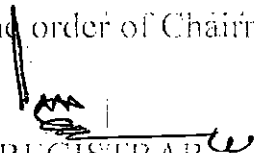


FORM OF ORDER SHEET

Court of _____

Case No. - 870/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/04/2023	<p>The appeal of Mr. Sacedullah resubmitted today by Mr. Adnan Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Saeed Ullah son of Muhammad Zarin r/o Ouch Gharbi Tajash Adenzai District Dir Lower received today i.e. on 07.04.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of impugned retirement order is not attached with the appeal.

No. 1107 /S.T.


Dt. 10/4 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Dr. Adnan Khan Adv.
High Court Swat.

Respectfully Submitted

*Needfull done kindly put before the Court
alongwith if any further objections.*


17-4-2023

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Service Appeal No. 870 of 2023

Saeed Ullah.....Appellant

VERSUS

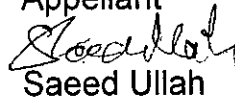
Government of Khyber Pakhtunkhwa and another

.....Respondents

INDEX

S. No.	Description	Annexure	Pages No.
1.	Memo of Service Appeal with Certificate		1-5
2.	Affidavit		6
3.	Addresses of parties		7
4.	Copy of Appointment Order	A	8
5.	Copy of relevant text of Service Rules notified in February 2013	B	9-12
6.	Copy of amended Rules notified in December 2013	C	13-14
7.	Copy of amendments notified in July 2020	D	15-16
8.	Copy of amended Rules notified in March 2021	E	17-22
9.	Copy of retirement order	F	23
10.	Copy of memo of appeal/representation	G	24
12.	Copy of order 17-02-2023	H	25
13.	Wakalatnama		26

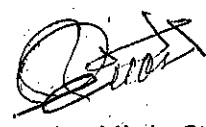
Appellant


Saeed Ullah

Identified by counsels


Dr. Adnan Khan Barrister-at-Law,
Advocate Supreme Court of Pakistan.

&


Umar Sadiq Advocate High Court
Office: Adnan Law Associates,
Opposite Shuhada Park College Colony,
Saidu Sharif, Swat.
Cell No. 0346-9415233

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Service Appeal No. 870 of 2023

Saeed Ullah S/o Muhammad Zarin R/O Ouch Gharbi Tehsil
Adenzai, District Dir Lower [Sepoy No.2009]

.....Appellant

VERSUS

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat at Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Home &
Tribal Affairs Department, Civil Secretariat at Peshawar.
- 3) Commandant Dir Levies/Deputy Commissioner Dir Lower at
Timergara.

.....Respondents

**APPEAL UNDER SECTION 4 OF
THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974.**

PRAYER:

On acceptance of this Appeal, **Notifications No. SO(Police-II)HD/MKD/Levies/Misc./2020 dated 22-03-2021 & No. SO (Police-II)HD/1-3/Federal Levies 2021 dated 21-10-2021** and subsequent orders dated 01-02-2023 & 17-02-2023 issued by respondent No.3 & 2 respectively may be declared as illegal and the same be set aside. Consequently, the appellant may be re-instated into service and held entitled to complete his service till attaining 60 years age in light of Notification dated 14-07-2020.

Alternatively, the impugned notifications may be declared to be ineffective upon the rights of the

appellant and he may be allowed to complete his service till attaining 60 years of age.

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Respectfully Sheweth:

- 1) That the appellant has been serving as regular member of Levies Force having a considerable length of service at his credit (Copy of Appointment Order is Annexure "A").
- 2) That services of the appellant were initially regulated under the Federal Levies Force Rules, 1962, which were non-statutory.
- 3) That subsequently, the Governor Khyber Pakhtunkhwa, under the omitted Article 247(4) of the Constitution promulgated the PATA Levies Force Regulations, 2012. Consequently, the Provincial Government framed Service Rules for the Levies Force in 2013 (Copy of relevant text of Service Rules notified in February 2013 is Annexure "B").
- 4) That Schedule-III of the above mentioned Rules, which provided for length of service towards retirement had certain anomalies. Hence, the said Rules were amended in December 2013 and the above stated anomalies were removed to a larger extent (Copy of amended Rules notified in December 2013 are Annexure "C").
- 5) That the relevant Rules were further amended in July 2020. Regarding the length of service towards retirement, Rule 17 was amended to the effect that all Levies personnel shall retire from service on attaining the age of superannuation i.e Sixty Years. Furthermore, Schedule-III which provided for certain length of service, was deleted by virtue of the amendment (Copy of amendments notified in July 2020 are Annexure "D").
- 6) That the rules were amended on 23-03-2021 and further amended in October 2021. Rule 17, which provided for retirement on reaching superannuation was again omitted

and Schedule-III was revived with certain amendments. (Copy of amended Rules notified in March 2021 and October 2021 are Annexure "E").

- 7) That the appellant got retired from service on reaching 45 years of service as prescribed by the above mentioned Rules vide office order dated 01-02-2023 (Copy of retirement order is attached as Annexure "F").
- 8) That the appellant filed representation against the above mentioned further amendments and retirement order (Copy of memo of appeal/representation is Annexure "G").
- 9) That respondent No. dismissed the appellant's representation vide order dated 17-02-2023, which order was received by the DC office on 01-03-2023 and process for informing the appellant was issued on the same day. Hence, the appellant received copy of the appeal dismissal order on 08-03-2023 (Copy of order 17-02-2023 is attached as Annexure "H").
- 10) That being aggrieved with the impugned notifications and subsequent retirement order, the instant appeal is being filed before this Hon'ble Tribunal, *inter alia*, on the following grounds:

GROUND:

- A) That the impugned act of amending the relevant Service Rules to the detriment of the appellant and subsequent retirement is illegal and un-Constitutional. Hence, the same acts are liable to be declared as such.
- B) That it is a settled law that service rules cannot be amended to the detriment of public sector employees. Even, if they are so amended, the same having prospective effect cannot be applied against the existing employees.

- ④
- C) That after the 25th Constitutional amendment, the new Constitutional regime demanded streamlining of the erstwhile Tribal Areas with the rest of the Province. So much so, Levies personnel serving in erstwhile FATA and Khasadar Force were accommodated to a larger extent where the Provincial Assembly passed an Act aimed at streamlining the service structure of Ex. FATA Levies Force. The Act not only provides uniform retirement age i.e 60 years for the whole Force but rather enjoins upon the Provincial Government to take steps towards absorption of the said Levies and Khasadars in regular police. Regrettably, the appellant have been treated in violation of the Constitutional spirit particularly after the 25th Constitutional amendment and subsequent orders.
- D) That further grounds, with leave of this Hon'ble Tribunal, would be raised at the time of oral submissions.

It is, therefore, humbly prayed that on acceptance of this appeal,

- (i) The impugned Notifications **No. SO(Police-II)HD/MKD/Levies/Misc./2020** & **No. SO (Police-II)HD/1-3/Federal Levies 2021** dated **21-10-2021** and subsequent retirement order dated 01-02-2023 issued by respondent No.3 and appeal dismissal order dated 17-02-2023 issued by respondent No. 2 be declared as illegal, the same may be set aside. Consequently, the appellant may be held entitled to complete his service till attaining 60 years of age in light with Notification dated 14-07-2020.

Alternatively, the impugned notifications may be declared to be ineffective upon the rights of the appellant and the appellant be allowed to

complete his service till attaining 60 years of age.

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- ii) Any other remedy though may not specifically prayed for, but which circumstances of the case would demand in the interests of justice, may also be granted.

Appellant



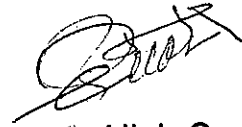
Saeed Ullah

Identified by counsels



Dr. Adnan Khan Barrister-at-Law,
Advocate Supreme Court of Pakistan.

&

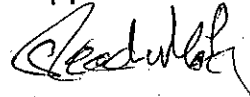


Umar Sadiq Advocate High Court

CERTIFICATE:

Certified that no such like appeal has earlier been filed before this Hon'ble Tribunal on the subject matter.

Appellant



Saeed Ullah

7

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Service Appeal No. _____ of 2023

Saeed UllahAppellant

VERSUS

Government of Khyber Pakhtunkhwa and another

.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Saeed Ullah S/o Muhammad Zarin R/O Ouch Gharbi Tehsil
Adenzai, District Dir Lower [Sepoy No.2009]
(NIC#15302-0957467-7) (Cell#0345-9511042)

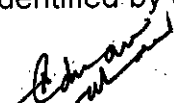
RESPONDENTS:

- 1) Government of Khyber through Chief Secretary Peshawar
- 2) Government of Khyber through Secretary Home & Tribal
Affairs Department, Civil Secretariat at Peshawar.
- 3) Commandant Dir Levies/Deputy Commissioner District Dir
Lower at Timergara

Appellant,


Saeed Ullah

Identified by counsels


Dr. Adnan Khan Barrister-at-Law,
Advocate Supreme Court of Pakistan.

&



Umar Sadiq Advocate High Court

6

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Service Appeal No. _____ of 2023

Saeed Ullah *Appellant*

VERSUS

Government of Khyber Pakhtunkhwa and another

..... *Respondents*

AFFIDAVIT

I, Saeed Ullah (Appellant), do hereby solemnly affirm and declare that the contents of the above titled Appeal are true and correct to the best of my knowledge and belief. Furthermore, no such like appeal has earlier been filed before this Hon'able Tribunal or elsewhere on this subject matter.

DEPONENT

Saeed Ullah

Saeed Ullah S/o Muhammad Zarin

NIC#15302-0957467-7



OFFICE OF THE DISTRICT COORDINATION OFFICER/COMMANDANT
DIR LEVIES DIR PLOWERS & TAMBORA

No. 17/10/LIC Dated Timorunt the 12/03/2010

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OFFICE ORDER

As recommended by the Selection Committee constituted for recruitment in Dir Levies (Federal) the following successful candidates of District Dir Plover are hereby appointed as Sepoys in BPS-5 (340-160-140) plus usual allowances admissible to them under the rules, with immediate effect.

S.No.	NAME OF CANDIDATE	FATHER NAME	ADDRESS
1	ZIARAT KHAN	HAZRAT RALEEM	CHAKDARA ADENZAI
2	ASGHAR ALI	FAZAL WAHAB	OUCH ADENZAI
3	HABIB RASOOL	BAHRI MUEK	OUCH ADENZAI
4	QAISAR JALAL	MOHAMMAD JALAL	OUCH ADENZAI
5	MOHAMMAD ARSHAD	DILBAR KHAN	CHAKDARA ADENZAI
6	NAUMAN AHMAD	MOHAMMAD HAYAT	CHAKDARA ADENZAI
7	AMIR KHAN	M. QADEEM NAWAZ	ASBANR ADENZAI
8	SAEED BULLAH	MOHAMMAD ZARIN	OUCH ADENZAI
9	MOHAMMAD KHALID	MOHAMMAD MUSTAFA	OUCH ADENZAI
10	RIZWANULLAH	SULTAN ROOM	MIANBRANGOLA
11	ATA UR RAHMAN	ANWAR RAHMAN	OUCH ADENZAI
12	MOHAMMAD SAJJAD	MOHAMMAD RODIN	CHAKDARA ADENZAI
13	ABDULLAH	FAZAL JABBAR	OUCH ADENZAI
14	AYAZ KHAN	FAIZ MOHAMMAD KHAN	OUCH ADENZAI
15	FARRUKH SAYYAR	JEHAN BADSHAH	ASBANR ADENZAI
16	NAEEM KHAN	WALI KHAN	SHEWOG BALA
17	FIDA HUSAIN	AURANG ZEB	SHAH ALAM BABA ADENZAI
18	ARIF NASEEM	KIFAYATULLAH	BADWAN ADENZAI
19	GHAUS UR RAHIM	KHWAJA BAHIM	KHANPUR
20	YOUNUS KHAN	MUGADAR KHAN	OUCH ADENZAI
21	YOUSAF KHAN	SHER ZADA	RAMORA
22	HUSAIN AHMAD	BASHEER AHMAD	OUCH ADENZAI
23	FAZAL KABIR	FAZAL KARIM	BADWAN ADENZAI
24	MOHAMMAD NAEEM	FAZAL KARIM	BADWAN ADENZAI
25	MOHAMMAD SAJJAD	SAID MOHAMMAD	BEIMI AY
26	NASEERULLAH	NAIK ZAMIN	OUCH ADENZAI
27	ZAHID SHAH	AKBAR SHAH	OUCH ADENZAI
28	SAJJID ALI	BAHRMARAM	BADWAN ADENZAI
29	ALTAUF UR RAHMAN	SHAKIRULLAH	OUCH ADENZAI
30	AMIN UR RAHMAN	KAMRAN	CHAKDARA ADENZAI
31	SUHAIL KHAN	ABDUL KALAM	OUCH

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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 15TH FEBRUARY, 2013.

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar, the 4th February 2013

SERVICE RULES FOR FEDERAL LEVIES FORCE IN PATA

In exercise of the powers conferred by Section 9 of the PATA Levies Force Regulation, 2012, the Provincial Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:-

1. **Short title and commencement.** - (1) These rules may be called Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013.

(2) They shall come into force at once.

2. **Definitions.** - (1) In these Rules, unless the context otherwise require, the following expressions shall have the meaning hereby respectively assigned to them, namely:-

- (a) "Appointing Authority" means the appointing authority specified in rule-4;
- (b) "Commandant" means Commandant of the Force, who shall be the Deputy Commissioner in their respective jurisdiction;
- (c) "Deputy Commandant (Operation)" means an Assistant Commissioner or any officer of the District designated as such by the provincial government to exercise in his respective jurisdiction such powers and perform such functions as may be prescribed; and who shall be responsible to the Commandant for operational matters of the Force in PATA.
- (d) "Deputy Commandant (Administration)" means Deputy Commissioner or any officer of the District designated as such by the provincial government to exercise in his respective jurisdiction such powers and perform such functions as may be prescribed and who shall be responsible to the Commandant for administration and establishment matters of the Force in PATA.
- (e) "Government" means the Government of Khyber Pakhtunkhwa;
- (f) "Home Department" means Provincial Home & Tribal Affairs Department;
- (g) "Initial recruitment" means appointment made other than by promotion or transfer;
- (h) "Schedule" means the Schedule appended to these rules;

Signature
DC
12/02/13

Signature

Signature
C.T.C

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SCHEDULE -III
See Rule 17.

S.#	Post/Rank	Length of service / Age
1	Subedar Major (BS-16)	38 years service or 03 years service as Subedar Major or 60 years age whichever is earlier
2	Subedar (BS-13)	35 years service or 03 years service as Subedar or 57 years age whichever is earlier
3	Naib Subedar (BS-11)	32 years service or 03 years service as Naib Subedar or 54 years age whichever is earlier
4	Havaldar (BS-8)	29 years service or 03 years service as Havaldar or 51 years age whichever is earlier
5	Naik (BS-7)	26 years service or 03 years service as Naik or 48 years age whichever is earlier
6	L/Naik (BS-6)	23 years service or 03 years service as L/Naik or 45 years age whichever is earlier
7	Sahay (BS-6)	20 years service or 42 years age whichever is earlier

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GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION
Peshawar the 4th February 2013

SERVICE RULES FOR FEDERAL LEVIES FORCE IN PATA

In exercise of the power conferred by Section 9 of the PATA Levies Force Regulation 2012, the Provincially Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:-

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(2) They shall come into force at once.
2. **Definition:-** (1) In these Rules, unless the context otherwise require, the following expression shall have the meaning hereby respectively assigned to them, namely:-
 - (a) "Appointing Authority" means the appointing authority specified in rule-4;
 - (b) "Commandant" means Commandant of the Force, who shall be the Deputy Commissioner in their respective jurisdiction;
 - (c) "Deputy Commandant (Operation)" means as Assistant Commissioner or any officer of the District designated as such by the provincial government who shall be Deputy Commandant (Operation) of the Force in PATA, to exercise in his respective jurisdiction such power and perform such functions as may be prescribed; and who shall be responsible to the Commandant for operational matters of the Force in PATA.
 - (d) "Deputy Commandant (Administration)" means Deputy Commandant (Administration) of the Force, who shall be an officer of the provincial government or any officer of the District designated as such by the provincial government to exercise in his respective jurisdiction such powers and perform such functions as may be prescribed and who shall be responsible to the Commandant in administration and establishment matters of the Force in PATA.
 - (e) "Government" means the Government of Khyber Pakhtunkhwa;
 - (f) "Home Department" means Provincial Home & Tribal Affairs Department;
 - (g) "Initial recruitment" means appointment made other than by promotion or by transfer;
 - (h) "Schedule" means the Schedule appended to these rules'

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SCHEDULE-III
See Rule 17

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S.#	Post/Rank	Length of service/Age
1	Subedar Major (BS-16)	38 years service or 03 years service as Subedar Major or 60 years age whichever is earlier
2	Subedar (BS-13)	35 years service or 03 years service as Subedar or 57 years age whichever is earlier
3	Naib Subedar (BS-11)	32 years service or 03 years service as Niab Subedar or 54 years age whichever is earlier
4	Havaldar (BS-8)	29 years service or 03 years service as Havaldar or 51 years age whichever is earlier
5	Naik (BS-7)	26 years service or 03 years service as Naik or 48 years age whichever is earlier
6	L/Naik (BS-6)	23 years service or 03 years service as L/Naik or 45 years age whichever is earlier
7	Sepoy (BS-5)	20 years service or 42 years age whichever is earlier

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Dated Peshwar the 12th December, 2015

NOTIFICATION

No. So (Levies) HD/RLW/14/2015 Vol. 1. The competent authority has been pleased to, further amendments in Schedule-I of Rule-4(2) and Schedule-III of Rules-17 under Part-II of Regulation for PATA Levies Force, 2012 & Rule-24 of the Provincially Administered Forces (PATA) Federal Levies Force Service (Amended) Rules, 2013 as under:-

Rule-4(2) Schedules

SCHEDULE-I
See Rule 4 (2)

Uniformed Force

S.No	Post/Rank	Eligibility for promotion	Promotion Quota	Direct Quota	Qualification
	Subedar Major (BS-11)	One year service as Subedar	100%		
	Subedar (BS-13)	One year service as Naib Subedar	100%		
	Naib Subedar (BS-11)	One year service as Hawaldar	100%		
	Hawaldar (BS-8)	One year service as Naik	100%		
	Naik (BS-7)	One year service as Lance Naik	100%		
	Lance Naik (BS-6)	Five years' service as Sepoy	100%		
	Sepoy (BS-5)			100%	Middle Metric
	Head Armorer (BPS-5)	Five years' service as Assistant Armorer	100%		Middle Metric of Armo
	Assistant Armorer (BPS-1)			100%	Middle Metric of Armo

Rule-17 (Retirement): (1) All Uniform levy personnel shall retire as per Schedule-III or opt for retirement after completion of 25 years of regular service and no extension beyond retirement shall be granted.

SCHEDULE-III

Rule-17 Retirement

Post/Rank	Length of service / age for retirement.
Subedar Major (BS-11)	37 years' service or 60 years of age whichever is early
Subedar (BS-13)	35 years' service or 60 years of age whichever is early
Naib Subedar (BS-11)	33 years' service or 60 years of age whichever is early
Hawaldar (BS-8)	31 years' service or 60 years of age whichever is early
Naik (BS-7)	29 years' service or 60 years of age whichever is early
Lance Naik (BS-6)	27 years' service or 60 years of age whichever is early
Sepoy (BS-5)	25 years' service or 60 years of age whichever is early

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Government of Kyber Pakhtunkhwa,
Home & Tribal Affairs Department
Dated Peshawar the 12th December, 2013

NOTIFICATION

No. SO(Levies)HD/FLW/1-1/2013/Vol.1. The Competent authority has been pleased to order further amendments in Schedule-I of Rule-4(2) and Schedule-III of Rules-17 under Para of the Regulation for PATA Levies Force, 2012 & Rule-24 of the Provincially Administered Area (PATA) Federal Levies Force Service (Amended) Rules, 2013 as under:-
Rule-4(2) Schedule -I

SCHEDULE-I
See Rule 4(2)

Uniformed Force		Eligibility for promotion	Promo tion Quota	Direct Quota	Qualification
S.No	Post/Rank				
1.	Subedar Major (BS-16)	One year service as Subedar	100%		
2.	Subedar (BS-13)	One year service as Naib Subedar	100%		
3.	Naib Subedar (BS-11)	One year service as Hawaldar	100%		
4.	Hawaldar (BS-8)	One year service as Naik	100%		
5.	Naik (BS-7)	One year service as Lance Naik	100%		
6.	Lance Naik (BS-6)	One year service as Sepoy	100%		
7.	Sepoy (BS-5)			100%	Middle Pass/Matric
8.	Head Armourer (BS-5)	One year service as Assistant Armourer	100%		Middle Pass/Matric
9.	Assistant Armourer (BS-1)			100%	Middle Pass/Matric

Rule-17 (Retirement): (1) All uniform levy personnel shall retire as per Schedule-III or opt for retirement after completion of 25 years of regular service and no extension beyond retirement shall be granted.

SCHEDULE -III
Rule -17 (Retirement)

S.No	Post/Rank	Length of service/age for retirement
1.	Subedar Major (BS-16)	37 years' of service or 60 years of age whichever is earlier
2.	Subedar (BS-13)	35 years' of service or 60 years of age whichever is earlier
3.	Naib Subedar (BS-11)	33 years' of service or 60 years of age whichever is earlier
4.	Hawaldar (BS-8)	31 years' of service or 60 years of age whichever is earlier
5.	Naik (BS-7)	29 years' of service or 60 years of age whichever is earlier
6.	Lance Naik (BS-6)	28 years' of service or 60 years of age whichever is earlier
7.	Sepoy (BS-5)	25 years' of service or 60 years of age whichever is earlier

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Amendment

14-07-2020

In the said rules-

- (a) For rule 17, the following shall be substituted, namely:
 - "17. Retirement-- All Lower Personal shall retire from service on attaining their age of superannuation i.e. sixty (60) years or they may opt for retirement after completion of twenty-five (25) years regular service." and
- (b) Schedule III shall be deleted.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HOMI DEPARTMENT

Copy forwarded to the:-

1. Principal Secretary to Government Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister's Secretariat Khyber Pakhtunkhwa, Peshawar.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Election Commissioner, Khyber Pakhtunkhwa.
8. Provincial Police Officer, Khyber Pakhtunkhwa.
9. All Heads of Attached Departments in Khyber Pakhtunkhwa.
10. PSC to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
11. Accountant General of Khyber Pakhtunkhwa.
12. Director Information Khyber Pakhtunkhwa, Peshawar.
13. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa.

It is requested to publish the above Rules in the official gazette of Government of Khyber Pakhtunkhwa and supply 50 Copies (Printed) of the same to the Home Department.

Section Officer

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RECOMMENDED TO
SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HOMI DEPARTMENT

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BETTER COPY

HOME DEPARTMENT
NOTIFICATION

Dated Peshawar the 14-07-2020

No. SO (Police-IDHD/1-3: In exercise of the power conferred by Section 9 of the Provincially Administered Tribal Areas Levies Force Regulation 2012, the Government of the Khyber Pakhtunkhwa is pleased to direct that in the Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:

Amendments

In the said rules:-

a) Fro rule 17, the following shall be substituted, namely:

"17. Retirement.— All Levies Personal shall retire from service on attaining then age of superannuation i.e sixty (60) years or they may opt for retirement after completion of twenty-five (25) years regular service, and

b) Schedule-III shall be deleted.

SECRETARY TO
GOVT: OF KHYBER PAKHTUNKHWA
HOME DEPARTMENT

Copy forwarded to the:-

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CTC
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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

NOTIFICATION

Number: 100/2012-13/100001/100001/100001
Dated: 22-11-2012

In exercise of the powers conferred by Section-8 of the PATA Levies Form Regulation, 2012, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Form Services (Amended) Rules, 2013, the following further amendments shall be made, namely:-

Amendments

In the said rules:-

- In Rule 4, sub-rule (1), the following shall be substituted, namely:
 (i) Commandant shall be the appointing authority for initial recruitment and promotion up to the rank of Subedar.
 Provided that the appointing authority for purpose of promotion to the posts of Super Major and Superintendents shall be Secretary, Home Department.
- For Rule 17, the following shall be substituted namely:
 "17. Retirement: An officer concerned shall retire as per Schedule-II and no extension in service after retirement shall be granted".
- For Schedule-III, the following shall be substituted, namely:

"Schedule-II
(sub rule 17)

S. No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
1	Subedar Major (B-16)	On the basis of Seniority cum fitness from amongst the Subedars having Intermediate Qualification	Thirty Seven Years or Three Years Service as Subedar Major or Sixty Years of age whichever is earlier
2	Subedar (B-13)	By promotion, on the basis of Seniority Cum Fitness in the following manner: (i) Fifty Percent (50%) from amongst the Subedars having Intermediate Qualification, and (ii) Fifty Percent (50%) from amongst Subedars having Secondary School Certificate	Thirty Five Years Service or Five Years service as Subedar or Sixty years of age whichever is earlier
3	Subedar (B-11)	By promotion, on the basis of Seniority Cum Fitness in the following manner: (i) Fifty Percent (50%) from amongst the Subedars having Intermediate Qualification and (ii) Fifty Percent (50%) from amongst Subedars.	Thirty Three Years Service or Seven Years Service as Subedar or Sixty Years of age whichever is earlier.

100/2012-13/100001/100001/100001

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FROM THE

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100/2012-13/100001/100001/100001

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S.No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
4	Inspector (BS-04)		Thirty One years service or Three years service as Inspector or Fifty One years of age, whichever is earlier.
5	Sub-Inspector (BS-03)		Twenty Nine years service or Three years service as Sub-Inspector or Forty Eight years of age, whichever is earlier.
6	Constable (BS-02)		Twenty Seven years service or Three years service as Constable or Forty Five years of age, whichever is earlier.
7	Peon (BS-01)		Twenty Five years service or Fifty Two years of age, whichever is earlier.

**SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HOME & TRIBAL AFFAIRS DEPARTMENT**

Copies forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
 2. Principal Secretary to the Chief Justice, Khyber Pakhtunkhwa.
 3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
 4. Registrar, Peshawar High Court, Peshawar.
 5. All Commissioners, Khyber Pakhtunkhwa.
 6. All Deputy Commissioners, Khyber Pakhtunkhwa.
 7. Provincial Police Officers, Khyber Pakhtunkhwa.
 8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
 9. P.S.O to the Chief Secretary, Khyber Pakhtunkhwa.
 10. Accountant General, Khyber Pakhtunkhwa.
 11. Director Information, Khyber Pakhtunkhwa.
 12. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa.
- It is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (printed) of the same to the Home Department.

Section Officer (Police-II)

CERTIFIED TO
MATCH ORIGINAL

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Better copy

To be substituted notification of even No & date.

19

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar, dated the 22-3-2021

No. SQ(Police-II)HD/MKD/Levies/Misc./2020:- In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:-

Amendments

In the said rules:-

1. In Rule 4, sub-rule (1), the following shall be substituted, namely:
"(1) Commandant shall be the appointing authority for initial recruitment and promotion up to the rank of Subedar:
Provided that the appointing authority for purpose of promotion to the posts of Subedar Major and Superintendents shall be Secretary, Home Department."

2. For Rule 17, the following shall be substituted namely:

"17. Retirement: All Levy personnel shall retire as per Schedule-III and no extension in service after retirement shall be granted".

3. For Schedule-III, the following shall be substituted, namely:

"Schedule-III
(see rule 17)

S. No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
1	Subedar Major (BS-16)	On the basis of Seniority-cum-fitness from amongst the Subedars having Intermediate Qualification	Thirty Seven Years or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier
2	Subedar (BS-13)	By promotion, on the basis of Seniority Cum Fitness in the following manner, namely: (i) Fifty Percent (50%) from amongst the Naib Subedars having intermediate qualification; and (ii) Fifty Percent (50%) from amongst Naib Subedars having Secondary School Certificate	Thirty Five Years service or Five Years service as Subedar or Sixty years of age whichever is earlier
3.	Naib Subedar (BS-11)	By promotion, on the basis of Seniority Cum Fitness in the following manner, namely:	Thirty Three Years' Service or Seven Years' Service as Naib Subedar or Sixty Years

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S. No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
4	Hawaldar (BS-08)	qualification, and (ii) Fifty Percent (50%) from amongst Hawaldars.	Thirty One years service or Three years service as Hawaldar or Fifty One years of age, whichever is earlier.
5	Naik (BS-07)		Twenty Nine years service or Three years service as Naik or Forty Eight years of age, whichever is earlier.
6	L/Naik (BS-06)		Twenty Seven years service or Three years service as L/Naik or Forty Five years of age, whichever is earlier.
7	Sepoy (BS-05)		Twenty Five years service or Forty Two years of age, whichever is earlier.

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HOME & TRIBAL AFFAIRS DEPARTMENT

Copy forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
 2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
 3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
 4. Registrar, Peshawar High Court, Peshawar.
 5. All Commissioners, Khyber Pakhtunkhwa.
 6. All Deputy Commissioners, Khyber Pakhtunkhwa.
 7. Provincial Police Officers, Khyber Pakhtunkhwa.
 8. All Heads of Attached Department in Khyber Pakhtunkhwa.
 9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
 10. Accountant General, Khyber Pakhtunkhwa.
 11. Direction Information, Khyber Pakhtunkhwa.
 12. The Manger Government Printing & Stationery Department, Khyber Pakhtunkhwa.
- He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department

Section Officer (Police-II)

C.T.C
C.T.C



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar, dated the 21-10-2021

NO. SO(POLICE-II)HD/1-3/FEDERAL LEVIES 2021:- In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, and in continuation of this department notification No. SO(Police-II)HD/MKD/levies/Misc/2020 dated 22-03-2021, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:-

SCHEDULE-III

S. No.	Name of the Post / Rank	Length of Service / Age
1	Subedar Major (BS-16)	Thirty Seven Years of service or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier.
2	Subedar (BS-14)	Thirty Five Years of service or Five Years' service as Subedar or Sixty years of age whichever is earlier.
3	Naiib Subedar (BS-11)	Thirty Three Years of Service or Seven Years' service as Naiib Subedar or Sixty Years of age whichever is earlier.
4	Howaldar (BS-09)	Thirty one years of service or fifty one year of age whichever is earlier.
5	Naiik (BS-08)	Twenty nine years of service or forty nine years age whichever is earlier.
6	L/Naiik (BS-07)	Twenty seven years of service or forty seven years age whichever is earlier.
7	Sepoy (BS-07)	Twenty five years of service or forty five year of age whichever is earlier.

SCHEDULE-I

S.N. o	Post/ Rank	Eligibility for Promotion	Promotion Quota	Direct Quota	Qualification
1	Subedar Major (BS-16)	02 years' service as Subedar Or Total 21 years of service	100%		
2	Subedar (BS-14)	02 years' service as Naiib Subedar Or Total 19 years of service	100%		
3	Naiib Subedar (BS-11)	04 years' service as Howaldar Or Total 17 years of service	100%		
4	Howaldar (BS-09)	03 years' service as Naiik Or Total 13 years of service	100%		
5	Naiik (BS-08)	03 years' service as Lance Naiik Or Total 08 years of service			
6	L/Naiik (BS-08)	05 years' service as Sepoy			
7	Sepoy (BS-07)			100%	SSC
8	Head Armourer (BS-8)	05 years' service as Assistant Armourer	100%		SSC Qualification with certificate of Armourer
9	Assistant Armourer (BS-1)			100%	SSC Qualification with certificate of Armourer

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA.

22

Copy forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Police Officers, Khyber Pakhtunkhwa.
8. All Heads of Attached Department in Khyber Pakhtunkhwa.
9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Direction Information, Khyber Pakhtunkhwa.
12. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa. He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department.

Section Officer (Police-II)

21/10/2024

C.T.C.

2024-10-20
10:00 AM

Dated Pinerpara the 10/01/2023

OFFICE ORDER

In pursuance of Notification No. SO (Police-II)/HD/1-3/Federal Levies 2023 dated 21.10.2021 issued by Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department Peshawar. The following Dir Lower Levies personnel are hereby retired from service on attaining the age of superannuation w.e.f dated noted against each with full pension benefits under the Rules.

S.No.	Reg. No & Name	Designation	Date of Birth	Retired w.e.f
1	No. 1520 Ghani Rahman	Havaldar	06.01.1972	05.01.2023 (A/N) on attaining the age of 51 years as Havaldar
2	No. 1666 Shah Faisal	Sepoy	02.01.1978	01.01.2023 (A/N) on attaining the age of 45 years service as Sepoy
3	No. 2009 Saeedullah	Sepoy	04.01.1978	01.01.2023 (A/N) on attaining the age of 45 years service as Sepoy

They are further allowed for leave encashment of (365) days in lieu of LTR in lump sum subject to availability of leave in their credit and budget under the relevant Head of account during the current financial year.

Necessary entry to this effect should be made in their service book/sheet roll accordingly.

[Signature]
(Commandant Dir Levies)
Deputy Commissioner,
Dir Lower.

No. 387-92 /LHC/

Copy forwarded to the:-

1. Section Officer (Police-II) Home & TAs Department Peshawar
 2. Secretary to Commissioner Malakand Division at Swat.
 3. Assistant Commissioner/Deputy Commandant Dir Levies at Chakdara
 4. District Accounts Officer Lower Dir.
 5. Subedar Major Dir Levies.
 6. Official Concerned
- For information please.

[Signature]
(Commandant Dir Levies)
Deputy Commissioner,
Dir Lower.

C.T.C
[Signature]

BETTER COPY

28.A

OFFICE OF THE
DEPUTY COMMISSIONER/
COMMANDANT DIR LEVIES, DIR LOWER
No.386/LHC
Dated Timergara 10/01/2023

OFFICE ORDER

In pursuance of Notification No.SO(Police-II/HD/1-3/Federal Levies 2021 dated 21.10.2021 issued by Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department Peshawar. The following Dir Lower Levies personnel are hereby retired from service on attaining the age of superannuation w.e.f dated noted against each with full pension benefits under the Rules;

S.No	Reg: No. & Name	Designation	Date of Birth	Retired w.e.f
1	No.1520 Ghani Rahman	Hawaladar	06.01.1972	05.01.2023 (A.N) on attaining the age of 51 years as Hawaldar
2	No.1666 Shah Faisal	Sepoy	02.01.1978	01.01.2023 (A.N) on attaining the age of 51 years as Hawaldar
3	No.2009 Saeedullah	Sepoy	04.01.1978	01.01.2023(A.N) on attaining the age of 51 years as Hawaldar

They are further allowed for leave encashment of (365) days in lieu of LPR at lump sum subject to availability of leave in their credit and budget under the relevant Head of account during the current Financial year.

Necessary entry to this effect should be made in their service book/sheet roll accordingly.

-Sd-

(Commandant Dir Levies)
Deputy Commissioner
Dir Lower.

No.387-92/LHC/

Copy forwarded to the:-

1. Section Officer (Police-III) Home & TAs Department Peshawar.
 2. Secretary to Commissioner Malakand Division at Swat.
 3. Assistant Commissioner/Deputy Commandant Dir Levies at Chakdara.
 4. District Accounts Officer Lower Dir.
 5. Subedar Major Dir Levies.
 6. Official Concerned.
- For information please.

-Sd-

(Commandant Dir Levies)
Deputy Commissioner
Dir Lower.

C.T.C
✓

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Annex G

بخدمت جناب سیکڑی داخلہ صاحب خیبر پختونخوا بمقام پشاور۔

اپیل نظر ثانی لیویز سروس رولز 2013 نوٹیفیکیشن نمبر 21-10-2021

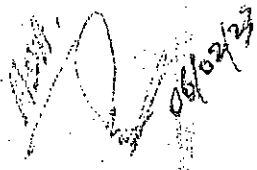
عنوان:-

جناب عالی:-

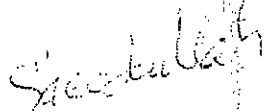
گزارش ہے۔ کہ مورخہ 26-04-2021 کو سیشنل ہوم سیکرٹری صاحب کے زیر
صدارت پشاور میں لیویز سروس رولز 2013 کے بارے میں ایک اجلاس منعقد ہوا۔ جس میں دیگر سفارشات کے
علاوہ سپاہی رینک کے لئے بالترتیب مدت ملازمت 25 سال سروس اور عمر کی حد 45 سال، لائسنس ٹائیک کے لئے
27 سال سروس اور 47 سال عمر، ٹائیک کے لئے 29 سال سروس اور 49 سال عمر، حوالدار کے لئے مدت ملازمت
31 سال جبکہ عمر کی حد 51 سال مقرر کرنے کی سفارش کی گئی ہے۔

جبکہ اس کے برعکس اوپر کے تین ریٹنگس صوبیدار میجر، صوبیدار اور نائب صوبیدار کے
لئے عمر کی حد 60 سال برقرار رکھا گیا ہے۔ چونکہ سائل کو مورخہ 03-01-2023 صرف 13 سالہ سروس پر
45 سال کی عمر میں ریٹائر کیا گیا ہے۔ جو کہ لیویز ملازمین کے درمیان امتیازی سلوک کے مترادف ہے۔

لہذا بذریعہ درخواست استدعا ہے کہ آپ صاحبان مہربانی فرما کر مذکورہ بالا حوالے کو
مد نظر رکھتے ہوئے۔ سپاہی رینک کے لئے 25 سال مدت ملازمت اور عمر کی حد 60 سال، لائسنس ٹائیک کے لئے
27 سال سروس اور 60 سال عمر، ٹائیک کے لئے 29 سال سروس اور 60 سال اور حوالدار کے لئے 31 سال سروس
عمر 60 سال پر نظر ثانی کر کے ریٹائر ملازمین بمطابق نوٹیفیکیشن مورخہ 21-10-2021 نوٹیفیکیشن کو منسوخ کرنے
اور سائل دوبارہ بحال کرنے کے احکامات صادر فرمائیں۔



تاحیات دُعا گورینگے۔

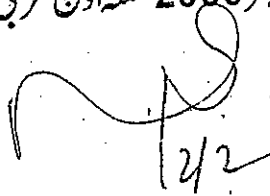


03459511042 العارض

سید اللہ ولد محمد زین بیلٹ نمبر 2009 سکند اوج غربی تحصیل ادینوئی ضلع دیر لور۔

Person No
2870

47
6/2/25
Date
Duty
L.A.K. S. (P.O.)
L.A.K. S. (P.O.)



C.T.C

Commandant (in Charge)
Duty



25

GOVERNMENT OF KHYBER PAKHTUNKHWA

Home & Tribal Affairs Department

Kachehri Gate # 3, Khyber Road, Peshawar, Phone: 091-9212147

111-12

SO(L&K)/Dir Low/
Dated 17/02/2023

To

The Deputy Commissioner,
District Dir Lower.

Amer
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Subject:- APPLICATIONS FOR REINSTATEMENT INTO SERVICE

Memo:

I am directed to enclose herewith copies of applications submitted by the following Ex-Levy Sepoy retired on dates as noted against each vide your office order No.386/LHC/ dated 10-01-2023 and No. 506/LHC dated 01-02-2023 and to state that since the officials have been retired in pursuance of Notification No. SO.(Police-II)HD/1-3/2020/MKD/Levies Amended Service Rules 2021 Schedule-III dated 21-10-202, therefore it is requested to kindly inform the applicants accordingly, please.

S.No	Name & Rank	Date of retirement
1	Sabir Khan Sepoy	Retired on 29-01-2023 on attaining the age of 45 years.
2	Saeed Ullah Sepoy	Retired on 03-01-2023 on attaining the age of 45 years

Encl (As above)

Yours Sincerely,
Hakem Jan
(HAKEM JAN)
Section Officer (L&K)

Copy to :

PS to Secretary Home & Tribal Affairs Department

Supd / Dir Levies put up

sd
Section Officer (L&K)

24/11/2023
1/3/2023
L

LHC pro cert
Am
1/3
C.T.L

DC D.H.U.
28/02/2023

Handwritten notes

بعدالت جناب مخیر بنو نواسر و سراج پور اسوات کیمپ کورٹ

26

قیمت ایک روپیہ	کورٹ فیس
----------------	----------

23 جناب
بنام حکومت دہلی

3 اپریل

سعد اللہ

سروس اسپل

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئنگہ

مقدمہ مندرجہ بالا میں اپنے طرف سے واسطے بیروی و جواب دی وکل کاروائی متعلقہ آن

مقام **پور پور کیمپ کورٹ اسوات کیلئے پیر سڑعدان خان ASC مرصادی ایڈوکیٹ**

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 و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر

اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم بیروی یا ڈگری ایک طرف یا اپیل کی برآمدگی اور منسوخ دائر

کرنے اپیل نگرانی و نظر ثانی و بیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے

واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ

بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہرجانہ

التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی

اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی بیروی مقدمہ

مذکور لہذا وکالت نامہ لکھ دیا کہ سدر ہے

23

3 اپریل

3

المرقوم

گواہ شدہ

کے لئے منظور ہے

Umar Saadly Adv

Barrister
Dr. Adnan Khan
Advocate Supreme Court of Pakistan

بمقام پیر سڑعدان خان

سعد اللہ و سراج پور