


# FORM OF ORDER SHEET

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

**Appeal No. 1834/2023**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/09/2023	<p>The appeal of Mr. Abdul Salam received today by registered post through Mr. Hamayun Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on</p> <p style="text-align: right;">By the order of Chairman</p> <div style="text-align: right;">   <b>REGISTRAR</b> </div>

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR CAMP AT ABBOTTABAD**

Service Appeal No. 1834/2023

Abdul Salam son of Hakeem Khan, resident of Bartoni, Tehsil Dor Maira, District Torghar, presently Junior Clerk Deputy Commissioner Office, Torghar.

...APPELLANT

VERSUS

Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

**SERVICE APPEAL**

**INDEX**

S.#	Description	Page No.	Annexure
1.	Memo of Appeal	1 to 00	
2.	Suspension Application alongwith affidavit	9 To 10	
3.	Copy of order	11 - 18	"A"
4.	Copy of appeal	19 - 21	"B"
5.	Copy of appeal	22	"C"
6.	Copy of comments	23	"D"
7.	Copy of order	24 - 26	"E"
8.	Copies of orders	27 - 35	"F" & "G"
9.	Wakalatnama		

...APPELLANT

Dated: 5/9 /2023

Through

  
(HAMAYUN KHAN)

  
(FAZLULLAH KHAN)

Advocates High Court, Abbottabad

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR CAMP AT ABBOTTABAD**

Service Appeal No. 1834 /2023

Abdul Salam son of Hakeem Khan, resident of Bartoni, Tehsil Dor Maira, District Torghar, presently Junior Clerk Deputy Commissioner Office, Torghar.

...APPELLANT

**VERSUS**

1. Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Commissioner Hazara Division at Abbottabad.
3. Deputy Commissioner, Torghar.
4. District Accounts Officer, Torghar.
5. Wasiullah Naib Qasid, Deputy Commissioner Office, Torghar.

...RESPONDENTS

**APPEAL** UNDER ARTICLE 212 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973 READ WITH SECTION 04 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974. AGAINST THE IMPUGNED ORDER DATED 31/08/2023 PASSED BY RESPONDENT NO. 2, WHEREBY THE RESPONDENT NO. 2 ACCEPTED APPEAL OF THE RESPONDENT NO. 5 AND SET-ASIDE PROMOTION ORDER OF THE APPELLANT

DATED 09/06/2022 IS ILLEGAL, ARBITRARY,  
AGAINST THE LAW, FACTS, VOID ABINITIO AND  
LIABLE TO BE SET-ASIDE.

---

---

**PRAYER:-** ON ACCEPTANCE OF THE INSTANT  
SERVICE APPEAL, IMPUGNED ORDER DATED  
31/08/2023 PASSED BY RESPONDENTS NO. 2 MAY  
KINDLY BE SET-ASIDE AND ORDER DATED  
09/06/2022 PASSED BY RESPONDENT NO. 3 MAY  
PLEASE BE RESTORED. ANY OTHER RELIEF  
WHICH THIS HONOURABLE TRIBUNAL DEEMS  
FIT AND PROPER MAY ALSO BE GRANTED IN  
FAVOUR OF APPELLANT.

---

---

Respectfully Sheweth;-

Appellant beg to solicit through this appeal on the  
following factual and legal grounds;-

1. That the appellant is permanent resident of District  
Torghar and have done Shahadt-ul-Almia (MA).
2. That appellant was appointed as Class-IV BPS-03 on  
22/12/2017.

3. That appellant has rendered about 06 years service in the department and he always performed his assigned duty with devotion and honesty. He has unblemished official.
4. That on 09/06/2022 departmental promotion committee meeting was held whereby appellant was recommended for promotion against the post of Junior Clerk BPS-11. In the light of recommendation of (DPC) respondent NO. 3 Deputy Commissioner issued promotion order of the appellant against the post of Junior Clerk. Copy of order is annexed as Annexure "A".
5. That on 22/03/2023 respondent No. 5 filed appeal/representation against the promotion order dated 09/06/2022 before the respondent No. 3. Copy of appeal is annexed as Annexure "B".
6. That, on 01/03/2023 respondent No. 3 turned down the appeal of the respondent No. 5 with the direction to approach proper forum.
7. That, on 10/04/2023 respondent No. 5 filed appeal before respondent No. 2 against the order dated 09/06/2022. Copy of appeal is annexed as Annexure "C".

8. That, thereafter the respondent No. 2 called comments from the respondent No. 3 on the subject appeal. Copy of comments is annexed as Annexure "D".
9. That, on 31/08/2023 respondent No. 2 set-aside promotion order of the appellant dated 09/06/2022. Hence, this appeal on the following grounds:- Copy of order is annexed as Annexure "E".

**GROUND:-**

- a. That, the impugned order dated 31/08/2023 is illegal, unlawful, without lawful authority, perverse, and against the constitutional guaranteed rights of the appellant hence, untenable in the eye of law and his liable to be set-aside.
- b. That when law prescribed something which is to be in a particular. That must be in that manner and not otherwise. Hence the *Appellate* authority was bound to follow the law which is not done in the instant case. Hence impugned order is liable to be set-aside and appellant be reinstated in his old service position.

- c. That, neither any notice was served upon the appellant nor he was associated with any proceedings before the respondent No. 2 in respect of his promotion order dated 09/06/2022. Hence, the impugned order is based on political influence, therefore is liable to be set-aside.
- d. That the appellate authority intentionally not issued any notice to the appellant in respect of appeal filed by respondent No. 5 which shows the malafide of the appellate authority.
- e. That, the appellant was condemned unheard and he did not given opportunity for personal hearing to bring the real and true facts on the screen.
- f. That even otherwise the impugned order dated 31/08/2023 is liable to be set-aside on the grounds that no rights of defence or personal right of hearing which was mandatory provision of law was given to the appellant before being proceeded against him.

- g. That, impugned order was passed without any notice, against the well known principle law and natural justice. Hence, impugned order dated 31/08/2023 is liable to be set-aside and order dated 09/06/2022 be restored.
- h. That the whole proceedings initiated an appellate forum against the appellant have been done in contravention to the rules, regulation and law and therefore the whole proceedings are liable to be set-aside.
- i. That the appellate authority violated the basic principle of natural justice and rule and procedure prescribed in E&D. Hence impugned order is liable to be set-aside.
- j. That the appellate authority issued impugned order dated 31/08/2023 against the well known principles procedures prescribed and guidelines by the superior courts and authorities time by time for the governments departments but appellate authority ignored all these rules and principles.



k. That the appellate authority ignored the fact that respondent No. 5 filed appeal after lapse of 10 months which was clearly time barred despite this fact appellate authority ignored the question of limitation.

l. That similarly on 09/12/2022 departmental promotion committee again recommended to others Class-IV for promotion and on the recommendation of DPC Deputy Commissioner (respondent No. 3) issued promotion order to the post of Junior Clerk BPS-11 but respondent No. 5 did not impugned the above said promotion order before any forum. Copies of orders are annexed as Annexure "F" & "G".

m. That the other points shall be argued at the time of arguments.

It is therefore, most humbly prayed that on acceptance of the instant service appeal, impugned order

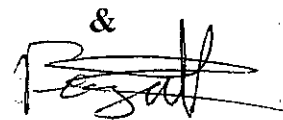
dated 31/08/2023 passed by respondents no. 2 may kindly be set-aside and order dated 09/06/2022 passed by respondent no. 3 may please be restored. Any other relief which this honourable tribunal deems fit and proper may also be granted in favour of appellant.

  
...APPELLANT

Through

Dated: 5/9 /2023

  
(HAMAYUN KHAN)

&  
  
(FAZLULLAH KHAN)  
Advocates High Court, Abbottabad

**VERIFICATION/ AFFIDAVIT:-**

*Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.*

  
...APPELLANT

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR CAMP AT ABBOTTABAD**

CM No. \_\_\_\_\_/2023

IN

Appeal No. \_\_\_\_\_/2023

Abdul Salam son of Hakeem Khan, resident of Bartoni, Tehsil Dor Maira, District Torghar, presently Junior Clerk Deputy Commissioner Office, Torghar.

...APPELLANT

**VERSUS**

Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

**SERVICE APPEAL**

**APPLICATION FOR SUSPENSION OF OPERATION**  
OF the IMPUGNED ORDER DATED 31/08/2023  
PASSED BY RESPONDENT NO. 2, TILL THE FINAL  
DISPOSAL OF INSTANT APPEAL.

---

---

Respectfully Sheweth;-

1. That the titled appeal is being filed today before this Honourable Court, the contents of this application may please be read as an integral part of the same.

2. That the appellant has brought good prima facie, arguable case and balance of convenience also lies in favour of petitioner.
3. That if the operation of impugned order is not suspended, the appellant would suffer irreparable loss and purpose of filing of titled appeal will be defeated.

It is, therefore, humbly prayed that on acceptance of instant application, the operation of impugned order may graciously be suspended till final disposal of the titled appeal.

  
...APPELLANT

Through

Dated: 5/9 /2023

  
(HAMAYUN KHAN)

  
(FAZLULLAH KHAN)

Advocates High Court, Abbottabad

**AFFIDAVIT:**

I, *Abdul Salam son of Hakeem Khan, resident of Bartoni, Tehsil Dor Maira, District Torghar, presently Junior Clerk Deputy Commissioner Office, Torghar*, do hereby solemnly affirm and declare on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

  
DEPONENT

# ANNEXURE "A"

11

## MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION & SELECTION COMMITTEE (DPSC), TORGHAR HELD ON 09.06.2022

A meeting of Departmental Promotion & Selection Committee Torghar was held on 09.06.2022 at 10:00AM under the chairmanship of Mr. Safdar Azam Qureshi, Deputy Commissioner Torghar.

The following attended:-

- |   |                 |          |
|---|-----------------|----------|
| 1- Mr. Safdar Azam Qureshi  | DC Torghar      | Chairman |
| 2- Mr. Tahir Ashraf   | Finance Officer | Member   |
| 3- Mr. Bahadar Khan (Assistant, Rep: of Commissioner Office Abbottabad) |                 | Member   |

The meeting started with the name of the Almighty Allah. The chair welcomed all the participants. Following agenda items were discussed and decision were taken accordingly.

### 1- Promotion of Naib Qasid BPS-03 to the post of Junior Clerk BPS-11

The forum was briefed that there are total ten (10) sanctioned posts of Junior Clerks BPS-11, in the office of the Deputy Commissioner Torghar. Under the provision of notification No. 2074/Estt:I/II/135/SSRC dated: 23.01.2015 issued by Govt. of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department, three (03) posts falls for promotion of Naib Qasids and other equivalent posts under 33% reserved quota. Currently six (06) posts of Junior Clerk BPS-11 are filled while four (04) posts are lying vacant in the office of the Deputy Commissioner Torghar. Under the provision of above mentioned rules among the four vacant posts, one post of Junior Clerk BPS-11, falls under 33% quota reserved for the promotion of Naib Qasid and other equivalent posts.

The committee discussed the following panel in detail and perused their official record/documents and decisions were taken accordingly:-

S.#	Name of official	Qualification	Date of appointment	Whether or not 2 years length of service as Naib Qasid or other completed	Decision/Remarks
1	Mr. Abdus Salam	F.A & Shahadat ul Aalamia (M.A)	26.12.2017	Yes	Approved & recommended for promotion against the vacant post of Junior Clerk BPS-11
2	Mr. Wasiullah	Matric	19.05.2017	Yes	Not recommended
3	Mr. Kashif Khan	Matric	31.08.2017	Yes	Not Recommended
4	Mr. Naz ur Rehman	Matric	31.08.2017	Yes	Not Recommended

### 2- Adjustment of Sweeper BPS-03 against the post of Naib Qasid BPS-03

Mr. Nazik Shah, was appointed as Sweeper BPS-03 in the office of the Deputy Commissioner, Torghar. The said official submitted an application before the Commissioner Hazara Division Abbottabad for adjustment against the post of Naib Qasid. The Commissioner Hazara Division Abbottabad forwarded the request of above mentioned official vide letter No. CHD/Estab/4/16/8952-54 dated: 22.12.2020 for necessary action. As per promotion of above mentioned Naib Qasid to the post of Junior Clerk BPS-11, the post of above mentioned Naib Qasid will become vacant, therefore, one Mr. Nazik Shah, Sweeper will be adjusted on the post of Naib Qasid BPS-03. The Committee approved and recommended the above mentioned case.

Rep: of Commissioner Office, Hazara Abbottabad  
(Member)

Finance Officer, Torghar  
(Member)

Attached  
H ER

Deputy Commissioner, Torghar  
(Chairman)

**WORKING PAPER FOR THE MEETING OF DEPARTMENTAL PROMOTION & SELECTION COMMITTEE (DPSC), DISTRICT TORGHAR, HELD ON 09.06.2022**

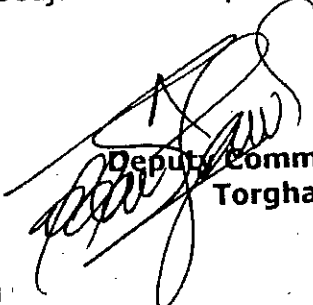
**1- Promotion of Naib Qasid BPS-03 to the post of Junior Clerk BPS-11**

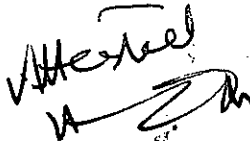
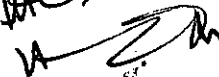
Total ten (10) posts of Junior Clerk BPS-11 were sanctioned in the office of the Deputy Commissioner Torghar. Out of which 06 posts are filled while 04 are laying vacant. Four (03) posts falls under 33% quota reserved for the promotion of the Class-IV, 02 Naib Qasid have already been promoted against the said quota while one will be promoted. Panel of Class-IV having qualification Matric & above for promotion against the said quota is as under:-

S.#	Name of official	Date of birth	Qualification	Date of appointment	Whether or not 2 years length of service as Naib Qasid or other completed
1	Mr. Wasiullah	04.05.1993	F.A	19.05.2017	Yes
2	Mr. Kashif Khan	25.03.1995	Matric	31.08.2017	Yes
3	Mr. Naz ur Rehman	01.01.1997	Matric	31.08.2017	Yes
4	Mr. Abdus Salam	06.12.1983	M.A	26.12.2017	Yes

**2- Adjustment of Sweeper BPS-03 against the post of Naib Qasid BPS-03**

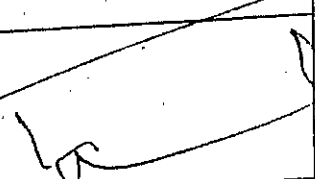
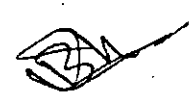
Mr. Nazik Shah, was appointed as Sweeper BPS-03 in the office of the Deputy Commissioner, Torghar. In case of promotion of above mentioned Naib Qasids to the post of Junior Clerk BPS-11, the posts of above mentioned Naib Qasids will become vacant, therefore, one Mr. Nazik Shah, Sweeper will be adjusted on the post of Naib Qasid BPS-03.

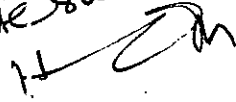
  
 Deputy Commissioner  
 Torghar

  
 Attested  


13

**Attendance sheet the meeting of DPSC, held on 09.06.2022**

<u>S.#</u>	<u>Name</u>	<u>Designation</u>	<u>Signature</u>
1	Safdar Azam Qureshi	Deputy Commissioner Torghar	In Chair
2	Tahir Ashraf	Finance Officer, Torghar	
3	Bahadar Khan	Assistant, Rep: of CHD Hazara Division	

*Attended*  


**MINUTES OF THE MEETING OF THE SELECTION & PROMOTION  
COMMITTEE (LEVIES FORCE), TORGHAR HELD ON 09.06.2022**

A meeting of Selection & Promotion Committee (Levies Force) Torghar, was held on 09.06.2022 at 11:00AM under the chairmanship of Mr. Safdar Azam Qureshi, Deputy Commissioner/Commandant, Levies Force, Torghar.

The following attended:-

- |   |                        |          |
|---|------------------------|----------|
| 1- Mr. Safdar Azam Qureshi  | DC/Commandant          | Chairman |
| 2- Mr. Sahibzada Saleem   | AC(HQs)/Dy: Commandant | Member   |
| 3- Mr. Bahadar Khan (Assistant, Rep: of Commissioner Office Abbottabad) |                        | Member   |
| 4- Section Officer (Police-II), H&TAs Deptt:                            |                        | Member   |

The meeting started with the name of the Almighty Allah. The chair welcomed all the participants. Opening the discussion the forum was briefed that the meeting has been convened to fill in the vacant posts in Federal Levies Force, Torghar. Following agenda items were discussed by the Committee and decisions/recommendations were made accordingly:-

**1- Promotion of Lance Naik BPS-08 to the post of Naik BPS-08**

Four posts of Naik BPS-08 are lying vacant in the office of the Deputy Commissioner/Commandant Federal Levies Force, Torghar. To fill the posts, the Committee scrutinized/examined the documents/credentials of the following panel of Lance Naik, BPS-08 and made recommendation accordingly.

S.#	Name of Lance Naik	Date of appointment	Date of Last Promotion	Whether or not 3 years length of service as Lance Naik completed	Recommendation
1	Mr. Behtar Saic	17.05.2010	10.11.2017	Yes	Approved & recommended for promotion
2	Mr. Asfandiyar Khan	17.05.2010	10.11.2017	Yes	Approved & recommended for promotion
3	Mr. Fazal Muhammad	17.05.2010	10.11.2017	Yes	Approved & recommended for promotion

**2- Promotion of Sepoys BPS-07 to the post of Lance Naik BPS-08**

On the promotion of above mentioned three Lance Naik to the posts of Naik, three posts of Lance Naik BPS-08 will become vacant in the office of the Deputy Commissioner/Commandant Levies Force, Torghar. To fill the posts, the Committee scrutinized/examined the documents/credentials of the following panel of Lance Naik, BPS-08 and made recommendation accordingly.

S.#	Name of Lance Naik	Date of appointment	Whether or not 3 years length of service as Lance Naik completed	Recommendation
1	Syed Hameed Shah	17.05.2010	Yes	Approved & recommended for promotion
2	Said Zafar Ali Shah	17.05.2010	Yes	Approved & recommended for promotion
3	Abdur Rauf Gul,	17.05.2010	Yes	Approved & recommended for promotion
4	Rafi Ullah	17.05.2010	Yes	Not recommended
5	Fida-ur-Rehman	17.05.2010	Yes	Not recommended
6	Hasham Ali Khan	17.05.2010	Yes	Not recommended
7	Syed Laiq Shah	17.05.2010	Yes	Not recommended
8	Inam-uddin	17.05.2010	Yes	Not recommended
9	Syed Muhammad Khan	17.05.2010	Yes	Not recommended

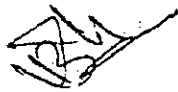
*Attested*



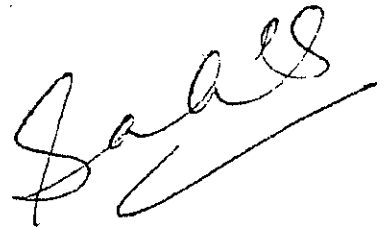
**3- Promotion of Junior Clerk BPS-11 to the post of Senior Clerk BPS-14 on Acting Charge Basis (ACB)**

One post of Senior Clerk BPS-14 is lying vacant in the office of the DC/Commandant Levies Force Torghar, to be filled in by promotion from amongst the Junior Clerk BPS-11. There is only one sanctioned post of Junior Clerk BPS-11, and one Mr. Muhammad Doustam, is working against the said post.

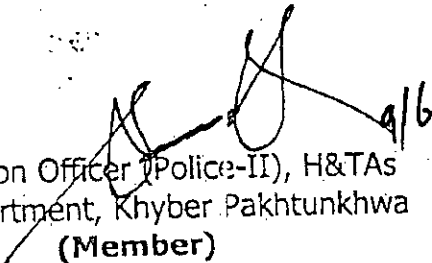
The committee perused the record of the official concerned and unanimously agreed/decided that Mr. Muhammad Doustam may be promoted against the vacant post of Senior Clerk BPS-14 in the office of the DC/Commandant Levies Force Torghar on Acting Charge Basis (ACB) till the completion of required length of service in the best public interest.



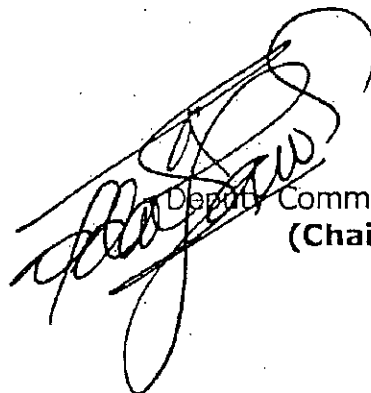
Rep: of Commissioner Office, Hazara Abbottabad  
(Member)



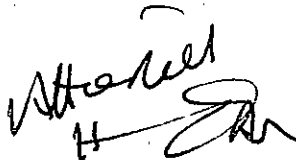
Assistant Commissioner(HQs), Torghar  
(Member)



Section Officer (Police-II), H&TAs  
Department, Khyber Pakhtunkhwa  
(Member)

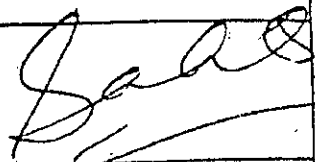

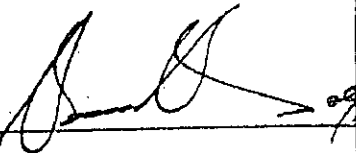



Deputy Commissioner, Torghar  
(Chairman)



16

Attendance sheet for the Meeting of Promotion & Selection Committee (Levies Force) held on 09.06-2022

S.#	Name	Designation	Signature
1	Safdar Azam Qureshi	Deputy Commissioner Torghar	In Chair
2	Sahibzada Saleem	AC, HQs	
3	Bahadur Khan	Rep of CSD	
4	Aftab Alam	Section Officer (P-II)	

Attested  




**Office of the Deputy Commissioner  
District Torghar**

No. Estab/DC (2017)/TGI/1242-44  
Dated Torghar the 22/12/2017

Fax# 0997580188  
dctorghar@gmail.com

To

Mr. Abdus Salam S/O Hakeem Khan,  
Village Bartonl Bassikhel Tehsil Judba District Torghar  
Employment Exchange # 1841/CS/17

Subject: **OFFER OF APPOINTMENT TO THE POST OF NAIB QASID (BPS-03)  
IN THE OFFICE OF THE DEPUTY COMMISSIONER TORGHAR.**

Consequent upon recommendation/approval by the Departmental Selection Committee meeting held on 22.12.2017, Mr. Abdus Salam is offered the post of Naib Qasid (BPS-03) at Deputy Commissioner Office Torghar on the following terms and conditions with immediate effect.

- a- He will be entitled to a pay in the Basic Pay Scale No.1 (BPS-03) plus allowances as may be admissible under the rules.
- b- The appointment is purely on temporary basis subject to medical fitness domicile and character verification.
- c- He will be on probation for a period of one year extendable for another one year by order either before or after its termination. Provided further that in the absence of an order, the period of probation shall be on the expiry of the extended period be deemed to have been successfully completed in accordance with the Section-21 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 as amended from time to time.
- d- His services are liable to be terminated at any time without assigning any reasons by giving a notice for a period not less than 15 days for the period by which the notice falls short of 15 days.
- e- In case he wishes to terminate his services under Government, he shall resign in writing and shall therefore, continue to serve the Government until his/her resignation is accepted. If he absents himself he shall be liable to disciplinary action which may result in disqualification from any further employment under Government.
- f- He will have no claim or title to permanent retention/confirmation on any post under this office on the basis of this appointment.

If the offer is acceptable to him on the above mentioned terms and conditions he should report for duty to the office of the Deputy Commissioner Torghar within seven days and submit his acceptance of this order.

(Parwalz Sabatkhel)  
Deputy Commissioner  
Torghar

**Endst: No. & Date Even:**

Copy to:-

1. The District Accounts Officer Torghar.
2. Accountant: DC Office Torghar for necessary action.

Deputy Commissioner  
Torghar



18

Office of the Deputy Commissioner  
District Torghar



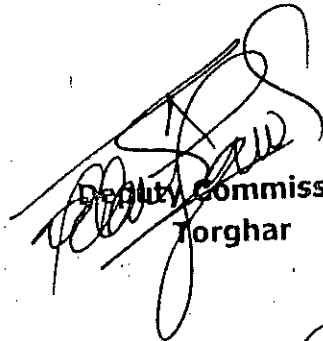
Dated Torghar the 09/06/2022  
Fax# 0997-541003  
dctorghar@gmail.com

**ORDER**

**No. Estab/DC(2022)/TG/3117-19;** Consequent upon the approval/recommendation of Departmental Promotion & Selection Committee Torghar vide minutes of meeting held on 09.06.2022, Mr. Abdus Salam, Naib Qasid, BPS-03 is hereby promoted as Junior Clerk BPS-11, against the vacant post in the office of the Deputy Commissioner Torghar on the terms and conditions given below with immediate effect.

**Terms & Conditions:**

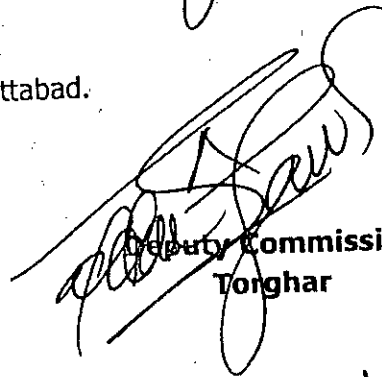
He shall be on probation as required under Para-15 of Khyber Pakhtunkhwa, Civil Servants (appointment, promotion & transfer) Rules 1989.

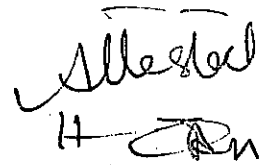
  
Deputy Commissioner  
Torghar

**Endst: No. & Date: Even.**

Copy to:-

- 1- The District Accounts Officer, Torghar.
- 2- PS to Commissioner Hazara Division Abbottabad.
- 3- Official concerned for compliance.

  
Deputy Commissioner  
Torghar



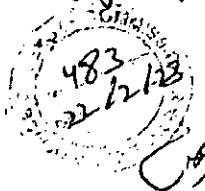
بخدمت جناب ڈپٹی کمشنر صاحب ضلع تور شہر

مضمون: غلط تعیناتی / غلط پردوشن برائے جو نیر اہلکار

جناب عالی۔

مورد بیان گزراش حکیم سائل ڈپٹی کمشنر آفسن تور شہر میں عیشت  
 نائب قاضی ایڈیشن سے انجام (سہ ماہی اور سائل کا تعلق گاؤں تور شہر  
 شہر ڈنگ سے ہے نیز سائل کے تعلق قابلیت ہم BA ہے سائل کو باوثوق ذرا لچ  
 سے معلوم ہوا ہے کہ ڈی سی آفسن کا نائب قاضی جو کہ سائل سے بعد میں مقرر ہوا ہے اور  
 کبھی ڈی سی آفسن میں ڈیوٹی پر دیکھا بھی نہیں گیا دفتر کی محلہ کی علی عیادت اور عیادت لیسوں  
 کی خاطر جو نیر لکھ پوسٹ پر پروٹ کیا گیا اللہ کی بات یہ حکیم علی علی سائز سے  
 مذکورہ نائب قاضی کا آرڈر اور اسکی پوری فائل دفتر سے پوشیدہ اور خفیہ رکھی گئی ہے یہ عمل  
 نہ صرف برت کر ڈھکیاں بکھیر رہا بلکہ میرا جیسے ڈی سی آفسن کے افسر بھی سوسائٹ ملازمین کے  
 حق کو ہتیاہ کر رہا ہے

لہذا آجنا ب سے گزراش حکیم مذکورہ معاملے کی تحقیق کی جائے اور  
 حقدار کو اسکا حق دیا جائے اور مذکورہ سائز اور حرکت کرنا والوں کے  
 خلاف دفعہ 419 اور 420 کے تحت FIR کے قانون کاروائی کی جائے  
 (مہلک لکھ)



عین نواز شہر

العاصم

واسع اللہ  
 نائب قاضی آفسن (ڈپٹی)

ADC (67)  
 Inquire the  
 matter &  
 report within  
 seven (07) days.

Handwritten signature and date: 22/2/23

20



Office of the Additional Deputy Commissioner (G)  
District Torghar

No. ADC (G)/TG/ 466  
Dated Torghar the 01/03/2023



Phone# 0997-541001

Fax# 0997-541003

dctorghar@gmail.com

To

The Deputy Commissioner  
Torghar.

Subject: - **INQUIRY REGARDING PROMOTION OF NAIB QASID TO JUNIOR CLERK AT DC OFFICE TORGHAR.**

Kindly refer to Diary No. 483 dated 22/02/2023 whereby the undersigned was nominated as Inquiry officer to conduct facts finding inquiry regarding the subject matter. The inquiry was conducted as under:-

**BACKGROUND:-**

Mr. Wasi Ullah, Naib Qasid, Deputy Commissioner Office, Torghar submitted a self-explanatory application, wherein, he stated that one of the Junior Naib Qasid has been promoted to Junior Clerk (BPS-11) against the prevailing policy of Board of Revenue, Revenue & Estate Department and deprived him of his due promotion and prayed for justice.

There were 3 numbers posts of Junior Clerks (BPS-11) lying vacant in the office of Deputy Commissioner which fall under promotion quota among the most senior Naib Qasids and other equivalent posts in BPS-03, on the basis of seniority cum fitness with two years service as such, who have passed Secondary School Certificate Examination.

**PROCEEDING:-**

The statements of Mr. Wasi Ullah, Naib Qasid and Mr. Abdul Salam were

*Abdul Salam*  
*Wasi Ullah*

**CONCLUSION:-**

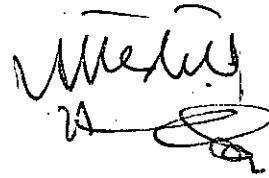
As per the seniority list of Naib Qasids and other equivalent posts/cadres in BPS-03, prepared under rules section 17 (1) (a) of ESTA Code, Khyber Pakhtunkhwa Mr. Wasi Ullah, is at Serial No. 21 and Mr. Abdus Salam on Serial No. 26 as per the Seniority List of the incumbents as it stood on 31-12-2022. **(Annex-C)** Furthermore, the available record on the file and statements of the above officials were perused. The record transpires that during the meeting of Departmental Promotion and Selection Committee promoted Mr. Abdus Salam was recommended to be promoted in the absence of formally notified Seniority List of the officials of BPS-03 or equivalent posts. Furthermore, no justification of recommending Mr. Abdus Salam over other 07 incumbents who were otherwise senior than him in length of service.

It is pertinent to mention here that there was no seniority list of Naib Qasid (BPS-03) and equivalent posts at the establishment of Deputy Commissioner Torghar, was prepared/ notified at the time of this promotion.

**RECOMMENDATION:-**

In view of the above, the instant request can't be entertained at this belated stage and he may approach the competent forum under section 2 (a) of the Khyber Pakhtunkhwa, Civil Servant (Appeal), Rules 1986 "Appellate Authority, means the officer or authority next above the competent authority".

Add: Deputy Commissioner (G)  
Torghar



ANNEXURE 'C'

*[Handwritten signature]*  
10/9/2013

ایس ایچ ایچ ڈی ڈویژن ایف آئی ایچ

صنوع و غلط پروڈکشن

جناب عالی

فوجدان گزارش کے سائل ڈپٹی کمشنر ٹوریزم دفتر میں بحسب نائٹ

قاصد ایچ خدمات سرانجام دے رہا ہے۔ سائل کی تصدیقاتی 18<sup>05</sup>/<sub>2017</sub> کو ہوئی

ہے۔ سائل کو دفتری ریکارڈ سے معلوم ہوا ہے کہ مذکورہ دفتر کے ایک

اور نائٹ قاصد نامی عبداللہ جسکی تصدیقاتی دسمبر 2017 میں ہوئی تھی

دفتری اسٹاف کی علی گھٹ سے 09<sup>06</sup>/<sub>2012</sub> کو جو نیشنل فلکس کی پوسٹ پر

ترجمی گئی ہے جبکہ اسی دفتر میں 07 امر نائٹ قاصدین خدمات

سرانجام دے رہے ہیں جو 2011 میں بھرتی ہوئے ہیں اور جو نیشنل فلکس

کی پوسٹ پر ترجمی کے لیے تعلیمی معیار نہیں پورا رکھتے ہیں۔

مزید یہ کہ اس غلط پروڈکشن کی وجہ سے نہ صرف ہرانہ نیشنل فلکس میں

کئی حق تلفی ہو رہی ہے بلکہ دفتر کا پورا ماحول بھی خراب ہوا ہے۔

اس بنا پر ڈپٹی کمشنر ٹوریزم کو درخواست میں دائر کی گئی تھی جس پر انکوٹری

پروگرام فلکس رپورٹ مرتب کی۔

لہذا آپ جناب سے استدعا ہے کہ مذکورہ معاملے کی انکوٹری کا حکم صادر کیا

جائے اور پوسٹ کو یقینی بنایا جائے۔

العارض

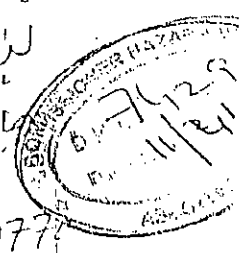
10/2

Reader to C.M.P.  
C.M.P.

A.C.R.

*[Handwritten signature]*  
10/9/2013

*[Handwritten signature]*



0347-0964777

واسع اللہ  
10/9/2013



ANNEXURE "D" 23

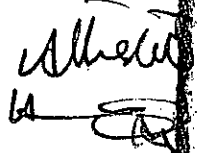
**COMMENTS BEFORE THE HONORABLE COMMISSIONER, HAZARA DIVISION ABBOTTABAD**

**Comments in the "Departmental Appeal against the order of Deputy Commissioner, Torghar dated 09-06-2022".**

1. Mr. Wasi Ullah, Naib Qasid, Deputy Commissioner Office, Torghar submitted a self-explanatory application, wherein, he stated that one of the Junior Naib Qasids was promoted to the post of Junior Clerk (BPS-11) against the prevailing policy of Board of Revenue, Revenue & Estate Department.
2. In this regard an inquiry was conducted through the Additional Deputy Commissioner (G), Torghar. **(Copy of Inquiry Report enclosed as Annex-A)**
3. The facts finding inquiry so conducted revealed that:-
  - i. There were 3 numbers of posts of Junior Clerks (BPS-11) lying vacant in the office of Deputy Commissioner, which fall under promotion quota from amongst the senior most Naib Qasids and other equivalent posts in BPS-03, on the basis of Seniority-cum-Fitness with two years service as such, who have passed Secondary School Certificate Examination.
  - ii. At the time of promotion of Mr. Abdus Salam, there was no updated seniority list which was updated later on 30-11-2022. There were total 32 incumbents in BPS-03 at the time of DPSC in question, and according to the present updated seniority list Mr. Wasi Ullah (the applicant) would have been at Serial No. 21 while Mr. Abdus Salam at Serial No. 26 at the time of promotion. **(Copy enclosed as Annex-B & C)**
  - iii. As per the available record, it has been noticed that Mr. Abdus Salam was recommended to be promoted without any updated Seniority List of the officials of BPS-03. The said official was promoted vide order bearing No. Estab/DC (2022)/TG/3117-19 dated 09-06-2022, on the basis of recommendation of DPSC. **(Copies of Order and DPSC Meeting Minutes enclosed as Annex-D)**
  - iv. No proper justification of recommending Mr. Abdus Salam for promotion, over the senior incumbents is available on record.
  - v. The Appeal of the incumbent can't be entertained at this belated stage being time barred.

In view of the recommendation of the inquiry officer, as stated above, the application of the appellant was filed by the undersigned in line with Rule 6(c) read with Rule 3(1) of the Khyber Pakhtunkhwa, Civil Servants (Appeal) Rules 1986, as the appeal was badly time-barred and could not be forwarded to the Appellate Authority/ Commissioner, Hazara Division Abbottabad under Rule 7 of the rules ibid.

  
Deputy Commissioner  
Torghar





ANNEXURE "E" 24

OFFICE OF THE  
COMMISSIONER HAZARA DIVISION

ABBOTTABAD

No. Reader/10/2 9699  
Dated: 31/08/2023

**ORDER**

23/08/2023

The brief history of the instant appeal is that a meeting of Departmental Promotion & Selection Committee, District Torghar was held on 09/06/2022 in order to examine the promotion cases of Naib-Qasids to the post of Junior Clerk (BPS-11). In the light of the recommendations of the DPC, one Naib-Qasid, Mr. Abdus Salam S/o Hakeem Khan, was promoted as Junior Clerk (BPS-11) vide Deputy Commissioner, Torghar Order No. Estab/DC(2022)/TG/3117-19 dated: 09/06/2022. The appellant, Mr. Wasi Ullah, Naib-Qasid, DC Office Torghar, felt aggrieved by this order and filed an application before the Deputy Commissioner, Torghar against the impugned promotion Order No. Estab/DC(2022) TG/3117-19 dated: 09/06/2022, with the stance that prevailing rules had been violated by the DPC and deprived him alongwith other senior officials from their legal right of promotion.

The Deputy Commissioner Torghar inquired the matter through the ADC (G), Torghar. The Inquiry Officer vide his letter No. ADC (G)/TG/666 dated: 01/03/2023 submitted an inquiry report in which he admitted that neither the seniority of Class-IVs was maintained by the DC Office, Torghar nor was it demanded by the DPC, due to which 10 Officials (including appellant at Sr# 08) were deprived from their legitimate right of promotion. In the light of the recommendation made by the Inquiry Officer, DC Torghar filed the appellant's appeal as being time barred.

And whereas, the appellant, Mr. Wasi Ullah, Naib-Qasid, DC Office Torghar, has filed the instant appeal against the impugned decision taken by the DC Torghar with the pray that the illegal promotion of Mr. Abdus Salam may be set-aside & the promotion cases of Naib-Qasids may be processed on merit in accordance with the prevailing rules & seniority.

And whereas, The Deputy Commissioner, Torghar has submitted comments on the instant appeal vide letter No. Estab/1/Vol-I/DC/TG/1715 dated: 13/06/2023 as requested by this office.

And whereas, in response to the appeal, 23/08/2023 was fixed for personal hearing of the appellant. The appellant attended the proceedings in the presence of Mr. Sajjid Hussain, Additional Deputy Commissioner, Torghar (representative of Deputy Commissioner, Torghar). The appellant presented his stance before the Appellate Authority.

Now therefore, after going through the instant appeal and careful perusal of the available record, the following irregularities have been found:

1. The DPC has defied the following prevailing rules, during the proceedings of the DPC meeting:
  - a. "thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Qasid & Naib-Qasids including holders of other equivalent posts in the district concerned with two years' service as such who have passed Secondary School Certificate Examination; and
  - b. Sixty seven percent by initial recruitment from the candidate of the district concerned."
2. The Deputy Commissioner Office failed to maintain an updated Seniority Lists of Class-IVs under the provisions of prevailing service rules, 2015.
3. In the inquiry report submitted by the Deputy Commissioner Office, Torghar, it is admitted that a junior official has been promoted, in the presence of senior officials.
4. It is also imperative to mention here that the post of Deputy Commissioner Torghar was vacant at the time this DPC was held. Additional Charge was assigned to Mr. Safder Azam Qureshi, Additional Deputy Commissioner (General), Torghar vide Establishment Department, Khyber Pakhtunkhwa order No. SO(E-1)/E&AD/1-1/2022(V) dated: 21/03/2022. The DPC in question was chaired by the aforementioned officer, who had additional charge. It is an irregularity for an officer of a lower scale, to fully exercise such substantial powers, of an officer of a higher scale, when given additional charge.
5. The DPC meeting in question was conducted without consulting the seniority of Class-IVs and legal rights of the senior most officials were infringed.

Therefore, in the light of the above narrated facts, the appeal in hand is hereby accepted with the following decisions:

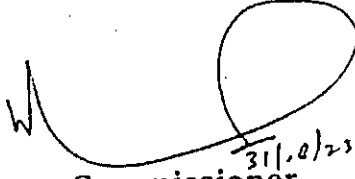
1. The meeting of the DPC held on 09/06/2022 was irregular on many accounts, as is outlined above, and was in clear violation of established rules, and led to gross injustice, and is thereby quashed, with the direction that in future, prevailing rules must be adhered to and followed, in letter and spirit.
2. The promotion of Mr. Abdus Salam, recommended by the DPC was made arbitrarily, without any consideration to rules or the seniority of the officials concerned. The promotion is hereby set aside with the direction to revisit the promotion case and decide the case on merit, in line with established rules.
3. In case of gross injustice, the provision of 'time barred' does not apply, and the appellate authority has reason to believe that the

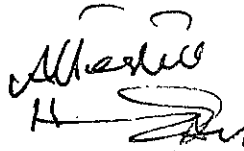
26

appellant and other officials, who were deprived of their legal right to promotion, were unaware of the correct forum to approach to redress their grievances; and the delay was beyond the control of the appellant. The appeal is therefore not 'time barred' and accepted by this forum.

4. The current Deputy Commissioner, Torghar is directed to submit a comprehensive report, regarding any other cases of DPC/promotion or otherwise, dealt with & disposed of by Mr. Safdar Azam Qureshi, during his tenure as Deputy Commissioner, on Additional Charge. Report is to be shared with this office within 20 days positively, please.

ANNOUNCED  
23/08/2023

  
31/8/23  
Commissioner  
Hazara Division Abbottabad



ANNEXURE "F" 27



Office of the Deputy Commissioner  
District Torghar

No. Estab/DC (2022)/TG/ 44385A  
Dated Torghar the 05/12/2022



Fax# 0997-541003  
dctorghar@gmail.com

**NOTIFICATION**

The Departmental and Promotion Committee for promotion of Naib Qasids (BPS-03) to Junior Clerk (BPS-11) is hereby constituted for the office of Deputy Commissioner, Torghar with the following composition:-

1. Deputy Commissioner, Torghar
2. Addl: Deputy Commissioner (Gen), Torghar.
3. Addl: Assistant Commissioner Hassanzai, Torghar.
4. Rep. of Commissioner Office

Chairman  
Member  
Member  
Member

Deputy Commissioner  
Torghar

**Endst: No. & Date Even.**

Copy to:-

1. The Commissioner Hazara Division Abbottabad.
2. To all members for information and necessary action.
3. Official record.

Deputy Commissioner  
Torghar

**MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 15/12/2022 at 10:30 AM FOR THE PROMOTION OF NAIB QASID BPS-03 TO THE POST OF JUNIOR CLERKS BPS-11 IN THE OFFICE OF THE DEPUTY COMMISSIONER, TORGHAR.**

The subject meeting was held on 15/12/2022 at 10:30 AM in the office of Deputy Commissioner, Torghar. the following attended the meeting.

1. The Deputy Commissioner, Torghar. (Chairman)
2. The Addl: Deputy Commissioner (Gen), Torghar.
3. The Addl: Assistant Commissioner Hassanzai, Torghar.
4. Rep. of Commissioner Office Hazara Division, Abbottabad.

The meeting started with the name of Almighty Allah. The chair informed the forum about the agenda of the meeting and informed that 02 numbers of Junior Clerk position are lying vacant and the same are to be filled by promotion amongst the on the basis of seniority-cum-fitness, from amongst the Qasids and Naib Qasids including holders of other equivalent posts strictly in accordance with the rules mentioned at notification of Board of Revenue, Revenue & Estate Department Khyber Pakhtunkhwa vide No. ESTT:II/SSRC/DISTT/CMSR/2022 dated. 27/05/2022.

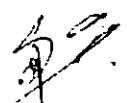
The Departmental Promotion & Selection Committee discussed all the promotion cases and thoroughly examined the service record/seniority-cum-fitness and the following two official were found fit for promotion.


S.No	Name	Qualification	Date of appointment	Whether or not 2 years length of service as Naib Qasid and other equivalent posts.	Remarks
01	Sher Bahadar	Metric	30-06-2011	Yes	Found fit and recommended for promotion from Naib Qasid to the post of Junior Clerk
02	Raaz Muhammad Khan	FA	30-06-2011	Yes	_do_

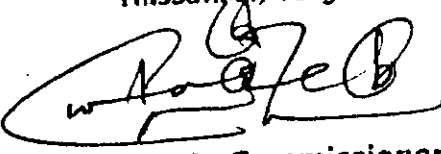
**Decisions:-**


All the members of the committee agreed and unanimously approved the promotions of the above two Naib Qasids BPS-03 to the post of Junior Clerks BPS-11.

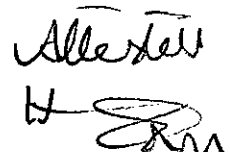
The meeting ended with the vote of thanks.

  
Addl: Deputy  
Commissioner,  
Torghar

  
Addl: Assistant  
Commissioner  
Hassanzai, Torghar.

  
Deputy Commissioner  
Torghar

  
Rep. of Commissioner Office  
Hazara Division, Abbottabad

  
Attestation  
H. [Signature]



**OFFICE OF THE DEPUTY COMMISSIONER  
DISTRICT TORGHAR**

No. Estab/DC (2022)/TG/ 111-3  
Dated Torghar the 09/12/2022



Fax# 0997-5410003  
dctorghar@gmail.com

**PROMOTION CASE BRIEF**

**Subject:- PROMOTION OF TWO CLASS-IV TO THE POSTS OF JUNIOR CLERK BPS-11**

- a. According to the appointment transfer & promotion rules 2015 and amendments made therein vide notification No. ESTT:II/SSRC/DISTT/CMSR/2022 dated 27/05/2022 issued by the Board of Revenue Khyber Pakhtunkhwa. the following method of promotion has been prescribed for the posts of Junior Clerks BPS-11.

“thirty three (33%) by promotion on the basis of Seniority-cum-fitness, from amongst the Qasid and Naib Qasids including holders of other equivalent posts in the District concerned with two years of service as such, who have passed FA/FSc examination or its equivalent qualification from recognized board with the speed of 30 words per minutes in typing.

“Provided further that the condition of FA/F.Sc or its equivalent qualification from recognized board, as laid down above, shall not apply till the expiration of the period in the second provision of column No. 5 against serial No. 4 of the Establishment Department's Notification No. SOEIV(E&AD)/1-35/2014 dated 18/07/2019, the existing matriculate incumbents of the posts of Qasids, Naib Qasids and process servers including holders of the equivalent posts in the District concerned for promotion to the post of Junior Clerk (BPS-11).”

Detail of the sanctioned posts of Junior Clerk are as under:-

S.No	Name of posts	BPS	No. of Posts sanctioned	Filled posts	Vacant posts Fall under 33 % quota for promotion	Remarks
01	Junior Clerk	11	10	04	02	To be filled in by promotion

1. There are two (02) posts of Junior Clerk BPS-11 of promotion quota 33% lying vacant in the office of Deputy Commissioner, Torghar, now the two (02) class IVs namely Sheer Bahadar Naib Qasid and Raaz Muhammad Khan Naib Qasid have completed the required length of service and acquired the requisite qualification and both the officials are the most senior amongst the same cadre, and, hence they are considered fit for promotion. The detail thereof is as under:-

S.No	Name	Qualification	Date of appointment	Whether or not 2 years length of service as Naib Qasid and other equivalent posts.
01	Sheer Bahadar	Metric	30-06-2011	Yes
02	Raaz Muhammad Khan	FA	30/06/2011	Yes

2. Moreover, the above officials are not involved in any disciplinary / departmental Proceedings.

*Attested*  
*[Signature]*

*[Signature]*  
PS to Deputy Commissioner  
Torghar.

36

**FINAL JOINT SENIORITY LIST FOR THE YEAR 2022 OF NAIB QASID (BPS-03), CHOWKIDAR (BPS-03), MALI (BPS-03), COOK (BPS-03) & SWEEPER (BPS-03) IN THE OFFICE OF DEPUTY COMMISSIONER TORGHAR AS STOOD ON 30/11/2022.**

S #	Name of Officials	Designation	Date of Birth	Qualification	Date of Appointment	Date of Arrival	Remarks
1.	Muhammad Zada	Naib Qasid BPS-03	1986	Middle	07-07-2008	07-07-2008	
2.	Sadiq Islam	Naib Qasid BPS-03	1972	Middle	30-06-2011	--	
3.	Mufi Ahmad	Naib Qasid BPS-03	01-01-1978	Primary	30-06-2011	07-07-2011	
4.	Sher Bahadar	Naib Qasid BPS-03	1980	Metric	30-06-2011	12-07-2011	✓
5.	Gulab ur Rehman	Chowkidar BPS-03	1972	Primary	30-06-2011	09-07-2011	
6.	Raz Muhammad Khan	Chowkidar BPS-03	12-09-1988	F.A	30-06-2011	06-07-2011	✓
7.	Bakhti Rehman	Chowkidar BPS-03	01-01-1979	Metric	30-06-2011	02-07-2011	✓
8.	Dawood	Chowkidar BPS-03	1980	Primary	30-06-2011	08-07-2011	
9.	Najam Ullah	Chowkidar BPS-03	1980	Middle	01-07-2011	07-07-2011	
10.	Muhammad Haleem	Cook BPS-03	10-01-1990	Metric	30-06-2011	05-07-2011	✓
11.	Razeeb Khan	Cook BPS-03	05-07-1989		30-06-2011	05-07-2011	
12.	Muhammad Siraj	Cook BPS-03	1979		30-06-2011	05-07-2011	
13.	Sharif Zada	Cook BPS-03	01-01-1988	Metric	30-06-2011	05-07-2011	✓
14.	Rashid Ahmad	Sweeper BPS-03	21-01-1988	Metric	30-06-2011	05-07-2011	✓
15.	Gul Muzamil Shah	Sweeper BPS-03	1980	Primary	01-07-2011	07-07-2011	
16.	Shari Zaif Khan	Mali BPS-03	1978	Nil	30-06-2011	05-07-2011	
17.	Yaseen Khan	Naib Qasid BPS-03	01-01-1989	Primary	17-01-2012	18-01-2012	
18.	Naik Muhammad Gul	Naib Qasid BPS-03	06-03-1987	F.A	02-10-2014	10-10-2014	✓
19.	Hussain ul Haq	Sweeper BPS-03	01-02-1995	Primary	01-12-2014	01-12-2014	
20.	Salamat Khan	Naib Qasid BPS-03	1987	Nil	19-01-2016	28-01-2016	
21.	Wasiee Ullah	Naib Qasid BPS-03	04-05-1993	F.A	18-05-2017	19-05-2017	✓
22.	Kashif Khan	Naib Qasid BPS-03	25-03-1995		30-08-2017	--	
23.	Ikram Ullah	Naib Qasid BPS-03	1980	Nil	30-08-2017	--	
24.	Nazur Rehman	Naib Qasid BPS-03	01-01-1997	F.A	30-08-2017	--	
25.	Zain ul Haq	Chowkidar BPS-03	01-01-1991	Metric	30-08-2017	31-08-2017	✓
26.	Dil Parvez Khan	Mali BPS-03	01-01-1990	Middle	22-12-2017	26-12-2017	
27.	Rashed ul Haq	Mali BPS-03	01-01-1987	Nil	22-12-2017	26-12-2017	
28.	Syed Nazik Shah	Sweeper BPS-03	14-04-1988	Metric	13-02-2018	14-02-2018	

*Atta-ur-Rahman*



31

29.	Anwer Zeb	Sweeper BPS-03	1981	Nil	13-02-2018	14-02-2018	
30.	Muhammad Zubair	Naib Qasid BPS-03	01-08-2002		18-01-2022	19-01-2022	
31.	Sharif ul Hussain	Chowkidar BPS-03	01-01-1987	Middle	18-01-2022	19-01-2022	



Deputy Commissioner,  
Torghar

Dated: 30/11/2022


No. Estab/11/Vol-I/DC/TG/ 6566-67

Copy forwarded to all official Concerned for information.



Deputy Commissioner  
Torghar

Witnessed  
H. Adar

	<b>GOVERNMENT OF KHYBER PAKHTUNKHWA, BOARD OF REVENUE, REVENUE &amp; ESTATE DEPARTMENT.</b>	
	Peshawar Dated the <u>24/05/2022</u>	 091-9114109

**NOTIFICATION**

No. Estt:II/SSRC/Dist/CMSR/2022/ 15407 In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department in consultation with Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. Estt:II/135/SSRC/2033 dated 23.01.2015 (District Cadre), the following further amendments shall be made, namely:

**AMENDMENTS**

In the APPENDIX, against serial No. 10,-

- (a) In Column No. 3, for clause (i), the following shall be substituted namely:  
“(i) Atleast F.A / F.Sc with second division or its equivalent qualification from a recognized Board; and”; and

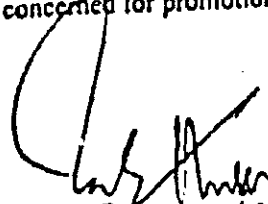
- (b) In column No. 5, for clause (a), the following shall be substituted namely;

- (a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Qasids, Naib Qasids and Process Server including holders of other equivalent posts in the district concerned with two years service as such, who have passed F.A/F.Sc Examination or its equivalent qualification from a recognized Board with a speed of thirty (30) words per minute in typing.



Note: For the purpose of promotion, joint seniority list of Qasids, Naib Qasids and Process Servers including holders of other equivalent posts shall be maintained with reference to the date of their F.A/F.Sc qualification or appointment whichever is later.

Provided that:-

- (i) If two or more officials have acquired the F.A/F.Sc qualification in same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.
- (ii) Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:

Provided further that the condition of F.A/F.Sc or its equivalent qualification from a recognized Board, as laid down above, shall not apply till the expiration of the period specified in the second proviso of Column No. 5 against Serial No. 4 of the Establishment Department's Notification No. SOE.IV(E&AD)/1-35/2014, dated 18.07.2019, the existing matriculate incumbents of the post of Qasids, Naib Qasids and Process Servers including holders of other equivalent posts in the district concerned for promotion to the post of Junior Clerk (BS-11)”.  


Secretary to Government of Khyber Pakhtunkhwa  
Revenue & Estate Department



ANNEXURE "G" 34

**OFFICE OF THE DEPUTY COMMISSIONER  
DISTRICT TORGHAR**

No. Estab/DC (2022)/TG/ 11153A  
Dated Torghar the 09/12/2022



Fax# 0997-5410003  
dctorghar@gmail.com

**WORKING PAPER**

**AGENDA OF DISTRICT PROMOTION COMMITTEE MEETING TO BE HELD  
15/12/2022 at 10:30 AM**

**1. PROMOTION OF TWO CLASS-IV OF THE POST OF JUNIOR CLERK**

- a. Total 10 of posts of Junior Clerk were sanctioned by the government. According to the appointment transfer & promotion rules 2015 and amendments made therein vide notification No. ESTT:II/SSRC/DISTT/CMSR/2022 dated 27/05/2022 issued by the Board of Revenue Khyber Pakhtunkhwa.

"thirty three (33%) by promotion on the basis of Seniority-cum-fitness, from amongst the Qasid and Naib Qasids including holders of other equivalent posts in the District concerned with two years of service as such, who have passed FA/FSc examination or its equivalent qualification from recognized board with the speed of 30 words per minutes in typing.

"Provided further that the condition of FA/F.Sc or its equivalent qualification from recognized board, as laid down above, shall not apply till the expiration of the period in the second provision of column No. 5 against serial No. 4 of the Establishment Department's Notification No. SOEIV(E&AD)/1-35/2014 dated 18/07/2019, the existing matriculate incumbents of the posts of Qasids, Naib Qasids and process servers including holders of the equivalent posts in the District concerned for promotion to the post of Junior Clerk (BPS-11)."

- b. Two (2) posts of Junior Clerks (BPS-11) full under promotion quota lying vacant in this office, whereas several class-IV (as required for the post) of this office have completed the required service and qualification. As per prescribed rules of promotion, the 33% posts of Junior Clerks BPS-11 shall be filled in by promotion on the basis of seniority from among Naib Qasid and other including staff in order to seniority-cum-fitness. (Seniority list is attached for perusal)

*Attested  
H.S. Dur*

Deputy Commissioner  
Torghar



35

**OFFICE OF THE DEPUTY COMMISSIONER  
DISTRICT TORGHAR**

No. Estab/DC (2022)/TG/ 44646A  
Dated Torghar the 20/12/2022



Fax# 0997-541003  
dctorghar@gmail.com

**OFFICE ORDER**

On the recommendation of District Promotion & Selection Committee meeting held on 15/12/2022, the competent authority has been pleased to promote the following Naib Qasids BPS-03 to the post of Junior Clerk BPS-11 on regular basis, with immediate effect:-

1. Sheer Bahadar
2. Raaz Muhammad Khan

On promotion, they will be on probation period of one year in terms of section 06(2) of Khyber Pakhtunkhwa Civil servant Act, 1973 read with rules 15 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

Deputy Commissioner  
Torghar

**Endst: No. & Date Even.**

Copy to:-

1. The Commissioner Hazara Division Abbottabad.
2. The Assistant Secretary (Estab), Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officer, Torghar.
4. Official concerned for compliance.

*Attested  
H. [Signature]*

Deputy Commissioner  
Torghar

کورٹ فیس

وکالت نامہ

BEFORE THE K-PK SERVICE TRIBUNAL

ABDUL SALAM : نام SMRR & others : عنوان

Appellant : منجانب

Same appeal . نوعیت مقدمہ

ATD باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دی کل کاروائی متعلقہ آن مقام

Hamayun Khan, Fozdullah Khan

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقریر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

جگہ تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

جدا سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

تجارت نااش بصیغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

5/9/2023 المرقوم

Accepted by

Handwritten signature