


FORM OF ORDER SHEET

Court of _____

Case No. - 1061/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/05/2023	<p>The appeal of Mr. Kashif presented today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. 1061 /2023

Kashif.

V/S


Revenue Deptt:

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APPELLANT
Kashif

THROUGH:


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

(5)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1061 /2023

Mr Kashif Kanungo,
Naib Tehsildar (OPS)
Bannu.

..... Appellant

VERSUS

- 1- The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
- 2- The commissioner Bannu Division Bannu.
- 3- Mr. Turab Shah Kanungo Bps-11 Naib Tehsildar (OPS) Naurang.

..... RESPONDENTS

.....

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT 1974 AGAINST THE TRANSFER ORDER DATED 09/03/2023, AND 24/03/2023 WHEREBY THE APPELLANT WAS PREMATURELY TRANSFERRED AND AGAINST REJECTION ORDER DATED 27/04/2023 WITHOUT SHOWING ANY REASON.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 09/03/2023, 24/03/2023 and 27/04/2023 MAY BE SET ASIDE BEING, PASSED PREMATURELY AND VIOLATION OF POSTING/TRANSFER POLICY. THE RESPONDENT DEPTT: MAY FURTHER PLEASE BE DIRECTED NOT TO TRANSFER THE APPELLANT PREMATURELY AND IN VIOLATION OF POSTING/TRANSFER POLICY AND POLITICALLY MOTIVATED. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT

.....

2

R/ SHEWETH:

ON FACTS:

- 1- That Appellant is the employee of respondent Department was serving the respondent Department as Naib Tehsildar quite efficiently and up to the entire satisfaction of his superiors.
- 2- That the appellant was nominated as focal person fro encroachment activities in Bannu vide order dated 16/07/2021 till further orders. **Copy of the order is attached as annexure-A.**
- 3- That the appellant was transferred vide order dated 29/09/2022 from Naib Tehsildar Domel to Naib Tehsildar Bannu in Ops Basis. The appellant performed his duties with full zeal and zest. **Copy of order is attached as annexure-B.**
- 4- That thereafter, just after 6 months the appellant was transfer vide impugned order dated 09/03/2023 from Naib Tehsidlar Bannu and repatriated to parent office and make him OSD on political basis which is evident from the letter dated 02/03/2023. **Copy of impugned order and letter is attached as annexure-C & D.**
- 5- That thereafter appellant filed departmental appeal against the order dated 09/03/2023, during pendency of the departmental appeal vide order dated 24/03/2023 private respondent was transfer at place of the appellant as Naib Tehsildar bannu On OPS basis. But malafidely not shown on OPS basis which clearly shows the malafide of the deptt to deprive the appellant from his right. This fact is evident from the relevant document is hereby annexed. **Copy of the departmental appeal, order and relevant document are attached as annexure-E, E1 & F.**
- 6- That the Appellant feeling aggrieved filed departmental appeal in continuation of appeal dated 13/03/2023 against the impugned order which were rejected vied order dated 27/04/2023 without showing any reason. Hence the present appeal on the following grounds amongst others. **Copy of departmental appeal and rejection order are attached as annexure-G & H.**

GROUND:

- A- That, impugned order dated 09/03/2023 , 24/03/2023 and 27/04/2023 is against the Law, policy, rules, superior court judgment facts and norms of natural justice.
- B- That the transfer order dated 09/03/2023 is premature against the post for period of two year but despite that the appellant was transferred just after six months and respondent no.4 in place of

appellant is politically motivated which is evident from the letter dated 02/03/2023.

- C- That In the case of the petitioner, all the prevailing laws have been abused / misused and the department has tried to victimize the petitioner. Such treatment of the department is not covered under Para -1 of the posting transfer policy.
- D- That Para 3 of the posting / transfer policy further provides that the normal tenure of posting shall be two years , which has not been observed in the case of the petitioner .
- E- That it is a cherished principle of law, that where a law requires a thing to be done in a particular manner, then the same is be done in that manner and not otherwise.
- F- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- G- That the tenure of the appellant has not been completed, so the order dated 09/03/2023 is not according to law and rules without showing any cogent reasons, premature and in violation of posting transfer policy. It is, further mentioned here that not only premature but successive transfers in span of 1 year which is not permissible in eye of law as held in Supreme Court Judgment cited as 2011 PLC(cs) 935. **Copy of posting transfer Policy is attached as Annexure-I.**
- H- That the transfer of the appellant is also violation of circular based on the Anita Turab case dated 27.2.2013 in which it was clearly mentioned that when the ordinary tenure for a posting has been specified in the law or rules made there under, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable, but in the case of the appellant the tenure was not respected and was posted/ transferred without completing his normal tenure. As held in Supreme Court Judgment cited as 2013 PLD SC 195. **Copy of Circular is attached as Annexure-J.**
- I- That the treatment meted out to the appellant is a clear violation of the Fundamental Rights of the appellants.

- J- That the respondent Department acted in arbitrary and malafide manner by transferring the appellant and as such the same is against the transfer/posting policy of the Provincial Government.
- K- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly requested that the appeal of the appellant may be accepted as prayed for.


APPELLANT
Kashif

THROUGH:


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.


DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE
3. Any other case law as per need.


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

(3) (6)

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2023

Kashif

V/S

Revenue Deptt:

AFFIDAVIT

I, Kashif (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this Honorable Tribunal.


DEPONENT

(6)

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

APPEAL NO. _____/2023

Kashif

V/S

Revenue Deptt:

.....

**APPLICATION FOR SUSPENSION OF
OPERATION OF ORDER DATED 09/03/2023,
24/03/2023 and 27/04/2023 OF APPELLANT
TILL THE DISPOSAL OF MAIN APPEAL.**

RESPECTFULLY SHEWETH:

1. That the appellant has filed an Appeal along-with application in which no date has been fixed so far.
2. That the appellant has good prime facie case and all the ingredients of stay is in favour of appellant.
3. That the grounds of main appeal may also be considered as integral part of this application.
4. That the impugned order has passed on favouritism and nepotism and has been passed in-violation of Posting, Transfer Policy.
5. That the appellant has not completed his tenure and the order dated 09/03/2023 , 24/03/2023 and 27/04/2023 is without any reasons.
6. That the impugned order has passed on favoritism and nepotism and has been passed in-violation of Posting, Transfer Policy.
7. That if the order dated 09/03/2023 , 24/03/2023 and 27/04/2023 is not suspended. Its not only badly effect the right of appellant but also creates hurdles for the appellant to performed her duties efficiently.

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It is, therefore, most humbly prayed that the order dated 09/03/2023 , 24/03/2023 and 27/04/2023 may be suspended till the disposal of main appeal. Any other remedy, which this august tribunal deems fit that may also be awarded in favour of appellant.

Kashif
APPELLANT
Kashif

THROUGH:

Sy
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

AFFIDAVIT:

It is affirmed and declared that the contents of this Application are true and correct to the best of my knowledge and belief.

Kashif
DEPONENT



**OFFICE OF THE
ASSISTANT COMMISSIONER
BANNU.**

Ph:#0928-9270039 - Email achannu@gmail.com

No. 728 /AC/F.36

Dated Bannu the 16 /07/2021

OFFICE ORDER.

Activities for demarcation, removal of encroachment is in full swing in District Bannu through District Administration, hence Muhammad Kashif, Naib Tehsildar Domel is hereby nominated focal person for encroachment activities with immediate effect till further orders:


(DR. TAYYAB HAYAT (PAS)
Assistant Commissioner

CC:

1. Commissioner, Bannu Division Bannu.
2. Deputy Commissioner, Bannu.
3. All ACs/AACs at District Bannu.
4. All Tehsildars/Naib Tehsildars at District Bannu.


Assistant Commissioner



**COMMISSIONER
BANNU DIVISION**

No. 1858-63/AE/E.20
Dated: 29.09.2022

P.O. Box. 12, Postal Code 28100, Bannu.
Phone: 0928-9270044 & 621144
Fax: 0928-9270041
E-mail: sec@bannu.gov.pk

B
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OFFICE ORDER

Following Posting/Transfer amongst Naib Tehsildars of Bannu Division is hereby ordered with immediate effect in the public interest:

S	Name & Designation	From	To
1	Naib Tehsildar (BPS-14) ACB Mau Ullah Shah	Waiting for posting	Naib Tehsildar Dornel
2	Sherzad Khan Naib Tehsildar (BPS-14)	Irrigation Bannu	Naib Tehsildar Ahmadzai SD Wazir Bannu
3	Yaqoob Nawaz Kannungo (BPS-11)	Naib Tehsildar Bannu (OPS)	Repaired to his parent office.
4	Muhammad Kashif Kannungo (BPS-11)	Naib Tehsildar Dornel (OPS)	Naib Tehsildar Bannu (OPS)

-sd-
Commissioner
Bannu Division

Even no. & date:
Copy forwarded to the

1. Deputy Commissioner, Bannu.
2. District Comptroller of Accounts, Bannu.
3. Assistant Secretary (Estt.), Board of Revenue, Peshawar.
4. PS to Commissioner Bannu.
5. Accounts Officer, Commissioner Office Bannu Division.
6. Officials concerned for compliance.

Secretary to Commissioner
Bannu Division



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

021-9212226

021-9214206

No. Estt./Posting/Transfer/2023/ 5948-92

Peshawar Dated the 02/03/2023

To

1. All the Divisional Commissioners.
in Khyber Pakhtunkhwa.
2. The Director Land Records,
Khyber Pakhtunkhwa.
3. All the Deputy Commissioners,
in Khyber Pakhtunkhwa.

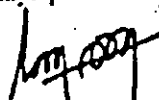
SUBJECT: TRANSFER / POSTINGS.

Sir,

I am directed to refer to the subject and to enclosed herewith a copy of letter No. PS/Min/ICTED & Revenue/20203, dated 02.03.2023 received from Private Secretary to Minister for Industries, commerce and Technical Education and Revenue & Estate Khyber Pakhtunkhwa and to state that:-

1. Proposals for re-shuffling of officers officials who have completed two years tenure on their present seat be prepared and send to this office for perusal / approval.
2. No transfers / Postings order of officers officials should be issued without prior approval of the Minister for Revenue.

In view of the above, it is, therefore, requested to kindly ensure implementation of the above directives of the honorable Minister for Industries, Commerce and Technical Education and Revenue & Estate Khyber Pakhtunkhwa and submit report within two days please.


(NOOR KHAN)
Assistant Secretary (Estt.)
Board of Revenue

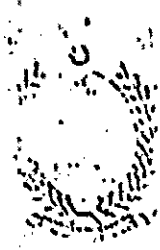
Encls: No. & Date Even:

Copy forwarded to PS to Minister for Industries, commerce and technical education and Revenue & Estate Khyber Pakhtunkhwa for information w/r to his letter quoted above please.


(NOOR KHAN)
Assistant Secretary (Estt.)

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OFFICE OF THE CARE TAKER MINISTER FOR
INDUSTRIES, COMMERCE & TECHNICAL EDUCATION
AND REVENUE, KHYBER PAKHTUNKHWA

"MOST IMMEDIATE / OUT TODAY"

PS/Min/ICTED&R/Revenue/2023
Dated Peshawar the 02/03/2023

Private Secretary

The Senior Member Board of Revenue,
Khyber Pakhtunkhwa

Subject: TRANSFERS / POSTINGS.

Dear Sir,

I am directed to refer to the subject cited above and to convey the following directives of the hon'ble Minister for Industries, Commerce & Technical Education and Revenue, Khyber Pakhtunkhwa:-

1. Proposals for re-shuffling of officers / officials who have completed 02 years tenure on their present seat be prepared and sent to this office for perusal / approval.
2. No transfers / postings order of officers / officials should be issued without prior approval of the minister.

In view of the above, it is requested to kindly ensure implementation of the above directives of the hon'ble Minister for Industries, Commerce & Technical Education and Revenue, Khyber Pakhtunkhwa and circulate amongst all Divisional Commissioners / Deputy Commissioners and other relevant quarters for compliance in letter and spirit.

Private Secretary
02/03/2023

CC:

1. Director Land Records, Khyber Pakhtunkhwa for necessary action.



OFFICE OF THE
COMMISSIONER
BANNU DIVISION

P.O. Box 12, Postal code 28100, Bannu
NO 143 /PO/Estab-23.
Dated: 9 /March, 2023
Phone: 0928-9270044 & 621144
Fax: 0928-9270041
E-mail: commissionerbannu1@gmail.com

ORDER

Mr. Kashif, Girdawar (BS-11) currently working as Naib Tehsildar Bannu is hereby repatriated to his parent office.

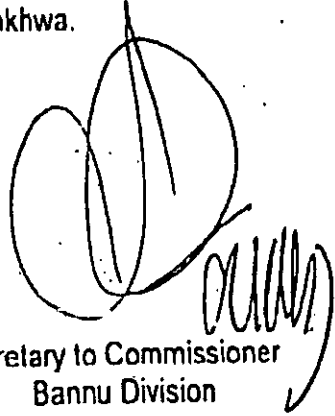
The above official shall deemed to have reported at his new place of posting forthwith.

Sd/-
Commissioner
Bannu Division

Even No & date

Copy to.

1. The Deputy Commissioner Bannu.
2. The Secretary-1, Board of Revenue, Khyber Pakhtunkhwa.
3. The District Comptroller of Accounts Bannu.
4. Naib Tehsildar concerned for compliance.
5. PS to Commissioner Bannu Division.


Secretary to Commissioner
Bannu Division

PS to SMBA
Dairy No: 37 Date 2/2

IN THE COURT OF HONRABLE SENIOR MEMBER BOARD OF
REVENUE KHYBER PAKHTUNKHWA PESHAWAR

Muhammad Kashif Naib Tehsildar Bannu.....Appellant
Versus
Commissioner Bannu Division Bannu.....Respondent

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER BEARING
NO.143/PO/ESTAB-23 DATED 09-03-2023 PASSED BY COMMISSIONER
BANNU DIVISION BANNU WHEREBY THE APPELLANT HAS BEEN
REPATRIATED TO HIS PARENT DEPARTMENT UNLAWFULLY, MALAFIDE
AND AGAINST THE JUSTICE

PRAYER

On acceptance of this departmental appeal the impugned notification may please be set aside.

Respectfully Sheweth.

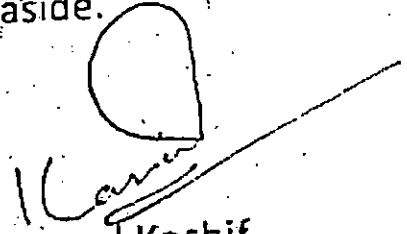
It is humbly state that, the under signed is repatriated to his parent department vide notification No. 143/PO/ESTAB-23 dated 09-03-2023, and the petitioner is made rolling stone, as he is not treated as a civil servant, but rather a direction of political leader/influence the under signed is repatriated without any cogent and reliable complaint,

(B)

(S)

due to which the petitioner is in much stress and agony that's way I am at the mercy of elite people, I am performing my duties the best of my abilities, but despite of reward or appreciation, the petitioner has been made a rolling stone.

It is therefore requested your honorable Sir, that the repatriated notification order dated 09-03-2023, may please be set aside.
I shall be very thankful to you.



Muhammad Kashif
Naib-Tehsildar Bannu
District Bannu
0335-9393535



**OFFICE OF THE
COMMISSIONER
BANNU DIVISION**

P.O. Box 12, Postal code 28100, Bannu
NO 180 /PO/Estab-23.
Dated: 24/March, 2023
Phone: 0928 - 9270044 & 621144
Fax: 0928 - 9270041
E-mail: commissionerbanul@gmail.com

ORDER

Mr. Turab Shah Naib Tehsildar (BS-14) currently working as Naib Tehsildar Naurang is hereby transferred with immediate effect and posted as Naib Tehsildar Bannu.

The above Naib Tehsildar shall be deemed to have reported at his new place of posting forthwith.

Sd/-
Commissioner
Bannu Division

Even No & date

Copy to.

1. The Deputy Commissioner Bannu.
2. The Secretary-1, Board of Revenue, Khyber Pakhtunkhwa.
3. The District Comptroller of Accounts Bannu.
4. Naib Tehsildar concerned for compliance.
5. PS to Commissioner Bannu Division.


Secretary to Commissioner
Bannu Division

NO. 2096
3-4-2023

F (15)

IN THE COURT OF HONORABLE SENIOR MEMBER BOARD OF
REVENUE KHYBER PAKHTUNKHWA PESHAWAR

Muhammad Kashif Naib Tehsildar Damail Bannu..... Appellant

Versus

1. Commissioner Bannu Division Bannu.....
2. Mr. Turab Shah Kanungo Bps-11 Naib Tehsildar (OPS) Naurang
Respondents

IN CONTINUATION OF DEPARTMENTAL APPEAL DATED 13/03/2019
AGAINST THE IMPUGNED ORDER BEARING NO.143/PO/ESTAB-23
DATED 09-03-2023 PASSED BY COMMISSIONER BANNU DIVISION
BANNU WHEREBY THE APPELLANT HAS BEEN REPATRIATED TO
HIS PARENT DEPARTMENT UNLAWFULLY, MALAFIDE AND
AGAINST THE JUSTICE AND AGAINST THE ORDER DATED 24/03/2023
WHEREBY THE PRIVATE RESPONDENT WAS POSTED ON THE POST
OF APPELLANT.

PRAYER

On acceptance of this departmental appeal the impugned notifications may please be set aside.

Respectfully Sheweth.

It is humbly state that, the under signed is repatriated to his parent department vide notification No. 143/PO/ESTAB-23 dated 09-03-2023, and the appellant is made rolling stone, as he is not treated as a civil servant, but rather a direction of political leader/influence the under signed is repatriated without any cogent and reliable complaint, due to which the petitioner is in much stress and agony that's way I am at the mercy of elite people, I am perfuming my duties the best of my abilities but despite of reward or appreciation, the petitioner has been made a rolling stone. And the impugned order was passed premature.

That thereafter appellant filed departmental appeal against the order dated 09/03/2023, during pendency of the departmental appeal vide order dated 24/03/2023 private respondent was transfer at place of the appellant as Naib Tehsildar bannu On OPS basis. But malafidely not shown on OPS basis which

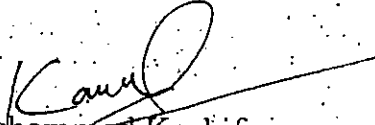
D.N. 30
3/4
MBR-11

16

clearly shows the malafide of the deptt to deprive the appellant from his right. This fact is evident from the relevant document is hereby annexed.

It is therefore requested your honorable Sir, that the repatriated Notification order dated 09-03-2023 and 24/03/2023 may please be set aside.

I shall be very thankful to you.


Muhammad Kashif
Naib-Tehsildar Bannu
District Bannu
0335-9393535
Dtd 3-4-23



COMMISSIONER BANNU DIVISION

F 14
P.O. Box, 12, Postal Code 28100, Henna.
Phone: 0718-9270664 & 921110
Fax: 0718-9270611
E-mail: sikhana@peshawar.gov.pk

No. 177/A.E/F-20
Date: 04-08-2021

OFFICE ORDER

Following Posting/Transfer amongst Tehsildars/Naib Tehsildars of Henna Division is hereby ordered with immediate effect in the public interest:

S.No	Name	From	To	Remarks
1	Abdul Ghaffar, Tehsildar (BPS-16)	Tehsildar Darnail	Report to Commissioner Office	Suspended by DOR vide Notification Est./19/Abdul Ghaffar/10650. date 28/07/2021.
2	Naik Nawaz, Tehsildar (BPS-16)	Tehsildar Miryan	Tehsildar Darnail	—
3	Ata Ullah, Naib Tehsildar (BPS- 14ACB)	Waiting for posting	Naib Tehsildar (Lakki Khel)	Services placed by DOR. Against the vacant post.
4	Shaharazad Khan, Naib Tehsildar (BPS-14)	Naib Tehsildar Umunzai Sub Division Wazir Henna	Naib Tehsildar Ahmadzai Sub Division Wazir Henna	Upon completion of 02 years on the same post.
5	Naveer Muhammad, Kanungo (BPS-11)	IIVC Commissioner Office Henna	Naib Tehsildar, Land Acquisition, Lakki Marwat	Against the vacant post.
6	Turab Shah, Kanungo (BPS-11)	Naib Tehsildar Miryan (OPS)	Naib Tehsildar Naurang (OPS)	Against the vacant post.

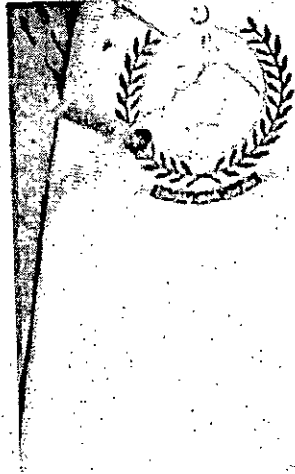
-4-
Commissioner
Henna Division

Even no. & date:
Copy forwarded to the

1. Deputy Commissioner, Henna.
2. Deputy Commissioner, Lakki Marwat.
3. Assistant Secretary (Estt.), Board of Revenue, Peshawar.
4. PS to Commissioner Henna.
5. Officials concerned for compliance.


Secretary to Commissioner
Henna Division

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COMMISSIONER BANNU DIVISION

P.O. Box, 12, Postal Code 28100, Bannu,
Phone: 0928-9270044 & 621144
Fax: 0928-9270041
E-mail: gsr.bannu@fata2022.com

No. 1813/AE/F
Dated: 18-04-23

IMMEDIATE.
The Assistant Secretary (Estt.),
Board of Revenue,
Peshawar.

Subject: **PROVISION OF FINAL/UNDISPUTED SENIORITY LIST OF KANUNGOS FOR THE YEAR, 2022**

I am directed to refer to the subject noted above and to enclose herewith a copy of Joint Final seniority list of Kanungos (BPS-11) of Bannu Division as stood on 31/12/2022 for information and further necessary action as desired, please.

Secretary to Commissioner
Bannu Division

Even No & Date
Copy for information to the:-

1. Deputy Commissioner, Bannu.
2. Deputy Commissioner, Lakki Marwat.
3. Deputy Commissioner, North Waziristan.
4. PS to Commissioner Bannu Division

} With the request to circulate the Final Seniority list amongst the Kanungos of your respective office please.

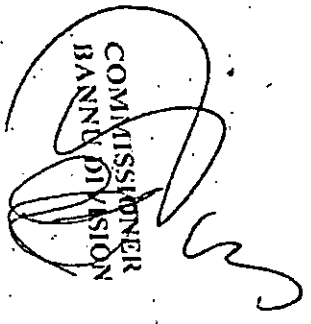
Secretary to Commissioner
Bannu Division

JOINT FINAL SENIORITY LIST OF KANUNGOS OF BANNU DIVISION FOR THE YEAR UPTO 31/12/2022.

S.No	Name of Kanungo	BPS	Date of Birth	Date of 1 st Appointment	Date of Regular Promotion as Kanungo	Educational Qualification	Establishment to which belongs	Remarks
							DC, NWTB	N.T ACB.
1	Hamid Ullah Jan	11	25/06/1965	01/08/1984	14/06/2011		DC Office, Bannu	N.T ACB
3	Atta Ullah	11	16-09-1965	23-10-1986	26-10-2017	Matric	DC Office, Bannu	N.T ACB
4	Asghar Khan	11	10-01-1965	18-07-1987	26-10-2017	M.A	DC Office, Bannu	N.T ACB
5	Mati Ullah Shah	11	25-04-1968	23-09-1987	26-10-2017	B.A	DC Office, Bannu	N.T ACB
6	Sultan Mir	11	11-04-1963	05-01-1987	07-11-2017	D.Com	DC Office, L M	NT (OPS)
7	Noor Muhammad	11	11-04-1964	18-11-1987	07-11-2017	Matric	DC Office, L M	NT (OPS)
8	Hameed Ullah	11	2/12/1966	12/09/1988	31/10/2019	F.A	DC Office, Bannu	NT (OPS)
9	Nasceb Zaman	11	24-01-1964	12-05-2005	17-08-2018	Matric	DC Office, Bannu	N.T ACB
10	Habib Jan	11	01-02-1965	10-10-2006	17-08-2018	Matric	DC Office, Bannu	NT ACB
11	Taib Ullah	11	05-11-1973	12-03-2007	17-08-2018	M.A	DC Office, Bannu	NT (OPS)
12	Hazrat Umer	11	01-10-1971	08-07-2004	27-09-2018	F.A	DC Office, L M	NT (OPS)
13	Amwar Kamal	11	15-03-1975	01-08-2007	27-09-2018	F.A	DC Office, Bannu	NT (OPS)
15	Yaqoob Nawaz	11	15-11-1973	12-03-2007	03-10-2018	B.A	DC Office, L M	NT (OPS)
16	Gul Nabi	11	11-09-1981	01-08-2007	29-11-2018	M.A	DC Office, L M	NT (OPS)
17	Atiq Ullah Khan	11	07-01-1982	01-08-2007	29-11-2018	B.A	DC Office, Bannu	NT (OPS)
18	Turab Shah	11	16/02/1975	12/03/2007	05/04/2019	B.A	DC Office, Bannu	NT (OPS)
19	Muhammad Kashif	11	14/05/1979	12/03/2007	05/04/2019	B.A	DC Office, Bannu	NT (OPS)
20	Sakhi Shah	11	16/03/1981	12/03/2007	05/04/2019	F.A	DC Office, Bannu	NT (OPS)
21	Muhammad Kamran-I	11	1/09/1883	12/03/2007	31/10/2019	F.A	DC Office, Bannu	
22	Kamran-II	11	1/4/1975	20/12/2008	31/10/2019	B.A	DC Office, Bannu	
23	Muhammad Ayaz	11	28/03/1966	01/07/1985	21/05/2020		DC Office, NWTB	
24	Hameed Ullah Jan	11	13/03/1964	19/07/1986	23/07/2020	Matric	DC Office, LM	
25	Islami Qader	11	11/03/1969	13/01/2009	28/09/2020	F.A	DC Office, Bannu	
26	Gul Umer Ayaz	11	3/11/1970	13/01/2009	28/09/2020	F.A	DC Office, Bannu	
27	Muhammad Riaz Khan	11	18/04/1972	4/6/2010	28/09/2020	F.A	DC Office, Bannu	
28	Gulab Khan	11	13/12/1964	25/10/1986	30/06/2021	Matric	DC Office LM	
29	Habib-Ur-Rehman	11	10/08/1964	25/10/1986	30/06/2021	F.A	DC Office, LM	

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30	Ismail Khan	11	03/05/1962	23/09/1987	06/10/2021	P.A	DC Office Bannu
31	Miras Khan	11	01/01/1966	03/08/1987	12/10/2022	Mairic	DC Office LM
32	Nour Aslam Khan	11	16/01/1963	18/11/1987	08/12/2022	P.A	DC Office LM
33	Mubib Ullah	11	11/01/1964	18/11/1987	08/12/2022	Mairic	DC Office LM
34	Faiz Ullah S/o Gul Hibi	11	14/05/1964	18/11/1987	08/12/2022	Mairic	DC Office LM


 COMMISSIONER
 BANNU DIVISION


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FINAL SENIORITY LIST OF KANUNGO (BPS-11) AT DISTRICT LEVEL AS STOOD ON, 31-12-2022 DEPUTY COMMISSIONER OFFICE BANNU

S.No.	Name of Official	Date of Birth	Qualification	Date of 1st entry into Govt Service	Date of regular Promotion as Kanungo	Remarks
1	Atta Ullah	16.09.1965	Matric	23.10.1988	26.10.2017	NT (ACB)
2	Asghar Khan	10.01.1965	M.A	18.07.1987	26.10.2017	NT (ACB)
3	Pir Mallullah Shah	25.04.1988	B.A	23.09.1987	26.10.2017	NT (ACB)
4	Hameedullah	03.12.1966	FA	12.08.1988	31.10.2019	NT (OPS)
5	Naseeb Zaman	24.01.1964	Matric	12.05.2005	17.08.2018	NT (ACB)
8	Habib Jan	07.02.1965	Matric	10.10.2006	17.08.2018	NT (ACB)
7	Taib Ullah	05.11.1973	MA	12.03.2007	17.08.2018	NT (ACB)
8	Yaqoob Nawaz	15.11.1973	BA	12.03.2007	03.10.2018	NT (OPS)
9	Turab Shah	18.02.1975	F.A	12.03.2007	05.04.2019	NT (OPS)
10	Muhammad Kashif	14.05.1979	BA	12.03.2007	05.04.2019	NT (OPS)
11	Sakhi Shah	16.03.1981	MA	12.03.2007	05.04.2019	NT (OPS)
12	Muhammad Kamran	01.09.1983	FA	12.03.2007	31.10.2019	Promotee
13	Kamran Khan	01.04.1975	BA	20.12.2008	31.10.2019	Promotee
14	Islam Qadir Khan	11.03.1969	FA	13.01.2009	28.09.2020	Promotee
15	Gul Umer Ayaz	03.11.1970	FA	13.01.2009	28.09.2020	Promotee
16	Muhammad Riaz Khan	18.04.1972	B.A	04.08.2010	28.09.2020	Promotee
17	Hidayat Ullah - I	12-01-1969	Matric	04-06-2010	09-09-2022	Promotee

[Signature]
DEPUTY COMMISSIONER

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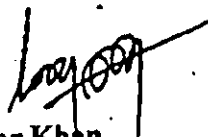
	GOVERNMENT OF KHYBER PAKHTUNKHWA, BOARD OF REVENUE, REVENUE & ESTATE DEPARTMENT: (Establishment Section)		
	091- 9213989	No. Estt: V/M.Kashif NT/(OPS)/ 9930 Peshawar Dated the 27/11/2023	021-9214208

To:

Mr. Muhammad Kashif,
Naib Tehsildar (OPS). Bannu

SUBJECT: DEPARTMENTAL APPEAL

I am directed to refer to the subject noted above and to inform you that your appeal has been examined and filed by the competent authority.


Noor Khan
Assistant Secretary (Estt:)

A

Posting and Transfer

Statutory Provision,

Section 10 of the NWFP Civil Servants Act, 1973.

Posting and Transfer. Every civil servant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government, or any Provincial Government or Local authority, or a Corporation or body set up or established by any such Government:-

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that, where a civil servant is required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

Posting/transfer policy of the Provincial Government.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities, for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas.
- v) []

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Para-1(i) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted, vide letter No. SOR-VI (E&AD) 1-3/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business, 2001, Posting/Transfer Policy and other rules for the time being in force, applied to make Posting/Transfer subject to observance of the policy and rules.

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- vi) While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, NWFP needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, NWFP shall be obtained.

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for at least eighteen months in each grade. This should start from senior most scale/grades downwards in each scale/grade of each cadre.

- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thana) of his area/residence is situated.

- viii) No posting/transfers of the officers/officials on detailment basis shall be made.

- ix) Regarding the posting of husband/wife both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.

(10)
(x)

All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

(REGULATION WING)
NO. SOR.VI-(E&AD)1-4/2005/Vol-II
Dated Peshawar, 27th February, 2013

To
عزیز

1. The Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.
2. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. All Commissioners in Khyber Pakhtunkhwa.

Subject: CONSTITUTION PETITION NO. 23 OF 2012, OUT OF SUO MOTO CASE NO. 3/2012 (PETITION BY MS. ANLIA TURAB FOR PROTECTION OF CIVIL SERVAANTS REGISTERED UNDER ARTICLE 184(3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973)

Sir,

I am directed to refer to the subject noted above and in state that the Supreme Court of Pakistan vide the subject cited judgment has pronounced the following principles of law with regard to protection and conduct of civil servants.

Appointments, Removals and Promotions: Appointments, removals and promotions must be made in accordance with the law and the rules made thereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.

Tenure, Posting and Transfer: When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

AS-IT
So
4/3

may find

Signature

Signature
32 AE / So Est
4-5/3

ATTESTED

Attested

22

Legal Orders: Civil Servants owe their first and foremost allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule based norms. Instead, in such situations, they must record their opinion and, if necessary, dissent.

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(iv) OSD: Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.

2. I am, therefore, directed to request you to note the above principles of law for strict compliance.

Yours faithfully,

Majam
(NAJ, MJS-SAHAR)
SECTION OFFICER (REG-VII)

Encl: as above.

A copy is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Registrar, Peshawar High Court, Peshwar.
6. The Secretary Khyber Pakhtunkhwa, Public Service Commission.
7. All Addl. Secretaries Establishment & Administration Department.
8. All Deputy Secretaries in Establishment & Administration Department.

Majam
SECTION OFFICER (REG-VI)

[Signature]

VAKALAT NAMA

NO. _____ /20

IN THE COURT OF kl Service Tribunal, Pasir

Kashif

Appellant
Petitioner
Plaintiff

VERSUS

Revenue Dept

Respondent (s)
Defendants (s)

I Kashif do hereby appoint and constitute the **SYED NOMAN ALI BUKHARI Advocate High Court** for the aforesaid Appellant(s), Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party to commence and prosecute / to appear and defend this action / appeal / petition / reference on my / our behalf and all proceedings that may be taken in respect of any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take documents, to accept the process of the court, to appoint and instruct council, to represent the aforesaid Appellant, Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party agree(s) ratify all the acts done by the aforesaid.

DATE _____ /20

Kashif
(CLIENT)

ACCEPTED

Syed Noman Ali Bukhari
SYED NOMAN ALI BUKHARI
ADVOCATE HIGH COURT
BC-15-5643