

FORM OF ORDER SHEET

Court of

Appeal No. 1727/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/08/2023	<p>The appeal of Mr Imtiaz Hussain is re-submitted today by Mr. Jehangir Khan Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p>REGISTRAR</p>

The appeal of Mr. Intiaz Hussain son of Sajjad Hussain Junior Clerk District Judiciary Kurram received today i.e on 31.07.2023 is incomplete on the following score which is referred to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Memorandum of appeal is not signed by the appellant.
- 4- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect shall also be shown as respondent.
- 5- Seven more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2062 /S.T,

Dt. 01/08 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Jahangir Khan Mohmand Adv.
High Court Peshawar.

All objections removed

Resubmitted

02/8/2023

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

Service Appeal No. 1727 / 2023

Imtiaz Hussain.....Appellant

Versus

Departmental Promotion Committee, & Others

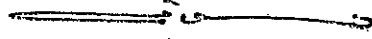
.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal		1-
2.	Affidavit		
3.	Copy of the appointment order	A	
4.	Copy of Seniority List	B	
5.	Copy of the Ex-Pakistan. leave certificate	C	
6.	Copy of the impugned minutes of the DPC meeting and final list of promotees	D&E	
7.	Copy of enquiry report	F	
8.	Copies of commendation /appreciation certificates	G&H	
9.	Copy of impugned ACR for the year 2019	I	
10.	Copy of the Departmental Appeal and the order sheet	J&K	
11.	Wakalatnama		

Appellant

Through


Jehangir Khan Mohmand
 Advocate, High Court
 Peshawar

Dated: 26.07.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SA No: 1727 /2023

Intiaz Hussain son of Sajjad Hussain
Junior Clerk BPS-11 District Judiciary Kurram
R/o Chinar Kaley, Alizai Lower, Kurram DistrictAppellant

Versus

- 1) Departmental Promotion Committee, District Judiciary through its Chairman, District and Sessions Judge, Kurram District.
- 2) Ijaz-ul-Haq Awan/ Member DPC/ Additional District and Sessions Judge, Lower Kurram.
- 3) Sayed Fazal Wadood/ Member DPC/ Additional District and Sessions Judge, Orakzai.
- 4) Muhammad Aaqib/ Member DPC/ Senior Civil Judge, Kurram.
- 5) Reporting Officer/ Additional District and Sessions Judge, Kurram District (Mr.Sultan Hussain (retd)
- 6) Shams-ur-Rehman, Junior Clerk BPS-14
- 7) Muhammad Younas, Junior Clerk BPS-14
- 8) Imran Khan, Junior Clerk BPS-14
- 9) Qaiser Abbas, Junior Clerk BPS-14
- 10) Muhammad Qasim, Junior Clerk BPS-14
- 11) Gul Zaman, Junior Clerk BPS-14
- 12) Fazal Haq, Khurshid Ali, Junior Clerk BPS-14.....Respondents

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE DECISION OF
DEPARTMENTAL PROMOTION COMMITTEE/
RESPONDENTS DATED 21.05.2022 WHEREBY
THE APPELLANT WAS DEFERRED FROM
PROMOTION WITHOUT ANY REASON OR
JUSTIFICATION.**

Respectfully submitted;

1. That the petitioner being bonafide resident and fully qualified was duly appointed as Junior Clerk in BPS-11 vide office order of respondent No.1 dated 16.05.2019. (Copy of the appointment order is annexure A)

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

Khyber Pakhtunkhwa
Service Tribunal

No. 6685

31/07/23

SA No: 1727/2023

Imtiaz Hussain s/o Sajjad Hussain

Junior Clerk BPS-11 District Judiciary Kurram.

R/o Chinar Kalay, Alizai Lower, Kurram District.....Appellant

Versus

1. Departmental Promotion Committee, District Judiciary through its Chairman, District & Sessions Judge, Kurram District.
2. Ijazul Haq Awan/ Member DPC/ Additional District & Sessions Judge, Lower Kurram,.
3. Sayed Fazal Wadood/ Member DPC/ Additional District & Sessions Judge, Orakzai.
4. Muhammad Aaqib/ Member DPC/ Senior Civil Judge, Kurram,.
5. Reporting Officer/ Additional District & Sessions Judge, Kurram District. (Mr, Sultan Hussain (retd).....Respondents

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE DECISION OF
DEPARTMENTAL PROMOTION COMMITTEE/ RESPONDENTS
DATED 21.05.2022 WHEREBY THE APPELLANT WAS
DEFERRED FROM PROMOTION WITHOUT ANY REASON OR
JUSTIFICATION.**

Respectfully submitted;

1. That the petitioner being bonafide resident and fully qualified was duly appointed as Junior Clerk in BPS- 11 vide office order of respondent-no. 1 dated 16.05.2019. (Copy of the appointment order is annexure A)

2. That petitioner thereafter fulfilled all the requisite formalities including medical/ character certification and surety bonds etc, assumed the charge and started performing his duties with utmost zeal and to the entire satisfaction of his superiors and public as well and was placed at serial no. 2 of the initial tentative seniority list issued by the office of respondent no. 1, which later was finalized in ditto. (Seniority List is annexure B)
3. That there were total 8 vacancies of senior clerk to be promoted from amongst the junior clerks, while the number of candidates were 9, to be promoted and the appellant is/was at S.No. 2 in the DPC Seniority list.
4. That when the DPC was being conducted on dated, 21/5/2022, the appellant was on Ex. Pakistan Leave. (Copy of the ex-Pakistan leave certificate, ^{etc etc} annexure C)
5. That however, when the department promotion committee's meeting was held on 21/5/2022, the DPC unanimously deferred the appellant for promotion, without disclosing any reason at all. (Copy of the impugned minutes of the DPC meeting and final list of promotees' are annexure D & E respectively)
6. That it came to the knowledge of appellant that he was deferred due to an alleged ACR pertaining to the year 2019, however the same was not available, and never communicated to appellant, as same was misplaced by the office of Superintendent District Courts Kurram as per enquiry conducted. (Copy of the enquiry a/w report is annexure F)
7. That it is pertinent to mention that the alleged adverse ACR of the year 2019 was re-written by respondent no. 2 after the misplacement of the original ACR of 2019, however as per information of the appellant his lost ACR was more than satisfactory based on entire satisfaction of the reporting officer who was kind enough to award an appreciation certificate owing to the most satisfactory performance of the appellant despite the floating fact that being amongst the first to face the merger of districts having no previous experience and skills in office management but yet gave his best to run the system smoothly. (Copies of commendation/ appreciation certificates are annexure G&H while copy of the impugned ACR for the year 2019 is I)
8. That while the DPC was being conducted, the appellant had two successive good ACRs for the years 2020/2021, which never came under any consideration before the committee.

9. That according to the tentative seniority list of DSJ establishment at S.No. 7 and in minutes of the meeting of DPC held on 21/5/2022, at S.No.8, namely, Gul Zaman S/o Abdul Mat Khan (Junior Clerk), whose last ACR of 2021 for consideration at the said meeting was adverse with remarks, "not fit for promotion", despite of which the said DPC promoted him from Junior Clerk to Senior Clerk.
10. That on 28.06.2022, the appellant made an appeal in the above context to respondent no. 1 for considering him for promotion being fit and qualified in all respects and setting aside the alleged adverse remarks entered in the ACR pertaining to the year 2019 which was ordered to be placed before the committee for consideration. (Copy of the departmental appeal and the order sheet are annexure J & K respectively)

Pertinent to mention here that the departmental appeal was preferred as soon as the appellant returned from ex-Pakistan leave and getting knowledge of the impugned DPC meeting and order for which purpose a separate application is accompanying this appeal for condonation of delay for consideration of this honourable tribunal.

11. That despite several requests for knowing the fate of his appeal which as per the order sheets is still pending before the concerned DPC, the appellant is constrained to approach this honourable tribunal.
12. Feeling aggrieved by the above, the appellant now approach this honourable court for setting aside the impugned actions and orders on the following inter alia grounds;

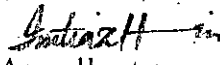
GROUNDS

- a. Because the impugned original order of the DPC dated 21.05.2022, the impugned list of promotion vide office order no. 1993-96/DSJ/Kurram of even dated and the alleged ACR bearing no. 991/DSJ/Kurram dated 21.07.2020 are against the law, rules, equity and facts hence not tenable.
- b. Because the impugned orders are against the fundamental rights and service security guaranteed by the constitution.
- c. Because the impugned orders are arbitrary, whimsical, perverse and violative of the service laws and rules and principles of natural justice and have resulted in grave injustice to the appellant.
- d. Because the respondents have not adopted the procedure laid down for assessment of a candidate for promotions and have decided the

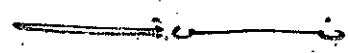
fate of the appellant purely on personal whims and conjectures without consulting the unblemished record of the appellant resulting into grave injustice and inequality with the appellant.

- e. Because consideration for promotion is a substantial right guaranteed to the appellant and denial of the same without any due cause or course of law is not sustainable in law.
- f. Because the impugned notification is not sustainable on the score alone that the same was not prepared after conducted thorough enquiry and preparation of working paper in accordance with law.
- g. Because the appellant was not treated in accordance with law and was rather discriminated and condemned unheard while not considering him for his due promotion.
- h. Because an application for condonation of delay is accompanying this appeal which may be considered for any delay in filing of this appeal and disposal of the same on merit alone.
- i. Appellant seeks permission to agitate further grounds at the bar.

It is, therefore, most humbly prayed that on acceptance of this appeal, the impugned original order of the DPC dated 21.05.2022, the impugned list of promotion vide office order no. 1993-96/DSJ/Kurram of even dated and the alleged ACR bearing no. 991/DSJ/Kurram dated 21.07.2020 may be set aside and the appellant may be promoted to Senior Clerk BPS-14 as per law with all back and future benefits, along with any other relief deemed appropriate please.


Appellant

Through


Jehangir Khan Mohmand
Advocate High Court, Peshawar.

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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR

SA No: _____ /2023

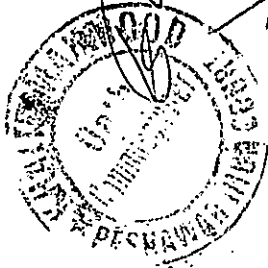
Imtiaz HussainPetitioner

Versus

District & Sessions Judge, Kurram District & others.....Respondents

AFFIDAVIT

I, Imtiaz Hussain s/o Sajjad Hussain, R/o Chinar, Kalay, Alizai Lower, Kurram District, Petitioner, do hereby solemnly affirm and declare on oath that contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been kept or concealed therein.



Imtiaz H
DEPONENT

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

CM#: /2023

In

SA No: /2023

Imtiaz Hussain.....Petitioner

Versus

DPC through its Chairman & others.....Respondents

APPLICATION FOR CONDONATION OF ANY DELAY

Respectfully Submitted;

1. That the accompanying appeal is being filed before the honourable court.
2. That the delay, if any, in filing the appeal was never deliberate or intentional but was for reasons beyond the control of the applicant.
3. That at the relevant time of meeting of the DPC, the appellant was on ex-Pakistan leave and was unaware of the meeting of DPC and its proceedings or order, and the appellant commenced the due process as soon as he returned to Pakistan.
4. That the departmental appeal is still pending before the competent authority in which positive steps towards its disposal in accordance with law have been initiated and still pending proper disposal.
5. That the district of appointment is very hard and harsh for all purposes and mostly remains vulnerable to sudden and protracted acts of violence and rage, which keeps the situation very tense and impossible to move or communicate with the rest of the country, which is most compelling factor in preventing the appellant from approaching the proper forum within time.
6. That the unique situation of merger and extension of laws may also be taken note of while deciding this application.
7. That limitation per se cannot non-sue a lawful and genuine cause holder while the cause is recurring in nature.

8. That grounds of the accompanying appeal may be read into this application.

It is most humbly prayed that on acceptance of this application, any delay in approaching this honourable tribunal may be condoned in the best interest of justice.

Jehangir Khan Mohmand
Applicant/ Appellant

Through

—————
Jehangir Khan Mohmand
Advocate High Court, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR

CM#: /2023

In

SA No: /2023

Imtiaz HussainPetitioner

Versus

District & Sessions Judge, Kurram District & others.....Respondents

AFFIDAVIT

I, Imtiaz Hussain s/o Sajjad Hussain, R/o Chinar Kalay, Alizai Lower, Kurram District, Petitioner, do hereby solemnly affirm and declare on oath that contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing has been kept or concealed therein.



Imtiaz Hussain
DEPONENT

ORDER

Dated: 16/05/2019

1. On the recommendation of the Departmental Selection Committee, made in its meeting held from 13 to 15/05/2019, the Competent Authority is pleased to order appointment purely on temporary basis of the following candidates on the posts, mentioned against each, with immediate effect, subject to the conditions mentioned in the minutes of said meeting, medical fitness, verification of antecedents, educational testimonials, submission of the declarations in respect of the assets, they possess at the time of joining service and in the following order of merit:-

S#	Name, Parentage and Address of Candidate	Appointed as
1.	Shaukat Hussain son of Aslam Jan resident of Village Chapri, Tehsil Lower Kurram, District Kurram.	Budget & Accounts Assistant (BPS-16)
2.	Sayed Rooh Ullah son of Sayed Safdar Ali Shah resident of Shengak road, Hussaini Colony Parachinar Upper Kurram.	Assistant (BPS-16)
3	Yousaf Orakzai son of Haji Usman Badshah resident of Village Baggan, Tehsil Lower Kurram	--- do ---
4	Wajid-ur-Rehman son of Abdur Rehman resident of Village Manjari Kale Makhi Zai, Tehsil Lower Kurram	Computer Operator (BPS-16)
5	Wahid Shah son of Khial Shah resident of Village Gandow, Tehsil Central Kurram	--- do ---
6	Abdur Raziq son of Qadar Din resident of Village Shasho Tehsil & PO Box Lower Kurram District Kurram	--- do ---
7	Aslam Khan son of Lal Jan resident of Durani District Lower Kurram	--- do ---
8	Sadam Hussain son of Mubarak Shah resident of Village Taghoe, Tehsil Central Kurram	Steno-typist (BPS-14)
9	Muhammad Khalid son of Abdul Azim resident of Village Tindu, Central Kurram	--- do ---
10	Shams ur Rehman son of Fazal Rehman resident of Village Tindo District Kurram	Junior Clerk (BPS-11)
11	Jamshid Ali son of Ashiq Ali resident of College Colony Parachinar Upper Kurram	--- do --- Resigned
12	Akhtar Ahmad son of Sardar Khan resident of Sadda District Lower Kurram	--- do --- Resigned
13	Imtiaz Hussain son of Sajjad Hussain resident of Village Chinari Kale, Ali Zai, Tehsil Lower Kurram	--- do ---
14	Muhammad Younas son of Badshah Khan resident of Peer Qayum, Sadda, Tehsil Lower Kurram	--- do ---

(1)

Resigned ←

Resigned ←

(2) ✓

(3)

15	Imran Khan son of Rehmat Khan resident of Village Dolragha, Tehsil Central Kurram	---- do ----
16	Abdul Wakil son of Mani Khan resident of Kotri District Kurram	---- do ----
17	Qaiser Abbas son of Ali Jafri resident of Village Kunj Ali Zai, Tehsil Upper Kurram	---- do ----
18	Muhammad Qasim son of Wahid Gul resident of Mohalla Darvish Bagh, Sadda, Tehsil Lower Kurram	---- do ----
19	Gul Zaman son of Abdul Mat Khan resident of Village Mir Bagh, Teshil Central Kurram	---- do ----
20	Fazal Haq son of Dalil Khan resident of Village Ahmadi Shama, PO Box Mandori, Tehsil Lower Kurram	---- do ----
21	Khurshid Ali son of Mir Hassan resident of Mohalla College Colony Parachinar Teshil Upper Kurram	---- do ----
22	Abdullah Jan son of Khana Jan resident of Chapri Patak, PO Ali Zai, Lower Kurram	Driver (BPS-06)
23	Zabit Khan son of Noor Muhammad resident of Ahmadi Shama District Lower Kurram	---- do ----
24	Zawar Hussain son of Sher Hassan resident of Village Shakar Dara, Tehsil Lower Kurram	Water Carrier (BPS-03)
25	Noor Qasim son of Haji Gul resident of Village Tari Mangal Tehsil Upper Kurram	Chowkidar (BPS-03)
26	Muhammad Saeed son of Mesre Khan resident of Village Munda, Tehsil Lower Kurram	---- do ----
27	Raza Hussain son of Ghafour Khan resident of Village Baggan, Tehsil Lower Kurram	---- do ----
28	Sayed Itikhar Hussain son of Sayed Lal Hussain resident of Sher Kale Shablon, Tehsil Upper Kurram	Mali (BPS-03)
29	Najeeb Ullah son of Mujeeb Ullah resident of Sra Ghwarga, Baggan, Tehsil Lower Kurram	Naib Qasid (BPS-03)
30	Muhammad Yaseen son of Khial Jang resident of Village Tindu, Tehsil Central Kurram	---- do ----
31	Naveed Rehman son of Fazal Majeed resident of Village Makhi Zai, Tehsil Lower Kurram	---- do ----
32	Fazal Karim son of Muhammad Rahim resident of Village Tawada Chena, PO Box Baggan, Tehsil Lower Kurram, District Kurram	---- do ----
33	Kamal Hussain son of Gul Afzal resident of Village Zeeran, Yousaf Khel, PO Box Parachinar, Upper Kurram	---- do ----
34	Saeed Anwar son Saeed Marjan resident of Village Baggan, Tehsil Lower Kurram	---- do ----
35	Muhammad Amin Masih son of Papu Masih resident of Mohalla Christian Colony No.1 Parachinar Upper Kurram	Sweeper (BPS-03)
36	Abdul Latif Shah son of Fazal Shah resident of Village Qamar Kale Kochi, Tehsil & PO Box Lower Kurram, District Kurram.	---- do ----
37	Taib ur Rehman son of Bismillah Khan resident of Baggan, Tehsil Lower Kurram	---- do ----
38	Javed Rehman son of Khan Muhammad Shah resident of Baggan, Tehsil Lower Kurram	---- do ----

2. Their appointment to the service shall be subject to the following terms and conditions, besides the condition mentioned above: -

- I. They will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and Khyber Pakhtunkhwa Government Servants (Appointment, Promotion & Transfer) Rules, 1989.
- II. They will be allowed the minimum pay of respective basic pay scales plus other allowances as admissible under the rules. Those who are already in Government service and whose pay is more than the minimum of respective basic pay scales, will be allowed to draw pay which they were drawing before their appointment, subject to permission by the Competent Authority. Their pay shall be fixed at proper stage in respective basic pay scales.
- III. They shall be governed by such rules and instructions relating to leave, T.A, and Medical Attendance as may be prescribed from time to time.
- IV. They shall be on probation initially for a period of one year extendable up to two years.
- V. They will be eligible for continuance and eventual confirmation in the post on satisfactory completion of their probationary period, subject to availability of permanent posts and the completion of prescribed training, if any.
- VI. Their services shall be liable to be dispensed with at any time without notice and assigning any reason before the expiry of the period of their probation/extended period of probation, if, their work or conduct during this period is not found satisfactory. In the event of termination from service, fourteen days notice or in lieu thereof fourteen days pay will be paid by the Government. In case of resignation, they will give one month notice to the Competent Authority or in lieu thereof one month pay shall be forfeited to the Government. The resignation shall, however, be subject to the acceptance by the Competent Authority.
- VII. They will be governed by the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and Khyber Pakhtunkhwa Government Servants Conduct Rules, 1987 and any other instructions which may be issued by the Competent Authority from time to time.

3. If the above terms and conditions of appointment, also communicated vide separate letters, are acceptable to them, they should report for duty to the undersigned immediately. The offer of appointment shall be deemed to have

(S)

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been cancelled, in respect of any of them who fails to report for duty to the undersigned within one month from the date of issue of this order.

4. They shall join duty at their own expenses.

(SALAHUDDIN),
DISTRICT & SESSIONS JUDGE,
KURRAM

No. 05-47 -2/4-DSC/D&SI Kurram at Thall the 16th
May / 2019

Copy forwarded for information to:

- 1) The Worthy Registrar, Peshawar High Court, Peshawar.
- 2) Mr. Issa Khan Afridi, Senior Civil Judge, Kurram at Thall.
- 3) District Police Officer, Kurram for verification of antecedents of the appointees mentioned above.
- 4) District Accounts Officer, Kurram.
- 5) Appointees, named above.
- 6) Office record.

(SALAHUDDIN),
DISTRICT & SESSIONS JUDGE,
KURRAM

TENTATIVE COMMON SENIORITY LIST OF THE ESTABLISHMENT OF THE DISTRICT & SESSIONS JUDGE KURRAM AS STOOD ON 30th June, 2021.

S No.	Employee Name	Employee Father's Name	Designation	BPS	Date of 1st Appointment	Date of appointment through proper channel	Date of promotion on present post	Stay on present post	Date of Birth	Qualification	Date of Passing SSC	Date of Retiring After Qualifying Service 25 Years	Date of Retirement After Qualifying Service 60 Years Age	Initial of the Official	Remarks
BUDGET & ACCOUNT ASSISTANT (BPS-16)															
1	Shukat Hussain	Aslam Jan	Budget & Account	16	5/16/2019			2-Year,2-Month,11-Days	1/1/1991	MBA/MS	2006	5/16/2044	4/1/2051		
ASSISTANT (BPS-16)															
1	Sayed Rooh Ullah	Sayed Saifdar Ali Shah	Assistant	16	5/16/2019			2-Year,2-Month,11-Days	1/5/1993	BS (Hons)		5/16/2044	1/5/2053		
COMPUTER OPERATOR (BPS-16)															
1	Wajid-ur-Rehman	Abdur Rehman	Computer Operator	16	8/8/2007	5/16/2019		3-Year,11-Month,19-Days	3/20/1987	BS (Hons)		8/8/2032	3/20/2047		
2	Wahid Shah	Khial Shah	Computer Operator	16	5/16/2019			2-Year,2-Month,11-Days	5/18/1993	MCS		5/16/2044	5/18/2053		
3	Abdur Raziq	Qadar Din	Computer Operator	16	5/16/2019			2-Year,2-Month,11-Days	4/25/1989	M.A		5/16/2044	4/25/2049		
4	Aslam Khan	Lal Jan	Computer Operator	16	5/16/2019			2-Year,2-Month,11-Days	3/13/1990	MBA		5/16/2044	3/13/2050		
JUNIOR SCALE STENO-TYPIST (BPS-14)															
1	Sadam Hussain	Muharak Shah	Steno Typist	14	5/16/2019			2-Year,2-Month,11-Days	12/12/1999	B.A		5/16/2044	12/12/2059		
2	Muhammad Khalid	Abdul Azim	Steno Typist	14	5/16/2019			2-Year,2-Month,11-Days	10/10/1996	B.A		5/16/2044	10/10/2056		
JUNIOR CLERK (BPS-11)															
1	Shams ur Rehman	Fazal Rehman	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	5/18/1992	M.Sc		5/16/2044	5/18/2052		
2	Imtiaz Hussain	Sajjad Hussain	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	3/12/1986	M.A		5/16/2044	3/12/2046		
3	Muhammad Younas	Badshah Khan	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	7/16/1991	BS.CS		5/16/2044	7/16/2051		
4	Imran Khan	Rehmat Khan	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	2/1/1992	F.Sc		5/16/2044	2/1/2052		
5	Qaiser Abbas	Ali Jafri	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	3/10/1997	B.Sc		5/16/2044	3/10/2057		
6	Muhammad Qasim	Wahid Gul	Copy Clerk	11	5/16/2019			2-Year,2-Month,11-Days	3/4/1990	B.A		5/16/2044	3/4/2050		
7	Gul Zaman	Abdul Mat Khan	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	1/16/1996	F.Sc		5/16/2044	1/16/2056		
8	Fazal Haq	Dalil Khan	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	3/1/1983	M.A		5/16/2044	3/1/2043		
9	Khurshid Ali	Mir Hassan	Junior Clerk	11	5/16/2019			2-Year,2-Month,11-Days	2/1/1987	B.Sc		5/16/2044	2/1/2047		
10	Shahid Ali	Dost Muhammad	Copy Clerk	11	11/25/2019			1-Year,8-Month,2-Days	11/19/1990	B.A		11/25/2044	11/19/2050		

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27/06/2022

ATTACHED
EXAMINEE

29/04/2022

OFFICE OF THE DISTRICT & SESSIONS JUDGE KURRAM

S. No.	Employee Name	Employee Father's Name	Designation	BPS	Date of 1st Appointment	Date of appointment through proper channel	Date of promotion on present post	Stay on present post	Date of Birth	Qualification	Date of Passing SSC	Date of Requiring After Qualifying Service 25 Years	Date of Retirement After Qualifying Service 60 Years Age	Initial of the Official	Remarks
DRIVER (BPS-06)															
1	Naeem Ali	Safdar, Ali	Driver	6	8/22/2006	11/25/2019			14-Year, 11-Month, 5-Days.	1/1/1986		8/22/2031	1/1/2046		
2	Abdullah Jan	Khana Jan	Driver	6	5/16/2019				2-Year, 2-Month, 11-Days.	5/9/1980		5/16/2044	5/9/2040		
3	Zabit Khan	Noor Muhammad	Driver	6	5/16/2019				2-Year, 2-Month, 11-Days.	1/1/1985		5/16/2044	1/1/2045		
4	Rayeem Khan	Hanif Jan	Driver	6	11/25/2019				1-Year, 8-Month, 2-Days.	1/1/1984		11/25/2044	1/1/2044		
5	Muzahir Hussain	Gulab Hussain	Driver	6	11/25/2019				1-Year, 8-Month, 2-Days.	4/14/1983	Middle	Nil	11/25/2044	4/14/2043	
6	Hanzala	Mir Janan	Driver	6	11/25/2019				1-Year, 8-Month, 2-Days.	1/1/1985		11/25/2044	1/1/2045		
7	Zahid Gul	Sardar Khan	Driver	6	11/25/2019				1-Year, 8-Month, 2-Days.	4/12/1984		11/25/2044	4/12/2044		
8	Muhammad Imran	Abdullah Khan	Driver	6	11/25/2019				1-Year, 8-Month, 2-Days.	10/15/1986		11/25/2044	10/15/2046		

OFFICE OF THE DISTRICT & SESSIONS JUDGE, KURRAM.

Endst No. 1816 /DSJ/Kurram

Dated: 27/07 /2021

Copy forwarded to all the Judicial Officers of the District Kurram for circulation amongst their staff working at their Courts for asking them to file objections, if any, within a period of 14 days from receipt of this list. Also acknowledge the receiving signature from each official on back side of this list, please.

DISTRICT & SESSIONS JUDGE,
KURRAM

1. The Registrar, Worthy Peshawar High Court, Peshawar.
2. Official concerned by name.
3. Websites of the District Judiciary, Kurram
4. Office Copy.

**ATTESTED
EXAMINER**
29/04/2023
COPYING BRANCH DSG, KURRAM

DISTRICT & SESSIONS JUDGE,
KURRAM

15

~~Page 01~~

C

**DEPARTMENTAL PERMISSION / NO OBJECTION
CERTIFICATE FOR EX-PAKISTAN LEAVES**

No. 1974 /DSJ/KURRAM

Dated: 22/04/2022

It is certified that MR. IMTIAZ HUSSAIN S/O SAJJAD HUSSAIN is serving as JUNIOR CLERK in BPS-11 against permanent post in this department since 16.05.2019.

This Office has no objection if MR. IMTIAZ HUSSAIN S/O SAJJAD HUSSAIN visits abroad to The Holy Shrine of "Hazrat Imam Riza", Mashad, at The Islamic Republic of IRAN.

Particulars are:

(A) Personnel No. : 00919465
(B) Passport No. : ML6898283



(ABDUL JABBAR KHAN):
District & Sessions Judge,
Kurram.

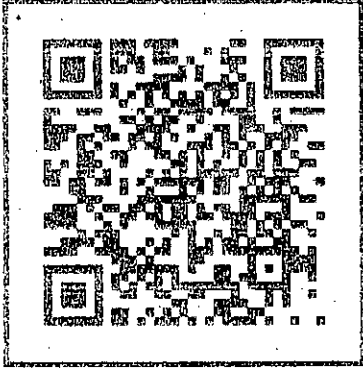


ISLAMIC REPUBLIC OF IRAN
MINISTRY OF FOREIGN AFFAIRS
E-VISA SYSTEM

16

ELECTRONIC VISA

Page 02



VISA NO. IR-10320003988

Applicant Details

Applicant Name (نام و نام خانوادگی)
Date of Birth (تاریخ تولد)
Nationality
ملیت
Passport Number (شماره گذرنامه)

IMTIAZ HUSSAIN
1986/03/12
Pakistan
پاکستان
ML6898283

Grant Details

Track Code (کد رهگیری)
Visa Type
نوع رواید
Visa issue Date (تاریخ صدور رواید)
Stay Period
مدت اقامت
Valid
اعتبار
Entry Option:
نوع ورود
ملاحظات

IR2CEX7AELB8142215
Tourist
جہانگردی
2022/01/26 (۱۴۰۰/۱۱/۰۶)
30 day(s) from the date of arrival
۳۰ روز بعد از تاریخ ورود
From 2022/01/26 To 2022/04/25
از ۱۴۰۱/۰۲/۰۵ تا ۱۴۰۰/۱۱/۰۶
Single
یکبار
۲۰۰ کد



ISLAMIC REPUBLIC OF IRAN
MINISTRY OF FOREIGN AFFAIRS
E-VISA SYSTEM

Consulate General of the Islamic Republic of Iran- Peshawar
Department of Electronic Visa
Jan. 26, 2022



IR2CEX7AELB8142215



19

D

MINUTES RECORDED IN THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE, ESTABLISHMENT OF DISTRICT & SESSIONS JUDGE, KURRAM AT PARACHINAR HELD ON 21/05/2022.

Subject meeting was held in the Chamber of District & Sessions Judge, Kurram on this day of Saturday, 21st May 2022. The following were in attendance.

PRESENT:

1. **Abdul Jabbar Khan,**
District & Sessions Judge,
Kurram, (*Chairman*)
2. **Ijaz ul Haq Awan,**
Additional District & Sessions Judge,
Lower Kurram at Sadda, (*Nominee of DSJ*)
3. **Sayed Fazal Wadood,**
Additional District & Sessions Judge,
Orakzai, (*Nominee of August Peshawar High Court, Peshawar*)
4. **Muhammad Aaqib,**
Senior Civil Judge,
Kurram, (*Nominee of DSJ*)

21
21-05-2022

AGENDA ITEMS:

The following agenda items have been tabled for discussion.

1. Promotion of two (02) Steno-typist (BPS-14) to the vacant positions of Senior Scale Stenographer (BPS-16).
2. Promotion of eight (08) Junior Clerk (BPS-11) to the vacant positions of Senior Clerk (BPS-14).
3. Promotion of four (04) employees of the menial establishment (Naib Qasid, Chowkidar, and Sweeper) to the vacant positions of Daftari & Record Lifter (BPS-04) respectively from the common seniority list.

The above said posts in the Establishment of District & Sessions Judge, Kurram were sanctioned vide Hon'ble Peshawar High Court, Peshawar Order No. 498-512/B&A Dated Peshawar the 13/03/2019. Promotion criteria for Senior Scale Stenographer (BPS- 16) was followed as mentioned in Judicial Esta

20

Code Revised 2021 on page No. 454, para 2. Promotion criteria for Senior Clerk (BPS- 14) was followed as mentioned in Judicial Esta Code Revised 2021 on page No. 457, para 10. Similarly, promotion criteria for Daftari & Record lifter (BPS- 04) was followed as mentioned in Judicial Esta Code Revised 2021 on page No. 468, para 21 & 22 respectively.

A tentative Seniority list of all the officials was issued vide this Office Letter No. 1816/DSJ/ Kurrām dated 27/07/2021, which was circulated amongst the all and asking them to file objections/grievances, if any, within 14 days. One Junior Clerk namely Mr. Fazal Haq filed and put up an application regarding his merit, and the same was put up before the local DPC Committee and was decided by the Committee vide Office Order No. 1837/DSJ/Kurrām, dated 30/08/2021. It is further necessary to mention here that in March 2019, the District Judiciary was established in this District after the FATA merger that has been reached to the limit of the three years' service length. Consequently, service record of the officials has been considered and examined with special reference to the principle of seniority-cum-fitness.

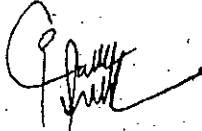
Mr. Imtiaz Hussain Junior Clerk (BPS-11) appearing on Serial No. 02 of Working Paper has been considered for promotion to the post of Senior Clerk (BPS-14). On recourse to the principle of Seniority cum fitness, he was not found suitable and fit for promotion. Therefore, the Committee unanimously deferred him.

The below-mentioned officials are unanimously recommended by the Committee for the promotion to the post mentioned against their names with immediate effect in the best interest of the public by attracting the principle of Seniority cum fitness with the suitability of official for the post.

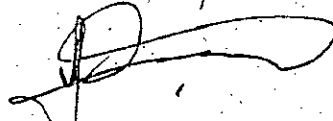
S. No.	Name of Official with Designation & BPS	Promoted to:
1.	Sadam Hussain, Steno-typist BPS-14	Senior Scale Stenographer BPS-16
2.	Muhammad Khalid, Steno-typist BPS-14	Senior Scale Stenographer BPS-16
3.	Shams-ur-Rehman, Junior Clerk BPS-11	Senior Clerk BPS-14
4.	Muhammad Younas, Junior Clerk BPS-11	Senior Clerk BPS-14
5.	Imran Khan, Junior Clerk BPS-11	Senior Clerk BPS-14
6.	Qaiser Abbas, Junior Clerk BPS-11	Senior Clerk BPS-14

7.	Muhammad Qasim, Junior Clerk BPS-11	Senior Clerk BPS-14
8.	Gul Zaman, Junior Clerk BPS-11	Senior Clerk BPS-14
9.	Fazal Haq, Junior Clerk BPS-11	Senior Clerk BPS-14
10.	Khurshid Ali, Junior Clerk BPS-11	Senior Clerk BPS-14
11.	Zaiul Rehman, Sweeper BPS-03	Daftari BPS-04
12.	Mir Hussain, Naib Qasid BPS-03	Daftari BPS-04
13.	Karnil Khan, Chawkidar BPS-03	Record lifter BPS-04
14.	Roman Khan, Naib Qasid BPS-03	Record lifter BPS-04

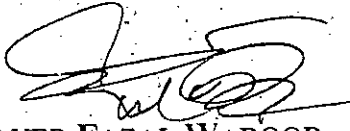
The meeting ended with thanks from and to the Chair.



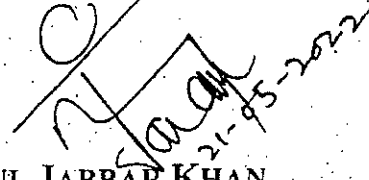
MUHAMMAD AAQIB
SENIOR CIVIL JUDGE,
KURRAM
(Nominee of DSJ)



IJAZ UL HAQ AWAN
ADDITIONAL DISTRICT & SESSIONS
JUDGE, LOWER KURRAM AT SADDA
(Nominee of DSJ)



SAYED FAZAL WADOOD
ADDITIONAL DISTRICT & SESSIONS JUDGE,
ORAKZAI
(Nominee of August Peshawar High Court)



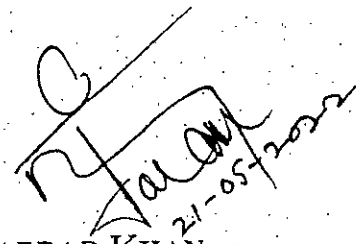
ABDUL JABBAR KHAN
DISTRICT & SESSIONS JUDGE,
KURRAM
(Chairman)

Endst: No. 1988-92/DSJ/Kurram

Dated 21/05/2022

COPY FORWARDED FOR INFORMATION TO THE:

1. Worthy, The Registrar, August Peshawar High Court, Peshawar.
2. All the DPC members.
3. The District Account Officer, Kurram.
4. Office Copy.
- 5.



ABDUL JABBAR KHAN
DISTRICT & SESSIONS JUDGE,
KURRAM



OFFICE OF THE
DISTRICT & SESSIONS JUDGE,
KURRAM

Phone No: 0926-312092
Fax No: 0926-311938
Email: dsjkurram@gmail.com

No. 1993-96 /DSJ/Kurram Dated: - 21/05/2022

OFFICE ORDER:

21/05/2022

Consequent upon the recommendations of the Departmental Promotion Committee meeting held on 21/05/2022, the following Officials in the Establishment of the undersigned are hereby promoted to the Post mentioned against their names with immediate effects in the best interest of public.

S. No.	Name of Official with Designation & BPS	Promoted to:
1.	Sadam Hussain, Steno-typist BPS-14	Senior Scale Stenographer BPS-16
2.	Muhammad Khalid, Steno-typist BPS-14	Senior Scale Stenographer BPS-16
3.	Shams-ur-Rehman, Junior Clerk BPS-11	Senior Clerk BPS-14
4.	Muhammad Younas, Junior Clerk BPS-11	Senior Clerk BPS-14
5.	Imran Khan, Junior Clerk BPS-11	Senior Clerk BPS-14
6.	Qaiser Abbas, Junior Clerk BPS-11	Senior Clerk BPS-14
7.	Muhammad Qasim, Junior Clerk BPS-11	Senior Clerk BPS-14
8.	Gul Zaman, Junior Clerk BPS-11	Senior Clerk BPS-14
9.	Fazal Haq, Junior Clerk BPS-11	Senior Clerk BPS-14
10.	Khurshid Ali, Junior Clerk BPS-11	Senior Clerk BPS-14
11.	Zaiul Rehman, Sweeper BPS-03	Daftari BPS-04
12.	Mir Hussain, Naib Qasid BPS-03	Daftari BPS-04

Handwritten signature and date: 21-05-2022

13.	Karnil Khan, Chawkidar BPS-03	Record lifter BPS-04
14.	Roman Khan, Naib Qasid BPS-03	Record lifter BPS-04

Handwritten signature and date:
21-05-2022

**ABDUL JABBAR KHAN
DISTRICT & SESSIONS JUDGE,
KURRAM.**

Endst: No. and Dated Even

COPY FORWARDED FOR INFORMATION TO THE:

1. Worthy, The Registrar Peshawar High Court, Peshawar.
2. All the Official Concerned by name.
3. Office Copy

Handwritten signature and date:
21-05-2022

**ABDUL JABBAR KHAN
DISTRICT & SESSIONS JUDGE,
KURRAM.**

47

F

**OFFICE OF THE SUPERINTENDENT DISTRICT & SESSIONS COURT,
KURRAM**

No. 182/ADJ-II (Kurram)

Dated: 24/03/2020

To

The Honourable Additional District & Sessions Judge-II,
Kurram

Subject: MISPLACED ACR FORM IN RESPECT OF IMTIAZ HUSSAIN FOR
THE YEAR 2019.

Respected Sir:

It is stated with due respect that we received the ACR form of Mr. Imtiaz Hussain (Record Clerk) Sessions Court, Kurram duly filled by your respected authority. Unfortunately, the same was misplaced while collecting all the other forms in single file. It is humbly requested that please refill another ACR form in respect of Mr. Imtiaz Hussain.

I shall be highly obliged.

Your's obediently.

Sayed Rosh Ullah
Superintendent, Sessions Court,
Kurram

*Since the
honourable Additional District & Sessions Judge-II
was travelling the ACR form
of Mr. Imtiaz Hussain to the Super
to deliver please.*

*D. J. of. Kurram
24/3/2020*

*Let the competent authority
be pleased to enquire into
the matter, as to why in "safe custody"
rule no 46 of the Criminal Procedure Code about Kurram
Confidential Reports, has been violated
by an officer of the Superintendent in
respect of the above official.*

**ATTESTED
EXAMINER**
COPYING BRANCH D.S.C. KURRAM

No. 182/ADJ-II (Kurram)

20.4.2020
dated 20/4/2020

**ATTESTED
EXAMINER**

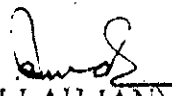
COPYING BRANCH D.S.C. KURRAM

OFFICE NOTE

23/06/2020

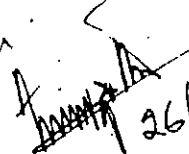
After hectic efforts and thorough search, the issue regarding the missing ACR form in respect of the official Imtiaz Hussain (Record Clerk) still remained un-resolved. In the light of endorsement of learned reporting officer (AD&SJ-II), let an inquiry be initiated into the matter to be carried out by Mr. Muhammad Asghar, CJ-II/JM, Kurram with positive report back as early as possible but not later than a period of one month so as to bring the query to a logical conclusion on both the aspects.

In the meanwhile, fresh ACR form to keep the record updated be issued to the learned reporting officer (AD&SJ-II) with the remarks to complete the process of reporting of ACR for onward submission of its counter signature by the authority concerned. A copy of this office note be sent to the learned reporting officer (AD&SJ-II) and office of Superintendent for processing the fresh ACR form of the official under report whereas the inquiry file be sent to the learned Inquiry Officer/CJ-II/JM for onward proceedings and report.


(SAFIULLAH JAN)
Sessions Judge, Kurram.

Endst. No. 929/DSJ/Kurram

Dated 23/06/2020

Seen

26/06/20

Muhammad Asghar
CJ-II/JM, Kurram

28/09/2022
ATTESTED
EXAMINER
COPYING BRANCH DSSO KURRAM

ATTESTED
EXAMINER
29/09/2023
COPYING BRANCH DSSO KURRAM


NO. _____
Date of Presentation of Application... 29/4/2023
Date on Which Copy Preparation... //
Date on Which Copy Attested... //
No of Words... _____
Urgent Fes... _____
Name of Copyiest... Gul Hussain
Court Fee... _____
Date of Delivery... 29/4/2023

**IN THE COURT OF MUHAMMAD ASGHAR JUDICIAL
MAGISTRATE, KURRAM.**

Order...01 ✓
26-06-2020

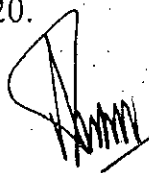
The order of the Hon'ble District & Sessions Judge, Kurram dated 23/06/2020 is received. Syed Rooh Ullah Superintendent Session Court, Kurram has reported the matter of misplaced ACR form of Mr. Imtiaz Hussain for the year 2019 vide his letter No. 44/Supd/D&SC(Kurram). The Hon'ble District & Sessions Judge, Kurram has issued directions to conduct inquiry in the matter and to submit report as earliest possible but not later than a period of one month. It be registered in the relevant register.

Notice be issued to the Moharrir/Record Keeper of the learned ADJ-II/Reporting Officer, Kurram with the direction to produce the record of the dispatch diary through which the ACR form of Mr. Imtiaz Hussain for the year 2019 was forwarded to the office of Hon'ble District & Sessions Judge. File be put up on 03/07/2020.


(Muhammad Asghar)
JMIC, Kurram.

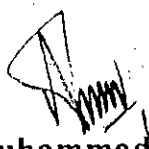
Order...02 ✓
03-07-2020

Muhammad Qasim Moharrir of the learned AD&SJ-II, Kurram present. His statement is recorded as CW-1, placed on file. Notice be issued to the Superintendent of the Sessions Court for 10/07/2020.


(Muhammad Asghar)
JMIC, Kurram.

Order...03
10-07-2020

Syed Rooh Ullah Superintendent office of the Hon'ble District & Sessions Judge, Kurram present. His statement recorded as CW-2, placed on file. File to come up for further proceedings on 20/07/2020.


(Muhammad Asghar)
CJ-II, Kurram.

ATTESTED
BY
COPYING BRANCH


ATTESTED
EXAMINER
29/04/2023
COPYING BRANCH D&SC, KURRAM

27

**IN THE COURT OF MUHAMMAD ASGHAR JUDICIAL
MAGISTRATE, KURRAM.**


Order...04
20-07-2020

Syed Rooh Ullah Superintendent office of the Hon'ble District
& Sessions Judge, Kurram present. File to come up for order on 28/07/2020.


(Muhammad Asghar)
CJ-II, Kurram.


Order...05
28-07-2020

Parties are not in attendance. Due to law and order situation,
roads are blocked; therefore, proceedings in the instant case are not held. Fresh
notice be issued to the parties for 11/08/2020.


(Muhammad Asghar)
JMIC, Kurram.


Order...06
11-08-2020

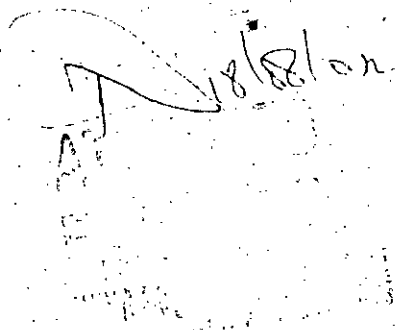
Statements of the concerned officials have already been
recorded. File to come up for order/report on 24/08/2020.


(Muhammad Asghar)
JMIC, Kurram.

Order...07
24-08-2020

Case file was fixed for order/report. Due to rush of work report
is not concluded. Case file be put up for conclusion of inquiry report on
03/09/2020.


(Muhammad Asghar)
CJ-II, Kurram.


18/08/20

CW-1

03/07/20

Statement of Muhammad Qasim s/o Wahid Gul Moharrir
(Junior Clerk BPS-11) posted as Moharrir in the court of learned
AD&SJ-II, Kurram on oath.

Stated at the bar that I am posted as Moharrir with AD&SJ-II, Kurram since my appointment on 16/05/2019. ACR/PER Forms of the staff of the learned AD&SJ-II, Kurram for the year 2019 were duly filled and signed by learned reporting officer and were officially handed over to the office of the Hon'ble District & Sessions Judge, Kurram vide dispatch diary No. 177 dated 16/03/2020. I produce the original dispatch diary before the court, a copy whereof is produced as CW1/1. Original seen and returned. This is my statement.

EX

RO & AC

Qasim 3/7/2020

Muhammad Qasim s/o Wahid Gul (Moharrir)
CNIC No. 21302-4721591-7

Dated: - 03-07-2020

Asghar
03/07/20

Muhammad Asghar
Judicial Magistrate, Kurram.

17/8/20
ATTESTED
EXAMINER
COPIES

ATTESTED
EXAMINER
29/06/2020
COPIES

174	17-2-2010	78/13	Commission FER Rocket Division Robert	Rashed Ali US Khadim Hussain etc	94/TMR J. J. J. J. 1-1-2012 1.077	12903
175	29-2-2010	159/BA	Handwritten notes	Handwritten notes	Handwritten notes	
176	14/3/2010		To Worsky D & S J Kurram	Quarkly Inspect Report		
177	16/3/2010		To D & S J Kurram	ACR staff ADJ W	Handed over to D & S J Kurram	
178	16/3/2010		Muhammad Qasim	Grantor NOCTODS		

3/11

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APR 15 2010
FBI - BOSTON

100-12903-1
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INDEXED
FILED
APR 15 2010
FBI - BOSTON

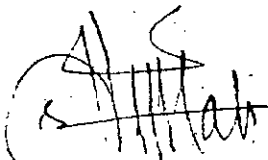
Handwritten signatures and notes at the bottom of the page.

CW-2 Statement of Syed Rooh Ullah s/o Syed Safdar Ali Shah Superintendent office
of District & Sessions Judge, Kurram on oath.

10/07/20

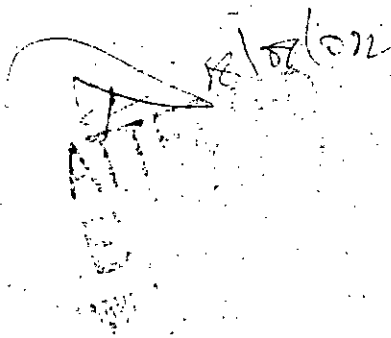
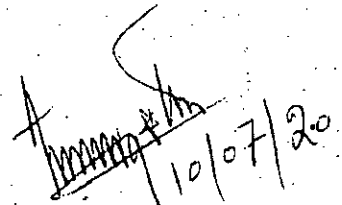
Stated at the bar that I am posted as Superintendent in the establishment of the Hon'ble District & Sessions Judge, Kurram since my appointment on 18/05/2019. I am custodian of all the ACR Forms of the staff working in the establishment of the District & Sessions Judge, Kurram. The ACR Form of Mr. Imtiaz Hussain Junior Clerk who was posted as Reader in the court of learned AD&SJ-II, Kurram was handed over by the reporting officer to the Hon'ble District & Sessions Judge, Kurram for countersign but the same is not officially handed over to me so far. In my opinion, his ACR Form is lost and is not available in our record. Fresh ACR Form duly filled by the reporting officer has already been sent to the then Hon'ble District & Sessions Judge, Kurram for countersign and is not yet received by our office. I produced my detail report and is Ex PA. This is my statement.

RO & AC



Syed Rooh Ullah s/o Syed Safdar Ali Shah
 CNIC No. 21303-5360487-9

Dated: - 10-07-2020

Muhammad Asghar
 Judicial Magistrate, Kurram.

ATTESTED
 EXAMINER

29/04/2023

COURT OF DISTRICT & SESSIONS JUDGE, KURRAM

ATTESTED
EXAMINER

31

29/04/2023

COPYING BRANCH D&SC KURRAM

OFFICE OF THE
SUPERINTENDENT DISTRICT COURTS
KURRAM

No. 57/SUPDT/D&SC/KURRAM - Dated: 10 July, 2020

To,

The Honorable Civil Judge-II/JM.
Kurram.

Subject: REPORT REGARDING MISSING ACR OF MR. IMTIAZ HUSSAIN
FOR THE YEAR 2019.

Respected Sir,

I am submitting this report regarding missing ACR of Mr. Imtiaz Hussain (Record Keeper) District Courts Kurram. Respected Sir, while leaving the station on 17th March 2020 by the then District and session Judge Kurram, the activity of filling ACR forms was carried out at eleventh hour. Later on some of the waste papers were torn by the Session Judge himself. Incidentally, the ACR of Mr. Imtiaz Hussain was also torn inadvertently as the same ACR was beneath the waste papers which were torn. I have not received ACR form of the official from Honorable District and Session Judge as that was torn by him unwittingly. Even all the respected judicial officers of District Kurram are evident of the fact that I informed the then Session Judge about the absence of ACR of Imtiaz, when he was leaving the station. I wrote the application for fresh ACR in respect of Mr. Imtiaz Hussain on the direction of then District and Session Judge. Respected sir, there were no ulterior motives behind this incident and even we searched out the ACR for several days. We found no piece of the said ACR, as that was wasted in a bin made empty by TMA Kurram. No photocopy of the ACR was made that time and

EX P A
29/07/20
Dated 10/07/20
Kurrum

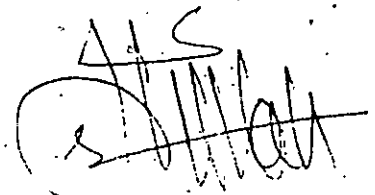
6

nothing can be made wrong to that ACR as the form is completely missing.


Moreover, the ACR forms of all other officials are sealed in safe custody. I will try at every extent to avoid such incident in future.

The report is hereby submitted for information please.

Yours Obediently,



(SAYED ROOKHULLAH)
Superintendent District Courts
Kurram


18/8/2022
ATTESTED
EXAMINEE
COPYING BRANCH

ATTESTED
EXAMINEE
29/04/2023
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**IN THE COURT OF MUHAMMAD ASGHAR CJ-II/JUDICIAL
MAGISTRATE, KURRAM.**

Miscellaneous No. 7/6 of 2020 Dated: 26/06/2020 Upper Kurram.

INQUIRY IN RESPECT OF ACR FORM OF IMTIAZ HUSSAIN

INQUIRY REPORT.

Sayed Rooh Ullah the Superintendent Sessions Court, Kurram letter No. 44/Supd/D&SC(Kurram) dated 24/03/2020 reported the matter to the Hon'ble District & Sessions Judge, Kurram that ACR Form of Mr. Imtiaz Hussain (Record Clerk) for the year 2019 is misplaced. At the relevant time, Mr. Imtiaz Hussain was posted as Reader with the learned AD&SJ-II, Kurram. On the receipt of the report, and after the endorsement of the learned reporting officer, the competent authority was pleased to initiate inquiry in the matter and the undersigned was appointed as inquiry officer vide Office Note date 23/06/2020 with the direction to submit positive report as early as possible but not later than a period of one month so as to bring the query to a logical conclusion on both the aspects.

02. According to notice was issued to Moharrir/Record Keeper of the learned AD&SJ-II/Reporting Officer, Kurram with the direction to produce the record of the dispatch diary through which the ACR Form of Mr. Imtiaz Hussain for the year 2019 was forwarded to the office of the Hon'ble District & Sessions, Kurram. Statement of Mr. Muhammad Qasim Moharrir (Junior Clerk BPS-11) attach with the court of learned AD&SJ-II, Kurram was recorded as CW-1 on 03/07/2020. According to his statement, ACR/PER Forms of the staff of the learned AD&SJ-II, Kurram for the year 2019 were duly filled and signed by the learned reporting officer and were officially handed over to the office of the Hon'ble District & Sessions Judge, Kurram vide dispatch diary No. 177 dated 16/03/2020. Copy of the dispatch diary is produced as Ex CW1/1.

03. Statement of Sayed Rooh Ullah Superintendent of office of the District & Sessions Judge, Kurram was recorded on 10/07/2020. He is custodian of the record of the ACR Forms of the establishment of the

Civil Judge-II, Kurram... Inquiry in respect of ACR Form of Imtiaz Hussain...

District & Sessions Judge, Kurram. According to his statement, ACR Form of Mr. Imtiaz Hussain Junior Clerk was handed over by the reporting officer to the Hon'ble District & Sessions Judge, Kurram for countersign but the same was not officially handed over to him. According to his statement, ACR Form of Mr. Imtiaz Hussain Junior Clerk is lost and is not available in the record. He has further stated that fresh ACR Form duly filled by the reporting officer has already been sent to the then Hon'ble District & Sessions Judge, Kurram for countersign. In his statement, he produced his detail report as Ex PA.

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04. As per dispatch diary No. 177 dated 16/03/2020 of the office of the learned AD&SJ-II, Kurram produced as Ex CW1/1, ACR Forms of the staff of the AD&SJ-II, Kurram were handed over to the Hon'ble DSJ, Kurram but in the last column of the dispatch diary, no signatures of the receiving official of the establishment of the Hon'ble District & Sessions Judge, Kurram are found. According to detail report of Sayed Rooh Ullah Superintendent of the court of Sessions Ex PA, the ACR Form of Mr. Imtiaz Hussain was lying beneath the waste papers which were torn by the countersigning authority and its pieces were lost with waste being taken away by TMA and such evidence is not available on file.

A
03/09/20

05. In the light of the evidence recorded and material available on file, there is still ambiguity to conclude that who has officially received the ACR Forms of the staff of the learned AD&SJ-II, Kurram in the office of the Hon'ble District & Sessions Judge, Kurram. No doubt the superintendent of the establishment of the Hon'ble District & Sessions Judge, Kurram is responsible for maintenance of the record of the ACR Forms. It is a newly merged district and all the staff including superintendent of the court of the Sessions are newly appointed and possibility of omission in maintenance of record is very much there but no mala fide on the part of any official is found as per available record. As a result, the undersigned has reached to the conclusion that omission in maintaining the record of the ACR Forms is done in the office of the superintendent of the court of Sessions; however, the staff is new and freshly appointed and no mala fide on their part is found.

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A warning be issued to the superintendent of the court of Sessions with the direction to be careful in future while receiving and maintaining the confidential record of ACR/PER forms of the staff. All the staff members may also be directed to clearly mention the receiving person of the record with proper signatures as per last column of the dispatch diary so as to affix the responsibility on the official concerned who has received the record. This tracking system is missing in the dispatch diaries of the courts. Instructions in this regard will also be helpful in maintenance of the record in future.

06. With the above findings and recommendations, inquiry report is hereby submitted to the Hon'ble District & Sessions Judge, Kurram for his kind consideration and further appropriate order please.

Dated 03-09-2020.

[Handwritten Signature]
03/09/20

(MUHAMMAD ASGHAR)
CJ-II/Judicial Magistrate,
Kurram.

CERTIFICATE

Certified that this inquiry report consists of three (03) pages each page has been duly read over, corrected and signed by me.

[Handwritten Signature]
03/09/20

[Handwritten Signature]
03/09/20

(MUHAMMAD ASGHAR)
CJ-II/Judicial Magistrate,
Kurram.

~~ATTESTED~~
29/04/2023
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**IN THE COURT OF MUHAMMAD ASGHAR CJ-II/JUDICIAL
MAGISTRATE, KURRAM.**

Miscellaneous No. 7/6 of 2020 Dated: 26/06/2020 Upper Kurram.

INQUIRY IN RESPECT OF ACR FORM OF IMTIAZ HUSSAIN

INQUIRY REPORT.

Order...08
03-09-2020

Case file was fixed for inquiry report. Inquiry report is concluded which consists of three (03) pages and is separately placed on file. Case file of the instant inquiry is hereby forwarded to the Hon'ble District & Sessions Judge, Kurram for his kind consideration and further appropriate order please.

Order Announced Today
03-09-2020

(Signature)
(Muhammad Asghar)
JMIC, Kurram.

The Report of the inquiry officer is in detail of the case file of the case, so in view of findings of the inquiry officer, this inquiry should be consigned without further delay on the Record by the reporting officer & counter signing officer for the purpose of keeping the Record straight & charge is diverted to acting Superintendent who is on duty & properly maintain all confidential records including all records.

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08/09/2020
COPYING BRANCH DES. KURRAM

(Signature)
08/09/20

CERTIFICATE OF APPRECIATION

It is certified and appreciated that **Mr. Imtiaz Hussain s/o Sajjad Hussain (BPS-11)** was assigned the duty of Record Keeper, at a time when the record room was newly established in this merged district, and performed his duty with utmost zeal, fervor, honesty and dedication, with due regard to decency without showing any favor or disfavor to anyone and no complaint, whatsoever, came against him from any stakeholder during the period when he was assigned this task. He showed his worth and has made much improvement. Being a Chairman of the Record Room Committee, I personally supervised his performance and achievements and the tasks assigned to him was fulfilled with courage and zeal and it is expected that he will continue this zeal and courage in the future to enable him for more responsible duty/task, befitting his qualification being Master Degree Holder in International Relations and he deserves that this certificate be placed on his service record/character role as a mark of appreciation.

Dated: 26/5/2021

No. 264/AD&SJ/Kurram



SULTAN HUSSAIN
Additional District & Sessions Judge,
Kurram.

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29/4/2021
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~~Page 37~~
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Page ~~27~~

H

**IN THE COURT OF SHARIF ULLAH CIVIL JUDGE / JUDICIAL
MAGISTRATE COURT, KURRAM.**

No. 333/CJ-III/JFC/Kurram

Dated. 17/11/2021

CERTIFICATE OF APPRECIATION

It is certified and appreciated that MR. IMTIAZ HUSSAIN S/O SAJJAD HUSSAIN is a hard worker, punctual, sincere and dedicated Person. He always assigns the task before the time frame given to him and his work and conduct is found satisfactorily. He is very obedient to his Seniors and co-operative with his Colleagues. He has full command on Office Management. He is a young man with pleasant personality and always ready to shoulder his responsibilities. His sense of responsibility and foresightedness is commendable.

To the best of my knowledge he has good moral character.

This Certificate be placed on his Service Record / Character Role as mark of Appreciation.



(SHARIF ULLAH)
Civil Judge / Judicial Magistrate,
Kurram, at Parachinar

ACCEPTED
EXAMINED
29/4/2023
COPYING BRANCH DASC, KURRAM



39
~~D~~

Page ~~15~~ I

**OFFICE OF THE
DISTRICT & SESSIONS JUDGE,
KURRAM**

Phone No: 0926-312092
Fax No: 0926-311938
Email: dsjkurram@gmail.com

No. 991 /DSJ/Kurram

Dated Kurram the 2^{1st} July, 2020

From: District and Session Judge, Kurram.


To: Mr. Imtiaz Hussain
Junior Clerk/Record Keeper,
District Courts Kurram.

Subject: Communication of Remarks

Reference the above cited subject, it is to inform you that in your Annual Confidential Report for the year 2019, the following remarks have been recorded by the reporting officer, agreed upon by the countersigning officer.

1	Pen Picture	Irresponsible and no regard for service discipline
2	Overall grading	Below Average
3	Integrity	Not good for other consideration
4	Secrecy and trust worthiness in confidential and secrete official matters	Nil

A spare copy of this communication is enclosed which may be signed in token of its having received the original and be return to this office immediately.


(SAFIULLAH JAN)
District & Sessions Judge,
Kurram.

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Page 1 of 6

S
02/07/2022
J

To:

The Hon'ble District & Sessions Judge,
Kurram.

Subject: "DEPARTMENTAL APPEAL" AGAINST THE ORDER OF THE DEPARTMENTAL PROMOTION COMMITTEE (DPC) MEETING HELD ON DATED 21.05.2022, VIDE ORDER NO. 1993-96/DSJ/Kurram.

Prayer in Departmental Appeal:

ON ACCEPTANCE OF THIS APPEAL THE ORDER OF THE DEPARTMENTAL PROMOTION COMMITTEE (DPC) MEETING HELD ON DATED 21.05.2022, VIDE ORDER NO. 1993-96/DSJ/Kurram TO THE EXTENT OF PROMOTION OF JUNIOR CLERKS TO THE POST OF SENIOR CLERKS, WHEREBY THE UNDERSIGNED MAY ALSO BE PROMOTED TO THE POST OF SENIOR CLERK BEING SENIOR MOST HAVING ALL THE REQUISITE ELIGIBILITY CRITERIA.

ATTACHED
EXAMINER
COPYING BRANCH DRSC, KURRAM

Respected Sir,

The undersigned very humbly submits the following few lines for your kind and sympathetic consideration:

1. That the undersigned requested the Competent Authority for the Grant of the Holidays to visit abroad to **The Holy Shrine of "Hazrat Imam Riza"**, Mashhad, at The Islamic Republic of Iran, which was duly sanctioned and granted. After returning from Iran, the undersigned shocked with news that his **Batch Mates / Juniors** were **PROMOTED** from the Post of **JUNIOR CLERKS** to the Post of **SENIOR CLERKS** Vide Order No. 1993-96/DSJ/Kurram, Dated. 21.05.2022 by the **Departmental Promotion Committee (DPC)**. I tried my level best to submit **Departmental Appeal** on time, but due to sectarian clashes and blockage of Parachinar - Peshawar Main Road

02/07/2022

at District Kurram since 17-18.06.2022, therefore, I am submitting the said today on 28.06.2022.

(Departmental N.O.C etc are annexed herewith...)

2. That the undersigned is serving as **Junior Clerk** in **BPS-11** against Permanent Post in the District Judiciary KPK at Kurram / District Courts, Kurram since 16.05.2019 to the entire satisfaction of his superiors without any complaint whatsoever regarding my performance till date.

3. That while serving in the said capacity the "**Tentative Common Seniority List of the Establishment of the District & Sessions Judge, Kurram as Stood on 30th June, 2021**" of **JUNIOR CLERKS (BPS-11)** circulated to all the Judicial Staff / Officials, in which the undersigned was placed at **SERIAL NO. 2** of the said Seniority which was later on finalized and the undersigned maintained the same position in the **SENIORITY LIST** as well as in **INITIAL OFFER OF APPOINTMENT LETTER**.

(“Tentative Common Seniority List” of Junior Clerks (BPS-11) and “Initial Offer of Appointment Letter” are annexed herewith, marked as “A” & “B” respectively...)

ATTACHED
EXAMINER

COPYING BRANCH D&SJC KURRA

4. That the undersigned was initially posted as "**English Clerk**" in the Superintendent Office and later on 16.07.2019 posted as **Reader** in the Court of Respected **Mr. Sultan Hussain**, Additional District & Sessions Judge-II / MCAC, Kurram, at Parachinar. That due to Resignation of Three (3) Junior Clerks & internal arrangements, on 07.11.2019 the undersigned was re-posted to the newly established District Record Room as **Record Keeper / In-charge Record Room**. The undersigned is presently serving as **Reader** in the Court of Respected **Mr. Muhammad Farooq Ahmad**, Civil Judge / Judicial Magistrate, Sadda – Lower Kurram, since 13.10.2021 up to date with the entire zeal and devotion without any complaint whatsoever.

5. That while serving the undersigned came up with the information by the Judicial Officer(s) as well as Judicial Official(s) in the End of **March, 2020** that **Mr. Imtiaz Hussain, Junior Clerk (BPS-11), Annual Confidential Report (ACR) Form for the Year 2019, of his Reporting Officer Mr. Sultan Hussain, AD&SJ-II / MCAC,**

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29/07/2022

Kurram, at Parachinar has been misplaced from the Personal File of District Courts, Kurram.

6. That on time the undersigned approached the Competent Authority to resolve the said issue. The Competent Authority upon request of the undersigned – **Reporting Officer and The Hon'ble District & Sessions Judge, Kurram** has issued directions to conduct **INQUIRY** in the same matter. On **23.06.2020** the DSJ, Kurram conducted **Inquiry**, transferred it to Respected **Mr. Muhammad Asghar**, Civil Judge-II / Judicial Magistrate, Kurram at Parachinar, in which **Statements** of concerned Officials are recorded and correspondence has been made. From the Inquiry Statements and correspondence, it is crystal clear that the ACR Form of undersigned / Mr. Imtiaz Hussain for the Year 2019 has been misplaced illegally with mala-fide intention.

(Attested Copy of "Inquiry" correspondence is annexed herewith, marked as "C"...)

7. That while serving the undersigned was served with the **Adverse Remarks, Communication of Adverse Remarks in the Annual Confidential Report (ACR) Form for the Year 2019, Vide Letter No. 991/DSJ/Kurram, Dated. 21.07.2020**, by the Superintendent of District Courts, Kurram that the following remarks have been recorded by the Reporting Officer, agreed upon by the Countersigning Officer.

(Copy of Adverse Remarks Letter, for the ACR of 2019 is annexed herewith, marked as "D"...)

8. That after receiving the Adverse Remarks Letter, the undersigned on same time approached to the Competent Authority to inquire into the same matter:
- I. That from whom the First ACR Form of undersigned / Mr. Imtiaz Hussain for the Year 2019 has been misplaced?
 - II. Who is the Custodian of District Courts, Kurram Officials ACRs?
 - III. Why only the First ACR Form of undersigned / Mr. Imtiaz Hussain for the Year 2019 has been misplaced, as all the ACRs of each Court are packed in 1 envelope?
 - IV. Why only the First ACR Form of undersigned / Mr. Imtiaz Hussain for the Year 2019 has been misplaced,

ATTORNEY
29/07/2022
EXAMINER
COPYING BRANCH DSSC KURRI

other more than 60+ Judicial Staff Members ACR Forms for the Year 2019 were safe except the undersigned?

- V. Who is the **main Culprit** in the same matter too, as already inquiry has been conducted by the DSJ, Kurram and from the said inquiry it is crystal clear that the said ACR has been misplaced illegally with mala-fide intention?

But the Competent Authority as well as Inquiry concerned Judicial Officer did not associate me with the Inquiry Proceedings nor share any information regarding the misplaced ACR Form of the undersigned.

9. That in September, 2020 first week, Inquiry concerned Respected Mr. **Muhammad Asghar**, Civil Judge-II / Judicial Magistrate, Kurram, at Parachinar has been transferred from Headquarters – Parachinar to Tehsil Sadda, Lower Kurram. On 03. 09. 2020 the said Inquiry concerned Judicial Officer sent the Inquiry to DSJ, Kurram for **ORDER / DISPOSED OFF**. Final Order of The DSJ, Kurram is till dated neither communicated nor concluded.

(Attested Copy of the "Transfer out / Dispatch Register" of Respected Mr. **Muhammad Asghar**, Civil Judge-II / Judicial Magistrate, Kurram, at Parachinar is annexed, marked as "E"...)

10. That upon the Communication of Adverse Remarks the undersigned then submitted "MERCY APPEAL FOR EXPUNCTION OF ADVERSE REMARKS RECORDED IN THE ACR OF THE UNDERSIGNED FOR THE PERIOD FROM 16.07.2019 TO 07.11.2019 (ACR of 2019)", but the same or the reply is till dated not communicated but rather the same was returned to me in **ORIGINAL** by the Office of Superintendent without any decision.

(Copy of the "Mercy Appeal" is annexed herewith, marked as "F"...)

11. That the undersigned time and again requested the Competent Authority and also moved AN APPLICATION FOR ISSUANCE OF INQUIRY PHOTOCOPIES OF MISPLACED ACR FORM OF MR. IMTIAZ HUSSAIN FOR THE YEAR 2019, but till dated neither

2020/07/07
2020/07/07
ATTESTED
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29/07/2020
COPYING BRANCH D.S.C. KURRAM

such information shared nor handed over Photocopies of the Misplaced ACR Form to the undersigned.

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09/07/2022

12. That the undersigned due to abilities and hard work then appreciated by the same **Reporting Officer, Respected Mr. Sultan Hussain**, AD&SJ-II / MCAC, Kurram, at Parachinar as well as Respected **Mr. Sharif Ullah**, Civil Judge-III / Judicial Magistrate, Kurram, at Parachinar twice in a Year (2021) and issued **CERTIFICATE OF APPRECIATIONS**.

(Both The "Certificate of Appreciations" are annexed, marked as "G" & "H" respectively...)

13. That the Competent Authority as well as Inquiry concerned Judicial Officer did not associate me with the inquiry proceedings nor share any information regarding the misplaced ACR Form of the undersigned, but illegally with mala-fide intention, deprived me from my right of promotion from the Junior Clerk to the Post of **Senior Clerk**.

14. That recently, the undersigned came to know through his Batch Mates that the ACR Form of the undersigned / Mr. Imtiaz Hussain for the Year 2020 is also Adverse, but till dated no Adverse Remarks has been communicated by the Competent Authority to the undersigned in accordance with law.

ATTESTED
EXAMINER
COPYING BRANCH B&S.C. KURRI

15. That the undersigned is a responsible, cautious citizen and cannot even think of the display of the charges leveled against me.

16. That the undersigned has never committed any act or omission which could be termed as misconduct, I duly performed my duties as assigned with full devotion, zeal and loyalty albeit I have been roped in the instant false and baseless charges.

17. That the Communication of Adverse Remarks imposed upon me, is too harsh and stigmatized the bright and spotless service record of the undersigned.

8
08/07/2022

18. That the undersigned has not been treated in accordance with law hence the rights secured and guaranteed under the law and constitution is badly violated.
19. That the undersigned has not done any act or omission which can be turned as mis-conduct, thus the undersigned cannot be punished.
20. That the undersigned has not been given proper opportunity of personal hearing before awarding the penalty, hence the undersigned have been condemned unheard.
21. That the undersigned once again requests the Competent Authority for issuance of Inquiry Photocopies of the misplaced ACR Form of Mr. Imtiaz Hussain for the Year 2019.
("Application for Issuance of Photocopies" is annexed herewith, marked as "I"...)
22. *That the undersigned requests the Competent Authority to inquire into the same matter again that who is the main culprit in the same matter too? As the District Courts, Kurram illegally with mala-fide intention deprived me from my right of Promotion from the Junior Clerk to the Post of SENIOR CLERK.*

It is, therefore, humbly prayed that on acceptance of this Appeal the Order of the Departmental Promotion Committee (DPC) Meeting held on Dated. 21.05.2022, Vide Order No. 1993-96/DSJ/Kurram to the extent of Promotion of Junior Clerks to the Post of Senior Clerks, whereby the undersigned may also be Promoted to the Post of SENIOR CLERK (Serial No. 2) being Senior most having all the requisite eligibility criteria.

Dated. 28.06.2022

Yours Obediently,


Imtiaz Hussain
Imtiaz Hussain,
Junior Clerk, (BPS-11)
District Courts, Kurram.

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IN THE COURT OF ABDUL JABBAR KHAN, DISTRICT &
SESSIONS JUDGE, KURRAM.

07
02/06/2022

The instant case file, Departmental Appeal presented
by Imtiaz Hussain, Junior Clerk Sessions Court. To be put up before
Honorable District & Sessions Judge Kurram for further orders.


Superintendent
Sessions Court, Kurram.

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EXAMINER
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COPYING BRANCH D.S.C. KURRAM

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Departmental Appeal No:

Imtiaz Hussain Clerk Vs DPC District Court

حکم نمبر 01
02-07-2022

ڈیپارٹمنٹل اپیل بنام امتیاز حسین کلرک جناب سپرنٹنڈنٹ سٹاف سیکرٹری عدالت کرم سے منجملہ شدہ اپیل کنندہ
امتیاز حسین کلرک حاضر۔ امر آرڈر شیٹ پر درج شدہ تاریخ پر حوالہ دینے کے لئے اپیل کنندہ نے اپیل اور اپیل کنندہ کے
سپرٹنڈنٹ سٹاف سیکرٹری عدالت کرم نے اپیل بذا آرڈر تاریخ کیا ہے۔ ڈیپارٹمنٹل اپیل بذا آرڈر مورخہ 2022-06-29
سپرٹنڈنٹ عدالت کے پاس جمع کیا تھا۔ پس سپرنٹنڈنٹ سٹاف سیکرٹری عدالت کو مخاطب شدہ سپرنٹنڈنٹ سٹاف سیکرٹری
ہے کہ آرڈر شیٹ پر درج شدہ تاریخ پر جو ایک کلیہ ٹیکل غلطی ہے۔ لہذا غلطی کو درست مانا جا کر تاریخ کو
کو بقلم سرخ درست کیا جاتا ہے۔ اپیل بذا آرڈر رجسٹر ہو۔ اپیل کو باقاعدہ سماعت و فیصلہ رسانہ جاتی قانون
ممبر ان ڈیپارٹمنٹل پروموشن کمیٹی (DPC) کو مورخہ 14-07-2022 پر پیش

(عبدالجبار خان)

ڈسٹرکٹ اینڈ سیشن جج کرم

ATTESTED
EXAMINER
29/07/2022
COPYING BRANCH DUSA KURRAM

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14/07/2022

14/7/2022

Appellant absent. The departmental appeal in hand is entrusted to

Departmental Promotion Committee (DPC) for further proceedings in
accordance with law. The appellant is directed to appear before the DPC
after receiving the summon/notice of date of hearing. The DPC is further
directed to summon the appellant after receiving the appeal in hand.

Moharrir is directed to do the needful in accordance with law.

NO. _____
Date of Presentation of Application... 29/4/2023
Date on Which Copy Preparation... 4/4/2023
Date on Which Copy Attested... 4/4/2023
No of Words: _____
Urgent Fee: _____
Name of Copyiest... Gul Hussain
Court Fee: _____
Date of Delivery... 29/4/2023

(ABDUL JABBAR KHAN)
District Judge, Kurram.

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(F)

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To

The Worthy District & Session Judge,
Kurram.

SUBJECT: MERCY APPEAL FOR EXPUNCTION OF ADVERSE REMARKS
RECORDED IN THE "ACR" OF THE UNDERSIGNED FOR THE PERIOD
FROM 16.07.2019 TO 07.11.2019

Respected Sir,

1. That the undersigned was appointed in District & Session Courts, Kurram on 16.05.2019 as "JUNIOR CLERK", then transferred as ENGLISH CLERK to the Superintendent Office and later on 16.07.2019 transferred as READER to the Court of Respected Mr. Sultan Hussain, MCAC/Additional & District Session Judge-II, Kurram in OPS.
2. That on 07.11.2019, due to resignation of Three (03) Junior Clerks, I was re-transferred to the newly established District Record Room as RECORD KEEPER / INCHARGE from the said Court.
3. That soon after the assumption of Duties in the Court of Respected Mr. Sultan Hussain, MCAC/A&DSJ-II, served his Court with entire zeal and devotion without any complaint what so ever to the entire satisfaction of my superiors.
4. That the undersigned always keen to deliver on the command of your good self and give assurance on oath that there will be no negligence on part of me while performing my duties.
5. That the undersigned submits apologies for any irregularities if so been committed while performing duties and request for forgiveness and assurance that will more conscious as not to repeat the same in future.
6. That even otherwise the impugned adverse entries recorded in "ACR" of the Appellant is a stigma in the bright, long and spotless Service Career of the Appellant and on this ground to the adverse entries is liable to be expunged.
7. *That I have been serving my Duties as Record Keeper / Incharge of District Record Room, Kurram up to date.*

It is therefore humbly requested on acceptance of this MERCY APPEAL that the adverse Remarks may kindly be Expunged for the period of 16.07.2019 to 07.11.2019.

Dated. (Friday), 08.01.2021

Yours Obediently,

Imtiaz Hussain

Imtiaz Hussain,
Junior Clerk / Record keeper /
Incharge District Record
Room, Kurram.

بعدالت جناب ڈسٹرکٹ اینڈ سیشن جج ملتان، ضلع کرم پارا چنار

انکوائری ACP نام امتیاز حسین

عنوان بنام

درخواست بمبر اذعطاء بیگنی نقول / فائل آرڈر شیٹ / مثل مکمل / دیگر / مصدقہ / غیر مصدقہ
نقولات

جناب عالی!

۱۔ یہ کہ مقدمہ عنوان بالا آپ کی عدالت میں زیر تہیز ہے / تھا۔

۲۔ تاریخ 03/09/2020 پر فیصا ہو چکا ہے۔

۳۔ جس میں آئندہ تاریخ پیشی Nil مقرر ہے۔

یہ کہ مقدمہ عنوان بالا میں سائل کو نقل درکار ہے۔ لہذا التماس ہے کہ سائل کو نقل / نقول دینے کا حکم صادر فرمایا جائے۔

مورخہ 28.06.2022

ATTESTED
EXAMINER
29/6/2023
COPYING BRANCH D.S.C. HURBAN

Gudrat in

سائل امتیاز حسین

ولد سجاد حسین

جونیئر کلرک، ڈسٹرکٹ کورٹ کرم

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To,

The Hon'ble District & Sessions Judge,
Kurram.

Subject: REQUEST FOR RETURNING OF ORIGINAL DEPARTMENTAL APPEAL.

Respected Sir,

With most humble submission it is stated that the undersigned is performing his duty as Junior Clerk (BPS-11) in this Department since 16.09.2019.

That the undersigned was referred for promotion with other Staff Members before the Departmental Promotion Committee (DPC) from Junior Clerk (BPS-11) to Senior Clerk (BPS-14) on Serial No. 2, Meeting held on 21.05.2022, but was dropped being considered not fit.

That the undersigned then moved Departmental Appeal before the Hon'ble District & Sessions Judge, Kurram on 28.06.2022 (Titled: "**Imtiaz Hussain Clerk Vs DPC District Court**"), which was then entrusted to DPC members for further proceedings in accordance with law. And the undersigned was directed to appear before the DPC members Vide. Order-----02, Dated. 14.07.2022 of the then Hon'ble District & Sessions Judge, Kurram, however, unfortunately due to the transfer & posting of Judges/Committee Members, DPC Meeting could not be held up till now.

Therefore, it is most humbly requested that the Departmental Appeal of the undersigned may please be returned in original to the undersigned.

Dated. 24.05.2023


Yours Obediently,



Imtiaz Hussain S/o Sajjad Hussain,
Junior Clerk (BPS-11), presently
Muharrir to Civil Judge-III, Kurram at
Parachinar.

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ایڈوکیٹ: جہانگیر خان سومر ایڈووکیٹ پشاور				
بار کونسل ایسوسی ایشن نمبر: 10-6921-2 BC No:				
رابطہ نمبر: 030095-94039		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		

بعدالت جناب: سرورس ٹریبونل پشاور

منجانب: ایپلنٹ	دعویٰ:
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

باعث تحریر آنکہ

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

آن مقام پشاور کیلئے محمد جہانگیر خان سومر ایڈووکیٹ پشاور کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 25/07/2023

العبد العبد العبد
مقام پشاور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی قابل قبول ہوگی۔

Attested & Accepted

Advoc

امین ایڈووکیٹ پشاور

Antar H