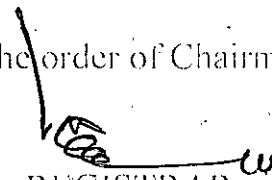


FORM OF ORDER SHEET

Court of _____

Case No.- _____ 735/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/04/2023	<p>The appeal of Mr. Azam Din presented today by Mr. Inayat Ullah Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ .Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 735 /2023

Azam Din Appellant

Versus

I.G.P, K.P Peshawar & others..... Respondents

INDEX

S.No.	Description of documents.	Annex:	Pages.
1)	Grounds of appeal.		1-5
2)	Affidavit.		6
3)	Addresses of the parties.		7
4)	Copy of order dated 06.03.1989	A	8-8/A
5)	Copy of Naqal Mad	B	9
6)	Copy of service card	C	10
7)	Copy of order dated 30.05.2013	D	11
8)	Copy of pay roll dated 31.12.2022 showing the appellant in BPS-14	E	12
9)	Copy of birth certificate	F	13
10)	Copy of departmental appeal dated 01.01.2023.	G	14
11)	Copy of letter dated 01.03.2023	H	15
12)	Wakalatnama.		16

Dated: 03.04.2023

Azam Din

Appellant
Azam Din

Ex-Sub Inspector, KP Police

Through

Inayat Ullah Khan

Advocate Supreme Court
LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 735/2023

Azam Din son of Yar Din
 Ex-Sub Inspector (BPS-14), Khyber Pakhtunkhwa Police
 R/O Caste Qamber Khel, Tappa Saaf Khel
 Kandy Adal Khel, Bargarha, P.O. Bara
 Tehsil Bara District Khyber Appellant

Versus

- 1) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2) Secretary Home and Tribal Affairs, Khyber Pakhtunkhwa, Peshawar.
- 3) Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar
- 4) District Police Officer, Khyber..... Respondents

Appeal u/s 4 of the Khyber Pakhtunkhwa
 Service Tribunal Act, 1974.

Prayer:

It is, therefore, humbly prayed to allow this service appeal with directions to the official respondents to grant pensionary benefits to the appellant without any further loss of time.

It is further prayed that monthly pension/salary be awarded to the appellant till finalization of his pension case to minimize his financial hardships.

Any other relief to whom the appellant found entitled during course of hearing may also be granted.

Respectfully Sheweth;

Brief facts giving rise to the instant appeal are as under:-

- 1) That the appellant was appointed vide order dated 06.03.1988 as Khasadar in Khyber Khasadar Force wherein appellant is appearing at Sr.No.15 of the order referred above.

(Copy of order dated 06.03.1989 is Annex: "A").

- 2) That Khyber Khasadar Force was merged in police department of Khyber Pakhtunkhwa in the year 2018 and like many other khasadars the appellant was also merged in the Khyber Pakhtunkhwa Police and as such posted at District Police Office, Khyber in BPS-14 rank Sub Inspector.
- 3) That the appellant was posted as sub inspector/ Incharge Police Station Bara and as such Naqal Mad No.16 dated 26.03.2022 is enclosed.

It is pertinent to mention that the appellant was issued service card No.0095119 by the issuing authority i.e. District Police Officer, Khyber.

(Copies of Naqal Mad and service card are Annex: "B and C").

- 4) That prior to merger of Khyber Khasadar Force in police department/ police force Khyber Pakhtunkhwa, the appellant was performing his duties as Subedar in Khyber Khasadar Force.

(Copy of order dated 30.05.2013 is Annex: "D").

- 5) That the appellant after reaching the age of superannuation got retired at the age of sixty years on 01.01.2023 and his pay was accordingly stopped w.e.f. 01.01.2023 by the Accountant General office Khyber Pakhtunkhwa, Peshawar.

(Copy of pay roll dated 31.12.2022 showing the appellant in BPS-14 is Annex: "E")

- 6) That the appellant's date of birth as per birth certificate is 01.01.1963 and to this effect birth certificate is attached as Annex: "F").

- 7) That the appellant filed departmental appeal dated 01.01.2023 for grant of pension and other emoluments to the District Police Officer, Khyber to process his pension case as he reached the age of superannuation and his pay was stopped.

(Copy of departmental appeal dated 01.01.2023 is Annex: "G").

- 8) That the appellant's case was also recommended by District Police Officer, Khyber to the Secretary Home and Tribal Affairs, Khyber Pakhtunkhwa, Peshawar for payment and processing of his pension vide letter No.1589/PSO-Khyber dated 01.03.2023, but so far no remedial action has been taken.

(Copy of letter dated 01.03.2023 is Annex: "H").

Feeling dissatisfied with the inaction of the official respondents the appellant constrained to file this service appeal for grant of pensionary benefits on the following amongst other grounds:

GROUNDS OF APPEAL:

- a) That the appellant is an employee of Khyber Pakhtunkhwa Police and got retired as Sub Inspector (BPS-14) on 01.01.2023, therefore, is entitled to pensionary benefits after merger of Khyber Khasadar Force in police department of Khyber Pakhtunkhwa.
- b) That the appellant's case was duly recommended by respondent No.4 i.e District Police Officer, Khyber for grant of pensionary benefits to respondent No.2 i.e. Secretary Home and Tribal Affairs Department, Khyber Pakhtunkhwa vide letter dated 01.03.2023, therefore, the claim for grant of pensionary benefits is justified within the four corners of law.
- c) That according to the pay roll deductions were made from the pay of the appellant, therefore, the official respondents are bound to process his pension case without any delay, hence, in the given facts and circumstances the monthly pay/ pension shall be awarded to the appellant w.e.f. 01.01.2023 till finalization of his pension case.
- d) That the appellant since his retirement is not getting his monthly pension and no gratuity has been paid to him, therefore, unable to bear expenses of his family.
- e) That good administration requires prompt action in the matter as the monthly pension is the only source of income of the appellant. It is further important to state that since his retirement he and his family constantly being adversely affected.

- f) That **additional grounds** will be raised at the bar with kind permission of this Hon'ble Tribunal.

Keeping in view, what has been stated above, it is, therefore, humbly prayed to allow this service appeal with directions to the official respondents to grant pensionary benefits to the appellant without any further loss of time.

It is further prayed that monthly pension/ salary be awarded to the appellant till finalization of his pension case to minimize his financial hardships.

Any other relief, which has not been specifically asked for and to whom the appellant found entitled may also be granted.

Dated: 03.04.2023

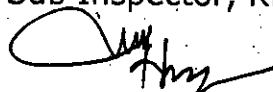
AZAM DIN

Appellant

Azam Din

Ex-Sub Inspector, KP Police

Through



Inayat Ullah Khan

Advocate Supreme Court

LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Azam Din Appellant**Versus**

I.G.P, K.P Peshawar & others..... Respondents

AFFIDAVIT

I, **Azam Din** son of Yar Din Ex-Sub Inspector (BPS-14), Khyber Pakhtunkhwa Police R/O Caste Qamber Khal, Tappa Saaf Khel Kandy Adal Khel, Bargarha, P.O. Bara Tehsil Bara District Khyber do hereby affirm and declare on oath that the contents of the **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Azam Din

Deponent

CNIC No. 21201-7076835-3

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Azam Din Appellant**Versus**

I.G.P, K.P Peshawar & others..... Respondents

ADDRESSES OF THE PARTIESAPPELLANT:

Azam Din son of Yar Din
 Ex-Sub Inspector (BPS-14), Khyber Pakhtunkhwa Police
 R/O Castè Qamber Khal, Tappa Saaf Khel
 Kandy Adal Khel, Bargarha, P.O. Bara
 Tehsil Bara District Khyber

RESPONDENTS:

- 1) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2) Secretary Home and Tribal Affairs, Khyber Pakhtunkhwa, Peshawar.
- 3) Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar
- 4) District Police Officer, Khyber

Dated: 03.04.2023

Azam Din

Appellant

Azam Din

Ex-Sub Inspector, KP Police

Through

*Inayat Ullah Khan***Inayat Ullah Khan**

Advocate Supreme Court

LL. M (U.K)

As per approval of the P.A. dated 23/2/68
 hereby enlisted in the
 Regiment of the Khyber Mussadar Force w.e.f. 1.3.1968 (FN)

1. Kasal Khan s/o Sardar Khan, Malikdin Khel, Daulat Khel
2. Hoshan Khan s/o Sardar Khan, Malikdin Khel, Daulat Khel
3. Fazal Ghani s/o Khan Wali, - do- -do-
4. Amanullah s/o Gul Wali, -do- -do-
5. Nughal Jan s/o Amal Gul, -do- -do-
6. Anisate Gul s/o Khial Gul, Malikdin Khel, Umar Khan Khel
7. Ayub Khan s/o Lalmand Khan, Shiqamber Khel, Daulat Khel
8. Ghilaf Gul s/o Atta Gul, -do- Sheikhmal
9. Khadim Gul s/o Noor Shah, -do- Wamiger Khel
10. Muhammad Sherin s/o Mahrang Khel, Shiqamber Khel
11. Ladd Khan s/o Islam Gul, Shiqamber Khel, Sheikhmal
12. Mahoor Khan s/o Dawar Khan Aka Khel, Lada Khel
13. Kasal Khan s/o Mullah Khan, Aka Khel, Sangul Khel
14. Sher Gul Khan s/o Shinak, Aka Khel, Mirgat Khel
15. Azam Din s/o Yara Din, Kamar Khel, Kaidad Khel
16. Khial Ghani s/o Fazal Ghani, Kamar Khel, Nughal Khel
17. Khial Zaman s/o Gul Zaman, Aka Khel, Lada Khel

They are well fitted for Mussadar service.

Sd/-
 For Political Agent, Khyber

No. 268-70 /RO, dated Peshawar the 6/3/1968.

Copy to:-
 1.
 2.
 3.

The A.P.A. Bara.
 The P.T. Bara.
 The S.M. KCF, Jamrud
 for information & n/a.

[Signature]
 Attested to be
 True Copy

[Signature]
 For Political Agent, Khyber

OFFICE ORDER

As per approval of the P.A dated 23.02.1988, following persons are hereby enlisted as Khasadars in their respective Khasadar company of the Khyber Khasadar Force w.e.f 01.03.1988 (FN).

1. Masal Khan S/o sardar Khan, Malikdin Khel, Daulat
2. Roshan Khan S/o Sardar Khan, Malikdin Khel Daulat
3. Fazal Ghani S/o Khan Wali, -do- -do-
4. Amanullah S/o Gul Wali, -do- -do-
5. Mughal Jan S/o Amal Gul -do- -do-
6. Khalasta Gul S/o Khial Gul Malikdin Khel Umer Khan Khel
7. Ayub Khan S/o Mohmand Khan, SH Qambar Khel Dreplaray.
8. Ghilaf Gul S/o Atta Gul -do- Sheikmal
9. Khadim Gul S/o Noor Shah, -do- Wandgrai.
10. Muhammad Sherin S/o Mashrang Khs Sh Qambar Khel.
11. Daud Khan S/o Islam Gul, Sh Qambar Khel Shaikmal
12. Mahoor Khan S/o Dawar Khan Aka Khel Mada Khel
13. Misal Khan S/o Mullah Khan AKA Khel Sanzal Khel
14. Sher Gul Khan S/o Shinak Aka Khel Mirgat Khel
15. Azam Din S/o yara Din, Kamar Khel khoidad Khel.
16. Khial Ghani S/o Fazal Ghani Kamar Khel Mughal Khel
17. Khial zaman S/o Gul Zaman Aka Khel Mada Khel.

They are physically fit for Khassadari Service.

Sd/-
For Political Agent Khyber.

No. 268-70/RC, dated Peshawar the 06.03.1988

Copy to:-

1. The APA Bara.
2. The P.T Bara.
3. The S.M KKF, Jamrud
For information & n/a.

Sd/-
For Political Agent Khyber.

[Signature]
Attested to be
True Copy

صوبہ خیبر

پولیس ڈپٹی کمشنر

26-53
021
سجل درکار روزنامہ

(8)
(9)

رداء اعظم میں 19 وقت 09100 مورخہ 26-53 اس وقت میں مع ہجرت ان کے سندان مورخہ 622
رہنمائی 1197 راجپوت شہزادہ کو الہ آباد کے لیے روانہ کیا گیا اور اس کے ساتھ 101910444
2510212062 پولیس راجپوت مورخہ 11
سے ملے سندان کی دستگیری کرنی ہوئی اور ان کا تعلق کھانہ باغیچہ ارواہم ہونے

جنا - عالی

ANNEXURE 13

سول سٹیشن راجپوت



(10)

ANNEXURE C

Khyber Pakhtunkhwa Police

Card No. 0095119

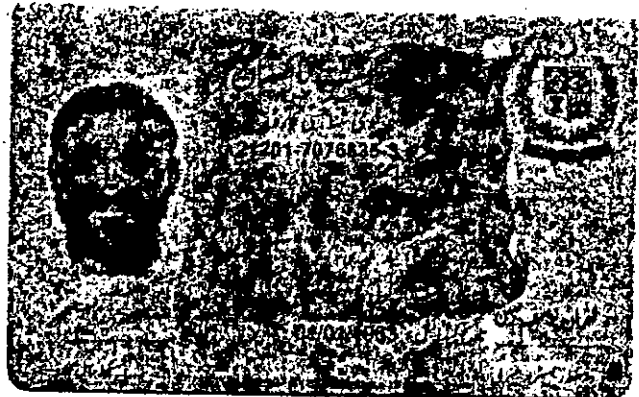


AZAM DEEN
Sub Inspector



[Signature]
Issuing Authority

District Police Office, Khyber



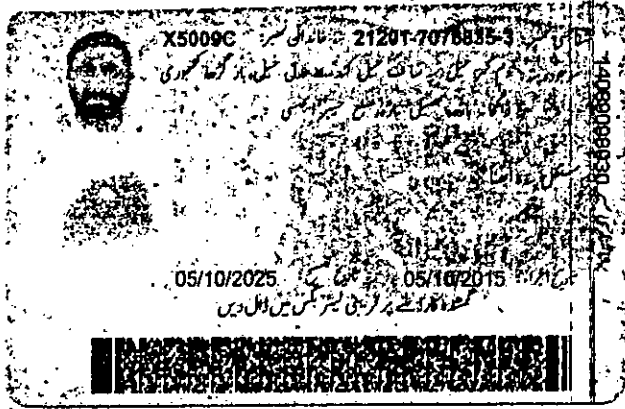
[Signature]

Attested to be
True Copy

IC # 2120170768353
Date of Birth 01-01-1963
Date of Issue 14-10-2021
Date of Expiry 13-10-2024
Agency Contact# 03365882170
Address BAZ GARAH BARA Khyber



In the event of loss the card holder should report to the nearest police station.
If found, please drop into the nearest letter box.
For more information contact us. 091-9210457



OFFICE ORDER

(11)

ANNEXURE

D

The following promotions amongst the senior most JCO/NCO of Kamar Khel Khassadar Company of Khyber Khassadar Force, is hereby made with immediate effect in the public interest:-

S.NO.	NAME OF JCO/NCO.	PROMOTION.
1.	N/Subedar, Azam Din	Subedar Against already vacant post.
2.	Hawaladar Mir Rehman	Naib Subedar against the post caused vacant due to promotion of Azam Din at S.No.1

Commandant K.K.F.
Political Agent, Khyber.

No. 3634-37 /SKC dated Peshawar the 30/5 /2013.
Copy forwarded to:

1. The Assistant Political Agent, Bara.
2. The Agency Accounts Officer, Khyber at Jamrud.
3. The Political Tehsildar, Bara.
4. Subedar Major, KK.F, at Bara.

For information and necessary action.

Separate

Political Agent, Khyber.

29/05/2013

Attested to be
True Copy

121

ANNEXURE E

00417515 AZAM DIN CNIC: 2120170769353 Desig: SUB INSPECTOR (80889034) Grade: 14 NTN: Buckle No.: Gazetted/Non-Gazetted: N

PAYMENTS	AMOUNT	DEDUCTIONS	AMOUNT	LOAN/FUND	PRINCIPAL	REPAID	BALANCE
0001 Basic Pay	43,410.00	3014 GPF Subscription	2,620.00-		GPF#:		117,004.00
1001 House Rent Allowance	3,321.00	5149 Adj. Special Allow 20	10,500.00-		INCOME TAX 3,051.72	2,527.00	525.18
1210 Convey Allowance 20	2,856.00	3530 Police wcl:Fud BS-1.t	868.00-				
1300 Medical Allowance	1,500.00	4004 R. Benefits & Death C	600.00-				
1528 Unattractive Area A	1,000.00	3609 Income Tax	88.00-				
1547 Ration Allowance	681.00						
1567 Washing Allowance	150.00						
1646 Constabulary R Allow	300.00						
2168 Fixed Daily Allowanc	4,900.00						
2314 Risk Allow Police -	10,300.00						
2347 Adhoc Rel Al 15% 22(4,208.00						
PAYMENTS	72,626.00	DEDUCTIONS	14,676.00-		NET PAY	57,950.00	01.12.2022 31.12.2022
Branch Code:222362	Ring Rd.Hayatabad Peshawar.	HABIB BANK LIMITED		Ring Rd.Hayatabad Peshawar.	PESHAWAR	Accnt.No: 7000009303	

dy
Attested to be
True Copy

BIRTH CERTIFICATE

ANNEXURE F

(13)

نمبر شمار S.No نمبر شمار	نام Name الاسم	باپ کا نام Father's Name اسم الولد	جنس Gender الجنس	مذہب Religion الديانة	قوم Caste القبيلة	تاریخ پیدائش Date of Birth تاریخ الميلاد	پتہ Address العنوان
11	اعظم دین	یارا الین	مرد	اسلام	مخزین	01-01-1963	قوم مخزین، ساف خیل سبز محل، خیل بازوہا بازوہا، ایف
<p>As verified by Ag. Surgeon</p> <p>ATTESTED AS</p> <p>دیکھو اور</p>							
<p>POLITICAL AGENT HOLDAR</p> <p>PARA POLICE AGENCY</p>							

C/o Sub
A Zim Dhm

AG
AGENT SUPERVISOR
Khyber Agency

Attested to be
True Copy

دیکھو اور
21201-67033-45-21

سبز محل
شہید زین قاسم خیل
قوم مخزین
21201-7036633-7

(14)

ANNEXURE G

بخدمت جناب DPO صاحب ضلع خیبر

Departmental Appeal

جناب عالی!

بعنوان: ریٹائرمنٹ

مودبانہ گزارش کی جاتی ہے کہ مسائل آپ کے زیر نگرانی خشیت سب انسپکٹر پولیس فورس ضلع خیبر میں ملک و عوام کا بے لوث خدمت کر رہا ہوں۔ اور مسائل نے کبھی بھی دوران ڈیوٹی افسران بالا کو شکایت کا موقع نہیں دیا ہے۔ مسائل کا عمر 60 سال ہو گیا ہے۔ اور اے جی افس پشاور نے میری تنخواہ 01-01-2023 سے بند ہو چکی ہے۔ مسائل غریب گھرانے سے تعلق رکھتا ہے۔ اور گھر کا واحد کفیل ہے۔ اور کئے ہوئے سروس کا صلہ پنشن مقصود ہے۔

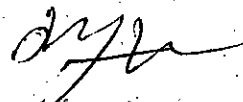
لہذا حضور سے بزرگیہ درخواست استدعا ہے کہ مسائل کو پنشن جاری کرنے کا حکم فرما کر انصاف کا بول بالا کر کے ثواب دارین حاصل کریں۔

اپکا تابع فرمان اعظم دین SI

موبائل نمبر: 0307-0538639

دستخط: SIA BMDIN

Dated 1-1-2023


Attested to be
True Copy

(15) ANNEXURE H

**OFFICE OF THE
DISTRICT POLICE OFFICER
KHYBER**

No. 1589 /PSO-Khyber, dated 01/03/2023



To : The Secretary,
Home & Tribal Affairs, Khyber Pakhtunkhwa,
Peshawar.

Subject: APPLICATION

Memo:

Enclosed please, kindly find herewith an application submitted by SI Azam Din for grant of pension.

It is submitted that the name of SI Azam Din was submitted to Home department for absorption after codal formalities but his absorption notification was not issued by Home department.

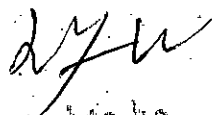
Now, the said SI has obtained the age of superannuation and his salary has been stopped and he has claimed his pension.

It is therefore, requested that his application may kindly be considered on humanitarian grounds, please.

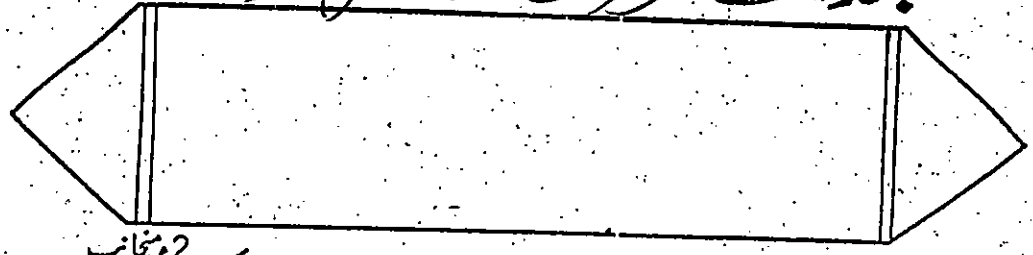

DISTRICT POLICE OFFICER
KHYBER

CC:

1. The Capital City Police Officer, Peshawar.
2. The Assistant Inspector General of Police NMDs, CPO, Peshawar.


Attested to be
True Copy

بعد التمروری سرسید ریل شہاد



اعظم دینی بنام 2 منجانب

موزخہ
مقدمہ
دعویٰ
جرم

P. a. P

باعث تخریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیردی و جواب دہی وکل کاروائی متعلقہ

آن مقام کیلئے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر حالت فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک ڈروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیردی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیردی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیردی مذکور کریں۔ لہذا ادکالت نامہ لکھدیا کہ سند ہے۔

المرقوم _____ ماہ _____ 20

کے لئے منظور ہے۔

بمقام

A ZINDAN

17301-9257870-3

B.C. 10-7560

03339059746