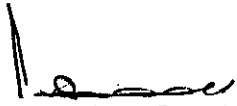


The appeal of Mr. Kiramat Shah son of Tawab Shah r/o Prang Tehsil and Distt. Charsadda received today i.e. on 20.12.2017 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Addresses of respondent Nos. 4 to 11 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Memorandum of appeal may be got signed by the appellant.
- 3- Annexures of the appeal may be flagged.

No. 2728 /S.T.

Dt. 21/12 /2017


REGISTRAR 21/12/17
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Asad Jan Durrani Adv. Pesh.

Respected Sir,
Re-submitted after
compliance as the
addresses mentioned in the
appeal are sufficient for service.
Asad Jan Durrani
Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 1404 2017

Kiramat Shah.....(Appellant)

V E R S U S

Government of KP and others.....(Respondents)

I N D E X

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1.	Grounds of Appeal alongwith Affidavit	-	01 - 07
2.	Addresses of the parties	-	08
3.	Copy of the appointment order	'A'	09 - 10
4.	Copy of the seniority list	'B'	11 - 18
5.	Copies of the relevant documents	-	19 - 34
6.	Wakalat Nama (In original)	-	35

Appellant

Through:

(ASAD JAN DURRANI)
Advocate,
High Court, Peshawar
Office: D-10 Haroon Mansion
Khyber Bazar, Peshawar
Cell # 0312-9181592

Dated: -20-12-2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No 1404/2017

Dirry No. 1445

Dated 20/12/17

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District
Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

(Appellant)

VERSUS

- ✓1. Government of KPK through Secretary Revenue Secretariat
Peshawar
- ✓2. Commissioner Peshawar Division , Peshawar
- ✓3. Deputy Commissioner Charsadda
- ✓4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo
Shabqadar District Charsadda)
- ✓5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal
Shabqadar District Charsadda)
- ✓6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal
Shabqadar District Charsadda)
- ✓7. Haroon Jamal S/O Siraj Mohammad (posted at field
Qanoongo Circle Doaba District Charsadda)
- ✓8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at
Civil Kanal Shabqadar District Charsadda)
- ✓9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo
District Charsadda)

Filed to-day

Registrar

20/12/17

Re-submitted to-day
and filed.

Registrar

21/12/17

✓10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)

✓11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda)

✓12. Abdul Shaqoor Damsar Ex-DOR Charsadda

✓13. Mian Asfandayaz Ex Tehsildar Charsadda (Respondents)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNAL ACT, 1974 AGAINST THE APPELLATE ORDER DATED 24-11-2017 OF RESPONDENT NO 2 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS DISMISSED AGAINST THE INITIAL/IMPUGNED ORDER 29-09-2017 OF THE RESPONDENT NO.3 FOR NOT PROMOTING THE APPELLANT WHILE JUNIORS TO THE APPELLANT WERE PROMOTED

PRAYER:-

On acceptance of this appeal the impugned order of Respondent No 2 dated 24th November, 2017 may kindly be set aside and the Respondents may please be directed to promote the Appellant with all back benefits

Respectfully Sheweth:-

The Appellant submits as under:-

1. That the Appellant has been appointment as Patwari BPS-09 vide order Dated 18-05-2002 and is now posted at Muza /Halqa Shiekho, Serdheri, Tehsil & District Charsadda. Copy of the appointment order is attached as Annex "A").

Vide
order sheet
Dated 2/8
11-2-19

2. That the Appellant was/is performing his duties with zeal , keen and honesty , and the superiors of Appellant were never grudge regarding the performance of his official duties and due the reasons mentioned above the Appellant has excellent ACR' s too.
3. That the Appellant is a young man and a qualified person and performed his duties with the satisfaction of the superiors as well as colleagues.
4. That the Appellant was at serial no 17 of the seniority list procured by the Respondent department , but it pertinent to mention here that the candidates at serial no 2,4,7,8,9,and 12 have already been retired from service , while candidates at serial no 1,3 5,6,10,11,13,14,18,24 and 25 were found disqualified for promotion as they have not passed the Qanoongo examination. (Copy of the seniority list is attached as Annex "B").
5. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3, then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates, as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i-e on 06-05-2002 and the candidate at serial no 16 is younger in age than the present Appellant.

6. That the departmental promotion committee has mala fide and for ulterior motive has ignored/ skipped the Appellant for promotion to the post of Girdawar BPS-11 and juniors to the present Appellant have been promoted to the post of Girdawar BPS-11 without any cogent reason, therefore, the Appellant filed departmental appeal before respondent no.2 which was dismissed on 24/11/2017.
7. That the Appellant being aggrieved from the order dated 24/11/2017 of respondent no.2 whereby appeal of the Appellant was dismissed by not promoting the Appellant on the post of girdawar having no other adequate remedy hence this appeal on the following grounds:-

GRUNDS:-

- A. That the impugned order of the Respondents is totally illegal, against justice and facts of the case therefore not tenable in the eyes of law.
- B. That the Appellant has not been treated by the Respondents in accordance with law and rules on the subject noted above and as such the Respondents have violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the Appellant was duly appointed by the competent authority after due process of law and since from the date of appointment the Appellant has performed his duty with

punctually & honesty to the satisfaction of his superiors and the Appellant is entitled for promotion as per seniority list is concerned but the action and inaction of the Respondents is illegal, unjustified and unwarranted hence liable to be struck down.

- D. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3 of the facts , then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates ,as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i-e on 06-05-2002 and candidate at serial no 16 is younger in age than the present Appellantbut the action and inaction of the Respondents is unjustified , unlawful and unconstitutional and has no value in the eyes of law , hence liable to brush aside the same order.
- E. That the order issued against the Appellant is planted one and is clearly based on mala fide, therefore the action and inaction of the Respondents against the Appellant in terms of impugned order dated 24-11-2017 is not tenable and liable to be set aside.
- F. That the impugned order dated 24-11-2017 has been issued mala-fidely; therefore the impugned order is void ab-initio in the eyes of law.

G. That the Appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is, therefore, very humbly prayed that on acceptance of this appeal, the impugned order dated 24th November, of the Respondents may graciously be set aside and consequently the Appellant be promoted according to his seniority with all back benefits.

Any other relief not specifically asked for may also be granted in favour of the Appellant.

Appellant

Through:

(ASAD JAN DURRANI)

Advocate

High Court, Peshawar

&

(FAIZA ASLAM)

Advocate

Peshawar

Dated: - 20-12-2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....(Appellant)

VERSUS

Government of KP and others.....(Respondents)

AFFIDAVIT

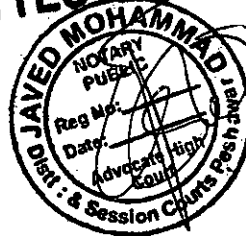
I, Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda, do hereby solemnly affirm and declare on oath that all the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed OR withheld from this Honourable Court.

DEPONENT

Identified by:-

(ASAD JAN DURRANI)
Advocate
High Court, Peshawar

ATTESTED



20 DEC 2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....Vs.....Government of KP and others

ADDRESSES OF THE PARTIESAPPELLANT

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

RESPONDENTS

1. Government of KPK through Secretary Revenue Secretariat Peshawar
2. Commissioner Peshawar Division, Peshawar
3. Deputy Commissioner Charsadda
4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo Shabqadar District Charsadda)
5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal Shabqadar District Charsadda)
6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal Shabqadar District Charsadda)
7. Haroon Jamal S/O Siraj Mohammad (posted at field Qanoongo Circle Doaba District Charsadda)
8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at Civil Kanal Shabqadar District Charsadda)
9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo District Charsadda)
10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)
11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda)

Appellant
Through:

(ASAD JAN DURRANI)

Advocate,
High Court, Peshawar

Dated: 20-12-2017

OFFICE ORDER.

(22) (111) Ann^c A⁷ (9)

In pursuance of relaxation of ban vide Notification NO. BOVII/FD/1-4/2001-2002/KC dated 12.2.2002 received from Government of N.W.F.P. Finance Department and recommendation of Departmental selection Committee meeting held in the office of undersigned on 27.4.2002 under the Chairmanship of DCO Charsadda, the following deserving candidates are hereby appointed as Patwaris subject to the following terms and conditions.

S.NO. Name of Patwari, Father Name and address.

1. Muhammad Amin s/o Nawab Khan r/o Zaidullah Killi Tehsil & District Charsadda.
2. Tahir Ahmad s/o Shaujahan r/o Kengi Rasratzai Tehsil Tangi District Charsadda.
3. Kiramat Shah s/o Tawab Shah r/o Ppong Tehsil & District Charsadda.
4. Khurshidullah s/o Tahseenullah r/o Central Korona Tehsil & District Charsadda.

TERMS & CONDITIONS.

1. The fresh appointment is purely on temporary basis in BBS-5 plus usual allowances admissible under the rules with effect from the date of taking over the charge of the duty and provision of medical fitness certificate.
2. The appointment is for a probationary period of two years during which his performance shall be monitored very closely and in case of non-performance the services shall be dispensed immediately.

[Signature]
DISTRICT OFFICER REV: & ESTATE/COLLECTOR
CHARSADDA.

OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE/COLLECTOR CHARSADDA.

NO. 386-403 /DK-15 dated Charsadda the 6.5.2002.

Copy forwarded to the:-

1. Secretary Board of revenue, N.W.F.P, Peshawar.
2. District Coordination Officer Charsadda.
3. District Accounts Officer Charsadda.
4. REC DRO Office.
5. 8. Officials concerned for strict compliance.

[Signature]
DISTRICT OFFICER REV: & ESTATE/COLLECTOR
CHARSADDA.

[Signature]
Attested to be
true copy

OFFICE ORDER.

(19) (216)

(10)

The following postings/transfers amongst the newly appointed Patwaris of District Charsadda are hereby ordered with immediate effect in the public interest.

<u>S.NO.</u>	<u>Name of Patwari</u>	<u>From</u>	<u>TO</u>
1.	Mohammad Amin s/o Nawab Khan.	New appointed Patwari.	Sheikh Killi against the vacant post.
2.	Tahir Ahmad s/o Shahjehan.	"	Abazai against the vacant post
3.	Kirammat Shah s/o Tawab Shah.	"	Kashaki against the vacant post
4.	Khurshidullah s/o Tehseenullah.	"	Chak Turangzai against the vacant post.

They are directed to assume the charge before 20.5.2002 otherwise it should be presumed that they are not willing to join the service and fresh appointment will be made.

du
DISTRICT OFFICER REVENUE & ESTATE
CHARSADDA.
OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE CHARSADDA.
NO. 425-34/DA-15 Dated Charsadda the 13-5-2002.

Copy forwarded to the:-

1. 2 Tehsildar Charsadda/Tangi.
3. DAG Charsadda.
4. 5 N.T. Charsadda/shaladar.
6. A.B.C. DRO Office Charsadda.
- 7-10 officials concerned for strict compliance.

2
DISTRICT OFFICER REVENUE & ESTATE
CHARSADDA.

Submitted to be one copy
[Signature]



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Dated: 25 / 9 / 2017

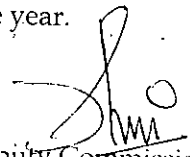
OFFICE ORDER

No. 4167-77 / DC(CHD)/DK/DPC. Consequent upon the recommendations/approval of the Departmental Selection Committee in its meeting held on September 25 2017 under the chairmanship of the undersigned, the following senior most patwar candidates are hereby appointed as Patwaris District Charsadda in BPS-09 (11770-730-33670) plus usual allowances admissible under the rules on regular basis from the date of taking over the charge.

1. Said Rehman S/O Khalid Khan.
2. Rashid Ali S/O Musharaf Shah.
3. Shahab Ahmad S/O Nisar Muhammad
4. Malak Aman S/O Ghani Khan
5. Raza Shah S/O Shahenshah
6. Shafat Ullah S/O Abdullah
7. Zia-ur-Rehman S/O Sami-ur-Rehman

Terms & Conditions:

1. Their services are temporary and can be terminated without any notice. However, if they desire to leave the job, they will either give 15 days notice in advance or deposit 15 days salary in lieu thereof.
2. They will produce health and age certificate from the Medical Superintendent District Headquarter Hospital Charsadda.
3. They will remain on probation for a period of one year.



Deputy Commissioner
Charsadda
OK JK

Even No & Date:

Copy forwarded to the:-

1. Commissioner Peshawar Division Peshawar.
2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer, Charsadda
4. Accounts Clerk DC Office Charsadda
5. Official concerned by name for strict compliance.


Deputy Commissioner
Charsadda
OK JK

Attended

Assistant Distt Commissioner
Charsadda
10/10/17

**FINAL SENIORITY LIST OF PATWARIS DISTRICT CHARSADEA AS STOOD
ON 31.12.2016**

12

S.No.	Name of Patwari	Date of Birth	Date of First Appointment	Remarks
1.	Mian Fazal-e-Jamal s/o Mian Fazal Elahi	14.04.1959	08.10.1979	✓
2.	Rasool Shah s/o Rahim Shah	02.4.1957	06.3.1991	
3.	Qader Khan s/o Shah Nawaz	25.9.1959	30.11.1991	
4.	Iltaf Gul s/o Banaras Khan	01.8.1957	12.3.1992	
5.	Ali Gohar Shah s/o Anwar Shah	02.8.1964	22.4.1993	
6.	Iftihar Ahmad s/o Bahader Khan	14.1.1959	06.7.1993	
7.	Sharafat Ullah s/o Rehmanullah	04.7.1957	25.8.1993	
8.	Aman Ullah s/o Tawas Khan	03.11.1956	03.4.1994	
9.	Muhammad Iqbal s/o Mira Khan	20.8.1957	02.1.1995	
10.	Inamullah s/o Samad Khan	04.2.1958	22.8.1995	
11.	Saeed Ullah s/o Rafiullah	03.1.1960	12.11.1995	
12.	Muhammad Idrees s/o Gohar Ali	10.6.1957	03.7.1997	
13.	Fazal-e-Karim s/o Toor Lali	09.3.1962	25.2.2000	
14.	Sajjad Muhammad s/o Nazar Muhammad	01.9.1970	01.5.2000	
15.	Tahir Ahmad s/o Shahjehan	15.9.1972	08.5.2002	
16.	Muhammad Amin s/o Nawab Khan	01.1.1977	08.5.2002	
17.	Kiram Shah s/o Tawab Shah	6.9.1975	18.5.2002	
18.	Anjid Ali s/o Abdul Hakim	18.3.1977	23.5.2002	
19.	Mushtaq Ahmad s/o Sher Afzal	01.5.1975	04.4.2003	
20.	Haroon Jamal s/o Siraj Muhammad	30.4.1979	05.4.2003	
21.	Muhammad Rageen Iqbal s/o Abdul Ghafoor	08.2.1975	01.8.2003	
22.	Anwarul Haq s/o Habib-ur-Haq	04.4.1975	02.8.2003	
23.	Khursheed Ullah s/o Tehseen Ullah	11.1.1974	02.8.2003	
24.	Irshad Ali s/o Aman Ullah	12.4.1978	13.2.2004	
25.	Sardar Ali s/o Ashraf Gul	07.4.1979	13.2.2004	
26.	Atta Ul Haq s/o Sabeeh Ullah	16.7.1979	13.2.2004	
27.	Sher Bahader s/o Nadir Khan	11.1.1980	13.2.2004	
28.	Syed Muhammad Amin s/o Saeed Muhammad Qayum	05.1.1980	13.2.2004	
29.	Imran s/o Mukhtyar Ahmad	01.04.1981	13.2.2004	
30.	Akbar Hussain s/o Awal Khan	27.9.1981	13.2.2004	
31.	Hamid Akbar s/o Jan Akbar	15.6.1983	13.2.2004	
32.	Mushtaq Muhammad Durani s/o Ghulam Bahader Khan	21.8.1977	06.6.2005	

F I T T O U F R A S T I A T A R F

F

F

Amirul
Muhammad
19/12/17

33.	Javid Akhtar s/o Haji Gul	12.3.1976	12.4.2006	
34.	GhulamSadique s/o Khan Sadiq	25.11.1966	01.6.2006	
35.	Fazal Dayan s/o Abdul Jalil	10.10.1981	28.5.2007	
36.	Muhammad Younas s/o Muhammad Yousaf	16.5.1977	29.5.2007	
37.	Ayub Jan s/o Shahbaz Khan	03.4.1978	29.5.2007	
38.	Wajid Ali s/o Gulfaraz	01.8.1980	29.5.2007	
39.	Dost Muhammad s/o Muhammad Sher	14.9.1982	29.5.2007	
40.	Mukhtiar Ahmad s/o Said Qamar Shah	03.3.1986	29.5.2007	
41.	Muhammad Faheem s/o Mukhtiar Ahmad	04.6.1982	07.6.2008	
42.	Saleem Ullah s/o Khud Mai Khan	01.10.1983	28.7.2008	
43.	Muhammad Sheraz s/o Gul Muhammad	05.9.1981	28.7.2008	
44.	Sajjad Khan s/o Safdar Khan	01.12.1984	28.7.2008	✓
45.	Muhammad Tahir s/o Ghulam Muhammad	15.5.1984	28.7.2008	
46.	Asadullah s/o Masood Khan	25.3.1981	19.11.2008	
47.	Shafiullah s/o Roohullah	03.7.1981	28.1.2009	
48.	Alam Zeb s/o Haji Bahader	20.1.1983	13.8.2009	
49.	Fahad Akbar s/o Jan Akbar	02.4.1986	19.11.2009	
50.	Roohul Azeem s/o Abdul Azeem	15.3.1982	19.11.2009	
51.	Wisal Muhammad s/o Jan Muhammad.	04.4.1981	19.11.2009	
52.	Shahad Ali s/o Sabz Ali	10.2.1981	19.11.2009	
53.	Bahar Ali s/o Shah Sawar	15.3.1981	19.11.2009	
54.	Shah Khalid s/o Abdullah Jan	01.3.1986	19.11.2009	
55.	Asif Saeed s/o Fazal-e-Hamid	28.11.1981	10.3.2011	
56.	Shah Khalid s/o Sher Afzal	02.3.1980	-do-	
57.	Ahmad Ali s/o Jan Raziq	11.4.1983	-do-	
58.	Sartaj s/o Fazal-e-Wahid	01.8.1980	-do-	
59.	Asim Shah s/o Syed Qasam Shah	07.9.1985	-do-	
60.	Naseer Khan s/o Yousaf Khan	15.10.1981	-do-	
61.	Taruf Shah s/o Nadar Khan	03.5.1982	-do-	
62.	Suliman s/o Fazal-e-Rehman	14.4.1983	-do-	

Aliul
 Muhammad
 1/1/2017

63.	Kiram Shah s/o Musharaf Shah	30.3.1986	-do-	
64.	Waras Khan s/o Abdul Wadood	10.12.1980	-do-	
65.	Yasir Shehzad s/o Shehriyar	15.2.1987	-do-	
66.	Muhammad Kamran s/o Muhammad Iqbal	03.4.1988	-do-	
67.	Irshad Ali s/o Abdul Kahim	05.3.1981	-do-	
68.	Mujahid Shah s/o Kamil Shah	10.12.1983	-do-	
69.	Anwar Zeb s/o Jehanzeb	02.9.1978	-do-	
70.	Shaukat Ali s/o Sher Dil Khan	10.2.1983	-do-	
71.	Sajid Ali s/o Siraj Ahmad	15.8.1986	-do-	
72.	Abdul Raheem s/o Sher Bahadar	01.2.1980	-do-	
73.	Kalim Arif s/o Fazal Subhan	02.5.1979	10.3.2011	
74.	Sartaj Alam s/o Mukhtar Ahamad	08.8.1986	-do-	
75.	Inayat ur Rehman s/o Habib Ullah	09.5.1977	-do-	
76.	Asif Shah s/o Akbar Shah	08.1.1982	-do-	
77.	Waqar Ahmad s/o fida Ahmad	16.2.1986	-do-	
78.	Muhammad Hamid s/o Zahcer ud din	19.3.1987	-do-	
79.	Zia urreham s/o mian hamayun	04.04.1979	18.11.2015	
80.	Muhammad Imad s/o shah jehan	12.08.1990	-do-	
81.	Saad malook s/o Sahibzada Taj Malok	14.3.1982	-do-	
82.	Mian Umair s/o Mian Asfandyar	07.04.1992	23.11.2015	
83.	Imad Khan s/o Sher Zada	15.10.1987	-do-	
84.	Naveed Hayat s/o M.Hayat	10.04.1992	-do-	
85.	Wajid Hussain s/o Hussain Khan	16.04.1983	-do-	
86.	Mir alam s/o Sher afzal	03.01.1983	-do-	
87.	Tahseen Ullah s/o Ameen Ullah	02.05.1987	-do-	

Ahmed
Abdullah
 Assistant District Magistrate
 Charsadda, P.O. 17100


 Deputy Commissioner
 Charsadda
or



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Subject: MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 29-09-2017

A meeting of the departmental promotion committee was held on 29-09-2017 under the chairmanship of Deputy Commissioner Charsadda in his office to consider promotion of senior most patwaris against the vacant posts of Girdawars (BPS-11). The following attended the meeting: -

1. Capt (R) Tahir Zafar Abbasi,
Deputy Commissioner Charsadda In chair
2. Miss Tilot Fahad
Assistant Commissioner Charsadda Member
3. Muhammad Ayub,
Rep: of Commissioner Peshawar Division Member
4. Muhammad Yasin
District Kanungo Charsadda Member

Opening the discussion the chair welcomed the participants and briefly spoke on the issue. The District Kanungo Charsadda informed the meeting that 06 posts of girdawars (BPS-11) have fallen vacant due to retirement/death of the girdawars while 02 posts have become vacant due to promotion of 02 Girdawars namely Amir Zaman and Ajmal Shah to the posts of Naib Tehsildars on current charge basis. Hence 08 posts of girdawars are required to be filled in from amongst the senior most patwaris (06 on regular basis and 02 on current charge basis) of the district. The District kanungo Charsadda produced seniority list of Patwaris of District Charsadda issued /circulated by the District Collector for the period ending 31-12-2016. The seniority list from S.No. 1 to S.No. 87 is annexed as "A" and may be read as part of the minutes of the meeting.

Patwaris at S.No. 2,4,7,8,9 and 12 have already been retired from service, hence their cases were not considered by the committee. while Patwaris at S.No.1,3,5,6,10,11, 13,14,18,24 and 25 were found unqualified as they have not passed kanungo examination, hence their cases were also not considered for promotion as girdawars. Similarly, patwari at S.No.17 of the list namely Kiramat Shah was also not considered for promotion as he did not produce his ACRs for the required period before the committee despite being intimated time and again. Patwaris at S.No. 15,19 and 20 of the list namely Tahir Ahmad S/O Shahjehan, Mushtaq Ahmad S/O Sher Afzal and Muhammad Haroon Jamal S/O Siraj Ahmad who produced ACRs duly signed and verified by the EX-DOR Charsadda. The ACRs of the above officials were earlier reportedly found forged, being not signed by the Ex-DOR. The Ex-DOR Mr. Shaqoor Dawar

Alwail
Bkaid

Deputy District Commissioner
Charsadda
29/09/2017

was contacted and he confirmed his signature on those ACRs. The committee, also examined the same and found it complete and clear.

The Departmental Promotion Committee after through checking and scrutiny of record, personal files/credentials unanimously recommended and found eligible the following 08 patwaris for promotion as girdawars (BPS-11) including 06 Patwris on regular basis and 02 Patwaris on current charge basis: -

S.No.	Name of Patwari	S.No. in the Seniority List	Status
1.	Mr. Tahir Ahmed S/O Shahjehan	15 ✓	Regular basis
2.	Muhammad Amin S/O Nawab Khan	16 ✓	..do..
3.	Mr. Mushtaq Ahmad S/O Sher Afzal	19	..do..
4.	Mr. Haroon Jamal S/O Siraj Ahmad	20	..do..
5.	Muhammad Rangeen Iqbal S/O Abdul Ghafoor	21	..do..
6.	Mr. Anwar-ul-Haq S/O Habibul Haq	22	..do..
7.	Mr. Khurshid Ullah S/O Tahsin Ullah	23	Current Charge Basis
8.	Mr. Attaul Haq S/O Sabeeh Ullah	26	..do..

Pertinent to mention here that promotion of patwaris at S.No. 23 & 26 of the Seniority List name Khurshid Ullah and Attaul Haq were made on Current Charge basis and will be subject to reversion in case the girdawars name Mr. Amir Zaman and Mr. Ajmal Shah of District Charsadda (Whose promotion have been made by the Board of Revenue as Naib Tehsildars on current charge basis) are reverted as girdawars. They will not challenge their reversion in any court of law. The above promotion of patwaris is purely made on merit on the basis of seniority.

Meeting ended with vote of thanks to and from the chair.

Muhammad Yasin
District Kanungo
Charsadda

Ms. Taha Fahad
Assistant Commissioner
Charsadda

Muhammad Ayub
Representative Commissioner Peshawar
Division Peshawar

Tahir Zafar Abbasi
Deputy Commissioner
Charsadda

Assistant District Commissioner
Charsadda
27/10/10



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Dated: 29/09/2017

OFFICE ORDER

No. 4235-64/DK/DC DC(CHD)/DK/DPC. Consequent upon the recommendations/approval of the Departmental Promotion Committee in its meeting held on September 29 2017 under the chairmanship of the undersigned, the following Patwaris are hereby promoted from the post of Patwari (BPS-09) to the post of Kanungo (BPS-11) on regular basis with immediate effect. However, they will remain on probation for a period of one year.

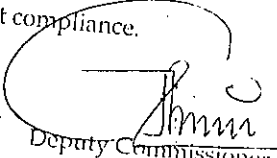
- ✓ 1. Tahir Ahmad S/O Shahjehan
2. Muhammad Amin S/O Nawab Khan
- ✓ 3. Mushtaq Ahmad S/O Sher Afzal
- ✓ 4. Haroon Jamal S/O Siraj Muhammad
5. Muhammad Rangeen Iqbal S/O Abdul Ghafoor
6. Anwarul Haq S/O Habibul Haq


Deputy Commissioner
Charsadda

Serial No & Date:

Copy forwarded to the:-

1. Commissioner Peshawar Division Peshawar.
2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer, Charsadda
4. Accounts Clerk DC Office Charsadda
5. Official concerned by name for strict compliance.


Deputy Commissioner
Charsadda

original at DK-2

Recd



District Kanungo
Charsadda
29/09/17

29.9.2017

17



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Dated: 29/09/2017

(18)

OFFICE ORDER

No. 4245-58 DC(CHD)/DK/DPC. Consequent upon the recommendations/approval of the Departmental Promotion Committee in its meeting held on September 29 2017 under the chairmanship of the undersigned, the following patwaris are hereby promoted from the post of Patwari to the post of Kanungo in their own pay and scale (CCB) with immediate effect. However, they will remain on probation for a period of one year.

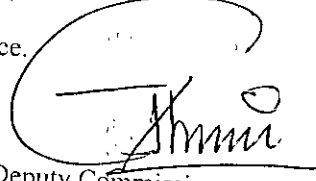
1. Khurshid Ullah S/O Tahseen Ullah
2. Atta-ul-Haq S/O Sabeeh Ullah

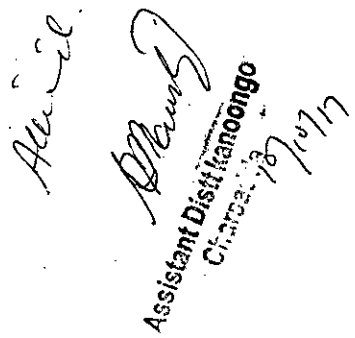
In case of reversion of Amir Zaman and Ajmal Shah both the newly promoted patwaris i.e. Khurshid Ullah and Atta-ul-Haq would be reversed and they would not have any right to challenge their reversion in any court of law

Deputy Commissioner
Charsadda

Even No & Date:

- Copy forwarded to the:-
1. Commissioner Peshawar Division Peshawar.
 2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar.
 3. District Accounts Officer, Charsadda
 4. Accounts Clerk DC Office Charsadda
 5. Official concerned by name for strict compliance.


Deputy Commissioner
Charsadda


Assistant District Officer
Charsadda
29/09/17

Character Roll of Patwaris

CONFIDENTIAL report for the year 2004.

(19)

- 1). Name, Parentage and Caste Kirammat Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular line performed by him with result very Good
- 4). Observation HIS:
 - (a) Hand writing Very Good
 - (b) Accuracy in partal Excellent
 - (c) Promptness in submission of Returns very Good
 - (d) Promptness in Execution Of Orders on the spot. _____
 - (e) Capacity to train his patwari. _____
- 5). Has the girdawari maintained regular touring Regularly
- 6). Has Conduct towards:
 - a). Patwaris: Good
 - b). Public Good
 - c). Official of other department as Good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation very Good
- 9). Integrity/Reputation Good
- 10). Amenability to Discipline Good
- 11). Interest in-
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy + fit
- 13). Special Aptitude for
 - a). Field Work Very Good
 - b). Office work very Good
- 14). General Remarks :-

Most Honest, obedient, reliable and responsible official. Fit for promotion.

[Signature]
 Tehsildar/ Naib Tehsildar
 CHHARSADDA

Remarks of Revenue Officer

[Signature]
 Attested to be true copy

[Signature]
 District Officer Revenue
 CHHARSADDA
 Revenue and Estate
 Officer

Character Roll of Patwaris

CONFIDENTIAL report for the year 2008

(20)

- 1). Name , Parentage and Caste Kiramat Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Good
- 4). Observation HIS:
 - (a) Hand writing very Good
 - (b) Accuracy in partal Excellent
 - (c) Promptness in submission of Returns very Good
 - (d) Promptness in Execution Of Orders on the spot
 - (e) Capacity to train his patwari.
- 5). Has the girdawari maintained regular touring maintain regulary
- 6). Has Conduct towards:
 - a). Patwaris: very Good
 - b). Public very Good
 - c). Official of other department as very Good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation Good
- 9). Integrity/Reputation Good
- 10). Amenability to Discipline very Good
- 11). Interest in:-
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & very Fit
- 13). Special Aptitude for
 - a). Field Work Good
 - b). Office work Good

14). General Remarks :-

Hard working, intelligent, obedient and taking keen interest in performance of his duties. Fit for early promotion.

Remarks of Revenue Officer

Attested to be true copy

[Signature]
Tehsildar/Naib Tehsildar

TEHSILDAR
CHARSADIA

District Officer
District Officer Revenue & Estate Charsadla.

Character Roll of Patwaris

CONFIDENTIAL report for the year 2006.

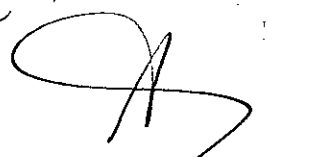
21

- 1). Name, Parentage and Caste Kirammat Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing very Good
 - (b) Accuracy in partial Good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot. _____
 - (e) Capacity to train his patwari. _____
- 5). Has the girdawari maintained regular touring Regularly maintained
- 6). Has Conduct towards:
 - a). Patwaris: very Good
 - b). Public very Good
 - c). Official of other department as very Good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation Good
- 9). Integrity/Reputation Good
- 10). Amenability to Discipline very Good
- 11). Interest in:-
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties. Healthy & Physical fit
- 13). Special Aptitude for
 - a). Field Work very Good
 - b). Office work very Good
- 14). General Remarks :-


He is intelligent, obedient, hard worker and disciplined official. Knowledge in Patwar work very well. Fit for Promotions

Remarks of Revenue Officer

Attested to be true copy



[Signature]
Tehsildar/Naib Tehsildar



[Signature]
District Officer Revenue
District Charsadda.

Character Roll of Patwaris

CONFIDENTIAL report for the year 2007

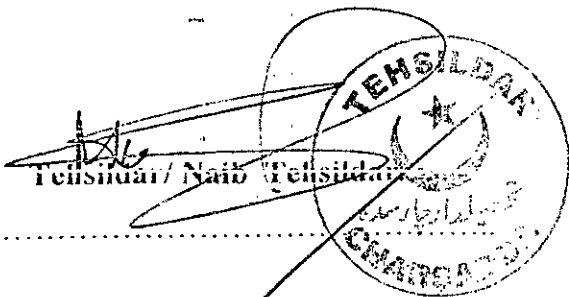
- 1). Name, Parentage and Caste Kinamat Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing very Good
 - (b) Accuracy in partial Good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot _____
 - (e) Capacity to train his patwari. Yes
- 5). Has the girdawafi maintained regular touring Regularly maintained
- 6). Has Conduct towards:
 - a) Patwaris: very Good
 - b) Public very Good
 - c) Official of other department as very Good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation Good
- 9). Integrity/Reputation Good
- 10). Amenability to Discipline very Good
- 11). Interest in:-
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Physical fit
- 13). Special Aptitude for
 - a). Field Work very Good
 - b). Office work very Good

14). General Remarks :-

did his work with to worst standard, working is competent, efficient and hard working suggested. I am completely satisfied with his performance. Fit for promotion.

Remarks of Revenue Officer

Attested to be true copy



District Officer, Revenue
Charsadda
Revenue and Estate
Charsadda

Character Roll of Patwaris

CONFIDENTIAL report for the year 2008

23

- 1). Name , Parentage and Caste Kirammat Shahi
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing very good
 - (b) Accuracy in partal good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot. _____
 - (e). Capacity to train his patwari. _____
- 5. Has the girdawari maintained regular touring Regularly
- 6. Has Conduct towards:
 - a). Patwaris: very good
 - b). Public very good
 - c). Official of other department as very good
- 7. INTELLIGENTS:-
- 8. Knowledge of Procedure and regulation good
- 9. Integrity/Reputation good
- 10. Amenability to Discipline very good
- 11. Interest in-
 - Social Welfare. good
 - Basic Democracies good
- 12). General Remarks on his health & Physical fitness to perform his duties Physically fit & Healthy
- 13). Special Aptitude for
 - a). Field Work good
 - b). Office work good
- 14). General Remarks :-

Mr. Kiramat Shahi is most obedient, punctual, competent & hardworking patwari. Fit for every promotion.



Tehsildar/ Naib Tehsildar.

Remarks of Revenue Officer

Attested to be true

[Signature]

agree

[Signature]
District Officer Revenue
Revenue and Estate

Character Roll of Patwaris

CONFIDENTIAL report for the year 2009 24

- 1). Name, Parentage and Caste Khawal Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing Very good
 - (b) Accuracy in partial good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot.
 - (e) Capacity to train his patwari.
- 5). Has the girdawari maintained regular touring Regularly
- 6). Has Conduct towards:
 - a). Patwaris: very good
 - b). Public very good
 - c). Official of other department as very good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation good
- 9). Integrity/Reputation good
- 10). Amenability to Discipline very good
- 11). Interest in:-
 - Social Welfare. good
 - Basic Democracies good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Fit
- 13). Special Aptitude for
 - a). Field Work very good
 - b). Office work good

14). General Remarks :-
 He is honest, honest, punctual
 and performs his duties with
 complete efficiency & is completely
 fit for promotion.

Remarks of Revenue Officer

agree

[Signature]

Tehsildar/ Naib Tehsildar



[Signature]
 District Officer Revenue
 & Estate Charsadda.
 District Officer

Attested
 to be true
[Signature]

Character Roll of Patwaris

CONFIDENTIAL report for the year 2010

25

- 1). Name, Parentage and Caste Kinnari Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing very good
 - (b) Accuracy in partial good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot.
 - (e) Capacity to train His patwari.
- 5). Has the girdawari maintained regular touring Regularly
- 6). Has Conduct towards:
 - a). Patwaris: very good
 - b). Public very good
 - c). Official of other department as very good
- 7). INTELLIGENTS:- good
- 8). Knowledge of Procedure and regulation good
- 9). Integrity/Reputation good
- 10). Amenability to Discipline very good
- 11). Interest in:-
 - Social Welfare. good
 - Basic Democracies good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Fit.
- 13). Special Aptitude for
 - a). Field Work very good
 - b). Office work very good
- 14). General Remarks :-

Kinnari Shah is a most honest, diligent, punctual & hard working patwari in Revenue Field Staff of District. File for Promotion.

Attested to be true copy

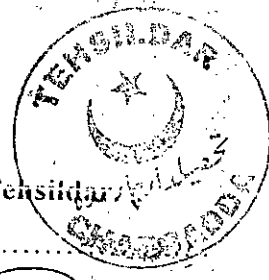
[Signature]

Remarks of Revenue Officer

agree

[Signature]
Tensildar/ Naib Tensildar
CHARSADDA

[Signature]
District Officer Revenue & Estate Charsadda,
District Officer Revenue



Character Roll of Patwaris

CONFIDENTIAL report for the year 2011

26


- 1). Name, Parentage and Caste Kinnawat Ghata
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation IHS:
 - (a) Hand writing very good
 - (b) Accuracy in partal good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot.
 - (e) Capacity to train his patwari.
- 5). Has the girdawari maintained regular touring Regularly
- 6). Has Conduct towards:
 - a). Patwaris: very good
 - b). Public very good
 - c). Official of other department as very good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation good
- 9). Integrity/Reputation good
- 10). Amenability to Discipline very good
- 11). Interest in:-
 - Social Welfare. good
 - Basic Democracies good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Fit
- 13). Special Aptitude, for
 - a). Field Work good
 - b). Office work good
- 14). General Remarks :-

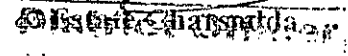
Kinnawat Ghata is honest honest, able to handle all kind of work, good in character, field staff of his village. (Fit for work)

Remarks of Revenue Officer

Attested to be true copy

[Signature]
agree

[Signature]
Tehsildar/ Naib Tehsildar


[Signature]
District Officer Revenue


Character Roll of Patwaris

CONFIDENTIAL report for the year 2012

27

- 1). Name, Parentage and Caste Khanumet Shahi
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation HIS:
 - (a) Hand writing very good
 - (b) Accuracy in partal good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Orders on the spot.
 - (e) Capacity to train his patwari.
- 5). Has the girdawari maintained regular touring Regularly
- 6). Has Conduct towards:
 - a). Patwaris: very good
 - b). Public: very good
 - c). Official of other department as very good
- 7). INTELLIGENTS:- good
- 8). Knowledge of Procedure and regulation good
- 9). Integrity/Reputation very good
- 10). Amenability to Discipline good
- 11). Interest in:-
 - Social Welfare. good
 - Basic Democracies good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Fit
- 13). Special Aptitude for
 - a). Field Work good
 - b). Office work good

Allected to be true copy

He is intelligent, Honest & hard working. He has been very good in performance of his duties. He is a good person.

Tehsildar/ Naib Tehsildar.

Remarks of Revenue Officer

Character Roll of Patwaris

CONFIDENTIAL report for the year 2015

28

- 1) Name, Parentage and Caste Kishan Lal
- 2) Post held during the period under report Patwari
- 3) Special duties outside regular line performed by him with result Excellent
- 4) Observation IHS:
 - (a) Hand writing Very good
 - (b) Accuracy in partial good
 - (c) Promptness in submission of Returns Excellent
 - (d) Promptness in Execution Of Order on the spot Efficient
 - (e) Capacity to train his patwari -NA-
- 5) Has the girdawari maintained regular touring Regularly - NA -
- 6) His Conduct towards:
 - a) Patwaris Very good
 - b) Public Very good
 - c) Official of other department as Very good
- 7) INTELLIGENTS:-
- 8) Knowledge of Procedure and regulation good
- 9) Integrity/Reputation good
- 10) Amenability to Discipline Very good
- 11) Interest in:-
 - Social Welfare good
 - Basic Democracies good
- 12) General Remarks on his health & Physical fitness to perform his duties Healthy & Fit
- 13) Special Aptitude for
 - a) Field Work Very good
 - b) Office work Very good
- 14) General Remarks :-

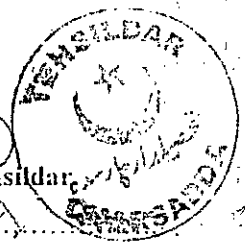
He is a very good patwari, intelligent, disciplined, and has a good character. He is very helpful to the public and is a very good example for the other patwaris. He is a very good person and is a very good example for the other patwaris.

Remarks by the Counter Sign Authority

Agreed with the remarks of the concerned Revenue officer.

Assistant Commissioner
Charsadda.

[Signature]



Attested to be true copy

[Signature]

CONFIDENTIAL

(Character Roll of Patwaris)

Confidential report for year 2014

29

1. Name, Parentage and Caste Kirammat Shah s/o Tawab Shah
2. Post held during the period under report At Check Nisatta as Patwari
3. Special duties outside regular Line performed by him with result Performed well in Polio eradication campaign
4. Observation IIS:
 - (a) Hand writing. Good
 - (b) Accuracy in detail. Good
 - (c) Promptness in submission of Returns. V. Good
 - (d) Promptness in Execution of Orders on the spot. Good
 - (e) Capacity to train his patwari. _____
5. Has the girdawari maintained regular touring _____
6. Has Conduct towards:
 - a). Patwaris: V. Good
 - b). Public V. Good
7. INTELLIGENCE:- _____
8. Knowledge of Procedure and regulation Excellent.
9. Integrity/Reputation V. Good
10. Amenability to Discipline Disciplined & Punctual
11. Interest in :-
 - a). Social Welfare. Good
 - b). Basic Democracies. Good
- 12). General Remarks on his health & Physical fitness to perform his duties Physically smart & sound
- 13). Spacial Aptitude for
 - a). Field Work Good
 - b). Office Work V. Good
- 14). General Remarks :- An obedient, honest & Punctual Patwari. Performs his duty with zeal and hard work. I am completely satisfied with his performance. Fit for promotion.

Tehsildar Naab Tehsildar

Remains of Counter Sign Authority

Assistant Commissioner
Charsadda.

Attested to be true copy

CONFIDENTIAL

(Character Rooll of Patwaris)

Confidential report for year 1st January 2015 to 31-12-2015

30

1. Name, Parentage and Caste KIRAMAT SHAH SIO THAWAIS SHAH PATAN.

2. Post held during the period under report Chak Nisalla as Patwari.

3. Special duties outside regular Line performed by him with result performed during Polio eradication campaign.

4. Observation IHS:

(a) Hand writing. Good.

(b) Accuracy in partal. Good.

(c) Promptness in submission of Returns. V. Good.

(d) Promptness in Execution Of Orders on the spot. Good.

(e) Capacity to train his patwari. _____

5. Has the girdawari maintained regular touring _____

6. Has Conduct towards:

a). Patwaris V. Good

b). Public V. Good.

INTELLIGENCE-

7. Knowledge of Procedure and regulation Excellent.

8. Reputation V. Good.

9. Ability to Discipline Disciplined & punctual

10. Interest in:-

a). Social Welfare. Good.

b). Basic Democracies. Good.

12. General Remarks on his health & Physical fitness to perform his duties Physically smart & sound. Perfect for performing his duty.

13. Spacial Aptitude for:
a). Field Work Good. b). Office Work V. Good.

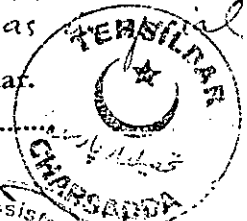
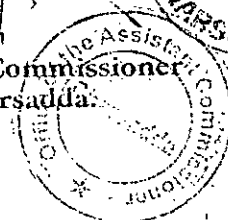
14. General Remarks: Intelligent, honest & skilled. Excellent in execution of his duty in official work as well as tasks assigned. Recommended for promotion.
Tehsildar / Naib Tehsildar.

Remarks of Counter Sign Authority

The Patwari is hard working, competent, obedient and law abiding servant.

Attested to be true copy

Assistant Commissioner
Charsadda.



CONFIDENTIAL
Form B-I (Single Sheet)
Character Roll of Patwaris

31

CONFIDENTIAL report for the year 2016

1) Name, age, height and Caste KIRAMAT SHAH s/o TALWAR SHAH.

2) Post held during the period under report Patwari halqa Chh Nisalla & Chhans
Chhans

3) Regular line performed by him, with result good.

4) Observation HIS:

a. Hand writing. V. good.

b. Accuracy in detail. good.

c. Promptness in submission of
Return. good.

d. Promptness in Execution of
Orders on the spot. Excellent.

e. Capacity to train his patwari. good.

5) Has the girdawar maintained regular
touring. Ni/.

6) Has Conducted towards:

a. Patwaris good.

b. Public V. good.

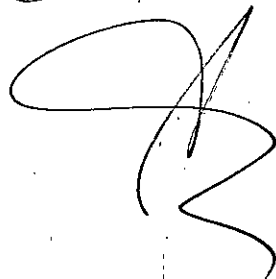
c. Official of other department as good.

7) INTELLIGENTS:-

8) Knowledge of Procedure and regulation Excellent.

9) Integrity / Reputation good.

Attested to be true copy



10) Amenability to Discipline

Disciplined & punctual

11) Interest in:-

a) Social Welfare

good

b) Basic Democracies

good

12) General Remarks on his health

Fit & healthy

13) Special Aptitude for:-

a) Field work

Excellent

b) Office work

good

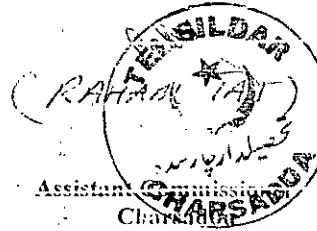
14) General Remarks:-

The official is honest, devoted, skilled and keenly interested in performance of his duty. Recommended for further promotion.

Revenue Officer Circle

The patwari, is competent, hard worker, obedient to his duty. He performs his duties efficiently and honestly.

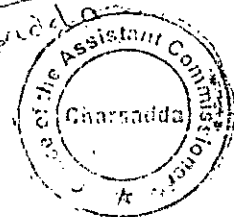
Strongly recommended for promotion for best public interest.



TEHSILDAR
Charsadda

M. N. S. Wali Khan

Assistant Commissioner
Charsadda



*Attested
to be true
copy*

To

The Commissioner Peshawar Division Peshawar

Subject:

DEPARTMENTAL APPEAL

Secy:	
AC P/D:	
AC R/Ga:	
Suptd:	
Branch:	
Diary No.	10172
Date:	18/10/17

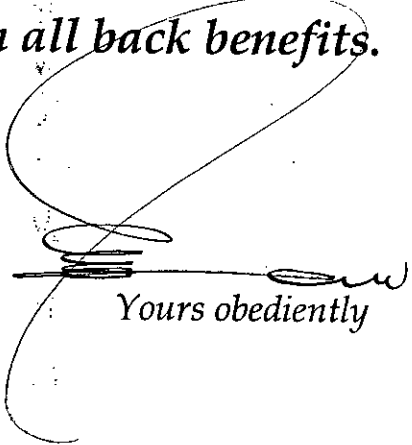
Respected sir

The appellant submits as under:

1. That the appellant has been appointed as Patwari BPS-09 vide Order Dated: 18.05.2002 and is currently posted on Muza / Halqa Shekho, Sardheri, Tehsil and District Charsadda. (Appointment order is attached as annexure "A")
2. That in District Charsadda total Eight (8) Posts of Girdawars BPS-11 has fallen vacant.
3. That the appellant was at serial No. 17 of the seniority list, procured by the Concerned Department, but it is pertinent to mentioned here that the candidates at serial No. 2,4,7,8,9 and 12 have already being retired from service, while candidates at serial No. 1,3,5,6,10,11,13,14,18,24 and 25 were found disqualified for promotion as they have not passed Kanungo examination. (Copy of the seniority list is attached as annexure "B")
4. That it is stated that if the retired and unqualified candidates are exclude from the seniority list mentioned in para No. 3, then the appellant will come in selection orbit for promotion at serial No. 2 of the 8 Candidates, as the candidates at serial No. 15, 16 and 17 (the present appellant) have been appointed on the same date i.e. 06.05.2002 and candidates at serial No. 16 is younger in age than the present appellants.

5. That the departmental promotion committee has mala-fidely skipped / ignored the appellant for promotion for the post of Girdawar BPS-11 and juniors to the appellant have been promoted for the said posts of Girdawars BPS-11 without any cogent reason.
6. That the appellant has a legal and lawful rights to be promoted to the post of Girdawar BPS-11 but the same benefit has not been extended to the appellant without any legal and lawful justification and the appellant has been deprived from his due rights of promotion.

It is therefore, very humbly prayed that the appellants may kindly be promoted according to the seniority list with all back benefits.


Yours obediently

Kirammat Shah Patwari
Halqa/ Muza Shekho,
Tehsil & Distt: Charsadda
CNIC #. 17101-0406803-3



IN THE COURT OF
COMMISSIONER PESHAWAR DIVISION
PESHAWAR

DATE OF INSTITUTION 18.10.2017
DATE OF DISPOSAL 24.11.2017
APPEAL No. /2017.

34

KIRAMAT SHAH S/O TAWAB SHAH PATWARI HALQA MOZA SHEKHO DISTRICT CHARSADDA.

(APPELLANT)

VS

DEPUTY COMMISSIONER CHARSADDA.

(RESPONDENT)

Claim: DEPARTMENTAL APEPAL
ORDER

1. This order will dispose of the departmental appeal filed by the above named appellant challenging the Departmental Promotion Committee meeting dated 29.09.2017 held in the office of the Deputy Commissioner Charsadda for promotion of senior most patwaris as girdawars in the district Charsadda. Aggrieved for ignoring in the same, the appellant filed the instant appeal with pray that he may be promoted as girdawar with all back benefits. Facts of the case are that a meeting of the DPC for the promotion of Patwaris to the posts of girdawars was held on 29.09.2017 under the chairmanship of Deputy Commissioner Charsadda. The appellant's name appeared at S.No. 17 of the senior list of patwaris for the period ending 31.12.2016 duly attested. Grievance of the appellant was that he was not considered for promotion as girdawar despite being in the orbit for selection at S.No.2 of those considered for promotion as girdawars.
2. Para-wise comments received from the District Collector Charsadda were examined. Perusal of the comments and available record on file reveals that proper procedure has been adopted in holding DPC for promotion of the patwaris as Girdawars (BPS-11). The case for promotion of the appellant was not considered due to non provision of ACRs for the required period by the appellant despite being intimated time and again. The ACRs earlier submitted by the appellant were also declared forged being not countersigned by the ex-District Officer (R&E) Charsadda as when the same were sent for his verification, he declared it forged as not countersigned by him.

M. J. Khan

Promotion to the next higher position is always based on the production of accurate and complete ACRs for the required period as per laid down procedure which the appellant failed to produce before the committee. The DPC has recommended suitable/eligible and deserving patwaris on merit from amongst the seniority list and no irregularity or illegality has been committed. Keeping in view the above position, the appeal is therefore, dismissed.

35

COMMISSIONER
PESHAWAR DIVISION PESHAWAR

Announced
24.11.2017

Attended

09/12/2017

Reader to Commissioner
Peshawar

OFFICE OF THE
COMMISSIONER
PESHAWAR DIVISION
PESHAWAR

POWER OF ATTORNEY

Before The Service Tribunal KP, Peshawar

In Re _____ of 2017

Kirammat Shah

(Appellant)

{Plaintiff
{Appellant
{Petitioner
{Complaint
{Decree Holder

Versus

Govt of KP and others (Respondents)

{Defendant
{Respondent
{Accused
{Judgment Debtor

I/We Kirammat Shah S/o Tawab Shah R/o Charsadda
the _____ above named hereby appoint **Asad Jan Durrani** Advocate
High Court the above-mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act, and plead for me/us in the above mentioned case in this Court/Tribunal or any other court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits, and applications for compromise or withdrawal, or for submission to arbitration of the said case, or prosecution or defense of the said case at all its stages.
3. To receive payments of, and issue receipts for, all money that may be or become due and payable to us during the course or on the conclusion of the proceedings.

To do all other acts and things which may be deemed necessary or advisable during the course of the proceedings.

AND HEREBY AGREE:

- a. To ratify whatever the said Advocate may do in the proceedings.
- b. Not to hold the Advocate responsible if the said case be proceeded ex-parte or dismissed in default in consequences of their absence from the Court/Tribunal when it is called hearing.
- c. That the Advocate shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fees remains unpaid.

In witness whereof I/WE have signed this Power of Attorney/Vakalatnama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this 20th day of Dec, 2017 at Peshawar

(ASAD JAN DURRANI)
LLM
United Kingdom
Advocate High Court,

Accepted

Signature of executant/s

Accepted subject to the term regarding payment of fee

ku

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

Appeal No. 1404 of 2017

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, presently
Patwari Halqa/Moza Sheikho.

(Appellant)

Versus

1. The Secretary, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
2. The Commissioner, Peshawar Division, Peshawar.
3. The Deputy Commissioner Charsadda.

(Respondents)

PRELIMINARY OBJECTIONS BY RESPONDENTS No. 1 to 3.

1. That the appellant has got no cause of action.
2. That the appeal is not maintainable in its present form.
3. That the appellant has not come to the Tribunal with clean hands.
4. That the appellant has no locus standi to file appeal against the Respondents.
5. That the appeal is badly time barred.

Parawise reply On Facts

- Para No. 1 No Comments, pertains to record.
- Para No. 2 Pertains to record.
- Para No. 3 No comments.
- Para No. 4 Pertains to record.
- Para No. 5 No comments.
- Para No. 6 Incorrect. The main things in promotion of a government servant are "fitness" and "complete ACRs", while the appellant got no ACRs of his service. The appellant was deferred in 2015, as his ACRs were not complete. It shows that the appellant had plenty of time to complete the ACRs in these two years, but he produced ACRS with bogus signatures of officers, which were subsequently sent to the concerned officers and they denied the same. (F/A)
- Para No. 7 Incorrect. The appeal was meritoriously dismissed, as he didn't deserve to be promoted, having no confidential reports.


Reply to the Grounds of appeal

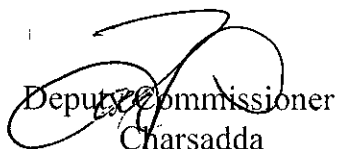
- A. Incorrect. The order was in accordance with the rules & regulations of service and was truly in accordance with the law.

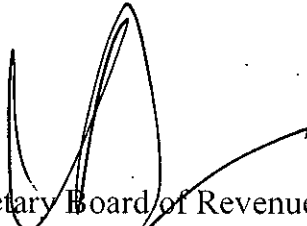
- B. Incorrect. The appellant was included in the list of Patwaris to be promoted to the post of Girdawar in 2015, but he was deferred due to non-production of ACRs, while he was deferred in 2017 by producing ACRs with bogus signatures. The Committee was unable to promote him with such documents, therefore he was not treated mala fide.
- C. Pertains to record.
- D. Incorrect. The appellant was granted a chance in 2015 for promotion, but he did not produce his ACRs and was deferred, but in the instant case he produced ACRs having bogus signature of officers.
- E. Incorrect. All the officials are equal in the eyes of the respondents.
- F. Incorrect. The order dated 24.11.2017 was correctly issued and it was truly in accordance with the law,
- G. The respondents also seek permission to raise additional grounds at the time of arguments.

Prayer

In view of the above detailed submission, this honorable Tribunal is hereby prayed to dismiss the appeal in hand, being devoid of any merit.


Commissioner,
Peshawar Division Peshawar.
(Respondent No. 2)


Deputy Commissioner
Charsadda
(Respondent No. 3)


Secretary Board of Revenue,
Revenue & Estate Department, Khyber Pakhtunkhwa.
Peshawar.
(Respondent No. 1)



**OFFICE OF THE
COMMISSIONER PESHAWAR DIVISION
PESHAWAR**

No. Service Appeal/Kirammat /AR/2018/1591
Date: 31.01.2018

To

The Deputy Commissioner
Charsadda.

Subject:

**NOTICE IN APPEAL NO. 1404/2017 TITLED "KIRAMAT SHAH VS
GOVT:OF KHYEBR PAKHTUNKHWA THORUGH SECRETARY
REVENUE ESTATE.**

I am directed to enclose herewith a copy of notice alongwith an appeal as well as its enclosures received from the Khyber Pakhtunkhwa Service Tribunal in respect of Mr. Kiramat Shah, Patwari filed against the order No. 29.09.2017 of the Deputy Commissioner Charsadda for ignoring him the DPC for promotion as girdawar and against this court order dated 24.11.2017 whereby his appeal was dismissed.

It is requested that para-wise comments in the appeal may please be prepared and send to this office as well as Board of Revenue for perusal and signature please. An official of your office well conversant with the facts of the case may also be deputed to attend the court on due date on behalf of this office on each and every hearing and defend the same properly.

**Secretary to Commissioner
Peshawar Division Peshawar**

No. Service Appeal/Kirammat /AR/2018 /1592-93

Copy forwarded to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal.
2. PS to Commissioner Peshawar.

**Secretary to Commissioner
Peshawar Division Peshawar.**



CC	
Asst	
Branch	
Date	

Supdt:

16/2/18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 1404 2017

Kiramat Shah.....(Appellant)

V E R S U S

Government of KP and others.....(Respondents)

I N D E X

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1.	Grounds of Appeal alongwith Affidavit	-	01 - 07
2.	Addresses of the parties	-	08
3.	Copy of the appointment order	'A'	09 - 10
4.	Copy of the seniority list	'B'	11 - 18
5.	Copies of the relevant documents	-	19 - 34
6.	Wakalat Nama (In original)	-	35

Appellant

Through:

(ASAD JAN DURRANI)
Advocate,
High Court, Peshawar
Office: D-10 Haroon Mansion
Khyber Bazar, Peshawar
Cell # 0312-9181592

Dated: -20-12-2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No _____/2017

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District
Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

(Appellant)

VERSUS

1. Government of KPK through Secretary Revenue Secretariat
Peshawar
2. Commissioner Peshawar Division , Peshawar
3. Deputy Commissioner Charsadda
4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo
Shabqadar District Charsadda)
5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal
Shabqadar District Charsadda)
6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal
Shabqadar District Charsadda)
7. Haroon Jamal S/O Siraj Mohammad (posted at field
Qanoongo Circle Doaba District Charsadda)
8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at
Civil Kanal Shabqadar District Charsadda)
9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo
District Charsadda)

10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)

11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda)

(Respondents)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNAL ACT, 1974 AGAINST THE APPELLATE ORDER DATED 24-11-2017 OF RESPONDENT NO 2 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS DISMISSED AGAINST THE INITIAL/IMPUGNED ORDER 29-09-2017 OF THE RESPONDENT NO.3 FOR NOT PROMOTING THE APPELLANT WHILE JUNIORS TO THE APPELLANT WERE PROMOTED

PRAYER:-

On acceptance of this appeal the impugned order of Respondent No 2 dated 24th November, 2017 may kindly be set aside and the Respondents may please be directed to promote the Appellant with all back benefits

Respectfully Sheweth:-

The Appellant submits as under:-

1. That the Appellant has been appointment as Patwari BPS-09 vide order Dated 18-05-2002 and is now posted at Muza /Halqa Shiekho, Serdheri, Tehsil & District Charsadda. Copy of the appointment order is attached as Annex "A").

- 3
2. That the Appellant was/is performing his duties with zeal , keen and honesty , and the superiors of Appellant were never grudge regarding the performance of his official duties and due the reasons mentioned above the Appellant has excellent ACR' s too.
 3. That the Appellant is a young man and a qualified person and performed his duties with the satisfaction of the superiors as well as colleagues.
 4. That the Appellant was at serial no 17 of the seniority list procured by the Respondent department , but it pertinent to mention here that the candidates at serial no 2,4,7,8,9,and 12 have already been retired from service , while candidates at serial no 1,3 5,6,10,11,13,14,18,24 and 25 were found disqualified for promotion as they have not passed the Qanoongo examination. (Copy of the seniority list is attached as Annex "B").
 5. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3, then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates, as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i-e on 06-05-2002 and the candidate at serial no 16 is younger in age than the present Appellant.

6. That the departmental promotion committee has mala fide and for ulterior motive has ignored/ skipped the Appellant for promotion to the post of Girdawar BPS-11 and juniors to the present Appellant have been promoted to the post of Girdawar BPS-11 without any cogent reason, therefore, the Appellant filed departmental appeal before respondent no.2 which was dismissed on 24/11/2017.
7. That the Appellant being aggrieved from the order dated 24/11/2017 of respondent no.2 whereby appeal of the Appellant was dismissed by not promoting the Appellant on the post of girdawar having no other adequate remedy hence this appeal on the following grounds:-

GROUNDS:-

- A. That the impugned order of the Respondents is totally illegal, against justice and facts of the case therefore not tenable in the eyes of law.
- B. That the Appellant has not been treated by the Respondents in accordance with law and rules on the subject noted above and as such the Respondents have violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the Appellant was duly appointed by the competent authority after due process of law and since from the date of appointment the Appellant has performed his duty with

punctually & honesty to the satisfaction of his superiors and the Appellant is entitled for promotion as per seniority list is concerned but the action and inaction of the Respondents is illegal, unjustified and unwarranted hence liable to be struck down.

- D. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3 of the facts , then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates ,as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i-e on 06-05-2002 and candidate at serial no 16 is younger in age than the present Appellantbut the action and inaction of the Respondents is unjustified , unlawful and unconstitutional and has no value in the eyes of law , hence liable to brush aside the same order.
- E. That the order issued against the Appellant is planted one and is clearly based on mala fide, therefore the action and inaction of the Respondents against the Appellant in terms of impugned order dated 24-11-2017 is not tenable and liable to be set aside.
- F. That the impugned order dated 24-11-2017 has been issued mala-fidely; therefore the impugned order is void ab-initio in the eyes of law.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....(Appellant)

V E R S U S

Government of KP and others.....(Respondents)

AFFIDAVIT

I, Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda, do hereby solemnly affirm and declare on oath that all the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed OR withheld from this Honourable Court.

DEPONENT

Identified by:-

(ASAD JAN DURRANI)
Advocate
High Court, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....Vs.....Government of KP and others

ADDRESSES OF THE PARTIES

APPELLANT

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

RESPONDENTS

1. Government of KPK through Secretary Revenue Secretariat Peshawar
2. Commissioner Peshawar Division , Peshawar
3. Deputy Commissioner Charsadda
4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo Shabqadar District Charsadda)
5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal Shabqadar District Charsadda)
6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal Shabqadar District Charsadda)
7. Haroon Jamal S/O Siraj Mohammad (posted at field Qanoongo Circle Doaba District Charsadda)
8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at Civil Kanal Shabqadar District Charsadda)
9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo District Charsadda)
10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)
11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda)

Appellant

Through:

(ASAD JAN DURRANI)
Advocate,
High Court, Peshawar

Dated: 20-12-2017

①

**Before The Service Tribunal Khyber Pakhtunkhwa AT
Peshawar**

Service Appeal No 1404/2018

Kiramat Shah Vs Government of Khyber Pakhtunkhwa

Written Reply by and on Behalf of Respondent No 4 to 6 and 8 to 11

Respectfully Sheweth;

Written reply by and on behalf of Respondent no 4 to 11 is as under;

- i) That the appellant is having no locus standi to file the instant appeal.
- ii) That the appeal of the appellant is based on malafide and has been filed just to harass, humiliate and mentally torture answering respondent's ~~_____~~
- iii) That the appellant is estopped by his own conduct to file the instant appeal.
- iv) That appeal of the appellant is not maintainable in its present form.
- v) That the respondents No 4 to 11 have been promoted rightly as per service criteria/rules.
- vi) That the ACRs of the replying Respondents were clear in all respects therefore were promoted and appellant was given time and again opportunity to produce his ACR but he failed to comply with the legal directions of the respondents No 1 to 3 and the appellant has rightly been deferred by the departmental promotion committee and is not entitled for any relief.
- vii) That the appeal of the appellant is liable to be dismissed summarily.

(2)

viii) That the respondents No 4 to 11 are entitled for special cost from the appellant.

Para Wise Reply:

- 1) Para No 1 of the appeal of the appellant is incorrect initially the appellant was appointed vide order dated 06/05/2002 and in the appointment order the appellant has been shown junior to respondent No. 4 and 5.
- 2) That Para No 2 of the appeal of appellant is incorrect .The appellant has not performed his duties as per rules, therefore his ACR's are incomplete and was rightly refused promotion and deferred.
- 3) That Para No 3 of the appeal of the appellant is incorrect hence need proof, therefore denied.
- 4) That Para No 4 of the appeal pertain to record therefore is correct.
- 5) That Para No 5 of the appeal of the appellant is incorrect false and fabricated one as the ACR of the appellant are not satisfactory and were also not complete and some of the ACR's were forged and fabricated therefore has rightly been refused promotion. It is pertinent to mention here that appellant and respondent No 4,5 and 10 were appointed after proper test and interview and their sonority was fixed as per merit list and as per the merit list and appointment order date 6/5/2002 the appellant is junior to respondent no 5. Furthermore the seniority list prepared by the department has not been challenged therefore the same cannot be disturbed as under law. Before final seniority list a tentative sonority list is prepared for objections and if anyone is having any grievance can request for its correction, but the appellant has not challenged the same, therefore cannot claim any relief.
- 6) That Para No 6 of the appeal is incorrect, false and fabricated. The departmental promotion committee has acted in accordance with law and given ample opportunity to al the candidates for post of Girdawar, but the appellant utterly failed to produce his satisfactory ACR's, rather produce fake ACR's therefore has rightly been ignored with

cogent reasons and the departmental appeal is rightly been dismissed vide order dated 24/11/2017.

- 7) That as the appeal of the appellant is not maintainable therefore is liable to be dismissed summarily on the following grounds amongst others.

Grounds:

- A) That ground A of the appeal of the appellant is totally in correct and the impugned notification/order whereby the answering respondents have been promoted to the post of Girdawar BPS 11, as per law and policy hence cannot be challenged through false and favour less appeals.
- B) The ground B of the appeal of the appellant is also incorrect false and fabricated, the appellant was treated equally before law and due to fake and incomplete ACRs the appellant was rightly deferred and not promoted.
- C) The ground C of the appeal is based on malafide as the appellant is having incomplete and fake ACR therefore was not promoted as per service law, therefore cannot claim any benefit.
- D) That ground D of the appeal of the appellant is incorrect, false and fabricated one, Infact appellant and respondents No 4,5 and 10 were appointed on 06/05/2002 in BPS 5 after proper test and interview and the sonority was fixed according to the merit list thereafter appointment order was issued. As per rules seniority is maintained by the department in which each and every candidate/employee is shown at his turn, Before issuance of final seniority list the office display the tentative seniority list for objections and the same has not been objected till date, hence the same has gain finality and the appellant cannot get any benefit from the retired and unqualified candidates.
- E) The ground E of the appeal is incorrect based on malafide. The official respondents have rightly promoted the answering respondents therefore the appellants appeal was rightly turned down vide order dated 24/11/2017.

F) The ground F of the appeal of the appellant is incorrect, the official respondents have correctly dismissed the appeal of the appellant vide order dated 24/11/2017.

G) As appellant is having no locus standi to file the instant appeal therefore cannot claim any right, the appeal is not maintainable and justice demand to dismiss the appeal of the appellant with cost to the answering respondents.

In the view of the above it is most humbly prayed that on acceptance of instant reply the appeal of the appellant may graciously be dismissed with cost.

Respondent No 4 to 6 and 8 to 11

Through

Note. Relevant documents will be produced at the time of argument & evidence

[Signature]
Gul Rahman Mohmand
Advocate High Court
29/3/18

M. Talha Advocate
[Signature]
29/3/18

[Signature]
Kashif Naseem Advocate
29/3/18

Affidavit:

Stated on oath that the contents of the instant reply are true and correct to best of our knowledge and belief and nothing has been concealed from this Honorable Court

[Signature]
Deponents
29/3/18



M. Talha Advocate
Talaha

بعدالت خبر دکن کو افسردگی کی خبر

1168 تا 68

سرس 12/12/1404

مخانب
بنام عدلیہ و عدلیہ

مورخہ 29 مارچ 2018ء

کراچی

مقدمہ

دعویٰ

جرم

سرس

باعث تحریر آنکہ

مقدمہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آں مقام پشاور کیلئے
گل رحمان مہمند ایڈووکیٹ ہائی کورٹ 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
ثالث و فیصلہ پر حالف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی
چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت
عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل و نظر ثانی و پیروی کرنے کا
مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے ساتھ اور وکیل یا مختار قانونی کو
اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات
حاصل ہوں گے اور اس کا ساختہ پر داخنتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر 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 پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم 29 ماہ ص 2018ء

العبد گواہ العبد
مقام کے لئے منظور ہے۔

گل رحمان مہمند ایڈووکیٹ ہائی کورٹ پشاور

03005961517

Anwar

انوار رحمن

محمد سید رحمان

مستحق

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مستحق

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

Appeal No: 1404 / 2017

Kiramat shah

Versus

Govt of KPK & Others

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Haroon Jamal (Respondent No: 7)

Through

MUHAMMAD NADIR SHAH
Advocate

0333-9083949

Dated: 29-03-2018

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No: 1404 /2017

Kiramat shah S/O Tawab shah R/O Prang, District Charsada.

Appellant

VERSUS

1. Government of KPK through Secretary Revenue Secretariat,
Peshawar & 10 Others

Respondents

WRITTEN REPLY OF APPEAL ON BEHALF OF
RESPONDENT NO: 07

PRAYER:

On acceptance of this reply of appeal, the appeal may please be decided in favor of respondents Immediately being devoid of merits and the applicant (kiramat shah) may kindly be charged under relevant section of law i.e.: 466 P.P.C because he has produced a forged document in the departmental appeal (proof of forged document is attached)

Respectfully Sheweth:

1. Para No 1 of Appeal for needs no comment.
2. Para No 2 of Appeal for needs no comment.
3. Para No 3 of Appeal for needs no comment. 4. Para No 4 of Appeal for needs no comment, meanwhile no proof of disqualification has been submitted before this honorable service tribunal.
5. Irrelevant, Para No 5 and explained as based on presumptive thinking. The seniority will be fixed as per ACRs and fitness.
6. Incorrect. The appeal was meritoriously dismissed, as the applicant didn't deserve to be promoted, because the main things in promotion of a government servant are "fitness" and complete "ACRs" while the applicant got no ACRs of his service.

GROUNDS:

- A. Incorrect, the order was according to rules and regulation and was truly according to law.

B. Vehemently denied, no such violation has been made, because appellant was included in the list of patwaris to be promoted to the post of girdawar in 2015, but he was deferred due to non-production of ACRs, while in 2017 he was differed again for producing ACRs with bogus signature.

C. Incorrect to the extent that departmental promotion is based as per rules and regulation of departments and as per ACRs of the appellant.

D. Incorrect. The applicant was granted a chance in 2015 for promotion, but he did not produce his ACRs and was deferred, but in the instant case he produced ACRs having bogus signature of the officers.

E. Incorrect and vehemently denied.

F. Incorrect and vehemently denied because order dated 24-11-2017 was correctly issued and it was truly in accordance with law.

G. The respondent also seek permission to raise additional grounds at the time of arguments.

It is, therefore, respectfully prayed that on acceptance of this reply of appeal, the appeal may please be decided in favor of respondents immediately and the applicant (kiramah shah) may kindly be charged under relevant section of law i.e.: 466 P.P.C because he has produced a forged document in the departmental appeal (proof of forged document is attached) and the relevant section of law under which the applicant must be charged is reproduced hereunder:

466 P.P.C "whoever forges a document, purporting to be a record or proceeding of or in a court of justice, or a register of birth, baptism, marriage or burial, or a register kept by a public servant as such, or a certificate or document purporting to buy made by a public servant in his official capacity, or an authority to institute or defend a suit, or to take any proceedings therein, or to confess judgment, or a power of attorney, shall be punished with imprisonment of either description for a term which may extend to SEVEN years, and shall also be liable to fine"

Respondent No: 07

Through



MUHAMMAD NADIR SHAH


KHUSHAL RAHIM


ATTA ULLAH KHAN


AMEER HAMZA


WAQAS KHAN


SUMAIRA ARBAB

Advocates, Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 1404 /2017

Kiramat shah S/O Tawab shah R/O Prang, Charsada,

Appellant

VERSUS

1. Government of KPK through Secretary Revenue Secretariat,
Peshawar & 10 Others

Respondents

AFFIDAVIT

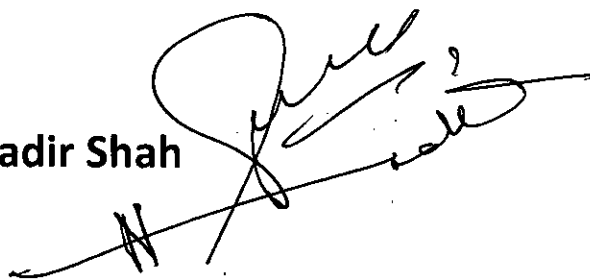
I Respondent No: 7, Haroon Jamal S/O Siraj Muhammad do hereby solemnly affirm and declare on oath that the contents of the reply of Service Appeal are true and correct to the best of my knowledge and belief and that nothing has been kept concealed from this Honorable Court.

DEPONENT

Identified by:

Muhammad Nadir Shah

Advocate



Attested
Saeed Khan Advocate
High Court Peshawar
Oath Commissioner



6



IN THE COURT OF
COMMISSIONER PESHAWAR DIVISION
PESHAWAR

DATE OF INSTITUTION 18.10.2017
DATE OF DISPOSAL 24.11.2017
APPEAL No. /2017

34

KIRAMAT SHAH S/O TAWAB SHAH PATWARI, HALQA MOZA SHEKHO DISTRICT CHARSADDA.

(APPELLANT)

VS

DEPUTY COMMISSIONER CHARSADDA.

(RESPONDENT)

Claim: DEPARTMENTAL APEPAL
ORDER

1. This order will dispose of the departmental appeal filed by the above named appellant challenging the Departmental Promotion Commttce meeting dated 29.09.2017 held in the office of the Deputy Commissioner Charsadda for promotion of senior most patwaris as girdawars in the district Charsadda. Aggrieved for ignoring in the same, the appellant filed the instant appeal with pray that he may be promoted as girdawar with all back benefits. Facts of the case are that a meeting of the DPC for the promotion of Patwaris to the posts of girdawars was held on 29.09.2017 under the chairmanship of Deputy Commissioner Charsadda. The appellant's name appeared at S.No. 17 of the senior list of patwaris for the period ending 31.12.2016 duly attested. Grievance of the appellant was that he was not considered for promotion as girdawar despite being in the orbit for selection at S.No.2 of those considered for promotion as girdawars.
2. Para-wise comments received from the District Collector Charsadda were examined. Perusal of the comments and available record on file reveals that proper procedure has been adopted in holding DPC for promotion of the patwaris as Girdawars (BPS-11). The case for promotion of the appellant was not considered due to non provision of ACRs for the required period by the appellant despite being intimated time and again. The ACRs earlier submitted by the appellant were also declared forged being not countersigned by the ex-District Officer (R&L) Charsadda as when the same were sent for this verification, he declared it forged as not countersigned by him.

M. J. Khan

7

Promotion to the next higher position is always based on the production of accurate and complete ACRs for the required period as per laid down procedure which the appellant failed to produce before the committee. The DPC has recommended suitable/eligible and deserving patwaris on merit from amongst the seniority list and no irregularity or illegality has been committed. Keeping in view the above position, the appeal is therefore, dismissed.

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M. Farid

COMMISSIONER
PESHAWAR DIVISION PESHAWAR

Announced
24.11.2017

Attested

A. Qureshi 09/12/2017

Reader to Commissioner
Peshawar

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POWER OF ATTORNEY

Before The Learned Khyber Pakhtunkhwa Service Tribunal

Kiramat Shah VERSUS Govt: KPK and other

Nature of case Appeal on behalf of Respodent No: 7

F I R: _____ Dated _____ U/S _____ P.S _____

I do here by appoint Mr. **MUHAMMAD NADIR SHAH & ASSOCIATES** (hereinafter called as Advocates), as my counsel in this case with the following terms & condition etc:

1. That to sign and verify, pleading & all kind of application including those for notics, appeal, review, execution etc
2. To withdraw, compromise, refer to arbitration, bind me by oath, receive documents & money and give discharge.
3. To appoint with him another lawyer and generally for me & in my name and on my behalf to do all acts, deeds, matters & things relating to the case in all its stages that I personally could do if this instrument had not been executed.
4. If at any time the said counsel is unable to attend the court through illness or absence from station, he will make arrangement with some lawyer to appear for him, but he shall not be responsible for any lose caused to me, if his arrangement fails.
5. The fee paid, or agreed to be paid, to the said counsel is for his work in this court alone, the retainer, however shall continue and remain in the court though I will make seprate arrangement as to his fees in respect of appeal, revision, review, transfer proceeding and execution of decree or orders.
6. Unless the whole amount of fee is paid the counsel is no bound to prosecute my case, nor is he bound to do so (unless specially paid in separate arrangement) at any place other than court house beyond the usual court hours, on a public holiday or in any other court.
7. Not part of the said counsel's fee is returnable under any circumstances and cost of adjournments payable by the opposite party will be received and retained by him in addition to his fee payable by me.

I have read the above terms and conditions & the same have been explained to me and I accept them as binding in witness whereof I have set my hand this 29th day of March 2018 at Peshawar.

EXECUTANTS:

1. ہارون جمال دلوسراج محمد سکنہ حسین آباد پشاور
- 2.

Accepted & Attested, subject to the terms mentioned above:

MUHAMMAD NADIR SHAH

AMEER HAMZA

KHUSHAL RAHIL

ATTA ULLAH KHAN

WAQAS KHAN

SUMAIRA ARE

Ju D.P.C.

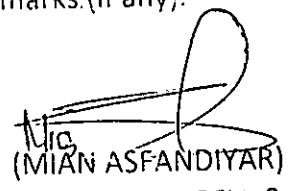
177

The Deputy Commissioner,
Charsadda.

Subject: VERIFICATION OF ACRs

Reference your letter No.2892/DC/KD/DPC dated 25/7/2017 on the subject cited above which was handed over by Mr. Khaista Rehman HCR & Sajjad Patwari to my son on 24/8/2017. Not a single ACR Form is attached with the said letter and as such I am unable to verify the same, while on the other hand I suspect that some of the patwaries mentioned in the list have not submitted their ACRs to me.

You are therefore requested to send me the original ACRs of the officials, so that I could verify my signature/remarks.(if any).


(MIAN ASFANDIYAR)

Ex-DISTRICT OFFICER, REV: & ESTATE,
CHARSADDA.


Copy forwarded to:-

1. The Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The P.S to Commissioner, Peshawar Division, Peshawar.

(MIAN ASFANDIYAR)

Ex-DISTRICT OFFICER, REV: & ESTATE,
CHARSADDA.

1760
7740
18-7-
Charsadda

DK 
P.P.U

Received
Mian Asfandiyar
ADIC CHD.
Charsadda
20/7/18

OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

NO. 2891 /DC/KD/DPC

Dated Charsadda the 25/7/2017.

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Mr. Abdul Shakoor Dawar, Ex DOR,
Charsadda, Presently Garhi Hameed Gul Mian
Charsadda.

Subject:- Verification of A.C.Rs

Enclose herewith the A.C.Rs for of the following Patwaris. of the
tenure of your posting as District Officer Revenue & Estate Charsadda for
verification of your signature please:-

S.No.	Name of Patwari	Period
1. +	Tahir Ahmad S/O Shah Jehan	2004, 2005 & 2006
2. ✓	Muhammad Amin S/O Nawab Khan	2004, 2005, 2006 & 2007
3. x	Kiramat Shah S/O Tawab Shah	2004, 2005, 2006 & 2007
4. A	Mushtaq Ahmad S/O Sher Afzal	2003, 2004, 2005 & 2006
5. f	Haroon Jamal S/O Haji Siraj	2004, 2005 & 2006
6. ✓	Khurshid Ullah S/O Tehsin Ullah	2004, 2005 & 2006
7. ✓	Atta ul Haq S/O Sabih Ullah	2004, 2005 & 2006
8. ✓	Sher Bahadur S/O Nadar Khan	2004, 2005 & 2006
9. ✓	Imran Khan S/O Mukhtiar Ahmad	2004, 2005 & 2006


DEPUTY COMMISSIONER
CHARSADDA

Asst. Dist. Officer
ADP
30/7/18
Assistant District Officer
Charsadda

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To

The Deputy Commissioner
Charsadda

Subject:

VERIFICATION OF ACRS.

Reference your letter No. 2891/DC/DK/DPC dated 25-07-2017 on the subject cited above. The ACRs belongs to the official mentioned at S.No. 2,6 to 9 are hereby verified whereas, the ACRs of officials mentioned at S.No. 1,3,4 & 5 are not verified being forged/ not signed by the undersigned.


ABDUL SHAKOOR DAWAR (Rtd)
Ex-District Officer
Revenue & Estate Charsadda

31/7/17

Amirul
Khan
ADIC - e.HB
30/7/18
Assistant Dist. Comr
Charsadda

Before The Honble Service Tribunal KP, Peshawar

Kiramal Shah Vs Govt of KP

Application for impleadment of

- 219
- ① Abdul Shakoor Dawar, Ex DOR Charsadda, presently Gathi Hameed Gul Mian, Charsadda.
 - ② Mian Asfandyar, Ex Tehsildar Charsadda, presently House No.20-A, New Hakeem Bukhari Colony Gulbahar No.3, Peshawar, in the instant case on the panel of Respondents.

Respectfully Sheweth

- 1- That the instant appeal is pending before this Honble tribunal for today i.e 02-08-2018.
- 2- That the above mentioned parties have signed and countersigned the A.C.s of the appellant so therefore, their presence before this Honble tribunal is necessary for disposal of the instant appeal on merit.
- 3- That there is no legal bar to accept this application.

It is, therefore, very humbly prayed that this application may kindly be accepted.

Affidavit

Stated on oath that the contents of this application are true and correct to the best of my belief and knowledge.

Applicant/ Appellant Through

02 AUG 2018

ATTESTED

ASAD JAN DURRANI

Advocate High Court



قیمت
50 روپے

48037



ایڈووکیٹ: *Saifullah Jan*

بار کونسل ایسوسی ایشن نمبر:

رابطہ نمبر: *0312 9215471*

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: *KP Service Tribunal Peshawar*

مخانب:	دعویٰ: <i>Service appeal</i>
<i>Appellant</i>	علت نمبر:
<i>Kinamat Shah</i>	مورخہ:
بنام	جرم:
<i>Govt of KP</i>	تھانہ:

باعت تحریر آنگہ

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

آن مقام *Peshawar* کیلئے *Saifullah Jan* کو وکیل 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 ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی

کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: *07/09/2018*

العبد _____ واہ شد _____ العبد

مقام *Peshawar* کے لیے منظور ہے۔

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

Attested
Accepted
by *Saifullah Jan*
etc

Kinamat Shah Peshawar

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

Appeal No. 1404 of 2017

Kirammat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, presently
Patwari Halqa/Moza Sheikho.

(Appellant)

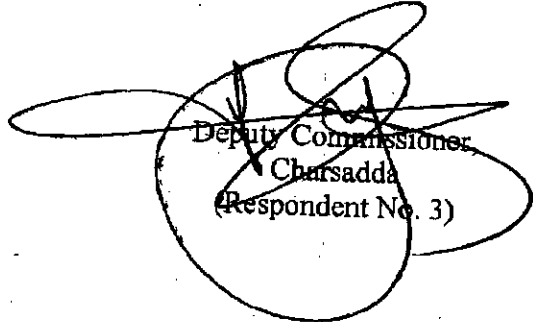
Versus

1. The Secretary, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
2. The Commissioner, Peshawar Division, Peshawar.
3. The Deputy Commissioner Charsadda.

(Respondents)

Reply of the Respondent NO. 3

1. Correct.
2. Pertains to record.
3. The Respondent No. 3 has no objection if the Hon'ble Tribunal accepts the application of the appellant and make their presence in the Tribunal.


Deputy Commissioner
Charsadda
(Respondent No. 3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

In Re Civil Suit # _____/20__

Kirammat Shah

Versus

The Government of KPK

REPLY ON BEHALF OF RESPONDENTS No. 3.

Respectfully Sheweth,

Preliminary Objections:

1. Para No.1 needs no reply.
2. Para No.2 relates to record. It is however worth mentioning that prior to the DPC meeting the deputy commissioner Charsadda vide letter NO 2892/DC/KD/DPC Dated 25/07/17 endorsed ACRs of 09 Patwaries for verification, however, contrary to the contents of the letter, not a single ACR was accompanied with the letter. The answering Respondent therefore replied vide letter bearing diary No. 7740 of DC's Office that the ACRs required to be verified are not enclosed hence requested for submissions of the same.

Never the loss, neither any reply was sent nor the ACRs were provided till date. *The answering Respondent is therefore not sure was to weather the ACRs of the 08 Court of 09 officials were report/ countersigned or otherwise?* As for as the ACR of the present Petitioner is concerned; on the previous date of hearing/perused the same on the court file, the same bears my signature's and have correctly been reported in the capacity of Tehsildar and countersigned as DO R & E by me. The answering Respondent remained posted as Tehsildar Charsadda w.e.f 2003 to 2006 and later on posted as DO R&E Charsadda w.e.f 2007 to 2012. I suspect that some of the ACRs may not be reported/countersigned by me in the above mentioned period. It is therefore humbly prayed to direct the DC Charsadda to provide the ACRs of the remaining officials to me, so that I could verify the same in order to ensure that the ACRs rightful officials are verified and those who committed forgery are report accordingly.

3. Para No.3 is correct.

4. Para No.4 no comments.

5. Pertain to record of the official Respondent.

6. Para No.6 pertains to official Respondents however the appellant being senior is entitled for promotion.

7. Para No.7 no comments.

ON FACTS:-

A.No Comments.

B.NO Comments.

C. Correct.

D.Pertain to record.

E. Para E is incorrect the replying Respondents has no malafide. Towards other parties of the appeal.

F. No comments

G.No Comments.

It is, therefore, requested that the appellant may be treated in accordance with law and rules.

Impleaded Respondent No. 2

Dated: 11/02/2019

Affidavit:

Stated on oath that contents of the instant written statement are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Mis
Deponent

Before the Honble Service Tribunal KP, Peshawar
Khanat Shak Vs Govt of KP

Application for implementation of

① Abdul Shakar Daman, Ex DOR

Charsadda, presently Gahr

Wameed Que Mian, Charsadda

② Mian Afzalgayar, Ex Tawilda

Charsadda, presently House No. 20-A,

New Hakeem Bukhari colony

gulbatar No. 3, Peshawar, in the

instant case on the Panel of

Respondents

Respectfully Sheweth

1- That the instant appeal is pending before this
Honble tribunal for today i.e. 02-08-2018.

2- That the above mentioned parties have agreed
and counter signed the Atkis of the appellant
so therefore, their presence before this Honble
tribunal is necessary for disposal of
the instant appeal on merit.

3- That there is no legal bar to accept this
application.

It is, therefore, very humbly prayed that
this application may kindly be
accepted.

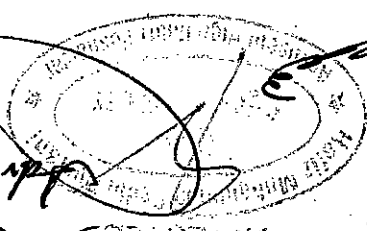
Affidavit

Statik orally that
the contents of this
Application have been
and correct to the best
of my best knowledge

Applicant/ Appellant through

ASAD TAN DURRANI

Advocate High Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL No: 1404/2017

KIAAMAT SHAH

VS

GOVT OF KPK

APPLICATION FOR EXEMPTION TO THE RESPONDENT No

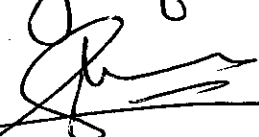
ONLY FOR TODAY IN THE APPEAL

MENTIONED ABOVE

Respectfully Sheweth;

- ① That I am private respondent No 7 in the case mentioned above.
- ② That due to the unavoidable domestic engagement I am not able to attend the Honourable Court only for today.
- ③ That I will attend this Honourable Court on every and every date onwards.

It is therefore most humbly prayed that on acceptance of this application the respondent No: 7 may kindly be exempted from attendance only for today.


Respondent No: 7
MUSAMMAD NADIR SHAH

Date 8-05-19

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No /2020
Appeal No. 1404 /2020.

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, presently
Patwari Halqa/Moza Sheikho.

Versus

1. The Secretary, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
2. The Commissioner, Peshawar Division, Peshawar.
3. The Deputy Commissioner Charsadda.

PARAWISE REPLIES OF APPLICATION FOR GRANTING STATUS QUO
RESTRAINING THE DEPARTMENT FROM PROMOTION

Respectfully sheweth:

- Para No. 1 Correct. Pertains to record.
- Para No. 2 Incorrect. There is no vacant post of Girdawar (BPS-11) in this office.
- Para No. 3 Incorrect. No one can predict till the decision of the Hon'ble Service Tribunal.
- Para No. 4 As there is no vacant post of Girdawar in this office, therefore status quo may not be granted. It is a fact that the appellant was given a chance to produce correct Annual Confidential Reports, but he failed to do so and filed this appeal before this Hon'ble Tribunal.


Deputy Commissioner,
Charsadda.

①

Spale-copy

**Before The Service Tribunal Khyber Pakhtunkhwa AT
Peshawar**

Service Appeal No 1404/2017

Kiramat Shah Vs Government of Khyber Pakhtunkhwa

Application for granting Status Quo Restraining the
Department/Respondents from promotion from the post of Patwari
to Qanoon Go/Girdawar

Reply of Application by and on Behalf of Respondent No 4 to 6 and 8
to 11

Respectfully Sheweth;

Reply of Application by and on behalf of Respondent no 4 to 11 is
as under;

- i) That the applicant/appellant is having no locus standi to file the instant application.
- ii) That the application of the applicant/appellant is based on malafide and has been filed just to harass, humiliate and mentally torture answering respondent's No. 4 to 11.
- iii) That the applicant/appellant is estopped by his own conduct to file the instant application.
- iv) That application of the applicant/appellant is not maintainable in its present form.
- v) That the applicant/appellant has not approached to this honorable court with clean hand.
- vi) That the applicant/appellant filed the instant applicant just to delay and prolong the present appeal and to waste the precious time of this Honorable Court.

- vii) That the respondents No 4 to 11 have been promoted rightly as per service criteria/rules.
- viii) That the ACRs of the replying Respondents were clear in all respects therefore were promoted and applicant/appellant was given time and again opportunity to produce his ACR but he failed to comply with the legal directions of the respondents No 1 to 3 and the applicant/appellant has rightly been deferred by the departmental promotion committee and is not entitled for any relief.
- ix) That the application of the applicant/appellant is liable to be dismissed summarily.
- x) That the respondents No 4 to 11 are entitled for special cost from the applicant/appellant.

Para Wise Reply:

- 1) Para No 1 of the application of the applicant/appellant is correct.
- 2) That Para No 2 of the application of applicant/appellant is incorrect .The department has already promoted the replying respondents as per law and rules
- 3) That Para No 3 of the application of the applicant/appellant is incorrect, as applicant/appellant has no prima facie case and has not performed his duties as per rules, therefore his ACR's are incomplete and was rightly refused promotion and deferred.
- x) That Para No 4 of the application of the applicant/appellant is incorrect false and fabricated one appellant is having no locus standi and applicant/appellant has no balance of convenience is what so ever in his favour, as the ACR of the applicant/appellant are not satisfactory and were also not complete and some of the ACR's were forged and fabricated therefore has rightly been refused promotion. It is pertinent to mention here that applicant/appellant and respondent No 4,5 and 10 were appointed after proper test and interview and their

seniority was fixed as per merit list and as per the merit list and appointment order date 6/5/2002 the applicant/appellant is junior to respondent no 5. Furthermore the seniority list prepared by the department has not been challenged, therefore the same cannot be disturbed as under law. Before final seniority list a tentative seniority list is prepared for objections and if anyone is having any grievance can request for its correction, but the applicant/appellant has not challenged the same, therefore cannot claim any relief. It is pertinent to mention that the departmental promotion committee has acted in accordance with law and given ample opportunity to all the candidates for post of Girdawar, but the appellant utterly failed to produce his satisfactory ACR's, rather produce fake ACR's therefore has rightly been ignored with cogent reasons and the departmental appeal is rightly been dismissed vide order dated 24/11/2017.

In the view of the above it is most humbly prayed that on acceptance of instant reply the application of the applicant/appellant may graciously be dismissed summarily with cost.

Respondent No 4 to 6 and 8 to 11

Through



Gul Rahman Mohmand



Kashif Naseem

Abdul Jalil Faqir

Advocates High Court

Affidavit: *Verification*

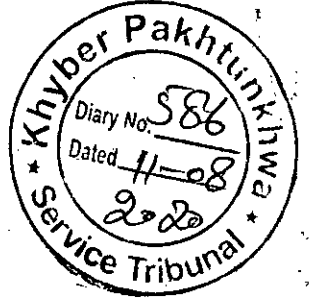
Stated on oath that the contents of the instant reply are true and correct to best of our knowledge and belief and nothing has been concealed from this Honorable Court



Deponents

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL

Service Appeal No _____/2020



Put up to the court with relevant appeal.

Kiramat Shah

Versus

SMBR

12/8/2020

Readar

APPLICATION FOR GRANTING STATUS QUO
RESTRAINING THE DEPARTMENT/ RESPONDENTS
FROM PROMOTION FROM THE POST OF PATWARI
TO QANOON GO/ GIRDAWAR.

RESPECTFULLY SHEWETH:

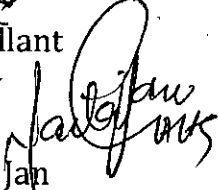
1. That the above mentioned service appeal is pending before this Hon'ble Tribunal and is fixed for 02/09/2020 before DB.
2. That official respondents are going to fix the only post of girdawar through promotion by holding DPC within a few days which will cause irreparable loss to the appellant.
3. That appellant has a strong prima facie case and is sanguine of its success.
4. That appeal is in favor of the appellant, further balance of convenience also lies in favor of the appellant.

It is therefore, humbly requested that status quo may kindly granted in order to refrain the official respondents from further promotion till final disposal of the above mentioned appeal.

Dated: 10/08/2020


Appellant

Through


Naila Jan
Advocate, High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No _____/2017

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District
Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

(Appellant)

VERSUS

1. Government of KPK through Secretary Revenue Secretariat
Peshawar
2. Commissioner Peshawar Division, Peshawar
3. Deputy Commissioner Charsadda
4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo
Shabqadar District Charsadda)
5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal
Shabqadar District Charsadda)
6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal
Shabqadar District Charsadda)
7. Haroon Jamal S/O Siraj Mohammad (posted at field
Qanoongo Circle Doaba District Charsadda)
8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at
Civil Kanal Shabqadar District Charsadda)
9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo
District Charsadda)

for
inquiry
on behalf
of

in
attendance

10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)
11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda)

(Respondents)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNAL ACT, 1974 AGAINST THE APPELLATE ORDER DATED 24-11-2017 OF RESPONDENT NO 2 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS DISMISSED AGAINST THE INITIAL/IMPUGNED ORDER 29-09-2017 OF THE RESPONDENT NO.3 FOR NOT PROMOTING THE APPELLANT WHILE JUNIORS TO THE APPELLANT WERE PROMOTED

PRAYER:-

On acceptance of this appeal the impugned order of Respondent No 2 dated 24th November, 2017 may kindly be set aside and the Respondents may please be directed to promote the Appellant with all back benefits

Respectfully Sheweth:-

The Appellant submits as under:-

1. That the Appellant has been appointment as Patwari BPS-09 vide order Dated 18-05-2002 and is now posted at Muza /Halqa Shiekho, Serdheri, Tehsil & District Charsadda. Copy of the appointment order is attached as Annex "A".

2. That the Appellant was/is performing his duties with zeal , keen and honesty , and the superiors of Appellant were never grudge regarding the performance of his official duties and due the reasons mentioned above the Appellant has excellent ACR' s too.
3. That the Appellant is a young man and a qualified person and performed his duties with the satisfaction of the superiors as well as colleagues.
4. That the Appellant was at serial no 17 of the seniority list procured by the Respondent department , but it pertinent to mention here that the candidates at serial no 2,4,7,8,9,and 12 have already been retired from service , while candidates at serial no 1,3 5,6,10,11,13,14,18,24 and 25 were found disqualified for promotion as they have not passed the Qanoongo examination. (Copy of the seniority list is attached as Annex "B").
5. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3, then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates, as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i-e on 06-05-2002 and the candidate at serial no 16 is younger in age than the present Appellant.

6. That the departmental promotion committee has mala fide and for ulterior motive has ignored/ skipped the Appellant for promotion to the post of Girdawar BPS-11 and juniors to the present Appellant have been promoted to the post of Girdawar BPS-11 without any cogent reason, therefore, the Appellant filed departmental appeal before respondent no.2 which was dismissed on 24/11/2017.
7. That the Appellant being aggrieved from the order dated 24/11/2017 of respondent no.2 whereby appeal of the Appellant was dismissed by not promoting the Appellant on the post of girdawar having no other adequate remedy hence this appeal on the following grounds:-

GROUNDS:-

- A. That the impugned order of the Respondents is totally illegal, against justice and facts of the case therefore not tenable in the eyes of law.
- B. That the Appellant has not been treated by the Respondents in accordance with law and rules on the subject noted above and as such the Respondents have violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the Appellant was duly appointed by the competent authority after due process of law and since from the date of appointment the Appellant has performed his duty with

punctually & honesty to the satisfaction of his superiors and the Appellant is entitled for promotion as per seniority list is concerned but the action and inaction of the Respondents is illegal, unjustified and unwarranted hence liable to be struck down.

- D. That it is stated that if the retired and unqualified candidates are excluded from the seniority list as mentioned in para 3 of the facts, then the Appellant will come in selection orbit for promotion at serial no 2 of the 8 candidates, as the candidates at serial no 15, 16 and 17 (present Appellant) have been appointed on the same date i.e on 06-05-2002 and candidate at serial no 16 is younger in age than the present Appellant but the action and inaction of the Respondents is unjustified, unlawful and unconstitutional and has no value in the eyes of law, hence liable to brush aside the same order.
- E. That the order issued against the Appellant is planted one and is clearly based on mala fide, therefore the action and inaction of the Respondents against the Appellant in terms of impugned order dated 24-11-2017 is not tenable and liable to be set aside.
- F. That the impugned order dated 24-11-2017 has been issued mala-fidely; therefore the impugned order is void ab-initio in the eyes of law.

G. That the Appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is, therefore, very humbly prayed that on acceptance of this appeal, the impugned order dated 24th November, of the Respondents may graciously be set aside and consequently the Appellant be promoted according to his seniority with all back benefits.

Any other relief not specifically asked for may also be granted in favour of the Appellant.

Appellant
Through:

(ASAD JAN DURRANI)
Advocate
High Court, Peshawar
&

(FAIZA ASLAM)
Advocate
Peshawar

Dated: - 19-12-2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....(Appellant)

V E R S U S

Government of KP and others.....(Respondents)

AFFIDAVIT

I, Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil and District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda, do hereby solemnly affirm and declare on oath that all the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed OR withheld from this Honourable Court.

DEPONENT

Identified by:-

(ASAD JAN DURRANI)
Advocate
High Court, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Kiramat Shah.....Vs.....Government of KP and others

ADDRESSES OF THE PARTIES

APPELLANT

Kiramat Shah S/O Tawab Shah R/O Prang, Tehsil & District Charsadda, Presently Patwari Halqa/Muza Shekho, Charsadda

RESPONDENTS

1. Government of KPK through Secretary Revenue Secretariat Peshawar
2. Commissioner Peshawar Division , Peshawar
3. Deputy Commissioner Charsadda
4. Tahir Ahmed S/O Shahjehan (posted at Office Qanoongo Shabqadar District Charsadda)
5. Mohammad Amin S/O Nawab Khan (posted at Civil Kanal Shabqadar District Charsadda)
6. Mushtaq Ahmed S/O Sher Afzal (posted at Civil Kanal Shabqadar District Charsadda)
7. Haroon Jamal S/O Siraj Mohammad (posted at field Qanoongo Circle Doaba District Charsadda)
8. Mohammad Rangeen Iqbal S/O Abdul Ghafoor (posted at Civil Kanal Shabqadar District Charsadda)
9. Anwar Ul Haq S/O Habib Ul Haq (posted at Office Qanoongo District Charsadda)
10. Khurshid Ullah S/O Tehseen Ullah (posted at Office Qanoongo District Charsadda)
11. Atta ul Haq S/O Sabih Ullah (ADK Charsadda).

Appellant

Through:

(ASAD JAN DURRANI)
Advocate,
High Court, Peshawar

Dated: 20-12-2017

OFFICE ORDER

In pursuance of relaxation of ban vide notification O. BOVII/ED/1-4/2001-2002/KC dated 12.7.2002 received from Government of West Province Department and recommendation of departmental selection committee meeting held in the office & undertaken on 27.4.2002 under the chairmanship of MOO Mirsada, the following deserving candidates are hereby appointed as Putwari subject to the following terms and conditions.

NO. Name of Putwari, Father Name and address.

Mohammad Amin s/o Harab Khan t/o Khaboulah Killa Dehail & District Charsadda.

Habib Ahmad s/o Chughan t/o Khaboulah Killa Dehail District Charsadda.

Khatmat Shah s/o Harab Shah t/o Khaboulah Killa Dehail & District Charsadda.

Khaboulah s/o Harab Shah t/o Khaboulah Killa Dehail & District Charsadda.

MS & CONDITIONS.

The present appointment is purely on temporary basis in BBS-5 plus usual allowances admissible under the rules with effect from the date of taking over the charge of the duty and provision of medical fitness certificate. The appointment is for a probationary period of two years during which his performance shall be monitored very closely and in case of non-performance the services shall be dispensed immediately.

DEPARTMENT OF DISTRICT OFFICER (T) & DISTRICT COLLECTION CHARGAD. CHARSADDA.

386-403/DK-15 dated Charad the 6.5.2002.

Secretary Board of Revenue, M.A.P. Peshawar. District Coordination Officer Charsadda. District Accounts Officer Charsadda. BO DRO Office. Officers concerned for strict compliance.

Director of Public Health & Family Welfare/Charsadda.

(6) (11) (12)

OFFICE ORDER.

(11)

(216)

(10)

The following postings/transfers amongst the newly appointed Patwaris of district Charsadda are hereby ordered with immediate effect in the public interest.

<u>S.NO.</u>	<u>Name of Patwari</u>	<u>From</u>	<u>TO</u>
1.	Mohammad Amin s/o Nawab Khan.	New appointed Patwari.	Sheikh Killi against the vacant post.
2.	Tahir Ahmad s/o Shahjehan.	"	Abazai against the vacant post
3.	Kirammat Shah s/o Tawab Shah.	"	Rashaki against the vacant post
4.	Murshidullah s/o Tahseenullah.	"	Chak Turangzai against the vacant post.

They are directed to assume the charge before 20.5.2002 otherwise it should be presumed that they are not willing to join the service and fresh appointment will be made.

OC
DISTRICT OFFICER REVENUE & ESTATE
CHARSADDA.
OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE CHARSADDA.

NO. 425-34/DK-15 Dated Charsadda the 13-5-2002.

Copy forwarded to the:-

- 1.2 Tehsildar Charsadda/Tandi.
3. DAO Charsadda.
- 4.5. N.T. Charsadda/shahjehan.
6. R.B.C. DAO Office Charsadda.
- 7-10 Officials concerned for strict compliance.

21
DISTRICT OFFICER REVENUE & ESTATE
CHARSADDA.



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Dated: 25 / 9 / 2017

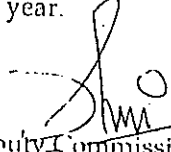
OFFICE ORDER

No. 4167-77 / DC(CHD)/DK/DPC. Consequent upon the recommendations/approval of the Departmental Selection Committee in its meeting held on September 25 2017 under the chairmanship of the undersigned, the following senior most patwar candidates are hereby appointed as Patwaris District Charsadda in BPS-09 (11770-730-33670) plus usual allowances admissible under the rules on regular basis from the date of taking over the charge.

1. Said Rehman S/O Khalid Khan.
2. Rashid Ali S/O Musharaf Shah.
3. Shahab Ahmad S/O Nisar Muhammad
4. Malak Aman S/O Ghani Khan
5. Raza Shah S/O Shahenshah
6. Shafat Ullah S/O Abdullah
7. Zia-ur-Rehman S/O Sami-ur-Rehman

Terms & Conditions:

1. Their services are temporary and can be terminated without any notice. However, if they desire to leave the job, they will either give 15 days notice in advance or deposit 15 days salary in lieu thereof.
2. They will produce health and age certificate from the Medical Superintendent District Headquarter Hospital Charsadda.
3. They will remain on probation for a period of one year.


Deputy Commissioner
Charsadda

Even No & Date:

Copy forwarded to the: -

1. Commissioner, Peshawar Division Peshawar.
2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer, Charsadda
4. Accounts Clerk DC Office Charsadda
5. Official concerned by name for strict compliance.

63.	Kiramat Shah s/o Musharaf Shah	30.3.1986	-do-	
64.	Waras Khan s/o Abdul Wadood	10.12.1980	-do-	
65.	Yasir Shehzad s/o Shehriyar	15.2.1987	-do-	
66.	Muhammad Kamran s/o Muhammad Iqbal	03.4.1988	-do-	
67.	Irshad Ali s/o Abdul Kahim	05.3.1981	-do-	
68.	Mujahid Shah s/o Kamil Shah	10.12.1983	-do-	
69.	Anwar Zeb s/o Jehanzeb	02.9.1978	-do-	
70.	Shaukat Ali s/o Sher Dil Khan	10.2.1983	-do-	
71.	Sajid Ali s/o Siraj Ahmad	15.8.1986	-do-	
72.	Abdul Raheem s/o Sher Bahadar	01.2.1980	-do-	
73.	Kalim Arif s/o Fazal Subhan	02.5.1979	10.3.2011	
74.	Sartaj Alam s/o Mukhtar Ahmad	08.8.1986	-do-	
75.	Inayat ur Rehman s/o Habib Ullah	09.5.1977	-do-	
76.	Asif Shah s/o Akbar Shah	08.1.1982	-do-	
77.	Waqar Ahmad s/o fida Ahmad	16.2.1986	-do-	
78.	Muhammad Hamid s/o Zaheer ul din	19.3.1987	-do-	
79.	Zia urreham s/o mian hamayun	04.04.1979	18.11.2015	
80.	Muhammad Imad s/o shah jehan	12.08.1990	-do-	
81.	Saad malook s/o Sahibzada Taj Malok	14.3.1982	-do-	
82.	Mian Umair s/o Mian Asfandyar	07.04.1992	23.11.2015	
83.	Imad Khan s/o Sher Zada	15.10.1987	-do-	
84.	Naveed Hayat s/o M.Hayat	10.04.1992	-do-	
85.	Wajid Hussain s/o Hussain Khan	16.04.1983	-do-	
86.	Mir alam s/o Sher afzal	03.01.1983	-do-	
87.	Tahseen Ullah s/o Ameen Ullah	02.05.1987	-do-	

14

5/11/2015

- 1 -



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

15

Subject: MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE
MEETING HELD ON 29-09-2017

A meeting of the departmental promotion committee was held on 29-09-2017 under the chairmanship of Deputy Commissioner Charsadda in his office to consider promotion of senior most patwaris against the vacant posts of Girdawars (BPS-11). The following attended the meeting: -

1. Capt (R) Tahir Zafar Abbasi,
Deputy Commissioner Charsadda In chair
2. Miss Tilat Fahad
Assistant Commissioner Charsadda Member
3. Muhammad Ayub,
Rep: of Commissioner Peshawar Division Member
4. Muhammad Yasin
District Kanungo Charsadda Member

Opening the discussion the chair welcomed the participants and briefly spoke on the issue. The District Kanungo Charsadda informed the meeting that 06 posts of girdawars (BPS-11) have fallen vacant due to retirement/death of the girdawars while 02 posts have become vacant due to promotion of 02 Girdawars namely Amir Zaman and Ajmal Shah to the posts of Naib Tehsildars on current charge basis. Hence 08 posts of girdawars are required to be filled in from amongst the senior most patwaris (06 on regular basis and 02 on current charge basis) of the district. The District Kanungo Charsadda produced seniority list of Patwaris of District Charsadda issued /circulated by the District Collector for the period ending 31-12-2016. The seniority list from S.No. 1 to S.No. 87 is annexed as "A" and may be read as part of the minutes of the meeting.

Patwaris at S.No. 2,4,7,8,9 and 12 have already been retired from service, hence their cases were not considered by the committee, while Patwaris at S.No.1,3,5,6,10,11, 13,14,18,24 and 25 were found unqualified as they have not passed Kanungo examination, hence their cases were also not considered for promotion as girdawars. Similarly, patwari at S.No.17 of the list namely Kiramat Shah was also not considered for promotion as he did not produce his ACRs for the required period before the committee despite being intimated time and again. Patwaris at S.No. 15,19 and 20 of the list namely Tahir Ahmad S/O Shahjehan, Mushtaq Ahmad S/O Sher Afzal and Muhammad Haroon Jamal S/O Siraj Ahmad who produced ACRs duly signed and verified by the EX-DOR Charsadda. The ACRs of the above officials were earlier reported to be found forged being not signed by the EX-DOR. The EX-DOR Mr. Shahjehan Durrani

same and found it complete and clear.

The Departmental Promotion Committee after through checking and scrutiny of record, personal files/credentials unanimously recommended and found eligible the following 08 patwaris for promotion as girdawars (BPS-11) including 06 Patwaris on regular basis and 02 Patwaris on current charge basis: -

S.No.	Name of Patwari	S.No. in the Seniority List	Status
1.	Mr. Tahir Ahmed S/O Shahjehan	15	Regular basis
2.	Muhammad Amin S/O Nawab Khan	16	..do..
3.	Mr. Mushtaq Ahmad S/O Sher Afzal	19	..do..
4.	Mr. Haroon Jamal S/O Siraj Ahmad	20	..do..
5.	Muhammad Rangeen Iqbal S/O Abdul Ghafoor	21	..do..
6.	Mr. Anwar-ul-Haq S/O Habibul Haq	22	..do..
7.	Mr. Khurshid Ullah S/O Tahsin Ullah	23	Current Charge Basis
8.	Mr. Attaul Haq S/O Sabeeh Ullah	26	..do..

Pertinent to mention here that promotion of patwaris at S.No. 23 & 26 of the Seniority List name Khurshid Ullah and Attaul Haq were made on Current Charge basis and will be subject to reversion in case the girdawars name Mr. Amir Zaman and Mr. Ajmal Shah of District Charsadda (Whose promotion have been made by the Board of Revenue as Naib Tehsildars on current charge basis) are reverted, as girdawars. They will not challenge their reversion in any court of law. The above promotion of patwaris is purely made on merit on the basis of seniority.

Meeting ended with vote of thanks to and from the chair.

Muhammad Yasin
District Commissioner
Charsadda

Ms. Taha Fatma
Assistant Commissioner
Charsadda

Muhammad Ayub
Representative Commissioner Peshawar
Division Peshawar

Tahir Zafar Abbasi
Deputy Commissioner
Charsadda

Ghazal
Mansoor
27/10/19



DEPUTY COMMISSIONER
CHARSADDA

Dated: 29/09/2017

OFFICE ORDER

No. 4285-44/DK/DK DC(CHD)/DK/DPC.

Consequent upon the recommendations/approval of the Departmental Promotion Committee in its meeting held on September 29 2017 under the chairmanship of the undersigned, the following persons are hereby promoted from the post of Patwari (BPS-09) to the post of Kanungo (BPS-11) on regular basis with immediate effect. However, they will remain on probation for a period of one year.

1. Tahir Ahmad S/O Shahjehnn
2. Muhammad Amin S/O Nawab Khan
3. Mushtaq Ahmad S/O Sher Afzal
4. Haroon Jamal S/O Siraj Muhammad
5. Muhammad Rangeen Iqbal S/O Abdul Ghafoor
6. Anwarul Haq S/O Habibul Haq

[Signature]
Deputy Commissioner
Charsadda

No & Date:

- Copy forwarded to the:
1. Commissioner Peshawar Division Peshawar
 2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar
 3. District Accounts Officer, Charsadda
 4. Accounts Clerk DC Office Charsadda
 5. Official concerned by name for strict compliance

[Signature]
Deputy Commissioner
Charsadda

original at *[Signature]*
DK-2

[Signature]
Assistant District Kanungo
Charsadda



OFFICE OF THE
DEPUTY COMMISSIONER
CHARSADDA

Dated: 29/09/2017

OFFICE ORDER

No. 4245-58 DC(CHD)/DK/DPC. Consequent upon the recommendations/approval of the Departmental Promotion Committee in its meeting held on September 29 2017 under the chairmanship of the undersigned, the following patwaris are hereby promoted from the post of Patwari to the post of Kanungo in their own pay and scale (CCB) with immediate effect. However, they will remain on probation for a period of one year.

1. Khurshid Ullah S/O Tahseen Ullah
2. Atta-ul-Haq S/O Sabceh Ullah

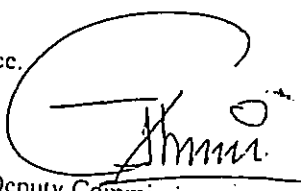
In case of reversion of Amir Zaman and Ajmal Shah both the newly promoted patwaris i.e. Khurshid Ullah and Atta-ul-Haq would be reversed and they would not have any right to challenge their reversion in any court of law

Deputy Commissioner
Charsadda

Even No & Date:

Copy forwarded to the: -

1. Commissioner Peshawar Division Peshawar.
2. Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer, Charsadda
4. Accounts Clerk DC Office Charsadda
5. Official concerned by name for strict compliance.


Deputy Commissioner
Charsadda

Amir Zil
Atta-ul-Haq
19/09/17

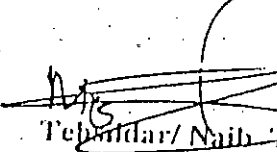
Character Roll of Patwaris


CONFIDENTIAL report for the year 2004.

(19)

- 1) Name, Parentage and Caste Kirammat Shah
- 2) Post held during the period under report Patwari
- 3) Special duties outside regular Line performed by him with result Very Good
- 4) Observation IHS:
- (a) Hand writing Very Good
- (b) Accuracy in partal Excellent
- (c) Promptness in submission of Returns Very Good
- (d) Promptness in Execution Of Orders on the spot.
- (e) Capacity to train his patwari.
- 5) Has the girclawari maintained regular touring Regularly
- 6) Has Conduct towards:
- a) Patwaris Good
- b) Public Good
- c) Official of other department as Good
- 7) INTELLIGENTS:-
- 8) Knowledge of Procedure and regulation Very Good
- 9) Integrity/Reputation Good
- 10) Amenability to Discipline Good
- 11) Interest in:-
- Social Welfare: Good
- Basic Democracies Good
- 12) General Remarks on his health & Physical fitness to perform his duties Healthy + fit
- 13) Special Aptitude for
- a) Field Work Very Good b) Office work Very Good
- 14) General Remarks :-

Most Honest, obedient, reliable and responsible official. Fit for promotion.


Tehsildar/Naib Tehsildar



CONFIDENTIAL

Form M-1 (Single Sheet)

Character Roll of Patwaris

CONFIDENTIAL report for the year 2005

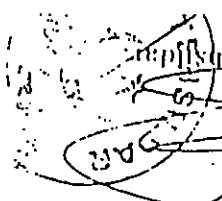
(20)

- 1). Name, Parentage and Caste Kiramat Shah
- 2). Post held during the period under report Patwari
- 3). Special duties outside regular Line performed by him with result Good
- 4). Observation HIS:
 - (a) Hand writing very Good
 - (b) Accuracy in partal Excellent
 - (c) Promptness in submission of Returns very Good
 - (d) Promptness in Execution Of Orders on the spot.
 - (e) Capacity to train his patwari.
- 5). Has the girdawari maintained regular touring maintain regulary
- 6). Has Conduct towards:
 - a). Patwaris: very Good
 - b). Public very Good
 - c). Official of other departments very Good
- 7). INTELLIGENTS:
- 8). Knowledge of Procedure and regulation Good
- 9). Integrity/Reputation Good
- 10). Amiability to Discipline very Good
- 11). Interest in:
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & very Fit
- 13). Special Aptitude for
 - a). Field Work Good
 - b). Office work Good
- 14). General Remarks :-

Hand working, intelligent, obedient and fitting keen interest in performance of his duties. Fit for early promotion.

~~11/10~~
Tehsildar/Nail-Tehsildar
TEHSILDAR

1)	Frame, Percentage and Caste	Kiramat Shah
2)	Post held during the period under report	Patwari
3)	Special duties outside regular	Regularly maintained
4)	Time performed by him with result Observation IHS:	Excellent
(a)	Hand writing	Very Good
(b)	Accuracy in partial	Good
(c)	Promptness in submission of Returns	Excellent
(d)	Promptness in Execution of orders on the spot.	Excellent
(e)	Capacity to train his patwari.	Excellent
5.	Has the grievance maintained regular touring	Regularly maintained
6.	Has conduct towards: a) Patwaris: b) Public	Very Good
7.	INTERESTS: c) Official of other department as	Very Good
8.	Knowledge of Procedure and regulation	Very Good
9.	Integrity/Reputation	Good
10.	Accountability to Discipline	Good
11.	Interest in: Social Welfare	Very Good
	Basic Democracies	Good
12.	General Remarks on his health & Physical fitness to perform his duties	Good
13.	Special Aptitude for	Good
a)	Field Work	Very Good
b)	Office work	Very Good
14.	General Remarks :- 1) intelligent, obedient, hard worker and discipline oriented. Knowledge in Patwar work very well. Fit for Promotion	



 M. J. J. Patwari
 Tehsildar, M. J. Patwari

CONFIDENTIAL report for the year 2022

- 1). Name, Parentage and Caste Prakash Chandra Shukla
- 2). Post held during the period under report Patwar
- 3). Special duties outside regular Line performed by him with result Excellent
- 4). Observation IHS:
 - (a) Hand writing very good
 - (b) Accuracy in partal Good
 - (c) Promptness in submission of Returns Not Good
 - (d) Promptness in Execution Of Orders on the spot. Not Good
 - (e) Capacity to train his patwari. Not Good
- 5). Has the girdawari maintained regular touring Regularly maintained
- 6). Has Conduct towards:
 - a). Patwaris: very good
 - b). Public very good
 - c). Official of other department as very good
- 7). INTELLIGENTS:-
- 8). Knowledge of Procedure and regulation Good
- 9). Integrity/Reputation Good
- 10). Amenability to Discipline very Good
- 11). Interest in:-
 - Social Welfare. Good
 - Basic Democracies Good
- 12). General Remarks on his health & Physical fitness to perform his duties Healthy & Physically fit.
- 13). Special Aptitude for
 - a). Field Work very Good
 - b). Office work very Good

14). General Remarks :-
 The candidate is very honest,
 hard working, and completely
 reliable. He is completely
 fit for the post.


[Signature]
 Tehsil Patwar Tehsil
 [Circular Stamp: TEHSIL PATWAR]

Character Roll of Patwaris

CONFIDENTIAL report for the year 1988

- 1. Name, Parentage and Caste: Pratap Singh
- 2. Post held during the period under report: Patwar
- 3. Special duties outside regular Line performed by him with result: None
- 4. Observation HIS:
 - (a) Hand writing: Good
 - (b) Accuracy in partal: Good
 - (c) Promptness in submission of Returns: Excellent
 - (d) Promptness in Execution Of Orders on the spot: Good
 - (e) Capacity to train his patwari: Good
- 5. Has the girdawari maintained regular touring: Regularly
- 6. Has Conduct towards:
 - a. Patwaris: Good
 - b. Public: Good
 - c. Official of other department as: Good
- 7. INTELLIGENTS:-
- 8. Knowledge of Procedure and regulation: Good
- 9. Integrity/Reputation: Good
- 10. Amenability to Discipline: Good
- 11. Interest in:-
 - Social Wellfare: Good
 - Basic Democracies: Good
- 12. General Remarks on his health & Physical fitness to perform his duties: Physically fit & Healthy
- 13. Special Aptitude for
 - a. Field Work: Good
 - b. Office work: Good
- 14. General Remarks :-

*He is a very good and efficient
 patwar and his work is very
 satisfactory.*

11/2/88
 Tehsildar/Naib Tehsildar


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175

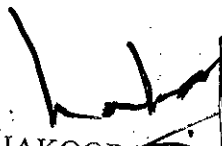
To

The Deputy Commissioner
Charsadda

Subject:

VERIFICATION OF ACRS.

Reference your letter No. 2891/DC/DK/DPC dated 25-07-2017 on the subject cited above. The ACRs belongs to the official mentioned at S.No. 2,6 to 9 are hereby verified whereas, the ACRs of officials mentioned at S.No. 1,3,4 & 5 are not verified being forged/ not signed by the undersigned.



31/7/17

ABDUL SHAKOOR DAWAR (Rtd)
Ex-District Officer
Revenue & Estate Charsadda

MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 23.08.2017 AT 10:00 AM IN THE OFFICE OF THE DEPUTY COMMISSIONER CHARSADDA.

A meeting of the departmental promotion committee was held today on 23.08.2017 under the chairmanship of Deputy Commissioner Charsadda in his office to consider promotion of Patwaris to the post of Girdawars against the 08 vacant posts. The following attended the meeting:-

1. Tahir Zafar Abbasi, Deputy Commissioner Charsadda **In chair**
2. Mr. Kahista Rehman, Head Clerk Revenue, Charsadda **Member**
3. Muhammad Ayub, Rep: of Commissioner Officer Peshawar..... **Member**

Opening the discussion the Head Clerk (Revenue) informed the meeting that 06 regular and 02 temporary posts of Kanungos (BPS-11) have fallen vacant due to promotion to the posts of Naib Tehsildars/Kanungos, retirement and death of Kanungos which are required to be filled through promotion of 08 Patwaris from amongst the seniority list. He produced working paper alongwith final seniority list of Patwaris as stood on 31.12.2016 and other relevant record as well as for perusal of the committee which was thoroughly examined and discussed.


The Head Clerk (Revenue) informed that Patwaris at S.No.2,4,7,8 & 12 have already been retired from service. He further informed that Annual Confidential Reports (ACRs) of Patwaris at S.No. 15, 16, 17, 19, 20, 23, 26, 27 & 29 of the seniority list were sent to Ex-DOR, Mr. Abdul Shakoor Dawar vide letter No. 2891/DC/DK/DPC dated: 25.07.2017 for verification of his signature affixed on the ACRs of the above Patwaris. It was informed that Mr. Abdul Shakoor Dawar (Ex-DOR) has reported that ACRs of Patwaris at S.No. 15, 17, 19 & 20 of the seniority list were forged being not signed by him. Thus their cases for promotion can not be entertained at this stage. Similarly, vide letter No. 2892/DC/DK/DPC dated: 25.07.2017 the ACRs of Patwaris at S.No. 15, 16, 17, 19, 20, 23, 26, 27, 29 & 39 of the seniority list were sent to Mr. Asfandiyar (Ex-DOR) for verification of his signature. Verification report from Mr. Asfandiyar (Ex-DOR) is still awaited, hence till receipt of verification report the promotion of Patwaris mentioned in the verification letter cannot be considered/entertained by the committee.

Similarly, patwaris at S.No.9 to 14, 18, 21, 22, 24, 25, 28, 30 to S.No.43 of the seniority list were statedly not willing to get promotion, hence did not submit their ACRs. Except Patwaris at S.No.44 and 75 the documents/credentials of the rest of the Patwaris of the list were incomplete in one way or the other. But it was noted that no documentary proof was produced before the committee as to whether any option for foregoing promotion has been obtained from the Patwaris who are not willing to be promoted or otherwise. The HCR informed that some Patwaris have given option in this regard which were examined and found that these options were given 04 years ago but as per notification of the Board of Revenue, Khyber Pakhtunkhwa such option shall be reviewed/refreshed on the expiry of 04 years period giving another chance

for promotion to the officials to met the ends of justice, which has not been done in the instant case.

Furthermore reply of the verification of ACRs of the Patwaris at S.No. 15, 16, 17, 19, 20, 23, 26, 27, 29 & 39 of the seniority list sent to Ex-DOR (Mr. Asfandiyar) is also not received, hence their cases for promotion cannot be differed on this excuse.

The chair directed the HCR to get option in writing from the Patwaris (Senior to Patwaris at S.No.44 & 75) whether they are willing to be promoted as Girdawars or otherwise. In case they shown their willingness for promotion, they should produce their ACRs etc for proper scrutiny by the committee within 15 days. Furthermore, Ex-DOR (Mr. Asfandiyar) shall be requested to send his verification report within a week time positively for appraisal of the committee. The committee noted with concern submission of forged ACRs by Patwaris at S.No. 15, 17, 19 & 20 of the sonority list and decided that they shall be given a chance to prove innocence or guilt regarding submission of forged ACRs. Next meeting of the DPC shall be convened when the above process are completed within 15 days.


Deputy Commissioner
Charsadda