

Court of

Appeal No. 29/3/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	
1-	26/10/2023	The appeal of Mr. Abdul Majeed presented today
	:	by Mr. Khalid Mahmood Advocate. It is fixed for preliminary
	· .	hearing before Single Bench at Peshawar on
, .	*	Parcha Peshai is given to the counsel for the appellant.
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		By the order of Chairman
		REGISTRAR
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BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Civil Misc. Petition No	22/3	of 2023
In Service Appeal No.	•	of 2023

Abdul Majeed Vs. Govt. of Khyber Pakhtunkhwa etc Service Appeal

APPLICATION FOR EARLY HEARING OF ABOVE NOTED APPEAL.

Respectfully Sheweth,

- 1. That a Service Appeal is being filed before this august court and the grounds of same may please be considered as an integral part of this Petition.
- 2. That the petitioner is still serving as Naib Tehsildar Paharpur, and respondents are stressing hard upon him to relinquish the charge of the post. Therefore, the service appeal, for the purpose of hearing the application for suspension of impugned office order, may please be fixed to an early date.

It is, therefore, humbly prayed that on acceptance of the present Civil Misc. Petition, the service appeal along with stay application may please be fixed to an early date/today.

Yours Humble Appellant (Abdul Majeed) Through Counsel

Dt. 24/.10.2023

Khalid Mahmood Advocate High Court, D.I.Khan.

AFFIDAVIT I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above **Misc.** Application are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.

Deponent

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 223 of 2023

Abdul Majeed

Versus.

Govt. of Khyber Pakhtunkhwa etc

Service Appeal

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Yours Humble Appellent

(Abdul Majeed)
Through Counsel

,

Dt. <u>24</u>.10.2023

Ahmad Ali Advocate Supreme Court

Khalid Mahmood Advocate High Court, D.I.Khan.



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 223 of 2023

Abdul Majeed, son of <u>Gules Dur</u>, Naib Tehsildar, D.I.Khan.

APPELLANT

VERSUS

- Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2. Secretary to Govt of Khyber Pakhtunkhwa, Revenue & Estate Department, Peshawar.
- 3. **Senior Member Board of Revenue,** Khyber Pakhtunkhwa, Peshawar.
- 4. Commissioner D.I.Khan Division, Dera Ismail Khan.
- Deputy commissioner, D.I.Khan.
- 6. Abdul Qadeem, Naib Tehsildar, Parova, District D.I.Khan.

RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF THE K.P.

SERVICE TRIBUNALS ACT, 1974, AGAINST THE

LETTER NO.ESTT:V/PF/ABDUL MAJEED/NT

23166 DATED 18.10.2023 OF THE BOARD OF

REVENUE, KHYBER PAKHTUNKHWA, WHEREBY

THE DEPARTMENTAL APPEAL OF THE APPELLANT,

AGAINST OFFICE ORDER NO.5300-19/ESTT:

DATED 28.09.2023 OF THE COMMISSIONER

D.I.KHAN WAS DISMISSED.

PRAYER:

On acceptance of present Service Appeal and by setting aside order of the Senior member Board



of Revenue communicated to appellant vide Letter No.Estt:V/PF/Abdul Majeed/NT 23166 dated 18.10.2023 of the Board of Revenue, Khyber Pakhtunkhwa, as well as Office Order No.5300-19/Estt: dated 28.09.2023 of Commissioner, D.I.Khan Division, D.I.Khan, to the extent of appellant, the posting of appellant as Naib Tehsildar Paharpur, may please be retained; and accordingly, the Office orders No.4856/Estt: dated 01.09.2023 and No.4365/Estt. dated 16.08.2023 at the posting of appellant as Naib Tehsildar Paharpur may please be restored.

Respectfully Sheweth,

- That the appellant is serving as Naib Tehsildar in District D.I.Khan and he is at the verge of his retirement. Moreover, addresses of parties as given above are correct & sufficient for the purpose of service.
- 2. That the petitioner was previously posted as Settlement Tehsildar D.I.Khan (OPS), and then he transferred to the post of Naib Tehsildar Paharpur vide order bearing No.4365/Estt. dated 16.08.2023 (Annexure A) of the Commissioner, D.I.Khan Division D.I.Khan (respondent No.4).
- That thereafter the respondent No.4 vide office order bearing No.4400/Estt: dated 17.08.2023 (Annexure B) directed the petitioner to report to the Commissioner Office, and instead, posted the Political Moharrir as Naib Tehsildar (N.T.) Paharpur (OPS).



- That consequent upon appeal of appellant, the Board of Revenue, vide letter No.19632-33 dated 30.08.2023 (Annexure C) cancelled the office order bearing No.4400/Estt: to the extent of appellant, and thereby the posting of appellant as N.T. Paharpur was restored by respondent No.4 vide office order No.4856/Estt: dated 01.09.2023 (Annexure D)
- That the Director Land Records/Inspector General of Registration vide.Office Order No.LR-IV/TPA/Vol-III/18608-18 dated 06.09.2023 (Annexure E) by name authorised the appellant to act as Sub-Registrar, Tehsil Paharpur, District D.I.Khan.
- That the respondent No.4, once again transferred out the appellant from the post of N.T. Paharpur vide Office Order No.5300-19/Estt: dated 28.09.2023 (Annexure F) and instead posted the respondent No.6 on the post of N.T. Paharpur.
- 7. That discontented with the Office Order No.5300-19/Estt: dated 28.09.2023, the appellant preferred a Departmental Appeal to the respondent No.3 but the same was filed and result was communicated to the appellant vide letter No.Estt:V/PF/Abdul Majeed/NT 23166 dated 18.10.2023 (Annexure G).
- That now stilled aggrieved of the Office Order No.5300-19/Estt: dated 28.09.2023 of respondent No.4 and also dis-satisfied with the filing of Departmental Appeal by the respondent No.3, vide letter No.Estt:V/PF/Abdul Majeed/NT 23166 dated 18.10.2023, the appellant has been left with no option but to file present service appeal before this Honourable Tribunal for cancellation of same on, inter alia, the following grounds:

GROUNDS:

That the impugned Office Order No.5300-19/Estt: dated 28.09.2023 of respondent No.4 and letter No.Estt:V/PF/Abdul Majeed/NT 23166 dated 18.10.2023 of the office of respondent

No.3, are the outcome of malafide, result of political victimization, without jurisdiction, without lawful authority and having no binding effect upon rights of appellant.

- That the appellant was initially posted as Naib Tehsildar (N.T.)

 Paharpur, vide office order dated 16.08.2023, but he has not been allowed to peacefully perform his duties and complete his ordinary tenure of posting and as such impugned office order dated 28.09.2023 is nullity in the eyes of law.
- That the respondent No.6 is the permanent resident of territory, fall within the precinct Tehsil Paharpur. In this regard Voter List (Block Code No.059040201) of village Dhakki, D.I.Khan, containing the name of respondent No.6 at serial No.206 is enclosed as Annexure H. He being resident of Tehsil Paharpur, cannot be posted as N.T. Paharpur according to the directives of the Board of Revenue Khyber Pakhtunkhwa regarding posting & transfers in the Revenue Department circulated vide letter No.Estt:/posting/ transfer/policy 1013-55 dated 09.01.2020 (Annexure I) which provides:
 - a. Tehsildar shall not be posted in the District of his domicile.
 - b. Naib Tehsildar shall not be posted in the home Tehsil.
 - c. Patwari shall not be posted in Patwar Halqa to which he belongs.

Hence, the impugned transfer of appellant is liable to be set at naught.

That the appellant is at the verge of his retirement and according to the Posting & Transfer Policy of the Khyber Pakhtunkhwa, the



respondents have no lawful authority to make the appellant as a rolling stone.

That the Director Land Records/Inspector General of Registration vide Office Order No.LR-IV/TPA/Vol-III/18608-18 dated 06.09.2023 by name authorised the appellant to act as Sub-Registrar, Tehsil Paharpur, District D.I.Khan. By transferring him out of Tehsil Paharpur, the post of Sub-Registrar has fallen vacant. Therefore, posting of appellant as N.T. Paharpur is in the public interest.

That the impugned transfer order is not in the public interest rather in the interest of respondent No.6 only; hence, a great, great injustice is being done to the appellant.

That the impugned office order has been issued to oblige the political figures of the area and therefore, the same is having no legal sanctity and not worth to be maintained.

That it has been held by the superior courts that when the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable. On this score too, the impugned transfer of appellant is liable to be cancelled.

normal tenure of service is three years and transfer in the violation of such policy is simply to be recalled. Reliance is placed on 2001 PLC (CS) 172.

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x. That the counsel for appellant may be allowed to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that the present service appeal may graciously be allowed as prayed for and thereby the impugned transfer order dated 28.09.2023 may kindly be cancelled and as result thereof the posting of appellant as Naib Tehsildar Paharpur, may kindly be restored.

Yours Humble Appellant

(Abdน์l Majeed) -Through Counsel

Dt. $\frac{24}{10.2023}$

Ahmad Ali Advocate Supreme Court

Khalid Mahmood Advocate High Court, D.I.Khan.

VERIFICATION: I, the appellant, on this day of October-2023, herein mentioned above, do hereby verify that all the contents of this appeal are true & correct and also that it is the first appeal on the subject matter and no such appeal has earlier been filed.

Appellant

AFFIDAVIT: I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above Service Appeal are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.

<u>Identified by Counsel:</u> Ahmad Ali ASC.

Deponent



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Civil Misc. Petition No		of 2023
In Service Appeal No.		of 2023

Abdul Majeed Vs. Govt. of Khyber Pakhtunkhwa etc Service Appeal

APPLICATION FOR SUSPENSION OF THE OPERATION OF IMPUGNED OFFICE ORDER NO.5300-19/ESTT: DATED 28.09.2023 ISSUED BY THE RESPONDENT NO.4, TILL FINAL DECISION OF SERVICE APPEAL AND IN THE MEANWHILE RESPONDENTS MAY ALSO BE ABSTAINED FROM TAKING ANY ACTION DETRIMENTAL TO THE SERVICE CAREER OF APPELLANT.

Respectfully Sheweth,

- 1. That a Service Appeal is being filed before this august court and the grounds of same may please be considered as an integral part of this Petition.
- 2. That the petitioner/appellant has got a good prima case on law as well as on facts and there is every likelihood of the success of Service Appeal; hence, balance of convenience tilts in favour of the appellant.
- That the petitioner has been transferred prematurely on the basis of nepotism and favouritism; therefore, in case of non-suspension of impugned office order, the petitioner/appellant will suffer an





irreparable loss as appellant is still serving as Naib Tehsildar Paharpur as well as Sub-Registrar Paharpur.

It is, therefore, humbly prayed that on acceptance of the present Civil Misc. Petition, the operation of impugned office order may please be suspended and respondents may please be desisted from taking any action detrimental to service career of appellant, till decision of Service Appeal, and in the meanwhile, status quo may graciously be ordered to be maintained.

Yours Humble Appellant

(Abdul-Majeed) Through Counsel

Ahmad Ali Advocate Supreme Court

Khalid Mahmood Advocate High Court, D.I.Khan.

AFFIDAVIT I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above Misc. Application are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.

Identified by Counsel: Ahmad Ali ASC

.10.2023

Deponent 12101-05699

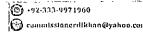
OFFICE OF THE

COMMISSIONER

DIKHAN DIVISION DIKHAN









No. <u>4365</u>/Estt:

Dated DIKhan the 16/08/2023

OFFICE ORDER:

Consequent upon the Board of Revenue Khyber Pakhtunkhwa Notification No. Estt:I/Posting/Transfer/2022/17047-15 dated 27.07.2023 and No. Estt:V/PCS/2022/17397-17406 dated 27.07.2023 the Following posting/Transfer amongst the Tehsildars (BPS-16) & Naib Tehsildars (BPS-14) is hereby ordered with immediate effect in the best public interest.

Sr. No.	Name/Designation	From	То	Remarks
1.	Mr. Fahim Ud Din. Tehsildar	Waiting for posting	Tehsildar Tank	Vice No.11
2.	lhsanullah, Tehsildar	Waiting for posting	Tehsildar Wana SW U	Vice No.4
3	Rehmat Iqbal Tehsildar	Waiting for posting	Settlement Tehsildar DIKhan	Vice No.13
4.	Saifullah Jan Tehsildar	Tehsildar Wang SWTD	Report to Commissioner Office.	
5.	Abdus Samad Naib Tehsildar	Waiting for posting	Naib Tehsildar Sarwakai, SWTD	Vice No.15.
6)	Armanullah Naib Tehsildar	Waiting for posting	Naib Tehsildar(M) Tank SW U	Against the vacant post
7.	Hassan Khan Naib Tehsildar	Waiting for posting	Naib Tehsildar Ladha South Waziristan Tribal District	Vice No.17
8.	Abdul Aziz Naib Tehsildar	Waiting for posting	Naib Tehsildar(M) Jandola SWTD	Against the vacant post
9.	Anwar Kamal Naib Tehsildar	Waiting for posting	Naib Tehsildar Birmal SWTD	Vice No.18
10.	Muhammad Salman Naib Tehsildar	Waiting for posting	Naib Tehsildar Tiarza	Vice No.19
11.	Muhammad Akram Naib Tehsildar	Tehsildar Tank (OPS)	Naib Tehsildar, Darazinda Tribal Sub Division, (DIKhan)	Vice No.12
12.	Mr. Ijaz Khan JC/Politícal Muharrir	Naib Tehsildar, Darazinda Tribal Şub Division, (DIKhan) (OPS)	Report to Deputy Commissioner DIKhan.	Reverted Back to his original Position
13.)	Abdul Majeed Nalb Tchsildar	Settlement Tehsildar DIKhan (OPS)	Naib Tehsildar Paharpur	Vice No.14 On reversion to his Origina Position of NT.
14.	Muhammad Saqlain JC/ Political Muharrir	Naib Tehsildar Paharpur (OPS)	Report to Deputy Commissioner DIKhan.	Reverted Back to his original Position.
15.	lhsanullah Naib Tehsildar	Naib Tehsiida: Sorwakai, SWTD	Naib Tehsildar Rod Kohi Irrigation (Paroa) DIKhan	Vice No.16
16.	Amjad Nacem JC/Political Muharrir	Naib Tehsildar Rod Kohi Irrigation (Paroa) DIKhan (OPS)	Report to Deputy Commissioner DIKhan	Reverted Back to his original Position,

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:	Name/Designation	From	το	Remarks
17.	Attique ur Rehmau JC/Political Muharrii	Naib Tehsildar Ladha South Waziriştan Tribal District (OPS)	Report to Deputy Commissioner South - Waziristan Upper.	Reverted Back to his original Position.
18.	Allaud Din JC/PM JC/Political Muharrir	Naib Tehsildar Birmal SW L (OPS)	Report to Deputy Commissioner South Waziristan Lower.	Reverted Back to his original Position.
19.	Abdul Rehman Kanungo	Naib Tehsildar Tiarza (OPS)	Report to Deputy Commissioner Tank.	Reverted Back to his original Position.

-Sd-COMMISSIONER DIKHAN DIVISION, DIKHAN

Dated DIKhan the 16/08/2023

No. 4366-95/Estt:

Copy to the:

1. Deputy Commissioners, DIKhan/Tank/South Waziristan Upper/South Waziristan Lower.

2. District Accounts Officers DIKhan/Tank/South Waziristan Upper/South Waziristan Lower,

3. Assistant Secretary (Estt), Board of Revenue Govt: of Khyber Pakhtunkhwa Peshawar.

4. Assistant Commissioner, Rod Kohi Irrigation, DIKhan.

5. PS to Commissioner DIKhan Division DIKhan.

6. Officer/Official concerned for compliance.

ASSISTANT TO COMMISSIONER (REV & GA)
DIKHAN DIVISION, DILHAN

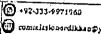


OFFICE OF THE

COMMISSIONER

DIKHAN DIVISION DIKHAN







/Estt:

Dated DIKhan the 17/08/2023

OFFICE ORDER:

Consequent upon the Board of Revenue Khyber Pakhtunkhwa Notification No. Estt:I/Posting/Transfer/2022/17407-15 dated 27.07.2023 and in partial modification of this office order No. 4365/Estt dated 16.08.2023 the following posting/Transfer amongst the Tehsildars (BPS-16) & Naib Tehsildars (BPS-14) is hereby ordered with immediate effect in the best public interest.

Sr.	Name/Declaration	From	То	Remarks
1.	Shafqat Ullah Tehsildar (ACB)	Waiting for posting	Tensildar Pabarpur	Vice No.2
2.	Abdul Qadeem Naib Tehsildar (Regular)	Tehsildar Paharpur (OPS)	Nalb Tehsildar Paroa DIKhan District	Vice No.3
3.	Muhammad Aslam Naib Tehsildar (ACB)	Naib Tehsildar Paroa DIKhan District	Naib Tehsildar Makeen SW U	Vice No.4
4.	Junaid Alam JC/Political Muharrir	Naib Tehsildar Makeen SW U (OPS)	Report to Deputy Commissioner South Waziristan Upper.	Reverted Back to his original Position
5.)	Abdul Majeed Naib Tehsildar (Regular)	Naib Tehsildar Paharpur	Report to Commissioner Office.	<u>-</u>
5.	Munammad Saqlaln JC/ Political Muharrir	Deputy Commissioner Office DIKhan	Naib Tehslidar Paharpur (OPS)	To work as NT Paharpur on OPS Basis till further orders.

-Sd-COMMISSIONER DIKHAN DIVISION, DIKHAN

No. 4401-06/Esti:

17/08/2023 Dated DIKhan the

Copy to the:

1. Deputy Commissioners, DiKhan/Tank/South Waziristan Upper/South Waziristan Lower.

2. District Accounts Officers DIKhan/Tank/South Waziristan Upper/South Waziristan Lower.

Assistant Secretary (Estt), Board of Revenue Govt: of Khyber Pakhtunkhwa Peshawar.

4. Assistant Commissioner, Rod Kohi Irrigation, DiKhan. PS to Commissioner DIKhan Division DIKhan.

Officer/Official concerned for compliance.

ASSISTANT TO COMMISSIONER (REV & GA) DIKHAN DIVISION, DIKHAN

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GOVERNMENT OF KHYBER PAKHTUNKH BOARD OF REVENUE,

REVENIL S'ESTATE DEPARTMENT.

Notes of thomas Transic 2021 73 146 32 P bash thoughthe 10 982023

091-9214208

The Commissioner, O I Khan Division, D I Khan

SUBJUCT: POSTING / TRANSFER OF TEHSILDAR / NAIB TEHSILDAR.

Dear Su

Lam directed to refer to your Order No. 4400/Estr; dated 17,08,2623 wherein official at 8. No. 6 was posted in his own pay & scale without prior approval of Board of Revenue as approved by Honourable Care Taker Chief Minister on a Summary moved by this department.

The matter was brought into the notice of Chief Secretary Khyber Pakhtunkhwa through a Note wherein it has been directed that all such orders be cancelled within three days, failing which the Board of Revenue will cancel the said orders at it own level.

This may be treated as most urgent.

(NOOR KHAN) Assistant Secretary (Estri) Board of Revenue

No. & Date fiven.

Copy forwarded to the PSO to Chief Secretary Khyber Pakhtunkhwa.

(NOOR KHAN) Assistant Secretary (Estra)

Board of Revenue



SOFFICE OF THE COMMISSIONER



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01 /09/2023 Dated DIKhan the

OFFICE ORDER

. Consequent upon the Board of Revenue Khyber Pakhtunkhwa directions conveyed vide letter No. Estt/Posting Transfer/2021-23/19632-33 dated 30.08,2023, the partial modification In this office Posting Transfer Order of Tehsildar/Nalb Tehsildars bearing No. 4400/Estt; dated 17.08.2023 is hereby order as under with immediate effect in the best public interest:

		- F	To	Remarks
S.No.	Name/Designation	From	Nalb Tehsildar	Vice No. 2
1	Abdul Majeed	Waiting for posting	Paharpur	VICE 110. 2
	Naib Tehsildar (Regular)		Deputy	Reverted back to his
	Muhammad Saqlain	Nalb Tehsildar	Commissioner Office	original Position
2	IC/Political Muharrir	Paliarpur (OPS)	DIKhan	
-				

sd/-Commissioner DiKhan Division DiKhan

/09/2023

- 1. Deputy Commissioner, DiKhan.
- 2. District Accounts Officer, DIKhan.
- 3. Assistant Secretary (Estt) Board of Revenue with reference to his letter cited above for information, please:
- 4. Assistant Commissioner, Paharpur.
- 5. PS to Commissioner DiKhan Division, DIKhan.
- 6. Official concerned for compilance.

Assistant to Commissioner Dikhan Dikislon Dikhan





E-Mail: Jandrecord.kpk@gmail.com

GOVERNMENT OF KHYBER PAKHTUNKHWA DIRECTORATE OF LAND RECORDS REVENUE AND ESTATE DEPARTMENT

@LandrecordKP

Phone: 091-9210057

fb.com/landrecord.kpk

Peshawar dated the 66 /09/2023

OFFICE ORDER

Mr. Abdul Majeed, Naib Tehsildar Paharpur, No.LR-IV/TPA/Vol-III: 19608-19; District D.I Khan is hereby authorized to act as Sub Registrar, Tehsil Paharpur District D.I Khan to the extent of his Revenue Circle / Revenue Jurisdiction in addition to his own duties in the public interest, with immediate effect.

This authority is by name and will lapse with transfer of official, if not withdrawn earlier by the competent authority.

> Director Land Records/ Inspector General of Registration

Endst: No. & date even.

Copy for information and necessary action is forwarded to the:-

- 1. Commissioner, D.I Khan Division D.I Khan.
- 2. Deputy Commissioner, D.I Khan
- 3. Additional Deputy Commissioner/Project Manager, D.I Khan
- 4. Deputy Director (Database), DMU-SDCs D.I Khan.
- 5. District Accounts Officer, D.I Khan.
- 6. Senior PS to Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- 7. PA to Director Land Records / Inspector General of Registration, Khyber Pakhtunkhwa.
- 8. Sub Registrar, D.I Khan.
- 9. Officials concerned for information & compliance.
- 10. Office order file.

Inspector General of Regis

-



CHARGE ASSUMPTION REPORT

In compliance with the orders of the Director Land Records, Inspector General of Registration, Khyber Pakhtunkhwah vide No. LR-IV/TPA/Vol-III: 18608-18 dated 06/09/2023. I, **Abdul Majeed** (Naib Tehsildar BPS-14) is hereby assumed the Charge of the post of Sub-Registrar Paharpur, District DIKhan today, the 07th September, 2023 (A.N).

& / HO

(Abdul Majeed)
Naib Tehsildar Paharpur
Sub-Registrar Paharpur

No.3209-15/NT Php

Dated

DIKhan

the

-09-2023

Copy to the:-

- 1. Commissioner, D.I.Khan Division D.I.Khan.
- Director Land Records, Inspector General of Registration, Khyber Pakhtunkhwah.
- 3. Deputy Commissioner, DIKhan.
- 4. Additional Deputy Commissioner, D.I.Khan.
- 5. Assistant Secretary (Estt.) Board of Revenue, Peshawar, Khyber Pakhtunkhwa.
- 6. Assistant Commissioner, Paharpur.
- 7. District Accounts Officer, DIKhan.

(Abdul Majeed)

Naib Tehsildar Paharpur Sub-Registrar Paharpur

07/09/23

COMMISSIONER

D FRHAN DIVISION D FRHAN

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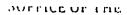
/09/2023

OFFICE ORDER

The following posting/Transfer amongst the Tehsildars/Naib Tehsildars working in a Dikhan Division is hereby ordered with immediate effect in the best public interest.

5.NO.	Name/Designation .	From	То	Remarks
1 -	Ehsanullah Tehsildar	Tebsildar Wana SW Lower	Special Tehsildar Rod Kohi Irrigation DIKhan	Vice No. 2
. Z 	Zahid Nawaz Tehsildar	Special Tehsildar Rod Kohi Irrigation DiKhan	Tehsildar Wana, SW Lower	Vice No. 01
; 3. 	Sheikh Allah Nawaz Tehsildar	Tehsildar Ladha, SW Upper	Tehsildar Settlement DIKhan	Vice No.5
4.	5'uhammad Anwai Tehsildar	Tehsildar Kulachi	Tehsildar Ladha, SW Upper	Vice No. 03
5.	Rehmat lqbal Tehsildar	Tehsildar Settlement DIKhan District	Tehsildar Kulachi	Vice No. 04
6.	Muhammad Aslam Naib Tehsildar	Naib Tehsildar Makeen SW Upper	Naib Tehsildar Paroa DIKhan District	Vice No. 07
3	Abdul Qadeem Naib Tehsildar	Naib Tehsildar Paroa DIKhan District	Naib Tehsildar Paharpur	Vice No OB
8	Abdul Majeed Naib Tehsildar	Naib Tehsildar Paharpur	Naib Tehsildar Consolidation DIKhan District	Vice No. 09
9.	Fakharuddin Naib Tehsildar	Naib Tebsildar Consolidation DIKhan District	Naib Tehsildar Land Acquisition Tank District	Vice No. 10
10.	Akhtar Munir Niab Tehsildar	Na.b Tehnidar Land Acquisition Tank District	Naib Tehsildar/District Kanungo Tank	V.ce No. 11
11.	Muhammad Imuaz Naib Tehsildar	Nath Tehsddar / District Kanungo Tank	Naib Tehsildar Wana SW Lower	Vice No. 12
12.	Javed Khan Naib Telisildar	Naib Tehsildar Wana, SW Lower	Naib Tehsildar Makeen, SW Upper	Vice No. 06

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COMMISSIONER

DIKHAN DIVISION DIKHAN

@ a966 9280353

·92-966-9289352

@ +92.333.9971960

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S.No.	Name/Designation	From	То	Remarks
13.	Sheikh Fazal Rehman Naib	Naib Tehsildar Settlement	Naib Tehsildar Daraban	Vice No. 14
	Tehsildar	Paniata DIKhan District	DIKhan District	
14.	Naseer Ahmed Naib	Naib Tehsildor Daraban	Naib Tehsildar Settlement	Vice No. 13
,	Tehsildar	DIKhan District	Paniala DIKhan District.	

Sd/-Commissioner DIKhan Division DIKhan

adst No. & date even:

Copy to the:-

- 1. All the Deputy Commissioners in DIKhan Division.
- 2. District Accounts Officers, DIKhan, Tank and SWTD.
- 3. Assistant Secretary (Estt) Board of Revenue Khyber Pakhtunkhwa information, please.
- 4. PS to Commissioner DIKhan Division, DIKhan.
- 5. Officers/Officials concerned for compliance.

Assistant to Commissioner (Rev & GA)

DIKhan Division DIKhan



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



No.Estt:V/PF/Abdul Majeed/NT 23 | 66 Peshawar Dated the | 8 / | 0 /2023

To

Mr. Abdul Majeed Naib Tehsildar DIKhan

Subject:

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED TRANSFER **ORDER DATED 28.09.2023**

Your departmental Appeal has been processed/examined and filed by the Competent Authority please.

> (Noor Khan) Assistant Secretary (Estt)

Allo-rich

الجيعت عياس سمر محمر لجررة أمراوس عيبر يحمد فخول استاور 19 Edt. [/ Posting | Banfelpolicy /1013-55 junting solutions of the CA) will a (A) will be Annex : (() 100-01-2020 Dist.

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Annex : () () 200 Dist. - willim with it ر سركر يحكم حدا جستر دره وويرن ديره ي الا بهور كعيدار سلف يديد المصيات عقا Justil plo 8/2023 204365/Estt. 1800/2010 16/08/2023 804365/Estt. سائلورلفنیا کو گاجتم ای کی مراز آمزیلونیو KpK کی برای کامطالی تا OPS کردور کفیدار Annue 3. Bus (Revert) Sund Jelin Just Special 8- يركر الرف الكرون كراف كالموز كل مشتر ويره وثويرن ويره بوختوى في 4400/Estt الم 108/2023 و108/2023 مرتان كونا في على المراكور عد وفركستر ور و أنس لور كرن كا ما ويو كري المراك الولايا عرب Ett. V/PCS/2022/17397-17406 1882 1/200 Just (OPS) Just in oper J Just Start (OPS) Land (OPS) Just Coll Start (OPS) Land (OPS) Land (OPS) Land (OPS) Land (OPS) Land (OPS) 9632-33 138 5/12 15/1008 July July Soul 15/12/1008 - 4 ون 30/08/2013 ومنز زره وفرزن فرم والعني رامات حارى من راعظم منز دره و منظري : 183/00/4 على منز دره و منظري الم Annex = 5 - 0/5 me of (3) show 17/08/2023 20 ع- براحبي يستر فره وفران واره عام وي واره واره واره المعالية المعالية على المعالية المعالية المعالية المعالية الم بالرسم الكالم المفارات المفارك المواكل العالم مربي على المراب المعالم المراب المعالم المراب المعالم المراب الم كليدار ساركو لمفيات كما كل وه ابي عما من دوسياكم كا حامل العلى مراسي وسكوني على جوكم لورد آف a dolphistill Dockers in Annex 5/3 0 do to the sold with Kpking م برا مراس المسائل المراس بالمري من الفائل من الفائل من المري الم Annex=7. Quilipered (3) per poly 2 2 Will will be de 11. 11m21 128/28/28/2012 11/6/10 12/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6/10 1/6 Way to Just it well and you في توريد بالمار الماري الم

Posting and Transfer



Statutory Provision.

Section 10 of the NWFP Civil Servants Act,1973.

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

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

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

Posting/transfer policy of the Provincial Government.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.

Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas.

V) ⁷⁹[]

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Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of han deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.

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

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

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for at least eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officers/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/ transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement

Wielly Chiefly

Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010.

⁸¹DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

xii) In terms of Rule 17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

	Outside the Secretaria	(Niet Socretary in consultation with
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
	In the Secretariat	
1	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the ranks of Section Officers: a) Within the Same Department	Secretary of the Department concerned.
	b) Within the Secretariat from one Department to another.	Chief secretary/Secretary Establishment.
1,	Officials up to the rank of Superintendent:	Secretary of the Department concerned.
	a) Within the same Department	Secretary of the Department in consultation with Head of Attached Department
	b) To and from an Attached Department	concerned.
	c) Within the Secretariat from one Department to another	Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
 - a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/ officials be considered.
 - Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

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⁸¹ Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

- xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.
 - i) Pre-mature posting/transfer or posting transfer in violation of the provisions of this policy.
 - ii) Serious and grave personal (humanitarian) grounds.
- 2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
.1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincia! Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

- 3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:
 - Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
 - b) Require an officer to hold charge of more than one post for a period exceeding two months.
- 4. I am further directed to request that the above noted policy may be strictly observed/implemented.
- 5. All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/

(Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003).

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بر منتك كى تارخُ : 31 أخور 2021

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دْ حَكَى! تَقْصِيل بِمِلَة بْهِ رِ، مُثَلِّعَ زَير اللهِ عَلَى خان	39	12103-2822048-3	الله ياد	محد البيت	32	219
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رِ مثلًك كَي تاريخُ: 31 أكتربر 2021 وستخطر جمرُ يَثْنَ أَ فِيسر

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GOVERNMENT OF EHVBER PAKHTUNKHVA. BOARD OF REVENUE,

REVENUE & ESTATE DEPARTMENT.

Fax No: 091,9213/89.

No. Entitleposting ! transfer/policy/ 1013-55 Peshawar dated the 09/01/2020.

All the Commissioners, In Khyhar Pakhtunkawa.

> All the Deputy Commissioners In Kliyber Pakhturkhwa.

SUBJECT:

POSTING / TRANSFER OF REVENUE STAFF IN THEIR

DISTRICT OF DOMICILE.

Dear Sir,

I am directed to rover to the subject and to start that the Competer. Authority in consultation with Chief Secretary Knyber Pakhtunkhwa has been pleased to direct that posting / transfer of the Rovenus Staff in the Province shall be made in that following nisuners-

- Tehtildin shall not be posted in the District of his domicile.
- Nato Tehsildar shall not be posted in his home Tehsil.
- Patwari shall not be posted in Patwar Halqa to which he belongs.

I am further directed to request you to submir details of those revenue: staff who were posted in their district of domicile, their home tehnil and Patwar Halqas as which they belongs for finther necessary action within 15 days positively pleasa.

No. Estri/posting/transfer/pclicy/

Copy forwaried to the -

1. PSO to Chief Secretary Khyber Pakuturkhwa.

2. PS to Chief Secretary Olyber Pailitum awa.

3. PS to Secretary Establishment Khyter Pakhtunkhwa.

4. PS to Senior Member Board of Revenue.

5. PS to Member - III Board of Revenue.

6. PA to Secretary - I Board of Revenue,

Assistant Secretary (Estit)

spiritiff Specificity (Esu.)

Charles and the top to the بحر حسب. ولي شرافقا بر وكل مشرد كيا نبيم كه على الأنان بر الحاد يا بلها بأربي ووارد معمول الل سك كن طررة وسد داريد وول من نيز وكن ماصيه موفول، صدر الله والكران ك المادو في كيون ك الآلات سي الله و الله في الماد الله ير الليم كية التعالق بي قرام المراج واللي والنافي معارف ميك الماكرين الناف عربين كريت كالمي صاحب مودف ويد وارد وادل المدالي كوكل سافته پر واقته ساهيده ميموند. مثل كرد: وارد، شرو متقوروآول ايوان بروسوند، كالوش داری داری يا دوارسته اتران از ارد ا ندون ميل مقدر موكن الا يحرك مند هذا الإسرائيل الأولى الله والإسرائيل الله الما الله الله الله الله المساوي الم ر المراق على لا فيله ولامنة الكرى مجى صاحب موسول، كو بشرط المائتكي عليه ما النظر من المراقب من المن يوافقه الماسية م الة خواستان و أبول بمركة الدرايسون غروست صاحب موسوف، كو بدائي القيار در بدائلاند تؤكره يا الل كساكن بيري كالوائل يا المرديد وراه من المراجع وکل گرون یا دیگر معادر و بقدر فیکنده کمی وهرب ویل یا جرمنو کو اسپیغ عباست اسپیغ عمراه مقرر کرین ادر دیاره نظیر جافزی کرکای بر امرایش این در ایس را تقویات ماکل این کے بی مناحب سورات کا ماکل بی اور ایران میں اور کی بر بات آنادہ پیسٹ اور مناحب وابرات کا کما اور ک ماجب مہوف کو چیل کیں جمائے قائو سے کہا ہو کہ کیوں کا تو صاحب رسوف کو ہو، افتاح کا در تا کہ اور کا کہ اور کا ان مِن مِيرًا كُنَّ مِنْ مِنْ لِيهِ مَنْ مَا مِنْ مِنْ مِنْ مِنْ وَلِيهِ مِنْ وَمُنْ وَمُنَّا اللَّهِ

