

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
CAMP COURT SWAT.

Amended Service Appeal No.895/2018

Date of Institution ... 17.07.2018

Date of Decision ... 01.03.2021

Muhammad Uzair S/o Shah Wazir Khan R/o Saddo Tehsil Timergara, Dir Lower.  
... (Appellant)

VERSUS

The, Govt: of Khyber Pakhtunkhwa through Chief Secretary at Peshawar and two  
others. ... (Respondents)

MR. SULTAN ALI SHAH,  
Advocate

For appellant.

MR. M. RIAZ KHAN PAINDAKHEL  
Assistant Advocate General

For respondents

MIAN MUHAMMAD  
ROZINA REHMAN

MEMBER(Executive)  
MEMBER(Judicial)

JUDGEMENT

MIAN MUHAMMAD , MEMBER:- The appellant has assailed his date of birth entered in service record with the plea that his actual date of birth is 04.04.1972 and inadvertently recorded in service book as 04.04.1970. In this respect his departmental appeal submitted to respondent No.3 i.e (Deputy Commissioner Dir Lower) with recorded remarks "process please" dated 11.07.2018, was rejected and duly communicated to the appellant on 12.07.2018 which has been impugned and is pending before us for adjudication under Section-4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974.

**FACTS.**

02. Brief facts of the case, as per memorandum of appeal, are that the appellant joined the respondent-department (Revenue and Estate Department Dir Lower) as Junior Clerk (BS-5) on 30.10.1994. He was later on promoted to the post of Senior Clerk and then assistant. It was in the year 2016 that the appellant approached the court of Civil Judge/Ilaqa Qazi-V, Dir Lower through a Civil Suit dated 12.03.2016 for correction in his date of birth from 04.04.1970 to 04.04.1972. However, it was returned under Order-7, Rule-10 CPC on the ground of jurisdiction. The appellant then approached the court of Additional District Judge and instituted, Civil Appeal No. 1300/2016. The court of Additional District Judge through judgement dated 28.03.2017 directed NADRA to issue smart card to the appellant.

03. We have heard arguments of the parties and perused the connected and available documents on the case file thoroughly.

**ARGUMENTS.**

04. Learned counsel for the appellant while addressing his arguments contended that the actual date of birth of the appellant is 04.04.1972 but it has been incorrectly recorded in his service book as 04.04.1970. It is the prime responsibility of the respondents to have kept the service record of the appellant according to correct date and information. The appellant was not aware of wrong entry in service book about the date of birth and he could only come to know about this fact at the time of his promotion to the post of Assistant. Moreover, entry in service book was not made in presence of the appellant at the time of first entry into service on 30.10.1994 and the service record including service book was in the custody of

respondent-department. In support of his arguments, learned counsel for the appellant relied on case law reported as 2001 CLJ 477 and 2017 Tribunal Decision (Labour) Volume-XXXVIII Citation 2017 TD(Lahore). He therefore, requested that date of birth of the appellant may graciously be corrected from 04.04.1970 to 04.04.1972.

05. Learned Assistant Advocate General, on the other hand assailed and contradicted plea of learned counsel for the appellant and argued that the appellant was required to have approached the departmental authority for correction in his date of birth within two years of his entry into government service. However, the appellant did not avail the opportunity at appropriate point of time and his request at belated stage and that too before inappropriate forum could not give him any relief. The appeal being untenable under the law and rules is liable to be dismissed.



**CONCLUSION.**

06. Learned counsel for the appellant was confronted with a question; Had the appellant been medically examined under F.R-10 at the time of entry into service because the Medical Superintendent was required to have recorded his date of birth in the medical fitness certificate?. Learned counsel for the appellant could only reply that there was no such formality at all at that time and then it was the responsibility of the respondents to have asked him for the purpose. On yet another question that date of birth is also reflected in the domicile certificate; when did the appellant obtain his domicile certificate? Learned counsel for the appellant replied that it was issued in 2017.

07. It transpires that date of birth as recorded in his service book is 04.04.1970 and finger impressions also obtained on the same page from the appellant as a civil servant meaning thereby that the entries in service book were made in presence of the appellant and were very much in his knowledge. In his Secondary School Certificate/Matric certificate issued by the Board of Intermediate and Secondary Education Peshawar on 31.08.1998, his date of birth is recorded as 04.04.1970. NADAR also issued him CNIC (Computerized National Identity Card) on 05.06.2007 and it was to be expired on 31.05.2020, also reflects his date of birth as 04.04.1970. It is an established fact that preparation of service record of a civil servant is an official act and according to law, it is presumed not only to be correct but also in the knowledge of a civil servant. The appellant being a graduate is not expected to have been unaware of his accurate date of birth at the time of entry into government service on 30.10.1994. It is also astonishing that he could only wake up from deep slumber after having rendered government service for almost 22 years in 2016. As per requirement of GFR-116 the date of birth once recorded could not be altered except in the case of clerical mistake/error but with the prior approval of the appointing authority. If there was any mistake or inadvertent wrong entry regarding his date of birth in his service book, the appellant was required to have submitted an application to the departmental authority for rectification of the same but within two years of his entry into service. However, he could not adopt the legal and due course at appropriate time for unknown reason(s) and for this act he is responsible himself.

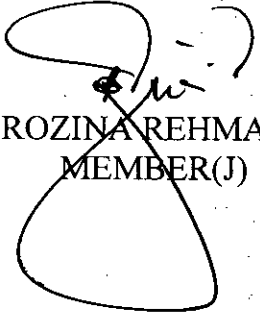
08. What has been discussed from various aspects in connection with the plea of appellant, the instant appeal is devoid of merit, and is not supported by facts and

circumstances and is therefore, dismissed. Parties are left to bear their own costs.

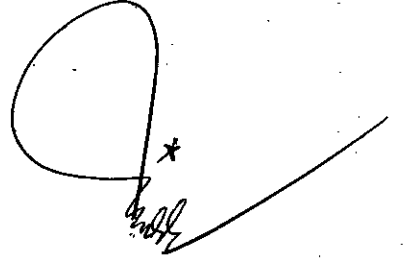
File be consigned to the record room.

ANNOUNCED


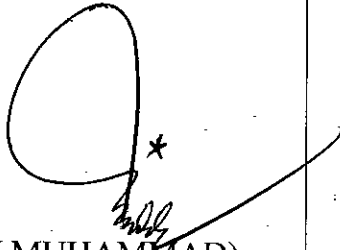
01.03.2021



(ROZINA REHMAN)  
MEMBER(J)



(MIAN MUHAMMAD)  
Member(E)  
Camp Court Swat

S.No.	Date of order/proceedings	Order or other proceedings with signature of judge or magistrate and that of parties where necessary.
1	2	3
	01.03.2021	<p><b><u>Present.</u></b></p> <p>Mr. Sultan Shah, Advocate --- For Appellant</p> <p>Mr. M. Riaz Khan Paindakhel Assistant Advocate General --- For Respondents</p> <p>Vide our detailed judgment of today consists of five pages placed on file, the instant appeal is devoid of merit, and is not supported by facts and circumstances and is therefore, dismissed. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.</p> <p><u>ANNOUNCED</u> 01.03.2021</p> <p style="text-align: center;">               (ROZINA REHMAN)              Member(J)         </p> <p style="text-align: right;">               (MIAN MUHAMMAD)              Member              Camp Court Swat         </p>

4-1.2020

Due to summer vacation, case is adjourned to  
04-3.2021 for the same as before.

  
Reader

02.11.2020

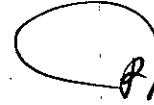
Appellant in person present.

Muhammad Jan learned Deputy District Attorney for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 04.01.2021 for arguments, before D.B at Camp Court, Swat.



(Atiq ur Rehman)  
Member(E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat



08.07.2020

Bench is incomplete. Therefore, the case is adjourned.  
To come up for the same on 09.09.2020, at camp court  
Swat.



Reader

09.09.2020

Appellant with counsel present.

Mr. Muhammad Jan learned Deputy District Attorney for  
respondents present.

Partial arguments. To come up for further arguments on  
02.11.2020 before D.B at Camp Court, Swat.



(Attiq ur Rehman)  
Member (E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

04.03.2020

Appellant in person present. Mr. Riaz Paindakhel learned Assistant Advocate General alongwith Mr. Ameenud-din Kanungo representative of the respondents present. Representative of the respondents submitted written reply/comments, which is placed on file. To come up for rejoinder if any and argumetns on 05.05.2020 before D.B.



Member  
Camp Court, Swat

Due to corona virus tour to camp court swat has been cancelled. To come up for the same on - 03/06/20



Reader

03.06.2020 Due to Covid-19, the case is adjourned. To come up for the same on. 08.07.2020, at camp court Swat.



Reader


02.12.2019

Appellant in person present. Written reply on behalf of respondents not submitted. None present on behalf of respondents. Fresh notice be issued to the respondents for reply. Adjourn. To come up for written reply/comments on 07.01.2020 before S.B at Camp Court, Swat.

  
Member  
Camp Court, Swat

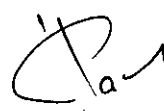
07.01.2020

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present, therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Last chance is granted. Adjourned to 04.02.2020 for written reply/comments before S.B at Camp Court Swat.

  
(Muhammad Anr'n Khan Kundi)  
Member  
Camp Court Swat

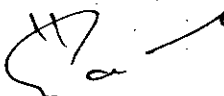
04.02.2020

Appellant in person present. Written reply not submitted. Iqbal Alam Litigation Assistant (for respondent No.2) absent. Notice be issued to the respondents as well as absent representative for submission of reply/comments. Adjourned to 04.03.2020 at Camp Court, Swat.

  
Member  
Camp Court, Swat.


03.09.2019

Learned counsel for the appellant present. Jameel Shah Senior Auditor and Mehboob Ali Shah (respondent No.6) present. Learned counsel for the appellant seeks adjournment to furnish amended appeal with the amended prayer and deletion of unnecessary/improper parties from the calendar of respondents. Adjourn. To come up for further proceedings on 09.10.2019 before S.B at Camp Court, Swat.

  
Member  
Camp Court, Swat.


09.10.2019

Appellant in person present and submitted amended appeal which is placed on record. Adjourned to 06.11.2019 for further proceeding before S.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat


06.11.2019

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present, therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned to 02.12.2019 for written reply/comments before S.B at Camp Court Swat.


  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

10.06.2019

Appellant in person present. M/S Jameel Shah Senior Auditor (for respondent No.11), Mehboob Ali J.C (for respondent No.6) and Ashraf Ali (for respondents No.4 & 5) present. Jameel Shah Senior Auditor submitted reply on behalf of respondent No.11. Written reply on behalf of respondents No.4 & 5 already submitted. Mehboob Ali representative of respondent No.6 requested for time to furnish written reply. Iqbal Alam Litigation Assistant representative of respondents No.2 & 10 absent. Respondents No.1 to 3 and 7 to 10 as well as absent representative of respondents No.2 & 10 be put to notice for submission of written reply/comments. Adjourn. To come up for written reply/comments on 02.07.2019 before S.B at Camp Court, Swat.

  
Member  
Camp Court, Swat.

02.07.2019 Clerk to counsel for the appellant present. Mehboob Ali J.C present and submitted reply on behalf of respondent No.6. Written reply on behalf of respondents No.1 to 3 and 7 to 10 not submitted. Iqbal Alam Litigation Assistant (for respondents No.2 & 10) absent. Respondents No.1 to 3 and 7 to 10 as well as absent representative be put to notice for submission of written reply/comments. Adjourn. To come up for written reply/comments on 03.09.2019 before S.B at Camp Court Swat.

  
Member  
Camp Court, Swat.

06.03.2019

Appellant in person present. Mian Amir Qadir, District Attorney alongwith Mr. Ali Haider, SDO and Mahbood Ali shah, Junior Clerk for respondents no.6 and 7 present. None present on behalf of the remaining respondents. Written reply not submitted. Requested for adjournment. Granted. Notices be issued to the respondents no. 1,2,5 and 8 to 11 for submission of written reply/comments. Case to come up for written reply/comments on 03.04.2019 before S.B at camp court Swat.



Member  
Camp Court, Swat

03.04.2019

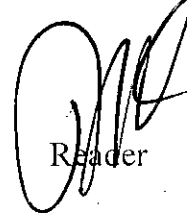
Appellant in person present. Mian Amir Qadir learned District Attorney alongwith M/S Iqbal Alam Litigation Assistant representative for respondents No.2 & 10, Jamil Shah Senior Auditor for respondent No.11, and Mehboob Ali for respondent No.7 present and requested for time to furnish written reply. Ashraf Ali Superintendent representative of the respondents No.4 & 5 present and submitted written reply. No one present on behalf respondents No.1, 3, 6, 8 & 9. Notice be issued to respondents No. 1, 3, 6, 8 & 9. Adjourn. To come up for written reply/comments on 10.06.2019 before S.B at Camp Court Swat.



Member  
Camp Court, Swat

09.11.2018

Due to retirement of the Hon'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 11.01.2019 at camp court Swat.

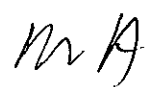
  
Reader

11.01.2019

Counsel for the appellant Muhammad Uzair present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Junior Clerk in the office of Deputy Commissioner Dir Lower vide order dated 30.10.1994. It was further contended that now the appellant has been promoted from the post of Junior Clerk to the post of Senior Clerk. It was further contended that infact the date of birth of the appellant is 04.04.1972 but, inadvertently the date of birth of the appellant has been mentioned in his service book as 04.04.1970 incorrectly, in this respect learned counsel for the appellant submitted National Identity Card of elder sister of the appellant and as per her National Identity Card her age was shown at 01.01.1970 therefore, it was contended that the appellant being younger to her his date of birth was wrongly mentioned in his service book as 04.04.1970 instead of 04.04.1972. It was further contended that the appellant has filed departmental appeal but the same was also rejected on 12.07.2018 therefore, the date of birth of the appellant mentioned in the service book as 04.04.1970 is liable to be corrected.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 06.03.2019 before S.B at Camp Court Swat.




Appellate Deposited  
Security & Process Fee

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 895/2018

S.No.	Date of Order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	<p>17/07/2018</p> <p>27-07-2018</p> <p>07.09.2018</p>	<p>The appeal of Mr. Muhammad Uzair presented today by Mr. Sultan Ali Shah Advocate may be entered in the Institution register and put up to the Wrothy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>The case is entrusted to Touring S. Bench at Swat for preliminary hearing to be put up there on <u>07.09-2018</u></p> <p style="text-align: center;"> CHAIRMAN</p> <p>Appellant Muhammad Uzair in person presented a request for adjournment that his counsel could not reached from Timargara. Granted. Case to come up for preliminary hearing on 09.11.2018 before S.B at camp court Swat.</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR (CAMP COURT  
SWAT).

895/18

Amended Service Appeal No. \_\_\_/2019.

Muhammad Uzair s/o

Shah Wazir Khan r/o

Saddo Tehsil Timergara Dir lower.....Appellant .

VERSUS.

1. The Province of Khyber Pakhtunkhwa  
Through Chief Secretary at Peshawar.
2. The Secretary Home & Tribal affair  
Khyber Pakhtunkhwa Peshawar.
3. The Deputy Commissioner, Dir  
Lower Dir at Timergara.....Respondents.

**AMENDED SERVICE APPEAL UNDER SECTION 4  
OF THE SERVICE TRIBUNAL ACT 1974.**

RESPECTFULLY SHEWEETH.

The appellants respectfully submit as under :-

Brief facts of the case to file this appeal are :-

1. That the appellants filed suit for declaration, correction of the date of the appellants in the record of the respondents being in advertently mention in the record maintain by the respondents which was return under order vii Rule 10 CPC for want of jurisdiction vide judgment/order dated 08/11/2016.  
(Copy of the suit, other documents and order dated 08/11/2016 are attached and mark as Annex-A&B).
2. That the appellants preferred an appeal against the order dated 08/11/2016 before the court of District Judge Dir Lower which was transferred on the file of court of Additional District Judge Dir lower whereby the appeal was partly allowed and the NADARA authorities for issuance of smart card according to correct date of birth of the appellants and to the extent of other relief, the learned Additional District Judge rejected the appeal on the ground that the Government servant is not entitled for the relief from the Civil Court as there

is embargo under the Rule 12(a) of Civil servant Rules, 1973 and departmental appeal was also rejected vide order dated 12/07/2018.

(Copy of appeal, judgment and decree, departmental appeal and order are attached and mark as Annex-C, D, E, F & G).

3. That the appellant is permanent resident of village Saddo Tehsil Timergara District Dir Lower and belong to remote area of Dir Lower. The appellant get his education from a various institution and started job on merit in the office of the Revenue & Estate Department Dir lower under the command of respondent No. 3 in Dir lower.
4. That That the appellant filed various applications to the respondents for correction of his date of birth and even filed a suit which was return for want of jurisdiction and there after an appeal which was partly by the competent court of law but rejected the same on some grounds that the Government servant can approach for correction of his date of birth under Rule 12(a) of Civil servant Rules, 1973 hence this appeal inter alia amongst other grounds :-

#### GROUND.

- a) That the correct date of birth of the appellant is 04/04/1972 for which the NADARA department has been directed to issue smart card to the appellant as such the respondent No. 1 to 3 are legally bound to correct the same in the service record of the same.
- b) That the appellant belong to remote area and his correct date of birth will not cause prejudice to the respondents, the appellant oncoming to know about his incorrect date of birth in the record, approach to the respondents, failing which to do so the appellant cause serious prejudice.
- c) That the appellant was appointed as Junior Clerk in BPS-5 in the office of the Revenue & Estate Department Dir lower at Timergara and on or about 30/10/1994, but as per education record his date of birth was incorrectly mention in the service book maintain by the department, the appellant requested the respondents after coming to know that the date of birth is 04/04/1972, whereas the same has been entered incorrectly in the record pertaining to the services which is highly unwarranted, will cause, serious injustice if not corrected.
- d) That the appellant performing his duties in the department with clear crystal record, with the satisfaction of high-ups, the entries in the service record of the appellant was due to some clerical mistake which cannot be term as date of birth of the incumbent which required correction and to remove the clerical mistake.

- 2/1
- e) That the appellant has a right under the law for maintaining the record by the respondent according to the correct date of birth and to remove the difficulties, this fundamental right has been guaranteed under the chapter 1 of the constitution of Islamic Republic of Pakistan, 1973.
- f) That the appellant reserve his right to argue any other point with the permission of this Hon'ble tribunal at the time of hearing of this appeal.

**It is accordingly respectfully prayed that the respondent may kindly be directed to enter correct date of birth of the appellant i.e 04/04/1972 instead of 04/04/1970 in the service book of the appellant maintain by the office of the respondent in the interest of justice.**

Dated 09/10/2019.



Appellant.

OFFICE OF THE DEPUTY COMMISSIONER, DIR.

No. \_\_\_\_\_/IV/2(AC), Dated Timergara the, 30/10/94.

ORDER

Mr. Muhammad Uzair son of Shah Wazir Khan resident of village Sedde Tehsil Timergara District Dir is hereby appointed as Junior Clerk in Pay Scale No.5 (1400-66-2390). against the leave vacancy vacated due to the long leave of Mr. Shah Hussain Senior Clerk.

His appointment is purely temporary and can be terminated without any notice. He should produce Medical certificate from Civil Surgeon Dir at Timergara.

Deputy Commissioner,  
Dir.

No. 5845-49 /IV/2(AC),

Copy forwarded to the :-

- 1) District Accounts Officer, Dir at Timergara.
- 2) Bill Clerk (Local Office).
- 3) Official Concerned.
- 4) Personal File.
- 5) File No. IV/2(AC).

For information and necessary action.

*M. K. S.*  
Deputy Commissioner,  
Dir.

*26*  
*6/10/94*

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal NO. 895 /2018.

Muhammad Uzair ..... Appellant.

**VERSUS**

The Chief Secretary & others ..... Respondents..

**INDEX**

S.No.	Description of documents	Annexure	Page
1.	Ground of Appeal		1 to 4
2.	Affidavit of the Appellant		5
3.	Copy of suit	"A"	6 to 8
4.	Copy of application to CJ-5 Timergara		9
5.	Copy of application of Head teacher		10
6.	Copy of application to Deputy Director NADARA		11
7.	List of witnesses		12
8.	Copy of Statement of PW-1		13 to 14
9.	Copy of statement PW-2		15
10.	Copy of statement PW-3		16
11.	Copy of order/judgment dated 8/11/2016 CJ-5	"B"	17 to 19
12.	Copy of plaint	"C"	20 to 22
13.	Copy of order/judgment passed by ADJ T/Gra	"D"	23 to 25
14.	Copy of decree dated 28/3/2017	"E"	26
15.	Copy of departmental appeal	"F"	27
16.	Copy of the order of respondent No.10	"G"	28
17.	Copy of service book		29 to 43
18.	Wakalat Nama		44

Dated : \_\_\_/\_\_\_/2018.

Appellant  
Through Counsel  
Sultan Ali Shah Advocate  
Supreme Court of Pakistan



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

SERVICE APPEAL NO. 895 /2018

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 1169

Dated 17-7-2018

Muhammad Uzair  
S/o shah wazir khan  
R/o saddo tehsil timergara  
Dir lower.....appellant.

VERSUS.

1. The province of Khyber Pakhtunkhwa  
Through chief Secretary at Peshawar.
2. The secretary home & tribal affair  
Khyber Pakhtunkhwa Peshawar.
3. The university of peshawar  
Through vice chancellor
4. The director general NADRA  
Khyber pakhtunkhwa at Peshawar.
5. The deputy director nadra  
Dir lower at timergara.
6. The head master govt:  
High school saddo dir lower.
7. The head master govt:primary  
School saddo dir lower.
8. The chairman of board of  
Intermediate and secondary  
Education at peshawar.
9. The chairman/secretary  
Technical board at Peshawar.
10. The Deputy Commissioner  
Dir lower at Timergara.
11. The District Account officer  
Dir Lower at Timergara.....respondents.

Filed to-day  
Somethy  
Registrar  
15/7/18

**SERVICE APPEAL UNDER SECTION 4**  
**OF THE SERVICE TRIBUNAL ACT 1974**

**RESPECTFULLY SHEWEETH.**

The appellants respectfully submit as under :-

Brief facts of the case to file this appeal are :-

1. That the appellant filed suit for declaration, correction of the date of the appellant in the record of the respondent being inadvertently mentioned in the record maintained by the respondents which was returned under order VII Rule 10 CPC for want of jurisdiction vide judgment/order dated 08/11/2016.  
(Copy of the suit, other documents and order dated 08/11/2016 are attached and marked as Annex- A&B).
  
2. That the appellant preferred an appeal against the order dated 08/11/2016 before the court of District Judge Dir Lower which was transferred on the file of court of Addl: District Judge Dir Lower whereby the appeal was partly allowed and the NADRA authorities i.e respondent No. 4 & 5 for issuance of smart card according to correct date of birth of the appellant and to the extent of other relief, the learned Addl: District Judge rejected the appeal on the ground that the Government servant is not entitled for the relief from the Civil court as there is embargo under the Rule 12(a) of civil servant Rules 1973 and departmental appeal was also rejected vide order dated 12/07/2018  
(Copy of the appeal, judgment and decree, and departmental appeal and order are attached and marked as Annex-C,D,E,F&G).
  
3. That the appellant is permanent resident of village Saddo Tehsil Timergara District Dir Lower and belongs to remote area of Dir Lower. The appellant got his education from various institutions and started job on merit in the office of the Revenue & State Department Dir Lower under the command of respondent No.10 in Dir Lower.

4. That the respondent No.7 incorrectly mention his date of birth his 04/04/1970 instead of 04/04/1972, where as the same was remain continue in the educational record of the appellant maintain by the respondents and even initially on the basis said incorrect date of birth the National identity Card which was later on converted into CNIC and his service record was also maintain on the basis of in advertently mention date of birth which is 04/04/1970 and the correct date of birth is 04/04/1972.
5. That it would not be out of place to mention here that, that the elder sister of the appellant namely Mst: Rahat Perveen daughter of Shah Wazir Khan whose date of birth is also mention as 01/01/1970 in the record of respondent No. 4 & 5 which is otherwise un-natural gape and could not called for to the prudent mind.
6. That the appellant filed various applications to the respondents for correction of his date of birth and even filed a suit which was return for want of jurisdiction and there after an appeal which was partly by the competent court of law but rejected the same on some grounds that the Government servant can approach for correction of his date birth under Rule 12(a) of civil servant Rules 1973, hence this appeal inter alia amongst other grounds :-

#### GROUND S.


- a. That the correct date of birth of the appellant is 04/04/1972 where as the same has been incorrectly mention as 04/04/1970 as such the same is liable to be corrected as 04/04/1972 in all the record education, NADRA and service record of the appellant.
- b. That the court below were competent of jurisdiction as non of the respondents rebutted the stance of the appellant, the written statement were in consonance with the averment of the appellant as such failed to grant the relief and return the plaint under order VII Rule 10 CPC is highly uncalled for, and unwarranted hence liable to be declare as such.



- c. That without prejudice to the above even otherwise the appellant also produce the CNIC of elder sister who is two years and three months elder than the appellant but her date of birth is also incorrectly mention in the record of NADRA i.e respondent No.4 & 5 as 04/04/1970 which is unnatural gape and the respondents are bound under the law to correct the date of birth of the appellant but failing which cause grave miscarriage of justice.
- d. That the appellant was appointed as Junior Clerk in BPS.5 in the office of the revenue and state department Dir Lower at Timergara on or about 30/10/1994 but as per education record his date of birth was also incorrectly mention in the service book maintain by the department, the appellant requested the department after coming to know that date of birth of the appellant is 04/04/1972 where as the same has been entered incorrectly in the record pertaining to the service which is highly unwarranted and cause serious injustice if not corrected.
- e. That the appellant has right under the law for maintaining his record by the respondent according to correct date of birth and to further remove the difficulties of unnatural gape in the date of birth of elder sister as such according to the constitution the right contain in chapter 1 of fundamental right guaranteed under the constitution.
- f. That the appellant reserve his right to argue any other point with permission of this Hon'ble tribunal at the time of hearing of this appeal.

It is accordingly respectfully prayed that the record pertaining to the education, CNIC and service book of the appellant from the office of the respondents and after examining the same the respondent may kindly be further directed to mention the correct date of birth of the appellant as 04/04/1972 instead of 04/04/1970 in the interest of justice.

Date\_\_\_\_\_/07/2018

  
Appellant

(5)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

SERVICE APPEAL NO. \_\_\_\_\_/2018

MUHAMMAD UZAIR.....APPELLANT.

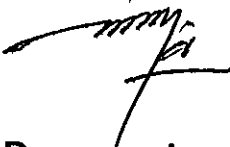
VERSUS.

THE CHIEF SECRETARY & OTHERS.....RESPONDENTS.

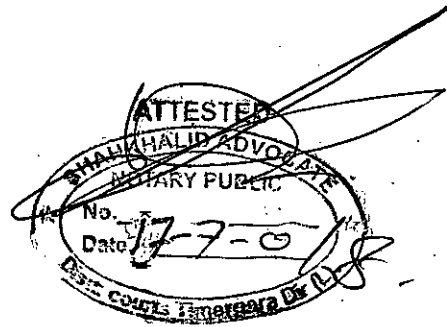
AFFIDAVIT.

I, Muhammad Uzair son of Shah Wazir Khan, resident of village Saddo Tehsil Timergara District Dir Lower do hereby solemnly affirm and state on oath that the contents of the accompanied Service Appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this Hon'ble Tribunal.

Dated \_\_\_\_\_/07/2018

  
Deponent

CNIC No. 15302-4200762-5



بعد التت جناب سننیر سول حج صاحب اعلیٰ علاقہ قاضی ضلع دیرپائین بمقام تیرگرہ۔

ANEX-4

محمد عزیز ولد شاہ وزیر خان سکندھ سدو تحصیل تیرگرہ ضلع دیرپائین ----- (مدعی)

بنام

- (1) ہیڈ ٹیچر گورنمنٹ پرائمری سکول سدو تحصیل تیرگرہ ضلع دیرپائین۔
- (2) پرنسپل گورنمنٹ کامرس کالج تھانہ ملاکنڈ ایجنسی۔
- (3) سیکرٹری بورڈ آف انٹرمیڈیٹ اینڈ سیکنڈری ایجوکیشن بمقام پشاور۔
- (4) چیئرمین بورڈ آف انٹرمیڈیٹ سیکنڈری ایجوکیشن بمقام پشاور۔
- (5) سیکرٹری ٹیکنیکل بورڈ بمقام پشاور۔
- (6) وائس چانسلر یونیورسٹی آف پشاور بمقام پشاور۔
- (7) ڈپٹی کمشنر ضلع دیرپائین بمقام تیرگرہ۔
- (8) ڈائریکٹر جنرل محکمہ نادرا بمقام اسلام آباد۔
- (9) ڈائریکٹر جنرل محکمہ نادرا خیبر پختونخواہ بمقام پشاور۔
- (10) ڈپٹی ڈائریکٹر نادرا سوکفٹ سنٹر تیرگرہ ضلع دیرپائین۔
- (11) حکومت صوبہ خیبر پختونخواہ بذریعہ چیف سیکرٹری بمقام پشاور ----- (مدعا علیہم)

Doc No. 1  
Dated 12-3-016  
S.C.J./A.T.O.  
Dir of Timergara

"الف" دعویٰ نمبر اصدور ڈگری استعرا حق بدیں مراد کہ مدعی کا درست اور اصل تاریخ پیدائش 04/04/1972 ہے۔ لیکن مدعا علیہم نے سبوا غلط طور پر ریکارڈ خود میں تاریخ پیدائش مدعی 04/04/1970 درج کی ہے۔ مدعا علیہم پابند ہیں۔ کہ وہ ریکارڈ خود میں درست تاریخ پیدائش مدعی 04/04/1972 کا اندراج کرے۔ اور اسی درست اندراجات کیساتھ سرٹیفیکیشن / اسناد، قومی شناختی کارڈ جاری کریں۔

"ب" صدور حکم تاکید بنام مدعا علیہم کہ وہ ریکارڈ خود میں درستگی کر کے غلط تاریخ پیدائش مدعی 04/04/1970 حذف کر کے درست تاریخ پیدائش مدعی 04/04/1972 کا اندراج کر کے اسناد سرٹیفیکیشن بمعہ قومی شناختی کارڈ بحق مدعی جاری کریں۔

نالیٹ بغرض کورٹ فیس و اختیار سماعت برائے خوالیف = 200/ روپے۔  
= = = = = 100/ روپے۔

بنائے دعویٰ عرصہ چند یوم قبل بعد از نکال آمد مدعا علیہم اندر صدور عدالت حضور پیدا ہوئی۔

جناب عالی! مدعی حسب ذیل عرض رہی ہیں ہے۔

(1) یہ کہ مدعی دیہہ سدو تحصیل تیرگرہ ضلع دیرپائین کا مستقل سکونتی باشندہ ہے۔ اور مدعی کا درست اور اصل تاریخ پیدائش

04/04/1972 ہے۔

PROTESTED  
48

7

(2) یہ کہ سال 1975ء میں گورنمنٹ پرائمری سکول سدو ابتدائی مراحل میں ہو کر طلباء کی تعداد انتہائی کم تھی۔ جس وجہ سے متعلقہ ہیڈ ٹیچر نے دیہہ مذکورہ کے کم عمر بچوں کے کوائف فرضی طور درج کر کے انکو سکول کے طلباء ظاہر کئے۔

(3) یہ کہ مدعی بھی انہی بچوں میں سے ایک ہو کر متعلقہ ہیڈ ٹیچر نے سال 1975ء سے مدعی کو سکول کا باقاعدہ طالب علم ظاہر کیا۔ حالانکہ اس وقت مدعی کی عمر تقریباً تین سال تھی۔ اور درحقیقت مدعی نے سال 1977ء سے باقاعدہ سکول اناجانا شروع کر کے بعدہ سال 1977ء سے گورنمنٹ پرائمری سکول سدو میں زیر تعلیم رہا۔

(4) یہ کہ مدعی کا درست اور اصل تاریخ پیدائش 04/04/1972 ہے۔ لیکن مدعا علیہ نمبر 1 نے سہواً غلط طور پر بوجہ مذکورہ بالا حقائق مدعی کا تاریخ پیدائش 04/04/1970 درج کیا ہے۔

(5) یہ کہ بعدہ مدعی نے اپنا تعلیمی سفر جاری رکھتے ہوئے ماسٹر ڈگری (M.A) حاصل کی ہے۔ لیکن جملہ تعلیمی ریکارڈز اور ذیلی تاریخ پیدائش مدعی غلط طور پر درج شدہ ہے۔ (جملہ نقولات لف ہیں)

(6) یہ کہ مدعی نے قومی شناختی کارڈ اور ڈومیسائل سرٹیفکیٹ بھی حاصل کیا ہے۔ جسمیں بھی تاریخ پیدائش مدعی 04/04/1972 کے بجائے غلط تاریخ پیدائش 04/04/1970 درج ہے۔ (نقولات شناختی کارڈ و ڈومیسائل سرٹیفکیٹ لف ہیں۔)

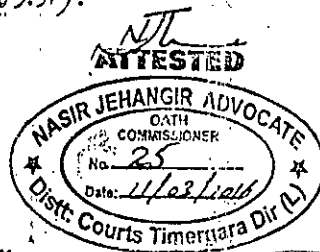
(7) یہ کہ من مدعی سے دو سال (دو سال تین ماہ) بڑی بہن مسماۃ راحت پروین دختر شاہ وزیر خان زندہ موجود ہے۔ جس کی تاریخ پیدائش 1970ء ہے۔ اور مدعی اور مسماۃ راحت پروین جڑوانہ ہے۔ لیکن مدعا علیہم نے غلطی سے ہر دو کا تاریخ پیدائش سال 1970ء درج کیا ہے۔ جو کہ ایک غیر فطری اور ناممکن عمل ہے۔ (نقل شناختی کارڈ لف ہے)

(8) یہ کہ اس سلسلہ میں مدعا علیہم سے رابطہ کیا جا کر مدعی نے برائے درستی تاریخ پیدائش مدعا علیہم نمبر 107 کو تحریری درخواست پیش کی ہے۔ لیکن مدعا علیہم انکاری ہوئے۔ پس نالاش ہذا کی ضرورت لاحق ہوئی، (نقولات درخواست ہائے لف ہیں)

(9) یہ کہ مالیت بغرض کورٹ فیس و اختیار سماعت و بنائے دعویٰ عنوان عرضید عموماً ہے۔ دعویٰ اندر معیاد ہے۔ اور عدالت حضور کو اختیار سماعت حاصل ہے۔

استدعا ہے کہ دعویٰ مدعی بحق مدعی برخلاف مدعا علیہم  
بمراہد جویات اب ڈگری فرمایا جائے۔

مورخہ 11/03/2016



بیان حلفی

حلفاً بیان کرتا ہوں کہ جملہ مراتب  
بالا دعویٰ درست و صحیح ہے۔

محمد عزیز مدعی۔

مدعی محمد عزیز ولد شاہ وزیر خان ساکن سدو تحصیل تیمرگرہ ضلع درپائین۔

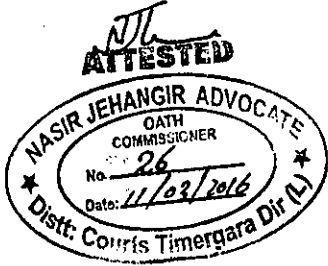


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12-3  
Civil Judge/Jilga  
Dir (Lower)  
Timergara

بیان حلفی: محمد عزیز ولد شاہ وزیر خان ساکن سڈو تحصیل تیرگرہ ضلع دیرپائین حلفاً بیان کیا کہ دعویٰ من مدعی درست اور مبنی برحقیقت ہے۔ جو بطور بڑو بیان ہذا پڑھا و سمجھا جاوے۔ سکر ڈرست تسلیم کیا۔

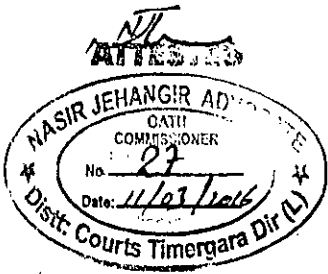
مزید حلفیہ بیان کرتا ہوں کہ جملہ مراتب بالا درست و صحیح ہیں۔



محمد عزیز مدعی۔

بیان حلفی: امین الدین ولد صاحب الدین سکنہ میاں بانڈہ تحصیل تیرگرہ ضلع دیرپائین۔

حلفاً بیان کرتا ہوں۔ کہ میں مدعی کو ذاتی طور پر جانتا ہوں۔ مدعی کا تاریخ پیدائش 04/04/1972 ہے۔ اس نسبت دعویٰ مدعی درست اور مبنی برحقیقت ہے۔ جسکی میں تائید و تصدیق کرتا ہوں۔ سکر ڈرست تسلیم کیا۔



امین الدین۔

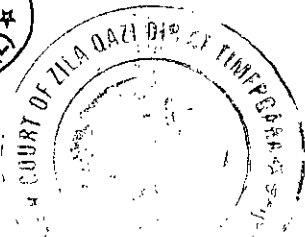
بیان حلفی: شاہ رضا بادشاہ ولد جان بادشاہ سکنہ کوزکے تیرگرہ تحصیل تیرگرہ ضلع دیرپائین۔

حلفاً بیان کرتا ہوں۔ کہ میں مدعی کو ذاتی طور پر جانتا ہوں۔ مدعی کا تاریخ پیدائش 04/04/1972 ہے۔ اس نسبت دعویٰ مدعی درست اور مبنی برحقیقت ہے۔ جسکی میں تائید و تصدیق کرتا ہوں۔ سکر ڈرست تسلیم کیا۔



شاہ رضا بادشاہ

مورخہ 11/03/2016



18

تصانف سولج لا امامه قاضی مسٹر محمد علی علیہ السلام

محمد عزیز نیام ہیڈ ٹیچر وائٹ

0-6  
22-4-16

مرعا علیہ السلام

مدعی

دعویٰ استقراری و غیرہ اعلیٰ جو اعلیٰ میں بنایا گیا

Civil Judge (Lower)  
at Thakurnagar

صاف عالی : مرعا علیہ السلام 10 تا 15 حسب ذیل عرصہ میں بنایا گیا

1) یہ کہ مدعی مقدمہ تسلیم یافتہ ہے

2) یہ کہ مدعی اپنے تاریخ بندہ آگسٹ 1970-04-04 کے بجائے

1972-04-04 کو بنا کر رہتا ہے۔ مدعی کا اصل فریق

حکمہ ایجوکیشن ہے جبکہ فریق بنایا ہے۔

3) اگر مدعی متعلقہ تعلیمی اداروں میں اپنے عمر تاریخ بندہ آگسٹ

کی درستگی کریں تو حکمہ ناردا سکول سرٹیفکیٹ کے

بنیاد پر حکمہ آگسٹ بندہ کا رڈ جاری کر دیا جائے۔

لکھنا۔ اگر عدالت حضور کو قانونی اثر مانے نہ ہو تو حکمہ

ناردا کو مدعی کے حق میں دیکھا جائے گا۔

22/4/16 مورخ

مرعا علیہ السلام



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(78)

EX-120/18  
CJ-17/10  
Div (1-10)  
Civil Judge/Jilata Qazi  
Dir (Lower)  
at Timargarah

خدمت جناب سپر گورنمنٹ پرائمری سکول

عنوان :- درخواست بھرا دمنظوری درست و صحیح کرنے کے لئے

و غلط تاریخ داخلہ میں سائیل

0-2

جناب عالی! گزارش حسب ذیل ہے۔

1) یہ کہ من سائیل مسمی محمد عزیز ولد شاہ وزیر خان دیپہ سدو تحصیل تیسرگرہ ضلع دیر پائین کا اصل دستقل سکونت یافتہ ہے۔  
3  
18/16

2) یہ کہ من سائیل سکول گھڑا میں بحیثیت طالب علم زیر تعلیم رہ چکا ہے۔

3) یہ کہ من سائیل کا تاریخ پیدائش ادارہ گھڑا سکول گھڑا میں بوقت داخل کرنے متعلقہ انچارج وقت نے معلومات کئے بغیر درج کی ہے۔

4) یہ کہ من سائیل کے درج شدہ غلط و فرضی و برائے نام تاریخ پیدائش (04-04-1970) کے بجائے درست و صحیح تاریخ پیدائش (04-04-1972) اور غلط تاریخ داخلہ (27-04-1975) کے بجائے درست و صحیح تاریخ داخلہ (11-04-1977) کا اندراج متعلقہ رجسٹر میں کیا جا کر درستگی کی جائے۔

معروضی خدمت میں تاریخ پیدائش میں ترمیم کیلئے  
(کوڑ ڈاؤن ہو رہی ہے۔ تاریخ پیدائش میں ترمیم کیلئے)  
عین لوازیشن ہوگی۔  
مورد خراب۔ (01-03-2016)

محمد عزیز ولد شاہ وزیر خان  
سکھ سدو تحصیل تیسرگرہ ضلع دیر پائین۔



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Encl 1/3  
Dir (Lower)  
20-10-2016  
Civil Judge/Jilqa Nazim  
Timergara

خدمت جناب ڈپٹی ڈائریکٹر نادرا سویفٹ سنٹر ضلع دیرپاکین۔

درخواست نمبر اور منظوری درست صحیح کرنے تاریخ پیدائش من سائیل بوجہات ذیل۔

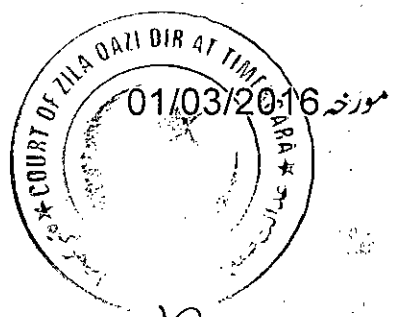
جناب عالی! سائیل ذیل عرض گزار ہے۔

(1) یہ کہ من سائیل کو قومی شناختی کارڈ تاریخ پیدائش مورخہ 04/04/1970 پر جاری کی ہے۔

(2) یہ کہ من سائیل کی بڑی بہن کے قومی شناختی کارڈ میں سال 1970ء درج کی گئی ہے۔

(3) یہ کہ من سائیل اور من سائیل کی بڑی بہن کا تاریخ پیدائش کا درمیانی فرق تین ماہ بنتا ہے۔ جو غیر فطری ہے۔ اور یوں من سائیل کا درست تاریخ پیدائش مورخہ 04/04/1972 درج فرمانا اور اسی کے بناء دوبارہ یا نئے سرے سے قومی شناختی کارڈ جاری فرمانا ضروری اور قرین انصاف ہے۔ نیز غیر فطری یعنی کم فرق کے بناء من سائیل اور من سائیل کی بڑی بہن کے قومی شناختی کارڈ کے بلاک ہونے کا اندیشہ رہتا ہے۔

بحالات بالا استدعاء ہے۔ کہ سائیل کا درخواست منظور ما کر سائیل کو درست صحیح تاریخ پیدائش مورخہ 04/04/1972 پر قومی شناختی کارڈ خود جاری فرمائی جاوے۔



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تاریخ پیدائش میں ترمیم کیلئے  
کوئٹہ ڈائریکٹوریٹ



Executive  
NADRA Dir  
العارض

محمد عزیز ولد شاہ وزیر خان سکندہ سدو تحصیل شیرگرہ ضلع دیرپاکین۔



بمقام تقرر کرے۔  
اعلیٰ علاقہ قادیان ضلع دریا سن

(۷۵)

محمد عزیز (مردمی) نام  
حصہ پشیمانی سرحدی (مردمی) و علم  
مقام تقرر کرے۔  
مقام تقرر کرے۔

خطاب عالی! فرزند گویان ذیل عرفی ہے۔

- ۱) مردمی بطور گواہ خود میرا ہ دستا و میرات بشمول عرفی مردمی
- ۲) مردمی بطور گویان بشرط ضرورت بفرضا جرح
- ۳) محمد آفتاب ولد محمد گل ملک (مردمی) سکنہ سیدو تحصیل تھرگرہ ضلع دریا سن
- ۴) محمد خطاب ولد محمد گل ملک (مردمی) سکنہ سیدو تحصیل تھرگرہ ضلع دریا سن
- ۵) محمد ارشا زخان ولد محمد گل ملک (مردمی) سکنہ سیدو تحصیل تھرگرہ ضلع دریا سن
- ۶) محمد ماضی خان ولد محمد گل ملک (مردمی) سکنہ سیدو تحصیل تھرگرہ ضلع دریا سن
- ۷) شاہ رضا ولد خان مارشاہ سکنہ کوزنگ تھرگرہ تحصیل تھرگرہ
- ۸) محمد صغیر خان ولد اصغر زخان خان سکنہ سیار تحصیل تھرگرہ
- ۹) داؤد خان ولد محمد امین خان سکنہ جلی جاسری تحصیل بلاصٹ
- ۱۰) شاعر اللہ ولد شاہ وزیر خان سکنہ سیدو تحصیل تھرگرہ
- ۱۱) حکیم اللہ ولد محمد آفتاب سکنہ سیدو تحصیل تھرگرہ
- ۱۲) سعید الدین ولد محمد گل ملک (مردمی) سکنہ سیدو تحصیل تھرگرہ
- ۱۳) امین الدین ولد محمد گل ملک (مردمی) سکنہ سیار مانڈہ



تاریخ 11/03/2016

محمد عزیز (مردمی)  
REGISTERED  
8

بیان محمد عزیز ولد شاہ وزیر خان ساکن سردو تحصیل مٹوڑہ

حلفاً بیان کیا کہ میں مدعی دیکھ سردو تحصیل مٹوڑہ کا مستقل سکونت یافتہ ہوں۔ اور میں مدعی کا درست اور اصل تاریخ پیدائش 4.4.1972 ہے۔ چونکہ سال 1975 میں گورنمنٹ پرائمری سکول سردو ابتدائی مراحل میں ہو کر طلبہ کی تعداد انتہائی کم تھی جس وجہ سے متعلقہ صدر ٹیچر نے دیکھ مذکور کے کم عمر بچوں کے کوائف فرضی طور پر درج کر کے بچوں کی تعداد دیکھانہ کی لیکن ان کو سکول کے طلباء ظاہر کئے۔ اس وقت مدعی بھی ایسے بچوں میں سے ایک ہو کر متعلقہ صدر ٹیچر نے سال 1975 میں مدعی کو سکول کا باقاعدہ طالب علم ظاہر کیا۔

حالانکہ اس وقت مدعی کی عمر تقریباً تین سال تھی۔ اور درحقیقت مدعی نے سال 1977 میں باقاعدہ سکول میں داخلہ شروع کر کے لہذا سال 1977 میں گورنمنٹ پرائمری سکول سردو میں زیر تعلیم رہا۔ اور اسی سکول میں سال 17/05/1982 میں جماعت چہارم کا امتحان پاس کیا۔ نیز مدعی کسی جماعت میں داخل نہیں ہوئے۔ اسی طرح مدعی اپنا تعلیمی سفر جاری رکھتے ہوئے ماہرہ کی حاصل کی ہے لیکن پرائمری سکول میں تاریخ پیدائش غلط اندراج کی وجہ سے طلبہ تعلیمی رکارڈ میں وہی غلط اندراج رہا کہ 04.04.1970 درج ہے جو کہ غلط ہے۔

نیز مدعی سے عمر میں دو سال بڑی ہیں مسماۃ راحت بیرون صاحبہ شناختی کارڈ پیش کرتا نہیں نقل موجود برسرِ منزل



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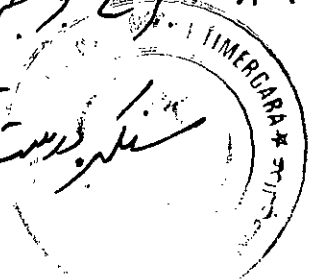
Ex-PW-2 ہے۔ جس کے مطابق صفحہ ۱۱۱ پر دین کی

تاریخ پیدائش سال ۱۹۷۰ میں۔ یوں مدعی اور مذکورہ بہن  
 مدعی کی تاریخ پیدائش کے عابین کوئی فرق نہ ہے حالانکہ  
 مدعی اور مذکورہ بہن جوڑواں نہ ہے۔ یوں انکار مدعی علیہم  
 میں ہر دو تاریخ پیدائش کے مابین ہونا غیر فطری اور  
 ناممکن ٹھہرتا ہے۔ مدعی نے سال ۱۹۸۸ میں مہر کی جا  
 امتحان پاس کیا ہے جس کے مطابق درست تاریخ پیدائش  
 ۱۹۷۲۔۰۴۔۰۴ سے ۱۶ سال کا عمر ہے بنتا ہے جو بھی فوق مدعی  
 کو ثابت کرنے کیلئے کافی ہے۔ مدعی علیہم کی مذکورہ بالا  
 غلطی کو درست کرنے کیلئے ایسے بار بار رابطے کیے گئے ہیں  
 وہ آجکل کرتے رہے لہذا دعویٰ کے احوال سے چند دن  
 قبل ان کو تحریری درخواست بھی دی گئی ہے مگر وہ درخواست  
 پائے گئے ہیں موجودہ مثل سے کہہ کر بالترتیب  $Ex\ PW\ \frac{1}{2}$  اور  $\frac{3}{2}$   
 ہے۔ لیکن وہ قطعاً انکاری ہوئے لہذا دعویٰ ہذا کی ضرورت  
 لائق ہوئی۔ استدعا ہے کہ دعویٰ مدعی بہ حق مدعی  
 ڈگری فرمایا جائے۔

X.X.X مورخہ یوم تکمیل فرما ہونے ندارد۔

شہر ملتان

سنگر درست تسلیم کیا۔



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سول جج لاہور علاقہ قاضی تمیز درانی

Date = 20-10-2016

بیان محمد ریاض ولد لغت گل رکنہ سدو تحصیل تھرہ  
ڈسٹرکٹ ٹبرہ۔ پتہ ٹوبہ 54، 55

PW-2  
20-10-2016

حلفاً بیان کیا کہ مدعی میرا سنگہ بھتیجا ہے جسکو میں خوب جانتا اور  
پہچانتا ہوں ہم ایک ہی گھر میں جاؤں عرصہ تک اکٹھے رہائش  
ڈسٹرکٹ، مدعی کی پیدائش مجھے یاد ہے حسب درجست تاریخ  
پیدائش 04.04.1972 ہے۔ مدعا علیہم کے علمہ ایف اے ڈی خود میں  
تاریخ پیدائش مدعی غلط طور پر 04.04.1970 درج کیا ہے جو  
تہ غلط ہے چونکہ سال 1975 میں گورنمنٹ پرائمری سکول  
سدو تحصیل تھرہ میں طلبہ کی تعداد کم ہو کر متعلقہ  
حصہ پندرہ گھنٹہ کم عمر بچوں کو سکول کے طلبہ ظاہر کر کے کھلے  
ان کے کوآف درج دسٹرکٹ ہے جو نہ فرضی ہے۔  
مدعی کا اصل تاریخ پیدائش 04.04.1972 ہے۔ جس کی  
میں تائید تصدیق کرتا ہوں اور مدعی سے عمر میں بڑی ہیں  
مسماہ راحت بیرون کا تاریخ سال 1970 ہے لہذا  
رعوی مدعی درست اور مبنی بر حقیقت ہے اور مدعی حق دار  
ڈگری ہے۔

X.X.X مہر لولہ کھٹرف بیون ہاردر

سنگہ ریاض  
COURT OF JUDICIAL MAGISTRATE  
THERAH

سنگہ ریاض

سول جج / علاقہ قاضی تھرہ ڈسٹرکٹ  
Date = 20-10-2016

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بیان محمد خطاب ولد محمد گل بلکہ سرد و تحصیل تہہ رند  
ضلع دیوبند بمقام عدالت 56، 57 سال

حلفاً بیان کیا کہ مدعی میرا بھتیجا ہے۔ حکومتیں خوب جانتا اور

سپیشاٹیوں جیسا درست تاریخ پیدائش 04.04.1972

میں مدعا علیہم نے غلط طور پر مدعی کا تاریخ پیدائش 04.04.1970

درج کیا ہے جو کہ غلط ہے کیونکہ مدعی نے عمر میں بڑی بسین

میں آراحت بیروین کا تاریخ پیدائش سال 1970 ہے۔

کیونکہ گورنمنٹ پرائمری سکول سڈو سال 1975 میں شروع

سکول منتظامیہ نے دینے سڈو کے کم عمر بچوں کی گوائف فرمی

طور پر درج کر کے ان کو سکول کے طلبہ ٹاپ ہے۔ جن بچوں

میں مدعی بھی تھا اور اس وقت اس کے پیدائش غلط طور پر

04.04.1970 درج کیا گیا تھا جو کہ غلط ہے مدعی کا درست

تاریخ پیدائش 04.04.1972 ہے میں مدعی کے خاندان کا

بطور مشیر بیان ہزاروں آٹا بیوں کیونکہ مدعی کا والد رشتہ ای

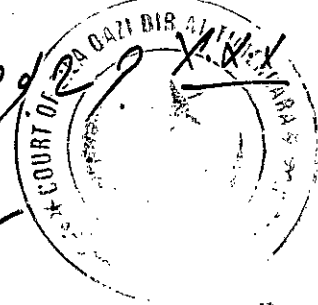
کنزور اور بیماریاں لکھنا ہے مدعی کے تاریخ پیدائش بارہ

درست معلومات ہے دعویٰ مدعی درست اور میں پر حقیقت ہے اور

مدعی تقدر ڈگری ہے =

*[Handwritten signature]*

لوہم بیکٹرف ہونے نا دارد  
سنگر درست تسلیم کیا۔

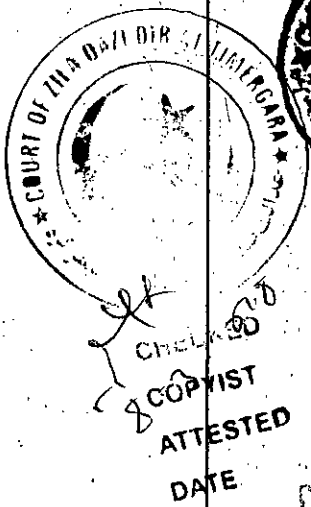


مشیر کلر  
Date = 20-10-2016

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8

Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
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0-9	31-10-16	<p>بر کمال سلامت و دل خود حاضر کرتا ہوں۔          لڑنے کا عندیہ ہے۔ مرنے پر 8/16 نوکریں۔</p> <p><i>[Signature]</i></p> <p>Civil Judge/Jilga Qazi-V          Dir (Lower)          at Timergara</p>
Order No-10	08-11-2016	<p>Plaintiff present in person. Ex parte arguments already heard. Case file perused.</p> <p>According to the plaint, the plaintiff seeks declaration regarding the correction of his age in the record of the defendants with the claim that his correct date of birth is 04-04-1972 but the defendants have incorrectly recorded the same as 04-04-1970 in their record. He also prays for the consequential reliefs.</p> <p>The body of the plaint reveals that the plaintiff is the permanent resident of village Sado Tehsil Timergara District Dir Lower. His correct date of birth is 04-04-1972. Actually the plaintiff had take regular admission in Govt Primary School Sado in 1977, however, the then school-head-teacher showed him as student from 1975 in order to make up the deficiency of students-strength in his record. Thus, his date of birth was recorded as 04-04-1970 instead of 04-04-1972. The plaintiff continued his education upto master level with the same date of birth. The plaintiff has procured NIC and domicile certificate vide which his date of birth is 04-04-1972. The year of birth of Mst. Rahat Pervin;</p>



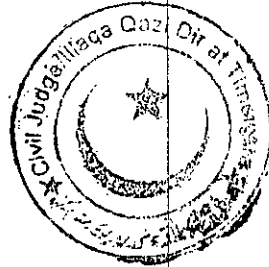
Civil Judge/Jilga Qazi  
 Dir (Lower)  
 at Timergara

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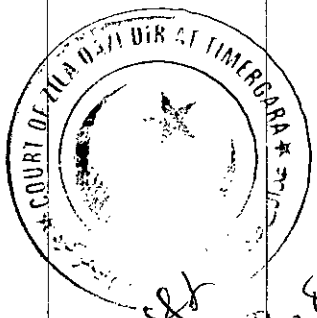
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Case No. Serial No of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
		<p>an elder sister of plaintiff is 1970 in the record of the defendants despite the fact that she is elder than the plaintiff by two years, three months. The defendants were approached for the desired correction but they denied. So, the present suit.</p> <p>The defendants were summoned but they remained absent despite service. So, placed ex-parte. Plaintiff was allowed to produce ex parte evidence.</p> <p>Plaintiff appeared as PW.1 and narrated the story of the plaint. He also produced the CNIC of his sister Mst. Rahat Pervin, the applications made to head-teacher GPS Sado and Dy. Director NADRA regarding the desired age correction as ExPW.1/1 to ExPW.1/3 respectively.</p> <p>Muhammad Riaz S/o Niamat Gul and Muhammad Khitab S/o Hamid Gul appeared as PW.2 and PW.3 respectively and recorded statements in favour of the plaintiff narrating the version of the plaint.</p> <p>During the course of argument, the plaintiff admitted at the bar that he is junior clerk in the Revenue and Estate Department. On directions, he produced his service card which testifies that he is civil servant having service in the abovementioned department. His date of birth according to the service card is 04-04-1970.</p> <p>Rule 12-A of Civil Servant (Appointment, Promotion and Transfer) Rules 1973 provides that the date of birth once recorded at the time of joining Govt service shall be final and thereafter no alteration in the date of birth of the civil servant shall be permissible.</p> <p>Citation "S" of 2015 SCMR 456 provides as under:</p> <p>".....R. 12-A..... Service Tribunals Act (LXX of 1973), S.</p>

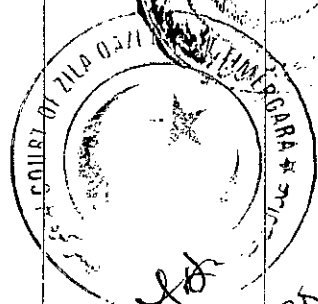
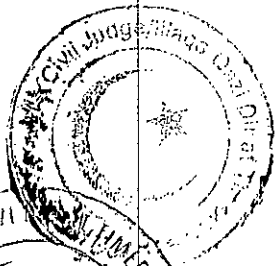


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Case No. Serial No of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
		<p>3(2)--- Civil Service... Date of birth, alteration in Forum.... Service Tribunal, jurisdiction of .... Mode of correction in the date of birth of a civil servant was provided under R. 12-A of the civil Servants (Appointment, Promotion and Transfer) Rules, 1973, which was part of the terms and conditions of service of a civil servant ... correction in date of birth by a civil servant could not be done through a civil suit (in view of the bar contained under Art. 212 of the constitution).... Civil Servant had to approach the Service Tribunal for alteration in his date of birth.</p> <p>The learned counsel for the plaintiff relied upon PLD 1981 Lahore 433 and PLJ 2001 Lahore 464.</p> <p>In view of the peculiar facts of the case and the above referred recent judgment of the august Supreme Court of Pakistan, the said judgments have no nexus with the instant case.</p> <p>In view of the above referred judgment of august Supreme Court of Pakistan, this court has got no jurisdiction to entertain the matter. Therefore, the plaint is hereby returned under Order 7, Rule 10 CPC. Office is directed to return the plaint to the plaintiff after having retained the copy of the same and accompaniments thereof. Thereafter, file be consigned to record room after necessary completion.</p> <p>Announced, 720</p> <p>08-11-2016 Date of Application 7-3-18  Urgent Fee: _____  Revenue Fee: _____  No of Pages: 52  No of Exhibits: 52  Copy: 1  Total: 152  Date of Pre: 8-3-18  Date of Delivery: 8-9-18  Signature: _____</p> <p>(SHER AZIZ)  Civil Judge/IQ-V  Dir (L) at Timotigara  Dir (Lower) at Timotigara</p>



  
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بعدالت جناب ڈسٹرکٹ جج / ضلع قاضی صاحب دیر پائین بنگا ٹرگرہ

محمد عزیز ولد شاہ وزیر خان ساکن سردو تحصیل ٹرگرہ ضلع دیر پائین -

بنام (ریپلائٹ)

- 1) ہیڈ ٹیچر فورٹ ہائیر سکول سردو تحصیل ٹرگرہ ضلع دیر پائین -
  - 2) پرنسپل گورنمنٹ کامرس کالج تقانہ بنگا تقانہ ضلع ملائند -
  - 3) سیکرٹری بورڈ آف انٹرمیڈیٹ اینڈ سیکنڈری ایجوکیشن بنگا پشاور -
  - 4) چیئرمین بورڈ آف انٹرمیڈیٹ اینڈ سیکنڈری ایجوکیشن پشاور بنگا پشاور -
  - 5) سیکرٹری سٹیٹل بورڈ پشاور بنگا پشاور -
  - 6) وائس چانسلر یونیورسٹی آف پشاور بنگا پشاور -
  - 7) ڈپٹی کمشنر ضلع دیر پائین بنگا ٹرگرہ -
  - 8) ڈائریکٹر جنرل حکمہ نادر پائین بنگا اسلام آباد -
  - 9) ڈائریکٹر جنرل حکمہ نادر صوبہ خیبر پختونخواہ بنگا پشاور -
  - 10) ڈپٹی ڈائریکٹر حکمہ نادر ضلع دیر پائین بنگا نادر سویفٹ سٹر ٹرگرہ -
  - 11) حکومت صوبہ خیبر پختونخواہ بذریعہ چیف سیکرٹری صوبہ خیبر پختونخواہ بنگا پشاور -
- (ریپلائٹس)

اپیل بنام اعلیٰ حکم و صفیہ عدالت ماتحت جناب سول جج / علاقہ قاضی صاحب  
ٹرگرہ محرمہ صرخہ 8<sup>11</sup>/<sub>2016</sub> جسکی رو سے عدالت ماتحت نے دعویٰ اپیلانٹ امرعی  
زیر ادرسات رول نمبر 152 دہائی والی کرنے کا حکم صادر کیا ہے۔

استدعا: محترم ڈی ایبل ہذا حکم و صفیہ عدالت ماتحت محرمہ صرخہ 8<sup>11</sup>/<sub>2016</sub> خان قانون،  
بلا جواز و برخلاف رو عیداد مثل گردانا جائز کا العدم و منسوخ فرمایا جا رہے اور دعویٰ  
ریپلائٹ امرعی حسب استدعا مندرجہ دعویٰ بحق مدعی ڈگری کرنے کے اس نامات صادر  
فرمائی جاوے۔

مالیت بغرضی ٹرگرہ ضعی و اختیار سماعت بمطابق دعویٰ مبلغ = 300/- روپے

جناب عالی! اپیلانٹ (مدعی) حسب ذیل عرض رساں ہے۔

۱ یہ کہ مدعی نے بزخلاف ریپائرنٹیشن (مدعا علیہم) ایک دعویٰ گزارا مستحق ارجح وغیرہ کی بابت درستگی تیار ایچ پیدائشی مدعی / اپیلانٹ بعدالت مانت گزارا ہے۔

۲ یہ کہ مدعا علیہم / ریپائرنٹیشن نے 8 تا 10 اے (جہاں جواہر عہدی داخل عدالت کیا جبکہ دیگر مدعا علیہم کے خلاف تکلیف کا ردائی حسب ضابطہ عمل میں لائی گئی ہے۔

۳ یہ کہ بعدہ مدعی / اپیلانٹ نے اپنے دعویٰ کے تائید میں گواہان Pw3 تا Pw3 پیش کیے جنہوں نے دعویٰ مدعی کی مکمل تائید کی ہے۔

۴ یہ کہ شہادت قلمبند ہوتے اور جب سماعت ہونے کے بعد عدالت مانت نے حکم وصیلاہ زیر اپیل صادر کی ہے۔

۵ یہ کہ حکم وصیلاہ عدالت مانت خلاف قانون، خلاف الفاظ و برخلاف روئے رٹل ہونے کے علاوہ غیر شرعی بھی ہے۔ جو، گزرتا اور کسی طور قابل بحالی نہ ہے۔ (سعدہ نقولات حکم وصیلاہ لفظ ہے)

۶ یہ کہ عدالت مانت نے مثل مقدمہ کا بغور ملاحظہ و موازنہ نہ کر کے مثل مقدمہ پر ضرر بردھراد سے درست نتیجہ اخذ نہیں کیا ہے۔

۷ یہ کہ ریپائرنٹیشن نے 8 تا 10 اے (جہاں جواہر عہدی داخل کر کے دعویٰ اپیلانٹ / مدعی تسلیم کیا ہے۔ جو مدعا علیہم نے 8 تا 10 اے کے خلاف سے صاف Admission ہے۔ تین عدالت مانت نے اسی امر کو بن صیلاہ خود میں کوئی جگہ نہ دے کر مذکورہ اقبالی چاہنے والی کا ذکر تک صیلاہ خود میں نہیں کیا ہے۔

۸ یہ کہ عدالت مانت نے مدعی / اپیلانٹ کے (Civil servant) ہونے کو بنیاد بنا کر دعویٰ اپیلانٹ کے واپسی کے احکامات پر نہ ہونے اختیار سماعت صادر کیے۔ جو نہ غلط ہے۔ کیونکہ تاریخ پیدائشی کے درستگی بارے اختیار سماعت صرف اور صرف سول کورٹ کو حاصل ہے۔ نیز مدعی / اپیلانٹ نے دعویٰ خود میں عدالت حضور سے سرورس ریکارڈ میں درستگی بارے کوئی استدعا نہیں کی ہے۔ لہذا اسی صورت حال میں صرف اور صرف سول کورٹ کو اختیار سماعت حاصل ہے۔ تین عدالت مانت نے خود ساختہ مفروضات کا سہارا لے کر دعویٰ اپیلانٹ کو غیر قانونی طور واپسی کرنے کا حکم بلا جواز صادر کیا ہے۔

9 یہ کہ عدالت مانتے گا یہ قرار داد کہ عدالت کو اختیار سماعت حاصل نہ ہو بلکہ غلط اور خلاف قانون ہے کیونکہ اس نکتہ پر اعلیٰ عدالتوں کے بے شمار فیصلہ جات موجود ہیں کہ تاریخ پیدائش کی درستگی بابت دیوانی عدالتوں کو اختیار سماعت حاصل ہے۔ اور سرورس ٹریبونل کا اختیار نہ ہے۔ لیکن ہر بھی عدالت مانتے نے ایک غیر متعلقہ فیصلہ عدالت عظمیٰ کا حوالہ دیتے ہوئے دعویٰ اپیلانٹ واپس آنے کا حکم صادر کیا ہے۔ حالانکہ اسی مقدمہ اور مقدمہ نفذائے حالات و واقعات ایک دوسرے سے یکسر مختلف ہیں مگر مذکورہ فیصلہ کا اثر مقدمہ نفذائے ایک ہی نہ ہے۔

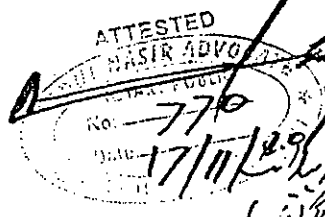
10 یہ کہ عدالت مانتے نے یہی کردہ شہادت مدعی اپیلانٹ کو بھی کر لی وقت نہ دے کر یکسر نظر انداز کیا ہے حالانکہ مدعی اپیلانٹ نے دعویٰ خود ٹھوس شہادت کے ذریعے ثابت کیا ہے۔

11 یہ کہ عدالت مانتے نے خود ساختہ مفروضات کا سہارا لے کر دعویٰ اپیلانٹ کو بے بنیاد طور واپس کیا ہے۔

12 یہ کہ دیگر وجوہات، عدالتی نظام اور اصول قوانین پر بھی ہفت بجٹ بہ اجازت عدالت حضور انجمنیہ کیا جائے گا۔

استدعا ہے کہ عنقریب اپیل نفذائے حکم و فیصلہ زیر اپیل کا اعلام دستور فرمایا جائے دعویٰ اپیلانٹ ڈیڑھ آنے کے احکامات صادر فرمائی جائے۔ نیز دیگر دائریں جو مرتبہ القاف ہو ہیں لای جاوے

17/11/2016



سائن ملحقہ  
طریقاً نفذائے حکم و فیصلہ  
کا ارادہ صمیم کا کوئی دیگر اپیل لگائی یا  
نظر ثانی کیا دیکر عدالت میں سزا دینے  
اور جملہ فریب پلا دینے کے لیے  
ہیں۔

مدعی اپیلانٹ محمد عزیز ولد شاہ نور خان سکن ۳۹۰

اپیلانٹ / محمد عزیز

بعدالت اسد علی ایڈیشنل ڈسٹرکٹ جج اراضی ضلع قاضی چکدرہ کمپ کورٹ بمقام

تیمرگرہ۔

سول اپیل نمبر 100/13 سال 2016

تاریخ رجوعہ 22.11.2016

تاریخ فیصلہ: 28.03.2017

محمد عزیز ولد شاہ وزیر خان ساکن سدو تیمرگرہ ضلع دیرپائین۔

اپیلانٹ / مدعی

بنام

ہیڈ ٹیچر گورنمنٹ پرائمری سکول سدو تحصیل تیمرگرہ ضلع دیرپائین بمعدہ 10 دیگران

رہسپانڈنٹس / مدعیان

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فیصلہ:

28.03.2017

1- اپیلانٹ / مدعی نے اپیل ہذا برخلاف حکم فیصلہ ڈگری فاضل عدالت سول جج / علاقہ قاضی تیمرگرہ مورخہ 8.11.2016 دائر کی ہے جسکی رو سے دعویٰ اپیلانٹ / مدعی زیر حکم 7 قاعدہ 10 ض۔ دواپس کیا گیا۔

2- مختصر حالات و واقعات برائے تصفیہ اپیل ہذا حسب عرضید دعویٰ یوں ہیں۔

اپیلانٹ / مدعی نے دعویٰ نمبری 86/1 سال 2016 بعدالت سول جج تیمرگرہ

بمراصد و ڈگری استقرار حق و صدور ڈگری حکم تاکید بر خلاف رہسپانڈنٹس / مدعا علیہم حسب

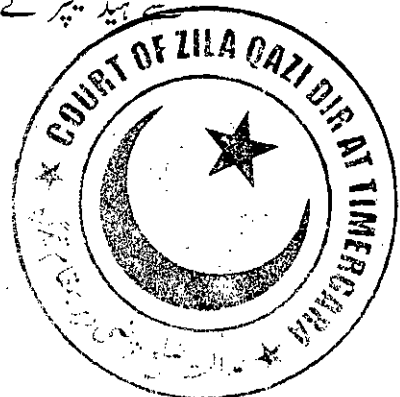
جزئیات متدعیہ الف و ب "جنکی تفصیل عنوان عرضید دعویٰ میں درج ہے بدیں طور دائر کیا

اسکی درست تاریخ پیدائش 4.4.1972 ہے جبکہ مدعا علیہم نے غلط طور پر ریکارڈ خود

میں 4.4.1970 درج کیا۔ مدعی کا مزید موقف یہ ہے کہ وہ دیہہ سدو کا باشندہ ہے اور

سال 1975 میں GGP سدو ابتدائی مراحل میں ہو کر طلباء کی تعداد انتہائی کم تھی جس وجہ

سے ہیڈ ٹیچر نے دیہہ مذکور کے کم عمر بچوں کے کوائف فرضی طور درج کر کے انکو سکول کے طلباء



ظاہر کے اور مدعی بھی انہیں بچوں میں سے ایک ہو کر متعلقہ ہیڈ ٹیچر نے مدعی کو سکول کا باقاعدہ طالب علم ظاہر کیا حالانکہ اُس وقت مدعی کی عمر 3 سال تھی اور حقیقت میں مدعی نے سال 1977 میں سکول آنا شروع کیا۔ مزید بیان کیا کہ مدعی نے اپنا تعلیمی سفر جاری رکھتے ہوئے ماسٹر ڈگری حاصل کی اور مدعی کے تمام تعلیمی اسناد میں یہی غلط تاریخ پیدائش لکھی گئی ہے۔ مزید بیان کیا کہ مدعی نے قومی شناخت کارڈ اور ڈومی سائل سرٹیفکیٹ بھی اس غلط تاریخ پیدائش کے ساتھ حاصل کئے ہیں جبکہ مدعی کی بڑی بہن راحت پروین کی تاریخ پیدائش بھی مدعا علیہم نے سال 1970 درج کی حالانکہ مدعی اور اُسکی متذکرہ بہن جڑواں نہ ہیں۔ مزید بیان کیا کہ مدعی نے مدعا علیہم سے دریں نسبت رابطہ کیا تاہم انکار ہی ہوئے بدیں وجہ دعویٰ دائر کیا گیا۔

3- عدالت ماتحت نے مدعا علیہم کو طلب کیا لیکن حاضر نہ ہونے کی بناء اُنکے خلاف یکطرفہ کارروائی عمل میں لائی گئی جبکہ مدعی نے اپنی یکطرفہ شہادت بطور PW-1 تا PW-3 پیش کی۔ عدالت ماتحت نے بحث سماعت کرنے کے بعد حکم زیر اپیل صادر کیا جس سے رنجیدہ ہو کر اپیلانٹ رمدعی نے اپیل ہذا دائر کیا۔

4- بحث سماعت شد۔ مسل ملاحظہ شد۔ نیز حکم زیر اپیل کا بھی بغور ملاحظہ کیا گیا۔

ملاحظہ مسل سے عیاں ہے کہ اپیلانٹ رمدعی ایک سرکاری ملازم ہے اور اور محکمہ ریونیو اینڈ اسٹیٹ ضلع دیر پائین بمقام تیمرگرہ میں مستقل طور پر جو نیئر کلرک تعینات ہے جبکہ سول سرونٹ رولز 1973 کے رول (A) 12 کے تحت سرکاری ملازم کی سرکاری ریکارڈ میں درج تاریخ پیدائش میں بعدہ کوئی ترمیم نہیں کیا جاسکتا۔ اسی طرح عدالت عظمیٰ پاکستان کے نظیر 2015 SCMR 456 کے تحت سرکاری ملازم کی تاریخ پیدائش میں تصحیح کیلئے سول کورٹ مجاز فورم نہ ہے بلکہ انہیں مقدمات کیلئے سروس ٹریبونل ایک مخصوص فورم مقرر کیا گیا۔ ان حالات میں عدالت ہذا کے ساتھ مقدمہ ہذا کا اختیار سماعت نہ ہے بدیں وجہ اپیل ہذا خارج کیا جاتا ہے تاہم نادرا کو ہدایت کی جاتی ہے کہ وہ اپیلانٹ رمدعی کو تارٹ کارڈ جاری کرے اور عدم اجراء کی صورت اپیلانٹ رمدعی مجاز ہے کہ وہ نادرا کیخلاف درخواست توہین عدالت داخل کرے۔

بوجوہات بالا اپیل ہذا میں کوئی وزن نہ ہے جو کہ



باری۔۔۔۔۔

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نادرا کو ہدایت کیجاتی ہے کہ وہ اپیلانٹ رمدعی کو سمارٹ کارڈ جاری کرے اور عدم اجراء کی صورت اپیلانٹ رمدعی مجاز ہے کہ وہ نادرا کیخلاف درخواست توہین عدالت داخل کرے۔ خرچہ کی بابت کوئی حکم نہ ہے۔ مسل عدالت ہذا بعد از ضروری ترتیب و تکمیل داخل محافظ خانہ ہو۔

(اسد علی)

حکم سنایا گیا۔

28.03.2017

ایڈیشنل ڈسٹرکٹ جج راضانی ضلع قاضی چکدرہ  
دیرپائین بمقام تیرگرہ۔

تصدیق کی جاتی ہے کہ فیصلہ ہذا کل تین (03) صفحات پر مشتمل ہے۔ اور بعد از تصحیح ہر صفحہ پر میرا دستخط درست طور پر ثبت ہے۔

سرٹیفیکیٹ:

ایڈیشنل ڈسٹرکٹ جج راضانی ضلع قاضی چکدرہ  
دیرپائین بمقام تیرگرہ



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S.No: 1148  
Date of Application 11.4.17  
Urgent Fee: \_\_\_\_\_  
Revenue Fee: \_\_\_\_\_  
No of Pages: 04  
No of Word: \_\_\_\_\_  
Copying Fee: \_\_\_\_\_  
Total Fee 12  
Date of Preparation 11.4.17  
Date of Delivery 11-4-17  
Signature \_\_\_\_\_



F (27)

BEFORE THE DEPUTY COMMISSIONER DIR LOWER AT TIMERGARA.

DEPARTMENTAL REPRESENTATION/APPEAL

RESPECTFULLY SHEWEETH

The appellant respectfully submit as under :-

- 1) That the appellant appointed as junior clerk on or about 30/10/1994 in the office of the Deputy Commissioner Dir against BPS-05. It would not be out of place to mention here that, that at that time the Dir state was one District which was later on divided in two District i.e. Lower and Upper and the service of the appellant was remain in the office of the Deputy Commissioner Dir Lower.
- 2) That the appellant did his job with full devotion and with clear crystal record, which was highly appreciated by high-ups.
- 3) That the date of birth of the appellant was incorrectly mention as 04/04/1970 where as the correct date of birth of the appellant is 04/04/1972 which required correction in the record of his services and service book.
- 4) That there is no impediment under the law for correction of the date of birth of the appellant in this regard the judgment reported in the T.D (Lahore) 2017 page 1 can be relied upon in which it was hold by the tribunal in citation B "Entries of date of birth in service is not gospel truth which can be corrected in the light of the reported judgment and the date of birth entered in the service book was order to be corrected" hence this departmental representation/appeal for correction date of birth of the appellant in the service book.

It is accordingly respectfully prayed that the office and all concern may kindly be directed to entered correct date of birth of the appellant i.e 04/04/1972 and replace incorrect date of birth in the service book in the interest of justice.

process pls  
11/1/17

  
Muhammad Uzair S/Clerk.





OFFICE OF THE <sup>ANNEX: 67</sup>  
DEPUTY COMMISSIONER  
DIR LOWER

28

No. 15325 / /Estt:  
Dated Timergara the 12/07/2018

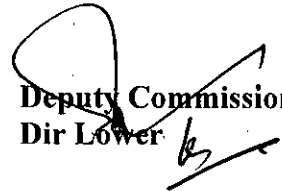
[dcdirlower@gmail.com](mailto:dcdirlower@gmail.com) [deputy Commissioner Dir Lower](https://www.facebook.com/deputyCommissionerDirLower) [@dcdirlower](https://twitter.com/dcdirlower) [0945-9250001](https://www.linkedin.com/company/dcdirlower)

To

Mr. Muhammad Uzair,  
Senior Clerk Tehsil Office Balambat.

Subject: CORRECTION IN DATE OF BIRTH

Reference your request /appeal for correction of date of birth thoroughly examined. In light of decision of the Additional District and Sessions Judge, Dir Lower dated 28-3-2017, the same is beyond the jurisdiction of this office, therefore, cannot be acceded to. You should approach the competent court of law for the purpose.

  
Deputy Commissioner,  
Dir Lower

(For use in Police Department only)

Heirs

- 1.
- 2.
- 3.

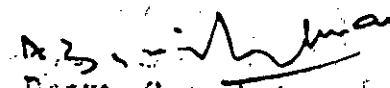
Verification Roll No.

dated

received back

Left Thumb-impression

Qualifications	Date	Qualifications	Date
English on	Passed M.A. Exam	Drill instructing	Passed Malree Kola
Bengali on	from University of Rajshahi vide	Court duties	in 2nd Div. in the year 1988.
Kaithi on	R.No-24474 in the Session, 1999 obtained	Reserve duties	Passed Diploma in Commerce in
Urdu on	B 512 M.M.K.S. Ord of 1100	First Arts	
Uriya on		B. L. or B. A.	Passed B.A. Exam
Plan-drawing		Pleadership examination	
Finger print		Training School final examination	

For  
  
 Deputy Commissioner  
 D.I. at Thiruvananthapuram

N.B.—A line to be drawn under the qualification possessed.

29

Name Mohammad UzairDate of birth: 04-04-1970Home Distt. DIR

## DETAILS OF QUALIFICATIONS

(تفصیلات کی تفصیل)

Examination امتحان	Roll No. رول نمبر	Year سال	Spring/ Autumn بہار/تریاں	Division درجہ	Grade گریڈ	Subjects مضامین	Signatures of Attesting Officer تصدیق کرنے والے افسر
Matric میٹرک	25964	1988	Spring	2nd	C	Eng. Urdu, 3rd. Pak. Study maths, Phy. Chem & Bio	
Intermediate ایف۔ اے	8305	1991	Autumn	3rd	D	-do-	
B. A. بی۔ اے	89482	1997	Spring	2nd	D	-do-	Deputy Commissioner Dir at Timaru
B. Ed. بی۔ ایڈ	-	-	-	-	-	-	
M. A. ایم۔ اے	24674	2000	-	2nd	-	-do-	
M. Ed. ایم۔ ایڈ							
Technical Education, if any فنی تعلیم نام لکھ کر لکھنا							
P.T.C. پی۔ ٹی۔ سی							
S.V. ایس۔ وی							
C.T. سی۔ ٹی							

(i) Date of attaining Sixty years of age. 04-04-2030

(تاریخ ساٹھ سالگی)

(ii) Date of attaining twenty five years service. 30-10-2019

(تاریخ تکمیل ملازمت پچیس سالہ)

C.R.C.  
C.R.C.

1. Name— (۳) <sup>3</sup> MR. MUHAMMAD UZAIR
2. Nationality and Religion— (قومیت اور مذہب) PAKISTANI — ISLAM.
3. Residence— (مستقل رہائش) Vill. & Post office Saddo, Tehsil  
Timargura, Dist. DIR.
4. Father's name and residence— (والد کا نام اور پتہ) SHAH NAZIR KHAN.
5. Date of birth by Christian era as nearly as  
can be ascertained— (تاریخ پیدائش بمطابق مسیحی) 4.4.1970 (Fourth April N.H.  
& Seventy).
6. Exact height by measurement— (صحیح پیمائش کے حساب سے) قد 5 - 2
7. Personal mark for identification— (ذاتی نشانات شناخت) A wound Scar on the  
left ~~of the~~ Elbow.
8. Left hand thumb and finger-impressions of  
(Non-gazetted) officer:—  
(غیر جرنی ملازمین مردانہ اور عورتوں کی صورت میں دائیں ہاتھیں انگوٹھے  
اور انگلیوں کے نمونے) (نشانت خاتم) Ring Finger.  
Little Finger. (چھٹلی)  
Middle Finger. (دستلی انگلی) Fore Finger. (انگشت ہنھارت)  
Thumb. (انگوٹھا)
9. Signature of Government servant— (سرکاری ملازم کے دستخط)
10. Signature and designation of the Head of  
the Office or other Attesting Officer—  
(تصدیق کنندہ افسر کے دستخط اور نمبر)

Note—The entries in this page should be renewed or re-attested  
at least every five years, and the signatures in lines 9 and 10 should be  
dated.

Finger prints need not be taken afresh every 5 years under this rule.

دستخطوں کے اندراجات کی کم از کم پانچ سال تصدیق ہونی ضروری ہے۔ اور ۱۰ کے سامنے دستخطوں کے  
ساتھ تاریخ بھی تحریر کی جائے۔ انگلیوں اور انگوٹھوں کے نشانات کی ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں ہے۔

Muzair  
Deputy Commissioner,  
Dir at Timargura.

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1	2	3	4	5	6	7
NAME OF POST ملازمت کا نام	Whether sub- stantive or officiating, and whether permanent or temporary ملازمت کی نوعیت مستقل یا موقت یا موقت	If officiating State - (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.P. (Pb.) volume II اگر موقت ملازمت ہے تو مستقل یا موقت ہے اور اس کا حساب پنشن کے لیے کیا جائے گا	Pay in sub- stantive post مستقل ملازمت کی تنخواہ  Rs. Pk.	Additional Pay for officiating مستقل ملازمت میں اضافی تنخواہ  Rs. Pk.	Other emolu- ments falling under the term "Pay" تعمیراتی تنخواہ میں شامل ہونے والے دیگر یاں	Date of appoint- ment تعمیراتی تاریخ
1400-66-2390 2/1/1946	Temp.		1532/		30-10-94	Muzaw
" "	"		1598/		1-12-95	Muzaw
" "	"		1664/		1-12-96	Muzaw
" "	"		1796/		1-4-97	
" "						
" "						
" "						

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6	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the Office or other Attesting Officer	LEAVE رخصت		Signature of the Head of the Office or the Attesting Officer	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) for which leave salary is debitible to an other Government.		
					Period	Government to which debitible		
Deputy Commissioner Dir at Timergora	Signature of Head of Office 30/11/95	30/11/95	Allowed two advance increments of Rs. 66/- each on passing B. Com. as higher qualification as per certificate Parted in the Service Book.	Signature of Head of Office Deputy Commissioner Dir at Timergora		Appointed as Junior Clerk with office order issued under order No. 8046-49/1/72 (AC) dated 30-10-1994 ref. 30-10-94.	Signature of Head of Office Deputy Commissioner Dir at Timergora	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
Deputy Commissioner Dir at Timergora	Signature of Head of Office 30/11/96	30/11/96	Increment	Signature of Head of Office Deputy Commissioner Dir at Timergora		Service from 1-12-95 to 30/11/96 office copies of pay order in their record	Signature of Head of Office Deputy Commissioner Dir at Timergora	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
Deputy Commissioner Dir at Timergora	Signature of Head of Office 30/11/97	30/11/97	Allowed two Advance Increment Rs. 66/- each i.e. 132/- w.e.f. 1-4-1997 on passing BA Exam as higher qualification vide order no. 80495/1/72 CAS dt. 30/11/97	Signature of Head of Office Deputy Commissioner Dir at Timergora		Paid three of two advance increment by passing B. A Exam w.f. 1-4-97 i.e. 132/- PM Rs 282/48	Signature of Head of Office Deputy Commissioner Dir at Timergora	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant

تاریخ قوی

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Signature

1	2	3	4	5	6	7
NAME OF POST ملازمت کا نام	Whether substantive or officiating and whether permanent or temporary نوعیت کی نوعیت (i) مستقل یا آفیسنگ (ii) مستقل یا موقت	If officiating State... (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.R. (Ph.) volume II اگر آفیسنگ ہے تو اس کی حالت کا پورے وقت کے لیے کی طرف سے کیا گیا ہے رواں طور پر کیے گئے کے مطابق پیش کیے گئے	Pay in substantive post برائے ملازمت کی تنخواہ  Rs. Ps.	Additional Pay for officiating نہ تمام مقامی کی صورت میں اضافی تنخواہ  Rs. Ps.	Other emoluments falling under the term "Pay" تنخواہ کی مدد میں شامل ہونے والی دیگر یاات	Date of appointment تاریخ تعمین
BS-5-1400-bb-2390 J/c	offg:		✓ 1867/-		1-12-97	
//	//		✓ 1928/-		1-12-98	
//	//		✓ 1954/-		1-12-99	
//	//		✓ 2126/-		5-6-2000	
//	//		✓ 2192/-		1-12-2000	

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8	Signature of the Head of Government or other Officer in Charge of the Office or Column	9	Signature and designation of the Head of Office or other Officer in Charge of the Column	10	Date of termination, appointment, or promotion (such as promotion, transfer, or other appointment)	11	Reason of termination (such as promotion, transfer, or other appointment)	12	Signature of the Head of Office or other Officer	13	Application of periods of leave for which leave salary is payable to an other Government	14	Signature of the Head of Office or other Officer	15	Reference to any recorded or punishment to Government or other Government

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1 NAME OF POST ملازمت کا نام	2 Whether sub- stantive or officiating and whether permanent or temporary ملازمت کی نوعیت (i) مستقل یا دائم (ii) متعلقہ یا موقت	3 If officiating State— (i) substantive appointment or (ii) whether service counts for pension under rule 22 of C.S.R. (Pb.) volume II اگر موقت ہے تو اس کی طرف کاغذی نوڈا دیا جائے اور وہ کی طرف کے لئے ملازمت کی طرف سے اس میں روزانہ دوڑنے کے ساتھ ساتھ کے مطابق پیش کیے گئے ہوں گے	4 Pay in sub- stantive post اساسی ملازمت کی تنخواہ  Rs. Ps.	5 Additional Pay for officiating مقام موقت کی طرف میں اضافی تنخواہ  Rs. Ps.	6 Other emolu- ments falling under the term "Pay" تنخواہ کی دیگر مشاغل ہونے والی دیگر یاں	7 Date of appoint- ment تاریخ تعمین
Pay on 1-12-2007 in BPS-5 in the revised BPS scale.						
1) Pay on 1-12-2001 in BPS-5 Rs. 2258/-						
2) Pay on 1-12-2001 in BPS-5 Rs. 3400/-						
$(\frac{2100-100-5100}{J/C BPS-5})$						
Pay from the revised BPS 2001 of Rs. 2100-100-5100 = BPS 5 Rs. 3400/- per month of 1-12-2001 with next increment on 1-12-2002						
Distt. Account Officer Lower District Engineer				3500/-		1/12/2002
6 Adm. B.A. B.A. 1-12-2001 1-12-2002 Access Officer P.W.P.P. P.W.P.P.						
M.A. qualification entry made in relevant column.						
District Officer Revenue & Estate, Dist Lower, Timergara.						

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8	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the Office or other Attesting Officer	LEAVE		Signature of the Head of the Office or the Attesting Officer	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) for which leave salary is debitable to an other Government.		
					Period	Government to which debitable		
					90 days	2007		
			Service from 1-12-2001 verified from the office copies of pay bills & other record				Accounted in O/O DO, R&E, as Naib Tehsil Acct. Vill. Order No. 2815 dt. 27/9/2007 of DCO	
				For Deputy Commissioner, Dir Lower Timergara,				
			Due to abolition of DC Post, L.D. on 30-6-2007, ad. post in the office of DCO, Revenue, Service for the period from 1-7-2007 to 30-6-2007 is verified from the office copies of pay bills.					
				Distt. Co-ordination Officer, Dir Lower Timergara.				
			Service from 1-12-2001 verified from the office copies of pay bills & other records				Pay fixed in BPS-5 @ Rs. 34,000/- due to revision of BPS-5 vide F.D No. FD (PRC) 1-1/2007 dt. 27/10/2007	
				District Officer, Revenue & Estate, Dir Lower Timergara.				
					Service from 1-12-2001 to 31-11-2002 verified from office copies of pay bills & other record			
				District Officer, Revenue & Estate, Dir Lower Timergara.				

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1	2	3	4	5	6	7
NAME OF POST ملازمت کا نام	Whether substantive or officiating, and whether permanent or temporary ملازمت کی نوعیت کیونکہ اس میں کیا نوعیت کا ملازمت ہے یا نہ	If officiating State— (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.R. (Pb.) volume II اگر اس ملازمت میں کیونکہ اس میں کیا نوعیت کا ملازمت ہے یا نہ	Pay in substantive post اس ملازمت کی تنخواہ	Additional Pay for officiating تاکم ملازمت کی صورت میں اضافی تنخواہ	Other emoluments falling under the term "Pay" تنخواہ کے علاوہ دیگر ہونے والے دیگر بانات	Date of appointment تاریخ تعمین
(2100-100-5100) J/L BPS-5	4/4		Rs. 3600/-		1 $\frac{12}{2013}$	
"	"		3700/-		1 $\frac{12}{2014}$	
Revised Pay Scale Rs. 1 $\frac{2}{2017}$						
2415-115-5865 (BS-5)			Rs. 4255/-		1-7-2015	
J/c / Naib Teh. Acctt:			Rs. 4370/-		1 $\frac{12}{2015}$	
<del>de</del>			Rs. 4485/-		1 $\frac{12}{2016}$	
<del>de</del>			Rs. 4485/-		1 $\frac{12}{2016}$	
<del>de</del>			Rs. 4485/-		1 $\frac{12}{2016}$	
<del>de</del>			Rs. 4485/-		1 $\frac{12}{2016}$	
① In on 30-6-07 in existing pay scale			Rs. 4485/-		1-7-2017	
② In on 1-7-2017 in Revised Pay Scale			Rs. 5210/-		1-7-2017	
2780-135-6830 (BPS-5)			Rs. 5210/-		1 $\frac{7}{2017}$	
D/club.			Rs. 5210/-		1 $\frac{7}{2017}$	

Distt: K  
 Revenue  
 Dir Loh

Date of appointment  
تاریخ تعین

8	9	10	11	12	13 LEAVE / رخصت		14	15
Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the Office or other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days, for which leave salary is debit to an other Government.	Signature of the Head of the Office or the Attesting Officer	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
					Period	Government to which debit to		
<i>[Signature]</i>	سرکار کا نام کے دستخط سربراہ دفتر یا کسی اور سربراہ کے دستخط لاٹری کے دستخط کے دستخط	تاریخ انقطاع ملازمت	وجہ اطلاع ملازمت موتی یا غیر ذہنی	سربراہ دفتر یا کسی دیگر کے دستخط	میسادار رخصت رخصت	کسی دیگر حکومت کے لئے تبادلہ یا دیگر کسی رخصت مکتوبہ کا تعین	سربراہ دفتر یا کسی اور کے دستخط	مذکورہ اباطرات یا انعام یا تقریب کا حال
District Officer Revenue & Estate, Dir Lower, Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>
Distt. Officer Revenue & Estate Dir Lower.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>
Distt. Officer Revenue & Estate Dir Lower.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>
Distt. Officer Revenue & Estate Dir Lower.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>
Distt. Officer Revenue & Estate Dir Lower.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>
Distt. Officer Revenue & Estate Dir Lower.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	Service from 1/12/1930 to 30/11/1931	verified from the office copies of pay bills at Jhangara.	<i>[Signature]</i>	<i>[Signature]</i>

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1	2	3	4	5	6	7
NAME OF POST ملازمت کا نام	Whether substantive or officiating and whether permanent or temporary ملازمت کی نوعیت فوری یا دائمی دائم یا مستقل ہے یا فوری	If officiating State— (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.R. (Pb.) volume II اگر ملازمت فوری ہے تو اس کی نوعیت کا پونشن کے لیے اسے ملازمت کی نوعیت ملازمت کی نوعیت ملازمت کی نوعیت	Pay in substantive post برائے ملازمت کی تنخواہ	Additional Pay for officiating تعمیراتی ملازمت کی صورت میں اضافی تنخواہ	Other emoluments falling under the term "Pay" تعمیراتی ملازمت کے تحت ہونے والی دیگر یاات	Date of appointment تعمیراتی تاریخ
			Rs. Pa.	Rs. Pa.		

Am revised due to the grant of upgradation from PPS-5 to PPS-7 w.e.f. 1-7-2007.

① Am on 1-7-07 on PPS-5 = Rs. 5210/-

② Am on 1-7-07 on PPS-7 = Rs. 5340/-

2940-160-7740 (PPS-7)

Rs. 5340/-

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Rs. 5500/-

1 12 / 2007

2008

OFFICE OF THE ACCOUNTANT GENERAL  
N.W.F.P. PESHAWAR.  
PAY FIXED IN THE REVISED BASIC  
PAY SCALES 2008  
OF RS. 2100 - 100 - 5000  
AT RS. 3900/- P.M.W.F. 1-07-2008  
With Next Increment on 1-12-2008

Accounts Officer  
Pay Fixation Party N.W.F.P. Peshawar

2001

OFFICE OF THE ACCOUNTANT GENERAL  
N.W.F.P. PESHAWAR.  
PAY FIXED IN THE REVISED BASIC  
PAY SCALES 2001  
OF RS. 2415 - 115 - 5865  
AT RS. 4255/- P.M.W.F. 1-12-2001  
With Next Increment on 1-12-2002

Accounts Officer  
Pay Fixation Party N.W.F.P. Peshawar

7	8	9	10	11	12	13		14	15		
						Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government.				
Date of appointment	Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the Office or other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government.	Signature of the Head of the Office or the Attesting Officer	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant		
تاریخ تعیناتی	حکومتی عہدیدار کے دستخط	سربراہ دفتر یا کسی دوسرے عہدیدار کے دستخط	تاریخ اختتام ملازمت	رہنماہی، طرزی، تبادلہ، مرتفعی یا دیگر وجوہات	سربراہ دفتر یا کسی دوسرے عہدیدار کے دستخط	میسرادار، فریٹ، فریٹ	کسی دوسرے حکومت کے کھاتے میں قابل بحالی چار ماہہ کی فریٹ کی صورت میں مسطورہ تعینات	سربراہ دفتر یا کسی دوسرے عہدیدار کے دستخط	مقرر شدہ یا حالات یا انجام یا تعریف کا حوالہ		
						Period	Government to which debitable				
						<p>Admitted against - the value part of Fund club will            DOR &amp; B, the lower order issued  <u>under</u> ordst: No. 3203  <u>dated</u> 23/7/2007</p>					
						<p>Service from 12 7 30 11            received from the office copies of P.B. bills &amp; other record</p>					
						<p>Service from 12 7 30 11            received from the office copies of P.B. bills &amp; other record</p>					

Distt: Officer Revenue & Estate Dir Lower

Distt: Officer Revenue & Estate Dir Lower

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 Distt: Officer Revenue & Estate Dir Lower

*[Signature]*  
 Distt: Officer Revenue & Estate Dir Lower

*[Signature]*  
 Distt: Officer Revenue & Estate Dir Lower

*[Signature]*

1	2	3	4	5	6	7
NAME OF POST ملازمت کا نام	Whether substantive or officiating, and whether permanent or temporary ملازمت کی نوعیت (i) اساسی یا ترقیاتی (ii) مستقل یا موقت	If officiating State— (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.R. (Pb.) volume II اگر ترقیاتی ملازمت ہے تو اس کا مقام کاغذی ملازمت کے برابر ہے اور یہ ملازمت اس کے لیے پینشن کے لیے گنتی رکھتی ہے۔	Pay in substantive post اساسی ملازمت کی تنخواہ	Additional Pay for officiating ترقیاتی ملازمت کی اضافی تنخواہ	Other emoluments falling under the term "Pay" تعمیراتی ملازمت کے تحت آتی دیگر برائے والی دیگر برائے والی	Date of appointment تعمیراتی
			Rs. Ps.	Rs. Ps.		

Pay revised due to the revision of pay scale 1-7-08

- ① Pay on 3/7/08 in the existing pay scale = Rs. 5500/-
- ② Pay on 1/7/08 in the revised pay scale = Rs. 6570/-

3530-190-9230 (BS-7)

J/Clk	Rs: 6570/-	1/7/08
"	Rs: 6760/-	1/12/08

Revised Fixation of Pay due to the sanctioning of one Spt. advance increment w.e.f 1-9-2007 to the IC in front up graded / moved up pay scales with Govt. of NWFP Finance Deptt. notification No. FD(SR-I) 2-4/2008, dt. 04/04/2009

2940-160-7740 (BS-7)

Junior Clerk	Rs: 5500/-	1/9/2007
"	Rs: 5660/-	1/12/2007
"	Rs:	

5340/7

Office of the Accountant General  
Khyber Pakhtun Khwa Peshawar  
Pay Fixed in the Revised Basic Pay Scales  
RBPS 2940 160 7740  
Pay Fixed @ Rs. 5340/- w.e.f 01-07-2007  
Adi 3520 190 9230  
Pay Fixed @ Rs. 6760/- w.e.f 01-07-2008  
RBPS 5940 320 15400/B  
Pay Fixed @ Rs. 12200/- w.e.f 01-07-2011  
Date of Next increment is on 01-12-2011

6760/7

12200/7

8	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the Office or other Attesting Officer	LEAVE: رخصت		Signature of the Head of the Office or the Attesting Officer	Reference to any recorded punishment to Censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) for which leave salary is debitble to an other Government.		
					میسار اور رخصت	کسی دیگر حکومت کے حکامات میں قابل بحالی عمارت کی رخصت مکسورہ کا تعین		
					Period	Government to which debitble		
for revision								
Distt: Officer Revenue & Estate Dir Lower.								
		Annual increment						
Distt: Officer Revenue & Estate Dir Lower.								
		Sp. Adv. increment.						
Distt: Officer Revenue & Estate Dir Lower.							S+3	
		Annual increment.					Paye Annul of Special	
Distt: Officer Revenue & Estate Dir Lower.							Increment up to 2006 2007 3880/- 2009	
							Payable Rs. 6950/- per	
							1 2009	



(For use in Police and other similar Departments)

RECORD OF POSTINGS

District and post	No. of District Order	Date	District and post	No. of District Order	Date
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Pay Revised due to the revision of Pay W.E.F 1-7-2008

- ① Pay on 30-6-08 in the existing Pay & scale = Rs. 5660/-
- ② Pay on 1-7-08 in the revised " " = Rs. 6760/-

3530-190-9230 (BS-7)

junior clerk Rs: 6760/- 1 <sup>12</sup>/<sub>08</sub>

" " Rs: 6950/- 1 <sup>12</sup>/<sub>2008</sub>

" " Rs: 7140/- 1 <sup>12</sup>/<sub>2009</sub>

" " Rs: 7330/- 1 <sup>12</sup>/<sub>2010</sub>

Pay Revised due to the Revision of Pay W.E.F 1-7-2011

① Pay on 30-6-2011 in the existing pay - Rs: 7330/-

② Pay fixed on 1-7-2011 in the revised pay Rs: 12900/-

5800-320-15400 BPS-7 Rs: 12900/- 1 <sup>7</sup>/<sub>2011</sub>

junior Clerk Rs: 12520/- 1 <sup>12</sup>/<sub>2011</sub>

Rs: 12840/- 1 <sup>12</sup>/<sub>2012</sub>

(For use in Police and other similar Departments).

RECORD OF POSTINGS

District and post	No. of District Order	Date	District and post	No. of District Order	Date
<del>Distt: Officer Revenue &amp; Estate Dir Lower.</del>			Service from 1 <sup>12</sup> / <sub>2009</sub> to 30 <sup>11</sup> / <sub>2009</sub> verified from the office copies of pay bills of other record.		
<del>Distt: Officer Revenue &amp; Estate Dir Lower.</del>			Service from 1 <sup>12</sup> / <sub>2009</sub> to 30 <sup>11</sup> / <sub>2010</sub> verified from the office copies of pay bills of other record.		
<del>Distt: Officer Revenue &amp; Estate Dir Lower.</del>			Service from 1 <sup>12</sup> / <sub>2010</sub> to 30 <sup>11</sup> / <sub>2011</sub> verified from the office copies of pay bills of other record.		
<del>Distt: Officer Revenue &amp; Estate Dir Lower.</del>			Service from 1 <sup>12</sup> / <sub>2011</sub> to 30 <sup>11</sup> / <sub>2012</sub> verified from the office copies of pay bills of other record.		
<del>Distt: Officer Revenue &amp; Estate Dir Lower.</del>			Service from 1 <sup>12</sup> / <sub>2012</sub> to 30 <sup>11</sup> / <sub>2013</sub> verified from the office copies of pay bills of other record.		

Per  
revision

Annual  
memo

Annual  
memo

Annual  
memo

pay  
revision

Annual  
memo

Annual  
memo

CFC  
JK

FORM OF LEAVE ACCOUNT UNDER

Leave Account of Mr/Miss/Mrs. \_\_\_\_\_

Date of commencement of service \_\_\_\_\_

Government/Department served under.	Period of duty				Leave earned on full pay 4 days for each calendar month.	Leave at credit (Column 21-6)	Period		Leave on full pay without M.C. subject to maximum 120 days & 360 days in case of L.P.R.	Leave on full pay on M.C. subject to maximum of 120 days.	Leave on full pay on M.C. subject to a maximum of 355 days in entire service.	Leave on half pay	
	From	To	M.D.	Full Calendar Months			Days	Days				From	To
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Junior Clerk, D.C. office  
BS-7 (5800-320-15400)

Rs. 12840/-  $\frac{1}{2013}$

do

Rs. 13160/-  $\frac{12}{2013}$

Ray revised due to the up gradation  
from BPS-07 to BPS-11 w.e.f. 20<sup>5</sup>/<sub>2014</sub> grad of pro-  
vide Finance Deptt. Govt. of Mysore  
P.A.M. number notification no. FD/S-1(FR)  
10-22/2014 dated 20/5/2014 notification no.  
FD/S-1/2-123/2014 dt. 30/5/2014

- 1) Pay on 19/5/2014 in BPS-07 = Rs. 13160/-
- 2) Pay on 20/5/2014 in BPS-11 = Rs. 13500/-

Junior Clerk, D.C. office

Rs. 13500/- ✓  $\frac{20}{2014}$

BPS-11 (6600-460-20400)

B: 460/-

Plus pro-ration  
Grant

Rs. 13960/- ✓  $\frac{30}{2014}$

THE REVISED LEAVE RULES, 1981

19

Date of attaining the age of superannuation \_\_\_\_\_

LEAVE TAKEN

Recreation Leave of 15 days in a year but 10 days to be debited.	Leave not due		Absence		Total Leave Columns 10+11+12+14+15+17+19	Balance on 1-7-1978 (return from leave) (Columns 7-20)	REMARKS	ATTESTATION
	In terms of half pay	In terms of full pay	Actual No. of days	No. of days debitible (double the actual No.)				
Days	Days	Days	Days	Days	Days	Days		
15	16	17	18	19	20	21		

Integrated into DC's office.

Deputy Commissioner  
Dir Lower IV

Ball  
2013  
Annual  
Increment

Deputy Commissioner  
Dir Lower IV

Service wof 1-12-2012 to 30-11-2013  
Verified from office copies of pay bills  
and other record.

Deputy Commissioner  
Dir Lower IV

1291  
4/7/2014

Paal Arun Mysall  
wof 20.5.2014 to 30.6.2014 R27631-

my dund 139601 m

1/2014

2013/2014

DAO

etc

Deputy Commissioner  
Dir Lower IV

FORM OF LEAVE ACCOUNT UNDER

Leave Account of Mr./Miss/Mrs. \_\_\_\_\_

Date of commencement of service \_\_\_\_\_

Government/Department served under.	Period of duty				Leave earned on full pay & days for each calendar month.	Leave at credit (Column 21 + 6)	Period		Leave on full pay without M.C. subject to Maximum 120 days & 300 days in case of L.P.R.	Leave on full pay on M.C. subject to maximum of 180 days.	Leave on full pay on M.C. subject to a maximum of 365 days in entire service.	Leave on half pay	
												In terms of half pay	In terms of full pay
												Days	Days
From	To	Y.M.D.	Full Calendar Months	Days	Days	From	To	Days	Days	Days	Days	Days	Days
1	2	3	4	5	6	7	8	9	10	11	12	13	14
<p><i>J/evn, D.C.'s office</i></p> <p><i>BPS-11(6600-460-20400)</i></p> <p><i>Rs. 14420/-</i></p> <p><i>12/2014</i></p> <p><i>pay revised due to the revision of pay w.e.f 1-7-2015.</i></p> <p>1) <i>pay on 30/6/2015 in the existing pay Scale</i> <i>Rs. 14420/-</i></p> <p>2) <i>pay on 1/7/2015, in the revised</i> <i>Rs. 18655/-</i></p> <p><i>(8540-595-26390)</i></p> <p><i>Junior evn (BPS-11)</i></p> <p><i>Rs. 18655/-</i></p> <p><i>17/2015</i></p>													

THE REVISED LEAVE RULES, 1981

Date of attaining the age of superannuation \_\_\_\_\_

LEAVE TAKEN

Days	Leave not due			Absence		Total Leave Column 10 + 11 + 12 + 14 + 15 + 17 + 19	Balance on 1-7-1979/return from leave (Columns 7-26)	REMARKS	ATTESTATION
	Recreation Leave of 15 days in a year but 10 days to be debited.	In terms of half pay	In terms of full pay	Actual No. of days	No. of days debitible (double the actual No.)				
14	15	16	17	18	19	20	21	22	23
		30 2014	11 2014	Annual Grant				Service from 1-12-2013 TO 30-11-2014, verified from the office copies of pay bills & other records.	
		30 2015	6 2015	Scale revised.				Deputy Commissioner Dir Lower	
				pay revision				Deputy Commissioner Dir Lower	
				Deputy Commissioner Dir Lower				Ray revised due to revision of pay scale - F-1-7-2015, vide govt of M.P. Finance Deptt. Notification no. FD(P.R.C.) 1-1/2015, dated 27/7/2015.	
				Deputy Commissioner Dir Lower				Deputy Commissioner Dir Lower	

che  
&

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant	nature of office or station
(8540-595-26390) (Junior clerk, BPS-11)			Rs: 19250/-			12/1/2015		
<p>pay revised due to the revision of pay w.e. 1/7/2016.</p> <p>1) pay on 30/6/2016 in the existing pay Rs: 19250/-</p> <p>2) pay on 1/7/2016 in the revised pay Rs: 23830/-</p>								
10510-740-32710 Junior Clerk (BPS-11)			Rs: 23830/-			7/2016		
do			Rs: 24570/-			12/2016		

CAC  
A

8 Signature of Government Servant	9 Signature and position of the head of office or other attesting officer in station of posts 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period	Government to which debitable		
		11/30/2015	Final Settlement					
	<i>[Signature]</i> Deputy Commissioner Dir. Lower			<i>[Signature]</i> Deputy Commissioner Dir. Lower				Service from 11/12/2014 to 30/11/2015 Verified from the office copies of pay bills & other records.
							<i>[Signature]</i> Deputy Commissioner Dir. Lower	
								pay revised due to the revision of pay w.e 1/7/2016, vide Govt. of KPK, Finance Dept. Notification No. FDC/PR/ST-11/2016, dated 19/7/2016.
							<i>[Signature]</i> Deputy Commissioner Dir. Lower	
		11/30/2016						Service From 11/12/2015 To 30/11/2016 Verified From The Office Copies Of Pay Bills & Other Records.
	<i>[Signature]</i> Deputy Commissioner Dir. Lower			<i>[Signature]</i> Deputy Commissioner Dir. Lower				
							<i>[Signature]</i> Deputy Commissioner Dir. Lower	

CTC



1 Name of Post	2 Whether substantive or officiating and whether Permanent or temporary	3 If Officiating state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant
<p>pay revised due to the promotion From BPS-11 to BPS-14 as Senior Clerk</p>							
<p>1) Pay on 10/11/2017 in BPS-11 — Rs. 24570/=</p>							
<p>2) Pay on 11/11/2017 in BPS-14 — Rs. 25460/=</p>							
<p>plus pre-maturity grant Rs. 980/=</p>							
<p><del>Rs. 26440/=</del></p>							
<p>Rs. 25460/=</p>							
<p>Rs. 25460/=</p>							
<p>Rs. 26440/=</p>							
<p>(12720-980-42120)</p>							
<p>BPS-14 (5/Clerk)</p>							
<p>11/1/2017</p>							
<p>pay revised due the Revision of pay w.e.f 1/7/2017</p>							
<p>1) Pay on 3/6/2017 in the Existing pay Rs. 25460/=</p>							
<p>2) Pay on 1/7/2017 in the Revised pay Rs. 30390/=</p>							
<p>(15180-1170-50280)</p>							
<p>3/Clerk (BPS-14)</p>							
<p>Rs. 30390/=</p>							
<p>1/7/2017</p>							



1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether Permanent or temporary	If Officiating state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
<u>(15180-1170-50280)</u> 8/0/12 (BDS-14)			Rs: 31560/=			12 1 2017	

Signature of Government Servant attesting Column



حکومت پاکستان

قومی شناختی کارڈ  
15302-4200762-5



محمد علی کارڈ

نام: محمد علی

جنس: مرد

والد کا نام: شاہ نور محمد خان

شناختی ادارت: کوئی نہیں

تاریخ پیدائش: 04/04/1970

مسلم

دستخط: محمد علی کارڈ

شناختی نمبر: 15302-4200762-5  
قومی شناختی کارڈ نمبر: U694KN



موجودہ پتہ: سکس، سیرگڑھ، ملتان، لاہور

مسئلہ پتہ: ایضاً

تاریخ اجراء: 05/06/2007

تاریخ منسوخ: 31/05/2020

10923161517



s.No 602649.

Roll No. 25964

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION**



**Peshawar N.W.F.P. Pakistan**  
**Secondary School Certificate Examination**

SESSION 1988 (ANNUAL)

THIS IS TO CERTIFY THAT Muhammad Uzair  
Son/Daughter of Shah Wazir Khan  
and a student of Govt: High School Sado, Dir

has passed the *Secondary School Certificate Examination*  
of the Board of Intermediate and Secondary Education, Peshawar held in April 1988  
as a *Regular candidate*. He/She obtained 493 Marks out of 850.  
and has been placed in Grade  Representing Good

The Candidate passed in the following subjects:


- |            |                     |                |            |
|------------|---------------------|----------------|------------|
| 1. English | 3. Islamiyat        | 5. Mathematics | 7. Physics |
| 2. Urdu    | 4. Pakistan Studies | 6. Chemistry   | 8. Biology |

He/She has been awarded Grade  on the basis of internal  
assessment by the institution concerned.

Date of birth according to admission form is Fourth April,  
one thousand nine hundred and Seventy Only ( 04-4-1970 )

  
Asstt. Secretary  
31st August 1988

*This certificate is issued without alteration or erasure.*

  
Secretary

31.08.1988  
4.04.1970  
27.4.18

**BEFORE THE SERVICE TRIBUNAL PESHAWAR CAMP COURT  
MINGORA SWAT.**

**SERVICE APPEAL NO. \_\_\_\_/P/2018**

**Muhammad Uzair .....Applicant.**

**VERSUS**

**The Chief Secretary & others.....Respondents**

Plaintiff/Appellant

Defendants/Respondents.

I hereby Appoint M/S

**SULTAN ALI SHAH Advocate**

**Supreme Court of Pakistan**

**LIAQAT ALI KHAN Advocate High Court**

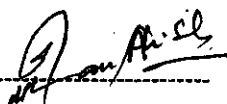
As my counsels in this case with power GENERALLY for me and my name and on my behalf to do all acts, matters and things related to the case in all its stages that I personally could do if this instrument has not been executed. The appointment is subject to the following special terms and conditions:-

- I. The fee paid or agreed to be paid to the said counsels is for work in this court alone and no part of the fee is returnable/refundable. The Counsel shall be entitled to retain costs payable to the opposite side.
- II. We will make our own arrangements for attending the courts on every hearing to inform our said counsels, when the case is called. The Counsel shall in no way be responsible for any loss caused to me through my failure to so inform them.
- III. I have read the above terms and conditions or the same have been explained to me and I accept, agree and bound to the above conditions. In witness whereof I have set my hand this.

14 TH Day of July 2018

**ACCEPTED**

SULTAN ALI SHAH Advocate



Supreme Court of Pakistan

LIAQAT ALI KHAN Advocate High Court


Signature of Client



Muhammad Uzair

**Authority Letter.**

Certified that Mr. **Mehboob Ali Shah** Junior Clerk  
**GHSS:Saddo Dir Lower** is authorized to attend the honorable Camp Court  
Swat in the case of **Muhammad Uzair Vs Chief Secretary & Others** on  
06/03/2019 on behalf.



Principal  
Govt. Higher Sec. School  
Saddo Distt: Dir (Lower)  
GHSS: Saddo Dir (L).



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

MUHAMMAD UZAIR VS The Chief Sectary & others

WRITTEN REPLY ON BEHALF OF DEFENDANT 4 & 5

RESPECTFULLY SHEWETH

PRELIMINARY OBJECTION

1. That the Appellant has no cause of action to file instant appeal
2. That instant Appeal is time barred by law.as per judgment of august Supreme Court referred as 1998 SCMR 1494 Citation c "Government employee under the relevant Rules cannot make any application for change in his date of birth after two years of his joining the service. Authenticity of date of birth recorded in the documents, therefore cannot be challenged belatedly specially beyond the period of two years. Supreme Court desired that such Rule with regard to correction of age should also be applied to judiciary.
3. That appellant estopped by his own conduct to file instant appeal. In view of the declaration made by the apex court in consequence to which Rule 12- A was inserted in the civil servants (Appointment ,Promotion and Transfer ) Rules 1973 which read as "The date of birth once recorded at the time of joining government service shall be final and thereafter no alteration in the date of birth of a civil servant shall be permissible"
4. That appellant himself entered his date of birth is 04/04/1970, which was rightly entered in his CNIC form. The appellant after due confirmation and verification marked thumb/signature impression on his application form submitted the same. Moreover in the service record of the appellant has also the same date of birth.
5. The appellant has not come to the court with clean hands
6. That appellant filed instant appeal with malafied intention
7. That this hon, able court has no jurisdiction to entertain instant appeal to the extent of age correction in CNIC.

ON FACTS

1. Not related to replying respondents
2. Not related to replying respondents
3. Not related to replying respondents
4. Incorrect .Detail reply already given in preliminary objection in para No 3 & 4
5. Incorrect.
6. .Incorrect, however as per order of the hon, able District Judge the SMART CARD can be issued whenever the Appellant apply for SMART CARD.Its pertinent to mention here that appellant himself applied for normal card I,e CNIC In 2019

**GRONDS**

- A. Incorrect detail reply already given in para no 3 & 4
- B. Incorrect.
- C. Incorrect. Detail reply already given in para 3 & 4 of preliminary objection
- D. Incorrect as appellant age cannot be change in the light of rules dealing such like matters.
- E. Incorrect. Detail reply already given
- F. Incorrect.

It's therefore humbly prayed that on acceptant of instant reply the appeal may kindly be dismissed with cost


Respondents 4 & 5

Through



Fawad Ahmad law officer (NADRA)

**VERIFICATION:** It's verified on oath that contents of instant written reply are true to the best of knowledge and belief



Respondents

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

MUHAMMAD UZAIR VS The Chief Sectary & others

WRITTEN REPLY ON BEHALF OF DEFENDANT 4 & 5

RESPECTFULLY SHEWETH

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3. That appellant estopped by his own conduct to file instant appeal. In view of the declaration made by the apex court in consequence to which Rule 12- A was inserted in the civil servants (Appointment ,Promotion and Transfer ) Rules 1973 which read as "The date of birth once recorded at the time of joining government service shall be final and thereafter no alteration in the date of birth of a civil servant shall be permissible"
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5. The appellant has not come to the court with clean hands
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7. That this hon, able court has no jurisdiction to entertain instant appeal to the extent of age correction in CNIC.

ON FACTS

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2. Not related to replying respondents
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4. Incorrect .Detail reply already given in preliminary objection in para No 3 & 4
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Respondents 4 & 5

Through

Fawad Ahmad law officer (NADRA)

**VERIFICATION:** It's verified on oath that contents of instant written reply are true to the best of knowledge and belief

Respondents

Original

**BEFORE KHYBER PAKHTUN KHWA SERVICE3 TRIBUNAL,**  
**PESHAWAR**

**SERVICE APPEAL NO 895/2018**

Mr, Muhammad Uzair .....Appellant

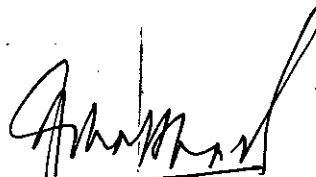
Versus

The chief secretary Govt of Khyber Pakhtun  
Khwa and others.....Respondents

**PARAWISE COMMENTS ON BEHALF OF DISTT ACCOUNTS OFFICER DIR**  
**LOWER AT TIMERGARA RESPONDENT NO 11**

**INDEX**

S.NO	PRICULARS	ANNEXURE	PAGE NO
01	Para wise comments		1-2
02	Estab: Letter Dt:16-02-1989	Annexure A	3-4
03	Affidavit		5



DISTT ACCOUNTS OFFICER  
DIR LOWER AT TIMERGARA

①

**BEFORE KHYBER PAKHTUN KHWA SERVICE3 TRIBUNAL,  
PESHAWAR**

**SERVICE APPEAL NO 895/2018**

Mr, Muhammad Uzair .....Appellant

Versus

The chief secretary Govt of Khyber Pakhtun  
Khwa and others.....Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO 11**

Preliminary objections

- 1 That the Appellant has no cause of action and locus standi
- 2 That the Appellant has not come to the honorable service Tribunal, with clean hands
- 3 That the Appellant has concealed material facts from this honorable court.
- 4 That the Appellant has filed the instant appeal on mala fide motives
- 5 That the present appeal of the appellant is liable to be dismissed for miss-joinder of un necessary and Non-joinder of necessary parties.
- 6 The instant appeal is against the prevailing of law and rules

Respectfully sheweth

FACTS

- 1 No comments
- 2 No comments
- 3 No comments
- 4 Incorrect that the actual date of birth of the appellant is 04-04-1970 as per SSC Certificate as well as recorded in Service Book because he was appointed as J/Clerk in the Office of the Deputy Commissioner Dir Lower w.e.f 30-10-1994. As per rules the recorded date of birth of government servant may only be entertained by the appointing authority in the case of civil servants in B-16 and below after special enquiry and only if the government servant applies for it within two years from the date of his entry into government service vide Govt: of Khyber Pakhtun Khwa Services and General Administration Department (Reg: Wing) No SR-III(S&GAD) 5(40)/87 dated Peshawar 15-02-1989 (Annexure A). Therefore at this belated stage after a laps of about 25 years, there is no rules and law to make alteration in his date of birth.
- 5 As Explained in Para 4 above
- 6 As Explained in Para 4 above

GROUNDS

- a) As explained in Para 4 above
- b) As explained in Para 4 above
- c) As explained in Para 4 above
- d) As explained in Para 4 above
- e) As explained in Para 4 above
- f) As explained in Para 4 above

In view of the above mentioned facts it is humbly prayed that the appeal of the appellant having no merits may be dismissed with cost.



DISTT ACCOUNTS OFFICER  
DIR LOWER AT TIMERGARA

2

(15) Annexure C

(3) Annexure A

GOVERNMENT OF N.W.F.P.  
Services & General Administration Department  
(Regulation Wing)

No. SCR-II(S&GAD)5(40)/87,  
Dated Peshawar the 15th February, 1989.

To

1. All Administrative Secretaries to Government of NWFP.
2. Secretary to Governor, NWFP.
3. All Commissioners in NWFP.
4. All Heads of Attached Departments in NWFP.
5. All Heads of Autonomous/Semi-Autonomous Bodies in NWFP.
6. All Deputy Commissioners/Political Agents in NWFP.
7. All District and Sessions Judges in NWFP.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Secretary, Board of Revenue, NWFP, Peshawar.
10. The Secretary, NWFP Public Service Commission, Peshawar.
11. The Registrar, NWFP Service Tribunal, Peshawar.

SUBJECT:- CHANGE IN THE RECORDED DATE OF BIRTH OF THE CIVIL SERVANTS.

Sir,

I am directed to say that under the existing rules, immediately after his induction into service, every civil servant is required to declare the date of his birth by the christian era with as far as possible alongwith confirmatory/conclusive evidence such as matriculation certificate, municipal birth certificate and so on. This is supplemented by the opinion of the Civil Surgeon/Standing Medical Board. The department after full satisfaction with ago and on the basis of medical examination of the new entrant in the department, enter the same in an authentic document, i.e. Service Book/History of Service etc. The said document is maintained by the Department/Audit and is always checked periodically.

2. The date of birth of a civil servant as recorded in his service documents remains constantly in his knowledge. This is reiterated in his ACRs and the Seniority Lists issued by the department from time to time. The preparation of service record of an officer is an official act and according to Law, it is presumed to be correct. GER-116 also provides that the date of birth once recorded cannot be altered except in the case of clerical error, without the previous orders of the Local Administration. Despite this, certain Government Servants are complacent with the state of affairs and sleep over their rights for decades knowing fully about their dates of birth entered in their Service Books etc. It would therefore be too much to accept such a belated claim from a Civil Servant that he was born on a date other than the one entered in his service documents and that the delay in representation was due to ignorance of the alleged erroneous entry. After all, there is always attached a finality to decisions taken by competent authorities.

3/3/2008

2/2/2

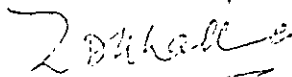


24  
3  
Amir (A)

3. I am, accordingly, directed to request that all concerned may please be informed in clear terms that in future a request for an alteration in the recorded date of birth of a Government servant may only be entertained by the Appointing Authority in the case of officers in B-17 and above and by the Administrative Department in the case of civil servants in B-16 and below, after special enquiry and only if the Government servant applies for it within two years from the date of his entry into Government service.

4. Kindly acknowledge receipt.

Your Obedient Servant,



( ZARIN DAD KHATTAK )  
Additional Secretary(Regulation)

Encls: No. SORII(S&GAD)5(40)/87, Dated Peshawar the 15th February, 1989.

Copy forwarded to Secretary to Chief Minister, NWFP, Peshawar.

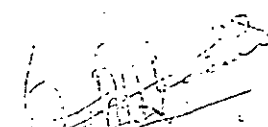


( ZARIN DAD KHATTAK )  
Additional Secretary(Regulation)

Encls: No. SORII(S&GAD)5(40)/87, Dated Peshawar the 15th February, 1989.

Copy forwarded to:-

1. All Additional Secretaries in Services and General Administration Department.
2. All Deputy Secretaries in Services and General Administration Department.
3. Private Secretary to Chief Secretary, NWFP.
4. All Section Officers/Estate Officer in Services and General Administration Department.
5. Private Secretary to Secretary, Services and General Administration Department.
6. Librarian, Services and General Administration Department.



( GHULAM JILANI )  
Section Officer(Reg-II)

5

**BEFORE KHYBER PAKHTUN KHWA SERVICE3 TRIBUNAL,**  
**PESHAWAR**

**SERVICE APPEAL NO 895/2018**

Mr, Muhammad Uzair .....Appellant

Versus

The chief secretary Govt of Khyber Pakhtun  
Khwa and others.....Respondents

**AFFIDAVIT**

I Jamil Shah Senior Auditor Office of the District Accounts officer Dir lower  
at Timergara do hereby affirm and declare that the contents of the  
accompanying Para wise comments are true and correct to the best of my  
knowledge and belief and nothing has been concealed from this Honorable  
Court.



Deponent

Jamil Shah

# BEFORE THE KHYBER PAKHTOON KHWA

## SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 895 /2018

1. Muhammad Uzair(Senior Clerk) S/O Shah Wazir Khan R/O Saddo Dir Lower  
(Appellant)

**Versus**

1. The province of Khyber Pakhtoon Khwa through Chief Secretary at Peshawar and others.  
(RESPONDENTS)

### PARA WISE COMMENTS ON BEHALF OF RESPONDENT No.6.

**Respectfully sheweth:-**

#### PRELIMINARY OBJECTIONS.

1. That the Appellant is not the "aggrieved" persons with the meaning of Article 212 of the Constitution of the Islamic Republic of Pakistan 1973.
2. That the Appellant has got no cause of action /locus standi..
3. That the Appellant has not come to this Honorable court with clean hands.
4. That the Appellant is estopped by his own conduct.
6. That the instant service appeal suffers from laches, hence not maintainable in the present form.

### ON FACTS.


1. Para -1 of the facts not relates to Respondent No.6 hence need no comments.
2. Para -2 of the facts also not relates to Respondent No.6 hence need no comments.
3. Para -3 of the facts pertains to record, hence need no comments. .
4. Para-4 of the facts relates to respondent No.7 ,whereas, the appellant was admitted with correct date of birth 04-04-1970 with respondent No.7 after accepting the appellant application for admission in class 6<sup>th</sup> ,the respondent No.6 also maintain the date of birth of the appellant in the record mentioned in the School Leaving Certificate received from respondent No.7.
5. Need no comments.
6. Need no comments.

## GROUNDS.

- A. *It is incorrect; the appellant was admitted by his parent with real and correct date of birth as 04-04-1970 instead of 04-04-1972.*
- B. Incorrect, hence denied.
- C. Incorrect, hence denied.
- D. Incorrect, the appellant was admitted by his parent with real and correct date of birth as 04-04-1970 instead of 04-04-1972 and later on the same date of birth was recorded by respondent No.6 as per rules and policies..
- E. In correct the petitioner is a civil servant and after the laps of many years after appointment, the appeal of the appellant is not maintainable, whereas in Rule 12-A of the Civil service (Appointment, Promotion, and transfer rule 1973, gives prevision that the date of birth once recorded at the time of joining the Government Service shall be final and thereafter no alteration/change in the date of birth of the civil servant shall be permissible.
- F. That the respondents seek leave to raise additional grounds at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the above submission, the instant Service Appeal may very graciously be dismissed in favor of the answering respondents with cost.

- G. All the requisite documents are attached here with.

  
Principal  
Govt. High Sec. School Saddo  
Govt High Sec School Saddo

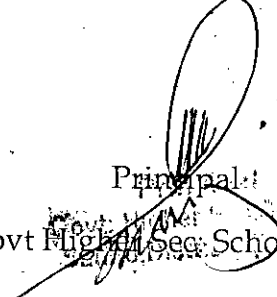
Dir Lower.

Respondent No.6

## AUTHORITY LETTER

Mr.Mehboob Ali Shah is hereby authorized to submit the comments /reply in the Service Appeal No.895 of 2018.

Title: Muhammad Uzair v/s the province of Khyber Pakhtoon Khwa through Chief Secretary at Peshawar and others On behalf of the under signed,

  
Principal:  
Govt High Sch. School Saddo.

Dir Lower

Respondent No.6

**BEFORE THE KHYBER PAKHTOON KHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No 895 /2018

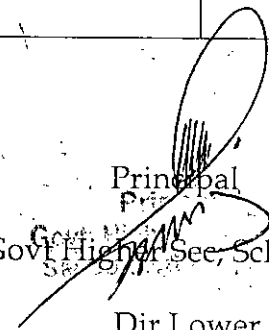
1. Muhammad Uzair (Senior Clerk) S/O Shah Wazir Khan R/O Village Saddo Tehsil Timergara  
Dir Lower (Appellant)

**Versus**

1. The Province of Khyber Pakhtoon Khwa through Chief Secretary at Peshawar and others.  
(RESPONDENTS)

**Index:**

S.No	Description	Page
1	Para wise comments	1-2
2	Authority Letter	3

  
Principal  
Govt Higher Sec, School Saddo,  
Dir Lower.

Respondent No.6

بمیرتہ صاحب صدر مدرس "گورنمنٹ ہائی اسکول سڈو"

فدائے عالیہ دیوبند صاحب خطا بھی درج

یا صاحب

وردیہ لکھنؤ - لکھنؤ - اردو - عربی - فارسی

صاحب سے ملنے پر کئی دفعہ دستخط سے درج فرمایا

پرک - لکھنؤ - اردو - عربی - فارسی - لکھنؤ

دیوبند لکھنؤ - اردو - عربی - فارسی - لکھنؤ

فدائے عالیہ کو جی سے دستخط سے درج فرمایا

فدائے عالیہ کو جی سے دستخط سے درج فرمایا

فدائے عالیہ کو جی سے دستخط سے درج فرمایا

فدائے عالیہ کو جی سے دستخط سے درج فرمایا

فدائے عالیہ کو جی سے دستخط سے درج فرمایا

ایک سالہ لکھنؤ - اردو - عربی - فارسی - لکھنؤ

Principal  
Govt. Higher Sec. School,  
Saddo, Distt. Dir (Lower)



اس کے دوپہت جاری کیے جائیں  
 ضلع ویر  
 1982  
 مدرسہ چھوڑنے کا سرٹیفکیٹ

م طالب علم 44 نمبر محمد عشر  
 تاریخ پیدائش 4-4-70  
 درجہ نویں  
 لاہور کا رہنے والا ہے کہ محمد عشر نے مدرسہ چھوڑنے کی درخواست کی ہے جس کی رقیب جو اس کے ذمہ دار ہیں اور ان کی تاریخ مندرجہ بالا پر پانچ لاکھ روپے کی کارپس جانتا ہے۔  
 اس کا امتحان فیصلہ کیا گیا ہے۔  
 ان طلباء کی صورت میں جو مدرسہ کے کسی حصہ کی مقررہ پڑھائی کے اختتام پر چھوڑیں۔  
 اس کا امتحان فیصلہ کیا گیا ہے۔  
 ان طلباء کی صورت میں جو مدرسہ کے کسی حصہ کی مقررہ پڑھائی کے اختتام پر چھوڑیں۔

اس کا امتحان ترقی دینے کے لئے  
 جو اسے دی گئی  
 جس کا وعدہ کیا گیا  
 اس کا امتحان ترقی دینے کے لئے جو اسے دی گئی جس کا وعدہ کیا گیا۔  
 اس کا امتحان ترقی دینے کے لئے جو اسے دی گئی جس کا وعدہ کیا گیا۔

سال	درجہ	مقام	تاریخ	داخل ہونے کی تاریخ	کامیابی	درجہ	مقام	تاریخ	داخل ہونے کی تاریخ	کامیابی
1970	پہلا	لاہور	1970	1970	نہیں	پہلا	لاہور	1970	1970	نہیں
1971	پہلا	لاہور	1971	1971	نہیں	پہلا	لاہور	1971	1971	نہیں
1972	پہلا	لاہور	1972	1972	نہیں	پہلا	لاہور	1972	1972	نہیں
1973	پہلا	لاہور	1973	1973	نہیں	پہلا	لاہور	1973	1973	نہیں
1974	پہلا	لاہور	1974	1974	نہیں	پہلا	لاہور	1974	1974	نہیں
1975	پہلا	لاہور	1975	1975	نہیں	پہلا	لاہور	1975	1975	نہیں

صرف سکالر شپ پانے والوں کی صورت میں  
 تاریخ پیدائش 17-5-82  
 محمد عارف

قسم سکالر شپ  
 کس سال عطا ہوا  
 کون دیتا ہے  
 سکالر شپ کی مقدار  
 کس تاریخ تک اور کیا گیا  
 رخصت جو ہر ایک مدرسہ میں سے چھوڑے

1. عام طور پر مدرسہ چھوڑنے کے سرٹیفکیٹ کے لئے درخواست دہندہ سے چھوڑنے کے ایک ماہ کے اندر پوری چاہیے۔  
 2. طلباء کے جنھوں نے ڈال سکول کے امتحان دیا ہوا ایک ماہ کے سرٹیفکیٹ کی تاریخ سے گننا چاہیے۔  
 3. بعد گزرنے ایک ماہ کے مدرسہ چھوڑنے کے سرٹیفکیٹ کے لئے موازعا آئے نہیں چارج ہوں۔  
 4. اگر مدرسہ چھوڑنے کا سرٹیفکیٹ کم ہو جائے اور اسے سرٹیفکیٹ کے لئے درخواست دی جائے تو اسے سرٹیفکیٹ کیلئے موازی آئے وصول کیے جائیں۔

تصدیق کیا جاتا ہے  
 سکول  
 ضلع  
 مدرسہ چھوڑنے کا سرٹیفکیٹ نمبر  
 طالب علم  
 جماعت  
 اس کا تاریخ پیدائش  
 سکول  
 ضلع  
 مدرسہ چھوڑنے کا سرٹیفکیٹ نمبر  
 طالب علم  
 جماعت

Principal  
 Govt. Higher Sec. School  
 Sado, Dist. Dir.



# حسب روائی خارج حصہ مددگار

گورنمنٹ

تاریخ	شمار سلسلہ	طالب علم کا نام	تاریخ پیدائش	بپ کا نام	قوم یا ذات	زراعت یا غیر زر
2/6/82	621	شازادہ رحمت	28-4-1970	آمین خورشید	سیدی	غیر زر
"	622	الیقینی	4-4-1971	خورشید	روہی	"
"	623	احسان الرحمن	13-2-1970	شہناز علی	تھانجیل	"
"	624	مصعب اللہ	21-1-1970	طوبہ بیگم	روہی	"
"	625	محمد سلیم	6-11-1970	قیاز حسین	تھانجیل	"
"	626	سہیل الدین	31-5-1973	بیت بیگم	تھانجیل	"
"	627	رعان الدین	2-5-1972	ایس بی بی	تھانجیل	"
"	628	محمد شہزاد	4-4-1970	سجادہ بیگم	تھانجیل	"
"	629	فرمان علی	26-8-1972	سجادہ بیگم	تھانجیل	"
"	630	فرمان علی	18-2-1970	سجادہ بیگم	تھانجیل	"
"	681	محمد طاہر	26-8-1972	ایس بی بی	تھانجیل	"
9/6/82	682	سید سجاد	8-3-1969	ایس بی بی	تھانجیل	"
17/6/82	683	فانہ شہناز	24-9-1968	خورشید	تھانجیل	"
"	684	سہیل الدین	10-4-1967	رحمت علی	تھانجیل	"
"	685	محمد سلیم	5-4-1967	سجادہ بیگم	تھانجیل	"
18/6/83	686	ناہید شاہ	8-5-1952	غازی محمد	تھانجیل	"
"	687	محمد عثمان	1-6-1972	حبیبہ بیگم	سہیل	"
"	688	محمد اللہ	10-3-1973	حبیبہ بیگم	تھانجیل	"
"	689	اسلام علی	5-1-1970	سجادہ بیگم	سادات	"

Principal  
Higher Secondary  
School  
Lower

نوٹ: عمر کا اندازہ فقطوں میں ہونا چاہیے اگر اس میں تغیر و تبدل ہو تو اس پر میڈیکل ٹیسٹ کے دستخط ہونے چاہئیں اور خانہ کینیت میں اس کی وجہ لکھنی چاہئے

# اسکول سرور

## واقعہ

صالحہ دین

کیفیت

کیفیت	در سہ چھوڑنے کے دن بقایا		کس تاخیر کس در سہ چھوڑا	کس جماعت کس در سہ چھوڑا	فیس کا درجہ	کس جماعت میں داخل ہوا	سکونت	زراعت یا غیر زرا
	فیس	فندہ						
تعمیر کو س کے لہجہ فارسی			11/3	ہشتم		✓	مانگی خورج	
تعمیر کو س کے لہجہ فارسی			11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی		3.000	11/3 86	ہشتم		✓	شیخ باہرہ	
تعمیر کو س کے لہجہ فارسی		8.000	29/6 85	ہشتم		✓	عمر کوٹ	
تعمیر کو س کے لہجہ فارسی		8.000	8/8 84	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی		No 5-1-269 6880	11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی		100K-S-L	11/3 86	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی		جو عام کتب خانہ 500	11/10 82	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی		Took S-L-C 84	3/3 1983	ہشتم		✓	مانگی خورج	
تعمیر کو س کے لہجہ فارسی		Took S-L-C 85	3/3 83	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			11/3 83	ہشتم		✓	مانگی خورج	
تعمیر کو س کے لہجہ فارسی			15/3 87	ہشتم		✓	خوشی بانہ	
تعمیر کو س کے لہجہ فارسی			15/2 87	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			15/2 87	ہشتم		✓	سرور	
تعمیر کو س کے لہجہ فارسی			15/2 87	ہشتم		✓	سرور	

سلاسل

Principal  
Higher Sec. School  
Dist. Dir (Lower)

ہر نامی کتب خانہ قطعہ خوانی پشاور

منظور عام کتب خانہ قطعہ خوانی پشاور

# رجسٹر داخلہ خارج حصہ ہائی

نمبر درجہ اول	نمبر سلسلہ	طالب علم کا نام	تاریخ پیدائش لفظوں اور ہندسوں میں	باپ کا نام	قوم یا ذات	ذراعت پیشہ یا غیر ذراعت
6/86	584	سید محمد خان	1.2.1972 یکم ذی قعدہ 1392ھ	بار محمد	ایما حیل	8 شکار
" "	585	سید حسین	1.6.1972 یکم جون 1392ھ	حضرت حسین	سید	" "
" "	586	محمد سردار خان	15.1.1972 پندرہ جنوری 1392ھ	سید علی خان	رسول خیل	" "
" "	587	محمد ریاض	13.1.1971 تیرہ جنوری 1391ھ	حسب سید	سوان	" "
" "	588	صبا عظیم خان	3.2.1971 تین ذی قعدہ 1391ھ	سید عظیم خان	تاجک	" "
" "	589	نبی محمد سید	4.1.1972 چار جنوری 1392ھ	حالت سید	افغان	" "
" "	590	محمد ندیم	10.2.1971 دس ذی قعدہ 1391ھ	محمد نعیم	رسول خیل	" "
" "	591	محمد مختیار خان	4.5.1972 چار مئی 1392ھ	طور	ایما حیل	" "
" "	592	لائق محمد	4.4.1971 چار اپریل 1391ھ	نور محمد	رودباری	" "
" "	593	محمد سلیم	6.11.1970 چھ نومبر 1390ھ	نیاز محمد خان	ایما حیل	" "
" "	594	سید الدین	21.5.1972 ایس مئی 1392ھ	حکمت دوان	طرح خیل	" "
" "	595	محمد عزیز	4.4.1970 چار اپریل 1390ھ	شاہ وزیر خان	" "	" "
" "	596	محمد عمران	18.2.1970 اٹھارہ فروری 1390ھ	عبدالاکبر	" "	" "
" "	597	محمد اسماعیل	11.3.1971 گیارہ مارچ 1391ھ	محمد صاحب خان	حسن خیل	" "
6/86	598	محمد عیسیٰ	1.8.1970 یکم اگست 1390ھ	حکیم حسن الحق	رودباری	" "



نوٹ: اگر کسی لفظوں میں ہونا چاہیے اور اگر تغیر و تبدل ہو تو اس پر پیدائشی کے دستخط چاہئیں اور خانہ کیفیت میں کسی لفظ کی تبدیلی سے بچنا چاہئے۔

نوٹ: اگر کسی لفظوں میں ہونا چاہیے اور اگر تغیر و تبدل ہو تو اس پر پیدائشی کے دستخط چاہئیں اور خانہ کیفیت میں کسی لفظ کی تبدیلی سے بچنا چاہئے۔

# گورنمنٹ ہائی سکول

سب سے پہلے

## واقعہ

کیفیت

پیشہ	سکونت	کس جماعت میں داخل ہوا		کس جماعت سے		کس تاریخ کو	مدرسہ چھوڑنے کے دن بقایا
		ورج	درجہ چھوڑا	درجہ چھوڑا	فیس		
	شیکوئی	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	ریجنل ہاؤس	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	ڈھیری	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	شیکوئی	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	سرد	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	ڈھیری	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	سرد	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	"	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	خونہ ہاؤس	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	
	خونہ ہاؤس	کالیم	دہم	31	3/84	تعمیل کورس کے بعد خارج ہوا	

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