Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitab to another Government		
دستخط و نام سرکار	تاریخ انقطاع بلازمت	وجوہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط افسر مجاز	نوعیت و معیار	Period	Govt. to which debitab	ترا یا اجزا یا غیر منساب تارک روگی کاریکا رو
					عرضہ	گورنمنٹ کے رقم ادا ہونی	
Deputy Commissioner, D. I. KHAN	4-9-1990	Transferred.	Deputy Commissioner, D. I. KHAN		Appointed as Junior clerk vide B.S. Order no-16097-17100/pe dt 30-9-1989.	Deputy Commissioner, D. I. KHAN	
Deputy Commissioner, D. I. KHAN	30-11-1990	Annual Increment.	Deputy Commissioner, D. I. KHAN		Series verified from 1-10-1989 to 30-11-1990 from the office copies of the pay bills.	Deputy Commissioner, D. I. KHAN	
Deputy Commissioner, D. I. KHAN	5-11-1991	BPS Revised Table	Deputy Commissioner, D. I. KHAN		Series continued on existing post as Junior clerk vide Government Promotion Committee Order dated 23-10-1991 (Deputy Commissioner as chairman) vide no-14011/pe dt 5-11-1991	Deputy Commissioner, D. I. KHAN	
Deputy Commissioner, D. I. KHAN			Deputy Commissioner, D. I. KHAN				

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating, and whether permanent or temporary	If officiating, state— (i) substantive appointment or (ii) whether service counts for pension under rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant
درجہ ملازمت	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پیشن کا مستحق ہے	تنخواہ بطور عارضی ملازمت	زائد تنخواہ زائد تنخواہ بطور قائم مقام	ماسوائے تنخواہ دیگر الاؤٹس	تاریخ تقریری	دستخط سرکاری ملازم
(1035-49-1770) 5			RS. P.	RS. P.			
Junior clerk			1329/-			1-12-1991	
<p>Actd: Mr. M. A. Khan Office of the Accountant General N. W. F. P. Peshawar Pay fixed in the Revised Pay Scales 1991 of Rs. 1035-49-1770 (B-5) @ Rs. 1280/- per month with effect from 1-6-1991 with next increment on 1-12-1991</p> <p>Accounts Officer Pay fixation Party N. W. F. P. Peshawar</p>							
1035-49-1770 (S)							
Junior clerk AEO			1329/-			1-6-92	
1035-49-1770 (S)							
MNTSE Ditchan			1329/-			1-10-92	
			1378/-			1-12-92	

Signature and
 Position of
 Head of
 the
 or other
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 columns
 8
 دستخط
 مجاز
 Deputy
 D.I.
 Deputy
 D.I.
 Deputy
 D.I.

~~15~~

To

The Deputy Commissioner
South Waziristan Tribal District

Subject: ARRIVAL REPORT

In compliance with the Commissioner Dikhan Division Dikhan Office Order No. 1276-82/Estt. (MTC) dated 25-03-2019, I, Anjad Naeem Naib Tehsildar (OPS) hereby submit my arrival for the post of Naib Tehsildar (OPS) Jandola South Waziristan Tribal District today on 26-03-2019 (F.N) for duty.

Anjad Naeem
Naib Tehsildar (OPS)
Jandola SWTD

0027-32

No. _____/DCSW Dated _____ Dikhan the 26/3/2019

Copy to the:-

1. Commissioner Dikhan Division Dikhan
2. Deputy Commissioner Dikhan.
3. Assistant Secretary (Estt) Board of Revenue Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer South Waziristan Tribal District
5. PS to SMBR Khyber Pakhtunkhwa Peshawar.
6. Accountant De office SWTD for intimation

Anjad Naeem
Political Naib Tehsildar (OPS)
Jandola SWTD

Attested

Anjad Naeem

16

ARRIVAL REPORT

20

In compliance with Board of Revenue, Revenue & Estate Department
Khyber Pakhtunkhwa Notification No. Estt:V/DPC/N.T/2019/8543-49 dated 02.03.2019
I, Anjad Naeem, Naib Tehsildar (OPS) hereby submit my arrival report in the office of the
Commissioner DIKhan Division for further posting today on 13.03.2019 (F.N).

Your's Obediently

Anjad Naeem
(Anjad Naeem)
Naib Tehsildar (OPS)

- Copy forwarded to the:-
1. Commissioner DIKhan Division DIKhan
 2. Assistant Secretary (Estt) Board of Revenue Khyber Pakhtunkhwa Peshawar.
 3. Office Order file.

Anjad Naeem
(Anjad Naeem)
Naib Tehsildar (OPS)

*Attested.
Anjad Naeem*

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Commissioner
DIKhan

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Division

Annex: "B"

FAK NO. 0513012528

12 Mar 2019 11:50 AM

-17-



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT
Peshawar dated the 08/03/19

ORDER

No. Estt:V/DPC/NT/2019/ 5741-49. The Competent Authority is pleased to place the services of the following Political Mahajirs of DIKhan Division at the disposal of Commissioners DIKhan for further posting as Naib Tehsildar (own pay & scale).

S NO.	NAME OF OFFICIALS
1.	Mr. Shaukatullah
2.	Mr. Naveed Hussain
3.	Mr. Khalihullah
4.	Mr. Anjid Naeem
5.	Mr. Ijaz Khan

Their posting as Naib Tehsildar (own pay & scale) is a temporary arrangement till proper promotion as Naib Tehsildar through Departmental Promotion Committee.

By order of
Senior Member

No. Estt:V/DPC/NT/2019/ 5743-49

Copy forwarded to the:-

1. Commissioner, D.Khan Division DIKhan with the request to provide complete service record of the officials for the Departmental Promotion Committee.
2. Deputy Commissioner, B.H. in. South Waziristan and Tank.
3. District Accounts Officer, D. Khan, South Waziristan and Tank.
4. P.S. to Senior Member Board of Revenue.
5. Officials concerned.
6. Personal Files.

Assistant Secretary (ESTD)

*Attested
Rajiv
Gaur*

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strict.
Page 11

— 18 —

Better copy

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT
Peshawar Dated The __/08/2019 ORDER

No. Estt: V/DPC/NT/2019/_____ the competent authority is pleased to place the services of the following political Muharrirs of D I Khan Division at the disposal of Commissioner D I Khan for further posting as Naib Tehsildar (own pay & scale.)

S.No	Name of officials
1.	Mr. Shaukatullah
2.	Mr. Naveed hussain
3.	Mr. Khalilullah
4.	Mr. Amjid Naeem
5.	Mr. Ijaz khan

Their posting as Naib Tehsildar (own pay & scale) is a temporary arrangement till proper promotion as Naib Tehsildar through Departmental Promotion Committee.

By order of

Senior Member

No. Estt: V/DPC/NT/2019/_____


Copy Forwarded to the .

1. Commissioner, D I Khan Division D I Khan with the request to provide complete service record of the officials for the department promotion Comines
2. Deputy commissioner D I Khan south Waziristan and Tank .
3. District accounts officers D I Khan south Waziristan and Tank
4. P.S to senior member board of revenue
5. Officials concerned.
6. Personal file.


Assistant Secretary (Estt:)

Attested
[Signature]

-19-



**OFFICE OF THE
COMMISSIONER**
DIKHAN DIVISION DIKHAN
Phone: 0992220001
Fax: 0992220002
Email: dikh@kpk.gov.pk
Website: www.kpk.gov.pk



NTs COMDIR- []

No. / 2019-30 / Estt; (NTs)
Dated 10/04/2019

OFFICE ORDER

Consequent upon Government of Khyber Pakhtunkhwa Board of Revenue Revenue & Estate Department Order No. Estt; V/DPC/NT/2019/9535-42 dated 08-03-2019 and Deputy Commissioner South Waziristan Tribal District recommendations vide letter No.1313/S-32 dated 03-04-2019, the following posting/transfer is hereby made in the best public interest with immediate effect;

S#	Name of Official	From	To	Remarks
1	Mr. Muhammad Amin Naib Tehsildar (BPS-14-ACB)	Placed at the disposal of this office.	Naib Tehsildar Tank	Against the vacant post
2	Mr. Akhtar Mimir Naib Tehsildar (BPS-14-ACB)	-do-	Naib Tehsildar Irrigation Tank	-do-
3	Mr. Muhammad Anwar Naib Tehsildar (BPS-14-ACB)	-do-	District Kanungo Tank	-do-
4	Mr. Khalilullah IC/Political Muharir (BPS-11)	-do-	HVC (OPS) at Commissioner Office DIKhan	-do-
5	Mr. Muhammad Ayub Naib Tehsildar (BPS-14)	NT Shakai with additional charge of NT Tiarza	Naib Tehsildar Tiarza South Waziristan Tribal District	-do-
6	Mr. Ejaz Khan IC/Political Muharir (BPS-11)	NT (OPS) Tank SWTD	Naib Tehsildar (OPS) Shakai with additional charge of NT Survey Sarwakai SWTD	-do-
7	Mr. Amjad Naeem IC/Political Muharir (BPS-11)	NT (OPS) Jandola SWTD	Naib Tehsildar (OPS) Survey Sararogha SWTE	-do-
8	Mr. Sheikh Fazal Rehman Kanungo (BPS-11)	PNT (OPS) of Survey Sararogha SWTD	Repatriated to his parent department i.e Deputy Commissioner Office DIKhan	

-sd-
Commissioner
DIKhan Division, DIKhan

Encl: No. & Date given.
Copy for information to the;

1. The Deputy Commissioner DIKhan.
2. The Deputy Commissioner Tank.
3. The Deputy Commissioner South Waziristan Tribal District.
4. The Assistant Secretary (Estt) Board of Revenue Revenue & Estate Department Khyber Pakhtunkhwa w/r to above.
5. The District Accounts Officer Tank/DIKhan/South Waziristan Tribal District.

Attested
[Signature]

BETTER COPY

No. 1530-38/Estt (NTs)
Dated 10/04/2019

OFFICE ORDER

Consequent upon Government of Khyber Pakhtunkhwa Board of Revenue Revenue & Estate Department Order No. Estt;V/DPC/NT/2019/8535-42 dated 08/03/2019 and Deputy Commissioner South Waziristan Tribal District recommendation vide letter No. 1313/S-32 dated 03/04/2019 the following posting/transfer is hereby made in the best public interest with immediate effect.

Sr.No	Name of Official	From	To	Remarks
1	Mr. Muhammad Ameen Naib Tehsildar (BPS-14 ASB)	Placed at the disposal of this office	Naib Tehsildar Tank	Against the vacant post
2	Mr. Akbar Munir Naib Tehsildar (BPS-14 ASB)	-do-	Naib Tehsildar Irrigation Tank	-do-
3	Mr. Muhammad Anwar Naib Tehsildar (BPS-14 ASB)	-do-	District Kanungu Tank	-do-
4	Mr. Khalilullah JC/Political Muharrir (BPS-11)	-do-	HVC (OPS) at Commissioner Office D I Khan	-do-
5	Mr. Muhammad Ayub Naib Tehsildar (BPS-14)	NT Shakal with additional charge of NT Tiarza	Naib Tehsildar Tiarza South Waziristan Tribal District	-do-
6	Mr. Ijaz Khan JC/Political Muharrir (BPS-11)	NT (OPS) Tank SWFD	Naib Tehsildar (OPS) Shakal with additional charge of NT Survey Sarwakai STD	-do-
7	Mr. Amjid Naeem JC/Political Muharrir (BPS-11)	NT (OPS) Jandola SWTD	Naib Tehsildar (OPS) Survey Sararogha SWTE	-do-
8	Mr. Sheikh Fazal Rahim Kanungu (BPS-11)	PNT (OPS) of Survey Sararogha SWTD	Repatriated to his parent department i.e Deputy Commissioner office D I Khan	-do-

Attestal
[Signature]

-sd-
Commissioner
DIKhan, Division DIKhan

- Endst; No. & date even.
Copy for information to the;
1. The Deputy Commissioner D I Khan
 2. The Deputy Commissioner Tank.
 3. The Deputy Commissioner South Waziristan Tribal District.
 4. The Assistant Secretary (Estt) Board of Revenue, Revenue & Estate Department KPK w/r to above.

-21-

FORM NO. 100

FORM NO. 9200110

10. Apr. 2010 12:59PM P2

- 6. PS to Senior Member Board of Revenue Khyber Pakhtunkhwa.
- 7. The Assistant to Commissioner (R/GA) DIKhan Division DIKhan.
- 8. PS to Commissioner DIKhan Division DIKhan.
- 9. Official concerned for compliance.

[Signature]
 Secretary to Commissioner
 DIKhan Division, DIKhan

Attested
[Signature]
[Signature]

5. The District Accounts Officer Tank/DIKhan/South Waziristan Tribal District.
6. PS to Senior Member Board of Revenue KPK.
7. The Assistant to Commissioner (R/GA) D I Khan, Division D I Khan.
8. PS to Commissioner D I Khan, Division D I Khan.
9. Official concerned for compliance.

Secretary to Commissioner
DIKhan, Division DIKhan

Attested
[Signature]



OFFICE OF THE COMMISSIONER

DIKhan Division, DIKhan
Phone: 0926-7240351
Fax: 0926-7240352
commissioner.dikhan@psh.gov.pk
SecretarytoCommissionerDIKhan@gmail.com



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FTS COMDIK-

No. 1276-82/Estt;(NT's)
Dated 27/03/2019

OFFICE ORDER

Consequent upon Order No. Estt;V/DPC/NT/2019/8543-49 dated 08-03-2019 issued by Government of Khyber Pakhtunkhwa Board of Revenue Revenue & Estate Department, the following officials are hereby transferred/posted as Naib Tehsildar in Own Pay & Scale against the vacant post in the best public interest with immediate effect:

S#	Name of Official	From	To	Remarks
1	Mr. Amjad Naeem JC/PM (BPS-11)	Placed at the disposal of Commissioner Office DIKhan	PNT(OPS) Jandola South Waziristan Tribal District	Against vacant post-
2	Mr. Ijaz Khan JC/PM (BPS-11)	-do-	PNT(OPS) Tank South Waziristan Tribal District	-do-

Sd/-
Commissioner
DIKhan Division, DIKhan

Endst; No. & date even
Copy for information to the:

1. The Deputy Commissioner South Waziristan Tribal District.
2. The Assistant Secretary (Estt) Board of Revenue Revenue & Estate Department Khyber Pakhtunkhwa w/ to above.
3. The District Accounts Officer South Waziristan Tribal District.
4. PS to Senior Member Board of Revenue Khyber Pakhtunkhwa.
5. The Assistant to Commissioner (R/GA) DIKhan Division DIKhan.
6. PS to Commissioner DIKhan Division DIKhan.

Secretary to Commissioner
DIKhan Division, DIKhan

*Attested,
[Signature]*

-24-

Office orderNo. 1276-82/Estt :(NTS)
Dated 25/03/2019

Consequent upon order No Estt;V/DPC/NT/2019/8543-49 dated 08-03-2019 issued by Government of Khyber Pakhtunkhwa board of Revenue, & Estate department the following officials are hereby transferred/posted as Naib Tehsildar in own pay & scale against the vacant post in the best public interest with immediate effect

S#	Name of official	Form	To	Remark
1	Mr. Amjad Naeem JC/PM(BPS-11)	Placed at the disposal Of commissioner Office D I Khan	PNT (OPS)jandola South Waziristan Tribal district	Against Vacant post -
2	Mr. Ijaz Khan JC/PM (BPS-11)	-do-	PNT (OPS)jandola South Waziristan Tribal district	-do-

Commissioner
DIKhan Division DIKhan

Endst: No & date even

Copy for information to the:

1. The deputy commissioner south Waziristan Tribal district
2. The assistant secretary (Estt) board of revenue revenue & estate department the Khyber Pakhtunkhwa w/ to above.
3. The district account officer south Waziristan Tribal district
4. PS to senior member board of revenue Khyber Pakhtunkhwa
5. The assistant to commissioner (R/GA) D I Khan Division D I Khan
6. PS to commissioner D I Khan Division D I Khan

Secretary to Commissioner
DIKhan Division DIKhan

Attestd
[Signature]

Annex: "c"

→25

BETTER COPY

OFFICE OF THE ASSISTANT COMMISSIONER DARAZINDA
DIKHAN

_____ APA (FR) dated _____ DIKhan the _____ 25/02019

To

The Deputy Commissioner,
D I Khan.

Subject:- SENIORITY LIST OF POLITICAL MOHARRIRS AT
DIVISIONAL LEVEL kindly refer to Secretary to
Commissioner, D I Khan Division, D I Khan office
letter No.773-76/DC (FR) dated 22.02.2019 on the
subject noted above.

The requisite seniority list of Political Moharrirs/
junior Clerk in respect of Darazinda Sub Division is
sent herewith for onward submission to the quarter
concerned please.

Assistant Commissioner,
Darazinda

Endst: No & dated even

Copy forwarded to the Secretary to Commissioner, DIKhan
Division DIKhan for information w/r to above please.

Assistant Commissioner,
Darazinda

Handwritten signature
25/02/19

OFFICE OF THE ASSISTANT COMMISSIONER DARAZINDA, DIKHAN

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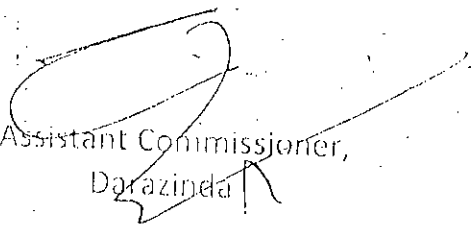
/APA (FR) dated - DIKhan the 25/02/2019

The Deputy Commissioner,
DIKhan

Subject :- SENIORITY LIST OF POLITICAL MOHARRIRS AT DIVISIONAL LEVEL

Kindly refer to Secretary to Commissioner, DIKhan Division DIKhan office letter No. 773-76/DC (FR) dated 22.02.2019 on the subject noted above.

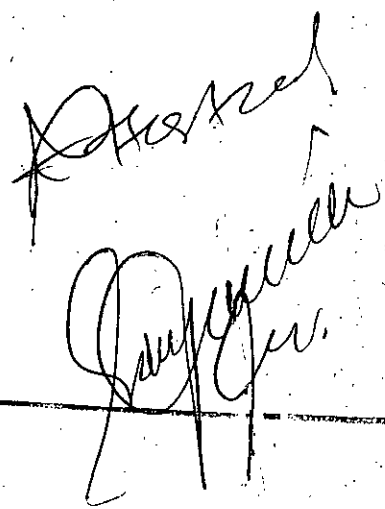
The requisite seniority list of Political Moharrir / J/Clerk in respect of Darazinda Sub Division DIKhan is sent herewith for onward submission to the quarter concerned please.


Assistant Commissioner,
Darazinda

Encls: No & date even

Copy forwarded to the Secretary to Commissioner, DIKhan Division DIKhan for information w/r to above please.


Assistant Commissioner,
Darazinda



OFFICE OF THE ASSISTANT COMMISSIONER
DATE: _____
QUARTER: _____
REMARKS: _____

SENIORITY LIST OF POLITICAL MOHARRIR /JUNIOR CLERK IN RESPECT OF OFFICE OF THE ASSISTANT COMMISSIONER TRIBAL SUB DIVISION
DARAZINDA DIKHAN TILL DATE.

S.No	Name of official	Father's Name	Design:	SPS	Date of Birth	Date of Appointt:	Date of Retirement	Qualif	Remarks
1	Khalil Ullah	Imam Bakhsh	PM/J/Clerk	11	14.08.1961	07.12.1982	13.08.2021	Matric	----
2	Amjad Naeem	Muhammad Yaqoob	-do-	11	24.02.1965	1.10.1989	23.2.2025	FA	----
3	Ijaz Khan	Malik Ranjhu	-do-	11	1.1.1967	1.4.1992	31.12.2027	D.Com	----
4	Muhammad Saeed Ahmad	Fazal-ur-Rehman	-do-	11	15.11.1971	23.10.1996	14.11.2031	BA	----
5	Ahmad Saleem	Muhammad Saleem Taair	-do-	11	01.03.1991	08.04.2009	28.02.2051	FSC	----
6	Ghulam Farid	Allah Bakhsh	-do-	11	11.04.1968	30.05.1996	10.04.2028	B.Com	Adjusted APA office DIKhan vide Commissioner, DIKhan Division DIKhan dated 23.04.2018
7	Muhammad Saqlain	Anmad Nawaz	-do-	11	02.12.1972	30.05.1996	1.12.2032	S.A	-do-

Assistant Commissioner,
Tribal Sub Division Darazinda

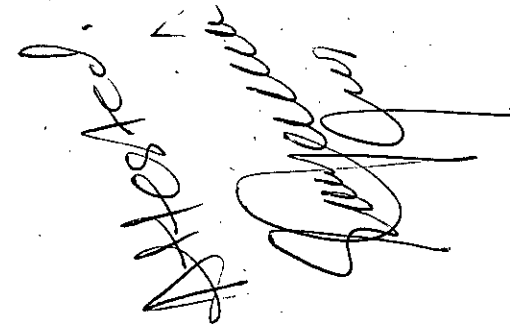
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BETTER COPY

SENIORITY LIST OF POLITICAL MOHARRIRS/JUNIOR CLERK IN RESPECT OF OFFICE OF THE ASSISTANT
COMMISSIONER TRIBAL SUB DIVISION DARAZINDA D I KHAN DATE.

S.no	Name of official	Father name	Desig:	Bps	Date of Birth	Date of Appointt:	Date of Retirement	Qualif:	Remarks
1	Khalil Ullah	Imam Bakhsh	RM/J/Clerk	11	14.08.1961	17.12.1982	13.08.2021	Matric	-----
2	Amjad Naeem	Muhammad Yaqoob	-do-	11	24.02.1965	01.10.1989	23.02.2025		-----
3	Ijaz Khan	Maik Ranjhu	-do-	11	01.01.1967	01.04.1992	31.12.2027	FA	-----
4	Muhammad Saeed Ahamd	Fazal-ur- Rehman	-do-	11	15.11.1971	23.10.1996	14.11.2031	D.Com	-----
5	Ahmad Saleem	Muhammad Saleem Taair	-do-	11	01.03.1991	08.04.2009	28.02.2051	BA FSC	-----
6	Ghulam Farid	Allah Bakhsh	-do-	11	11.04.1968	30.05.1996	10.04.2028	B.Com	Adjusted APA office DIKhan vide Commissioner, DIKhan Division DIKhan dated 23.04.2018
7	Muhammad Saqlain	Ahmad Nawaz	-do-	11	02.12.1972	30.05.1996	01.12.2032	BA	-do-

Attested


Assistant Commissioner,
Tribal Sub Division Darazinda

28-

Annex: "D"-29

بخدمت جناب سینئر ممبر بورڈ آف ریونیو، خیبر پختونخواہ پشاور

Departmental Appeal برخلاف حکم مورخہ 25/03/2019 صدرہ ازاں جناب
کمشنر ڈیرہ اسماعیل خان ڈویژن جس کی رو سے من اپیلانٹ کو بطور نائب تحصیلدار OPS تعینات
کرنے کے احکامات صادر کیے گئے جبکہ آسامی نائب تحصیلدار پر من اپیلانٹ بوجہ سناریائی مستقل
بنیادوں پر تعیناتی کا حقدار تھا بدیں وجہ یہ عمل قابل پذیرائی نہ ہے۔

جناب عالی! سائل اپیلانٹ حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من سائل اپیل کنندہ آنجناب کے ماتحت گزشتہ تین دہائیوں سے ڈیوٹی با احسن طریقہ سے سرانجام
دیتا چلا آ رہا ہوں جب کہ من سائل اپیل کنندہ کو سناریائی کی بنیاد پر آنجناب کے حکم پر بطور پولیٹیکل نائب تحصیلدار
تعینات کیا گیا ہے جبکہ من سائل اپیل کنندہ کو OPS میں ڈیوٹی کرائی جا رہی ہے جبکہ مراعات لوئرز سکیل کے
دیے جا رہے ہیں جو کہ یہ عمل غیر قانونی ہونے کے ساتھ ساتھ بنیادی حقوق کے خلاف ہے اور قابل منسوخی ہے
بدیں وجہ مندرجہ ذیل وجوہات کی بناء پر من سائل اپیل کنندہ کو آسامی پولیٹیکل نائب تحصیلدار پر مستقل بنیادوں پر
تعیناتی کا حکم صادر کیا جاوے اور من سائل اپیل کنندہ کو تمام سابقہ مراعات دلائی جاوے۔

وجوہات اپیل:

۱۔ یہ کہ من اپیل کنندہ سینئر موسٹ پولیٹیکل محرر ہونے کی بنیاد پر خالی آسامی پولیٹیکل نائب تحصیلدار پر مستقل
طور پر تعیناتی کا حقدار ہے اور تمام مراعات کا بھی حقدار ہے جبکہ من اپیل کنندہ کو OPS میں تعینات کرنا سروس
قوانین کے بالکل خلاف ہے اور اعلیٰ عدالتوں کے فیصلہ جات کے بھی خلاف ہے۔

(2014SCMR1189)

۲۔ یہ کہ من سائل اپیل کنندہ نے حکم مورخہ 25/03/2019 کے مطابق عمل درآمد کرتے ہوئے ڈیوٹی
بطور نائب تحصیلدار سرانجام دینا شروع کی اور آج تک با احسن طریقہ سے ڈیوٹی سرانجام دیتا چلا آ رہا ہوں لیکن
من اپیل کنندہ کو نا تو آسامی نائب تحصیلدار کے برخلاف مراعات دیے جا رہے ہیں اور نہ ہی دیگر ضروری الاؤنس
دیے جا رہے ہیں جو کہ سروس قوانین اور بنیادی حقوق کے خلاف ہے بدیں وجہ حکم مورخہ 25/03/2019 اس
طور قابل درستی ہے۔

Attested
Signature

۳۔ یہ کہ من سائل اپیل کنندہ گزشتہ تین دہائیوں سے آنجناب کے ماتحت با احسن طریقے سے فرائض منصبی ادا کرتا چلا آ رہا ہوں اور اب جب قانون کے مطابق سناریائی کی بنیاد پر من سائل کو APT Rules 1989 کے مطابق پروموشن %10 کے برخلاف ریگولر بنیاد پر تعینات کرنا مقصود تھا تو آنجناب کے ماتحت افسر نے غلط تشریح قانون کرتے ہوئے من سائل اپیل کنندہ کو عارضی بنیادوں پر OPS سکیل میں نائب تحصیلدار تعینات کیا جو کہ مبنی بر بدینتی ہے اور یہ عمل قابل درنگی ہے۔

لہذا استدعا ہے کہ منظور اپیل ہذا من سائل اپیل کنندہ کو خالی آسامی پولیٹیکل نائب تحصیلدار پر مستقل بنیادوں پر تعیناتی کا حکم صادر کیا جاوے اور Back benefits بھی من سائل اپیل کنندہ کے حق میں جاری کرنے کے احکامات صادر فرمائے جاوے تاکہ انصاف کے تقاضے پورے ہو سکے۔

مورخہ 26/05/2019

امجد نسیم PNT جنڈولہ ساؤتھ وزیرستان ٹرائیبل ڈسٹرکٹ

[Handwritten Signature]

*Accepted
J. J. J. J.*

GOVERNMENT OF KHYBER PAKHTUNKHWA
 BOARD OF REVENUE/REVENUE AND ESTATE DEPARTMENT
 (TEHSILDAR, NAIB TEHSILDAR / SUBORDINATE REVENUE SERVICE RULES, 2008)

NOTIFICATION
 Peshawar, dated 23-01-2015

No. 1932/Est-1/MS 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, 1988 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 13.04.2001 and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX

1	2	3	4	5	6	7
S.No.	Nomenclature of posts	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS 16)	Administrative Secretary (SM/BR)	Second class Graduation from any University recognized by the Higher Education Commission	Deputed	21 - 30 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kamungos and Sub-Regional with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Annual Agents having five years service as such.

31-

5	
6	By transfer from amongst the Tehsildars
7	By transfer from amongst the Tehsildars
Deleted	
21-30 years For initial promotion	<p>(a) Fifty percent by Initial recruitment, through NWFE Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus and</p> <p>(b) Fifty percent by promotion on the basis of Seniority - cum - fitness passed the Departmental Examination of Naib Tehsildar.</p> <p>(c) fifteen percent by promotion, on the basis of Joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned.</p> <p>(d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as per the Rules of the Government of Madhya Pradesh.</p>
	By promotion on the basis of seniority-cum-fitness, from amongst the Kanungos of the Government District with atleast three years service as such.
	By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

*Attested
Commissioner*

5	6	7	By promotion, on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant of the district with at least three years service as such.
			By promotion, on the basis of seniority-cum-fitness, from amongst the Patwaris and Naib Office Kanungos of the district concerned with three years service as such and who have passed the Departmental examination of Kanungo.
			By promotion on the basis of seniority-cum-fitness from amongst the Naib Tehsil Accountants having three (03) years service as such.
18 to 33			By initial appointment from amongst the Farwal passed candidate entered in the Tehsil patwar candidate register maintained by District Collector of the district concerned.
			By transfer from amongst the Patwaris.

Attested
[Signature]

SECRETARY TO GOVERNMENT
REVENUE AND ESTATE DEPARTMENT

[Signature]

— 34 —

to the:-

Establishment Department.
Finance Department.
Department.
Division.

Khyber Pakhtunkhwa
Khyber Pakhtunkhwa
Khyber Pakhtunkhwa

the request to publish the above notification in the official Gazette and supply 50 printed copies

DEPUTY SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE & ESTATE DEPARTMENT

BETTER COPY
REVENUE & ESTATE DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

BETTER COPY

GOVERNMENT OF KYBERPAKHTUKHWA
BOARD OF REVENUE/ REVENUE AND ESTATE DEPARTMENT.
TEHSILDAR, NAIB TEHSILDAR/SUBORDINATED REVENUE SERVICE RULES, 2001

NOTIFICATION

Peshawar, dated 23-01-2015

No.1942/Esttl/135/SSRC: In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtukhwa civil servants (appointment, promotion and transfer) Rules, 1989 read with the Cabinet division Notification #SRO.457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix.

APPENDIX

1	2	3	4	5	6	7
S.No	Nomenclature of Posts	Appointing	Minimum Qualification of appointment by Initial recruitment or by transfer	Minimum Qualification for appointing by promotion	Age limit	Method of recruitment
1	Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deliktia	21-30 Year for initial recruitment	(a) twenty percent by initial recruitment and (b) sixty percent by promotion on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungo and Sub-Registrar with at least five year service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistant of the Office of Board of Revenue, officers of Commissioners, Deputy Commissioners and Political Agents having five year service as such.

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36-

5	6	7
		By transfer amongst the tehsildar
		By transfer amongst the tehsildar
Dated	21-30 years for initial recruitment	<ul style="list-style-type: none"> a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a competitive Examination conducted by it in accordance with syllabus, and b) Twenty five percent by promotion on the basis of Seniority-cum-fitness from amongst Kanungu with at least five years Service as such, who have passed the departmental Examination of Naib Tehsildar. c) Fifteen percent by promotion, on the basis of joint seniority-cum-fitness from amongst Senior Clerks of the office of Board of Revenue Commissioners and Deputy Commissioners offices in the Division concerned; and d) Ten percent by promotion, on the basis of seniority-cum-fitness from amongst Junior Clerks as Political Muharrir of the offices of Political Agents with at least ten years service;
		By promotion on the basis of seniority-cum-fitness amongst the Kanungu of the concerned District with at least three year service as such.
		By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

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— 37 —

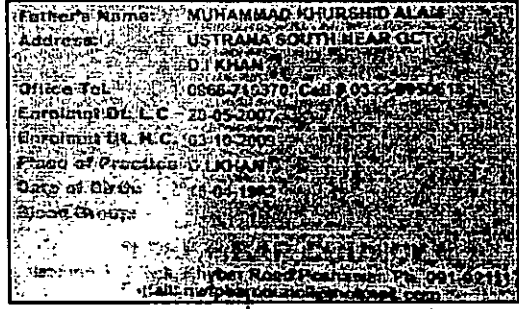
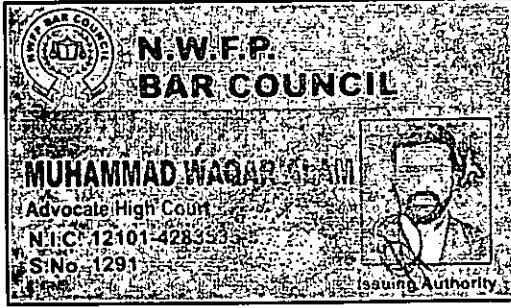
Handwritten notes in Urdu at the top of the page, including dates like 19/11/1981 and 18/11/81, and names like Mr. J. K. Singh.

5	6	7
		By promotion on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant of the District with at least three service as such
		By promotion on the basis of seniority-cum-fitness, from amongst the Patwaris and Naib. Office Kanungu of the District concerned with three year service as such and who have passed the departmental Examination of Kanungu.
Dated	21-30 years for initial recruitment	By promotion on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant having three year service as such.
	18-35	By initial appointment from amongst the Patwar passed candidate in the Tehsil Patwar candidate register maintained by District Collector of the District concerned.
		By transfer from amongst the Patwaris.

SECRETARY TO GOVERNMENT
REVENUE AND ESTATE DEPARTMENT

Handwritten signature and stamp of the Secretary to Government, Revenue and Estate Department.

38 - وکالت نامہ



KPK Service Tribunal Peshawar, P. Khan جناب

Appellant منجانب

Amjad Naim نام Govt. of KPK

دعویٰ یا جرم

Service Appeal

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام P. Khan سید

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

کوسب ذیل شرائط پر وکیل مقرر کی ہے، کہ ہر پیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا، تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پشوری کے علاوہ کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر پشوری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پشوری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچنے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا پیمانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل سامنے پراخط صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اپیل و گرائی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار پیسہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر پرائیویٹ یا رضی نامہ و فیصلہ پر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا، اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از پشوری صدر پیروی مقدمہ مذکورہ نظر ثانی اپیل و گرائی و ہر آدمی مقدمہ یا مستثنی ڈگری یکطرف یا درخواست حکم امتناعی یا ترقی یا ترقی قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا کیلئے جتنا پیروی کا اختیار ہوگا اور تمام سامنے پراخط صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزوی کارروائی یا بصورت درخواست نظر ثانی اپیل یا گرائی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا پیر سزا کو اپنے بجائے یا اپنے ہمراہ مقرر کریں، اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور وہ ان مقدمہ میں جو کچھ ہر جائز اتواء پڑے گا، وہ صاحب موصوف کا حق ہوگا، مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ کسی مقدمہ کی پیروی نہ کریں اور اسکی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سند رہے

Accepted

مورخہ _____ ماہ _____ 20

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

العبد 21-9-19

العبد

العبد

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

Mob: 0333-9950616

Email: waqaralam1982@gmail.com

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHUWA
SERVICE TRIBUNAL, CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. 1170/2019.

1. Amjad Naeem s/o Muhammad Yaqoob.

APPELLANT

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar etc.

2. The Senior Member Board of Revenue & Estate Department, Khyber Pakhtunkhwa, Peshawar.

3. The Commissioner, Dera Ismail Khan.

4. The Deputy Commissioner, Dera Ismail Khan.

5. The Deputy Commissioner, South Waziristan.

6. The Assistant Commissioner, South Waziristan.

RESPONDENTS

Respected Sheweth:

Reply on behalf of the respondents No. ^{I to 6} 1 to 6 are narrated below:-

PRILIMINARY OBJECTIONS.

1. The appellant has no cause of action are locus stanadi.
2. That the appellant is estopped due to his own conduct to file this appeal.
3. That the appellant does not come to the tribunal with clean hands and has suppressed all relevant facts.
4. That the appeal is bad for misjoinder/non-joinder of necessary parties.
5. That the honorable Service Tribunal has no jurisdiction to entertain the instant appeal in its present form.
6. That the appeal has been mis-oriented, mis-constructed & mistakenly drawn instant present frame and context & is liable for rejection.
7. That the appeal is weak having no force, fabricated and factitious base on ill will modified and having no footing in the eyes of Law.
8. That the proceedings in the instant appeal would be futile exercise and wastage of precious time of this honorable Tribunal.

BRIEF FACTS:

1. This Para pertains to the record of the appellant and two other but it is admitted feature of all the three that they were the officials of **Settle District** and that's why they were declared **Surplus** in 2001. It is pertinent to mention here that as the answering respondent were not the employees of Settle District that's why the Govt: Policy of the Devolution of power 2001 was not apply to us and never being declared as surplus throughout. This difference was because the appellant and two other employees of the Deputy Commissioner Office relating to settle District Office whereas the answering respondents were the employees of erstwhile FATA Region.

2. **Incorrect.** He was assigned duty of Naib Tehsildar as GWN PAY & SCALE, which does not create any right.

3. **Incorrect.** The Seniority list was prepared according to service rules on the basis of service record i.e. date of appointment in erstwhile FATA offices or adjustment from Settle district to FATA Offices.

4. **Incorrect.** He is a Junior Clerk and was not appointed as Naib Tehsildar neither he has been promoted as Naib Tehsildar but was only assigned the duties of Naib Tehsildar in his OWN PAY & SCALE, as explained in Para No.2 above.

5. **Incorrect.** The applicant with three other officials submitted departmental appeals before the Senior Member Board of Revenue, Revenue & Estate Department, Khyber Pakhtunkhwa Peshawar and they were given opportunity of personal hearing by the Senior Member Board of Revenue(SMBR) one by one, but they could not prove the right of their seniority, as all of them were given seniority from their regular adjustment on FATA side and their departmental appeal were dismissed by SMBR Peshawar vide order dated 16/10/2019. (Copy attached). Remarks of the Senior Member Board of Revenue (SMBR) Khyber Pakhtunkhwa Peshawar in their departmental appeal are re-produced as under:-

"Opportunity of personal hearing by the Senior Member Board of Revenue(SMBR) one by one, but they could not prove the right of their seniority, as all of them were given seniority from their regular adjustment on FATA side. Perusal of available record reveals that no discrimination has been done with the appellant. The Seniority list issued by Commissioner, DIKhan Division DIKhan is based on facts and round realities which is maintained and the appeals (numbers) having no legal grounds is dismissed with no order to cost."

GROUNDS:

- a) Incorrect. The impugned Seniority list is according to Law after observing all codal formalities.


b) **Incorrect.** The appellant has been dealt in accordance with Law / Rules.

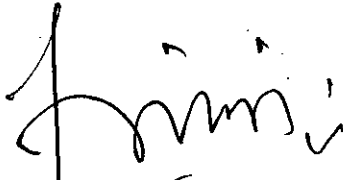
c) **Incorrect.** All the Junior Clerks/Political Muharrirs in erstwhile FATA offices will be given seniority/promotion to the post of Naib Tehsildar/Senior Clerk on their own turn.

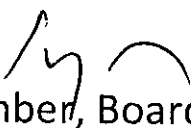
d) **Incorrect.** The Final Seniority List of Junior Clerk/Political Muharrir issued vide this office No.4192-96/Estt: dated 18/07/2019 is quite correct and according to Rules.

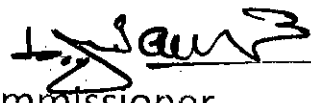
PRAYERS

Therefore it is requested that the instant appeal of the appellant may be dismissed having no legal status / grounds.


Deputy Commissioner, DIKhan.
(Respondent No.4)


Deputy Commissioner,
South Waziristan TD.
(Respondent No.5)


Senior Member, Board of Revenue,
Revenue & Estate Department, Pesh:
(Respondent No.2).


Commissioner,
Dikhan Division DIKhan.
Respondent No.3.

IN THE COURT OF SENIOR MEMBER, BOARD OF REVENUE.

Amjad
4
A

1. Mr. Amjad Naeem Political Muharrir South Waziristan Tribal District
2. Mr. Ejaz Khan Political Muharrir South Waziristan Tribal District.
3. Mr. Rehmatullah Political Muharrir FR Tank.
4. Mr. Khalilullah Political Muharrir FR D.I.Khan.

Appellants

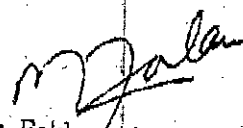
Versus

Commissioner D.I.Khan Division, D.I.Khan..... Respondent.

My this single order will dispose off the above mentioned identical nature appeals of the above named Political Muharrirs against the order / seniority list of Political Muharrirs issued on 22.07.2019 by Commissioner D.I.Khan Division.

Facts of the case are that Commissioner D.I.Khan issued seniority list of Political Muharrirs of D.I.Khan Division on 27.02.2019 wherein the names of the appellants were included. On receipt of objections from some Political Muharrirs to the effect that the appellants have been adjusted as Political Muharrirs after devolution on FATA side, therefore, their names may be placed in the seniority list from the date of their adjustment on FATA side. Accordingly on the basis of advice tendered by Board of Revenue, the Commissioner D.I.Khan Division issued final seniority list of Political Muharrirs by placing the names of the appellants from the date of their adjustment on FATA side.

Opportunity of personal hearing was afforded to each appellant one by one, but they could not prove the right of their seniority, as all of them were given seniority from their regular adjustment on FATA side. Perusal of available record reveals that no discrimination has been done with the appellant. The seniority list issued by Commissioner D.I.Khan is based on facts and ground realities which is maintained and the appeals (4 numbers) having no legal grounds is dismissed with no order as to cost.


Dr. Fakhre Alam
Senior Member, Board of Revenue

Announced
16.10.2019

Est.V-2019

FRX NO.: 0519213989

FROM: SMR OFFICE

1 Jan. 2020 2:08PM P2

BEFORE THE HON'ABLE SERVICE TRIBUNAL , DIKHAN BENCH.

APPEAL No. 1170 of 2019,

(Amjad Naeem versus KPK)

Service Appeal.

Affidavit

I Abdul Abdul Haleem Superintendent DC office SWTD Authorized in the in appeal No.1170 of 2019 Amjad Naeem versus Govt: Khyber Pakhtunkhwa do hereby solemnly affirm and declare on oath that contents of comments are true & Correct to the best of my knowledge and that nothing has been concealed from this Honourable Court.


DEPONENT.