

95/2015

28.05.2018

Bench is incomplete. To come up on 29.05.2018 before
D.B

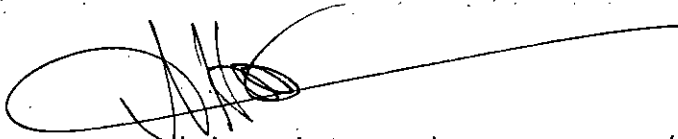

Member

29.05.2018

Appellant with counsel present. Learned counsel for the appellant submitted copy of promotion order bearing No. Estt:V/DPC/2018/22740-49 dated 22.05.2018 and stated that in view of the said promotion order the grievance of the appellant has been redressed, the present service appeal has become infructuous and therefore he sought withdrawal of the present Service Appeal. Consequently the present service appeal is hereby dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED

29.05.2018



(Ahmad Hassan)
Member



(Muhammad Hamid Mughal)
Member

29.03.2018

Counsel for the appellant and Addl. AG alongwith Attaullah, Assistant Secretary for the respondents present. Learned Addl. AG submitted before the court that the case was prepared by Mr. Ziaullah, DDA who has been transferred. Learned AAG requested for adjournment. Adjourned. To come up for arguments on 11.04.2018 before this D.B. The restraint order shall continue till the date fixed.



(M. Hamid Mughal)
Member-I



Chairman

11.04.2018

Junior to counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Attaullah, Assistant Secretary for the respondents present. Seeks adjournment as learned senior counsel for the appellant is not in attendance. Granted. To come up for arguments on 14.05.2018 before the D.B. The restraint order shall continue till the date fixed.



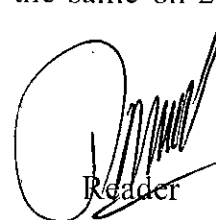
Member



Chairman

14.05.2018

The Tribunal is non-functional due to retirement of the Worthy Chairman. To come up for the same on 28.05.2018 before the D.B.



Reader

95/15

15.02.2018

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mukhtiar Ali, Assistant Secretary for the respondents present. Vide our detailed judgment of today in service appeal No. 94/2015 entitled "Sher Yar Vs. the Government of Khyber Pakhtunkhwa, SMBR and others", this appeal to come up for arguments on 01.03.2018 before the D.B. The restraint order shall continue.



(M. Hamid Mughal)
Member



Chairman



(M. Amin Khan Kundi)
Member



(Ahmad Hassan)
Member



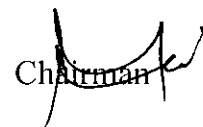
(Gul Zeb Khan)
Member

01.03.2018

^{Junior to}
of counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mukhtiar Ali, Asstt. Secretary for the respondents present. The learned DA sent an application for adjournment, which is placed in connected appeal of Sheryar. To come up for arguments before this D.B on 29.03.2018. The restraint order shall continue till the date fixed.



Member-I



Chairman

11.01.2018

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Mukhtiar Ali, Asstt. Secretary for the respondents present. Learned DDA submitted before the court that the case was prepared by Mr. Usman Ghani, District Attorney who is not available today due to meeting of Law Officers Association. Adjourned. To come up for arguments before the larger bench on 06.02.2018. The restraint order shall continue.



(M. Hamid Mughal)
Member



Chairman



(M. Amin Khan Kundi)
Member



(Ahmad Hassan)
Member



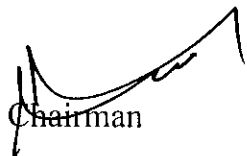
(Gul Zeb Khan)
Member

06.02.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Mukhtiar Ali, Assistant Secretary for the respondents present. Arguments heard. To come up for order on 15.02.2018 before the Larger Bench. The restraint order shall continue.



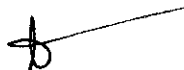
(M. Hamid Mughal)
Member



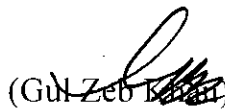
Chairman



(M. Amin Khan Kundi)
Member



(Ahmad Hassan)
Member



(Gul Zeb Khan)
Member

11.12.2017

Junior to counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mukhtiar Ali, Assistant Secretary for the respondents present. Submitted an application for adjournment as counsel for the appellant was busy before the august Supreme Court of Pakistan. To come up for arguments on 15.12.2017 before the Larger Bench. The restraint order shall continue.



(Muhammad Hamid Mughal)
Member



Chairman



(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member



(Gul Zeb Khan)
Member

15.12.2017

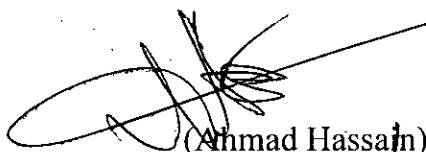
Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mukhtiar Ali, Asstt. Secretary for the respondents present. Since some other similar appeals have been adjourned due to non-availability of their counsel, counsel for the present appellant also requested for adjournment. To come up for arguments before the Larger Bench on 11.01.2018. The restraint order shall continue.



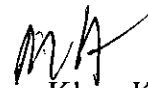
(Muhammad Hamid Mughal)
Member



Chairman



(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member



(Gul Zeb Khan)
Member

29.11.2017

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Mukhtiar Ali, Assistant Secretary for respondents present. Mr. Rizwanullah, and Mr. Kamran Sarwar, Advocate filed Wakalat Nama on behalf of the appellant. All the counsels for the appellants and District Attorney for respondents unanimously requested this Tribunal that larger bench be constituted for the decision of the issue involving in the present appeal alongwith other connected appeals for the reason that some contradictory judgments have been delivered on the issue by different D.B's of this Tribunal. The request is genuine which is accepted and larger bench consisting of all Members of this Tribunal is constituted to decide the issue. To come up for arguments on 11.12.2017 before the D.B. The restraint order shall continue



Member


Chairman

05.09.2017

Clerk of the counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney for respondents present. Clerk of the counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 22.09.2017 before D.B. :


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

25/09/2017


Since 07.11.09.2017 has been declared as a public holiday on account of first Muharram. Therefore cases adjourned to 07.11.2017 for the same..


READER

07.11.2017

Counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Mukhtiar Ali, Assistant Secretary for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 28.11.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

28.11.2017

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mukhtiar Ali, Assistant Secretary for the respondents present. To come up for arguments tomorrow on 29.11.2017 alongwith connected appeals.

Member


Chairman

24.03.2017


Counsel for the appellant and Assistant A.G alongwith Muhammad Ibrar, Asstt. Secretary for the respondents present. Due to non-availability of D.B arguments could not be heard. To come up for final hearing before the D.B on 17.05.2017. Status quo be maintained.


Chairman

17.05.2017

Counsel for the appellant present. Mr. Muhammad Ibrar, Assistant Secretary alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 17.07.2017 before D.B. Status-quo be maintained.


(GUL ZEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

17.07.2017

Counsel for the appellant present. Mr. Mukhtiar Ali, Assistant Secretary alongwith Mr. Muhammad Jan, Deputy District Attorney for respondents also present. The Learned Executive Member Mr. Gul Zeb Khan is away for interviews in the office of Khyber Pakhtunkhwa Public Service Commission therefore, due to incomplete bench the case is adjourned for arguments to 05.09.2017 before D.B. Status-quo be maintained.


(Muhammad Amin Khan Kundi)
Member

95/2015

05.12.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Learned counsel for the appellant submitted before the court that similar nature cases are pending before S.B for reply of the respondents, hence, the instant case be adjourned so that all the cases be clubbed together. Request accepted. To come up for failing of rejoinder and arguments on 19-1-17 before D.B. Till then status-quo be maintained.



(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

19.01.2017

Mr. Saleem Abdullah, junior counsel for appellant and Mr. Muhammad Ibrar, Assistant Secretary alongwith Mr. Muhammad Jan, GP for respondents present. Learned counsel for appellant repeated his request made on previous date that some of the connected appeals of similar nature are pending before S.B for written reply of the respondents. That it would be interest of justice that all the cases are heard together. Request seems proper. So adjourned. On last date directions were issued to file rejoinder. So far no rejoinder has been filed, the appellant is directed to submit rejoinder. To come up for rejoinder and arguments on 10.02.2017 before D.B. Till then status-quo be maintained.


(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

10.02.2017

Counsel for appellant and Mr. Muhammad Adeel Butt, Additional AG for respondents present. Rejoinder not submitted. Learned counsel for appellant seeks time for filing rejoinder. Adjourned. To come up for rejoinder and arguments on 24.03.2017 before D.B. Till then status-quo be maintained.


(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

Appeal No. 95/2015

06.10.2016

Mr. Sajid Amin, Junior to counsel for the appellant and Mr. Mukhtiar Ali, Superintendent alongwith Additional AG for respondents present. Senior counsel for the appellant was stated to have gone to august Supreme Court of Pakistan at Islamabad. Requested for adjournment. Adjourned for arguments to 10-11-16 before D.B alongwith connected appeals. Till then status-quo be maintained.

(MUHAMMAD AAMIR NAZIR)
MEMBER

(PIR BAKHSH SHAH)
MEMBER

10.11.2016

Appellant with counsel and Addl:AG for respondents present. Mr. Shaiber Khan, Advocate present on behalf of the appellant and filed Wakalat Nama. Counsel for the appellant submitted that similar nature of appeals have been fixed on 05.12.2016, therefore, the instant appeal may also be clubbed with the said appeals. Request accepted. To come up for arguments on 05.12.2016 alongwith connected appeals. Till then status-quo be maintained.

(MUHAMMAD AAMIR NAZIR)
MEMBER

(PIR BAKHSH SHAH)
MEMBER

Appeal No. 95/2015

26.07.2016

Counsel for the appellant and Addl: AG for respondents present. Counsel for the appellant requested for adjournment as co-counsel in the connected appeals is not available today. Adjournment granted. To come up for arguments on 22.08.2016. Till then status-quo be maintained.


Member


Member

22.08.2016

Appellant in person and Muhammad Jan, GP for respondents present. Appellant submitted application for implementation of stay order. Notice be issued to the respondents on COC. To come up for reply on main appeal as well as COC on 20-9-16. Till then the impugned order is suspended.


Member


Member

20.09.2016


Clerk to counsel for the appellant and Mr. Mukhtiar Ali, Supdt alongwith Mr. Usman Ghani, Sr.GP for respondents present. Clerk to counsel for the appellant submitted application for adjournment as counsel for the appellant is not available today. Adjournment granted. To come up for arguments on 06.10.2016 alongwith the connected appeals. Till then the impugned order is suspended. *status quo be maintained*


Member


Member

08.04.2016

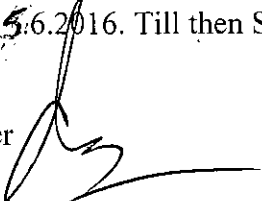
Appellant alongwith Junior to counsel for the appellant and Addl: AG for respondents present. Junior to counsel for the appellant moved an application for adjournment. Application allowed. To come up for arguments on 11.05.2016. Till then status-quo be maintained.



Member


Member

11.05.2016


Counsel for the appellant and Mr. Usman Ghani, Sr. GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted the case. To come up for arguments on 15.6.2016. Till then Status-quo be maintained.


Member


Member

15.06.2016

Aamir Yousaf, Advocate on behalf of counsel for the appellant and Mr. Muktiar Ali, Supdt alongwith Mr. Usman Ghani, Sr. GP for respondents present. Representative of the respondents submitted reply on application, copy of which is placed on file. Junior to counsel for the appellant requested for adjournment as Senior Counsel for the appellant is not available today. The respondent-department would have no objection on adjournment provided that a short date be fix in the appeals as there is stay order in appeals. In the stated facts the appeal are adjourned. The case is re-fix immediately after this Eid-UI-Fitar in the month of July. Last opportunity is given for arguments. To come up for arguments on 26.07.2016. Till then status-quo be maintained.


Member


Member

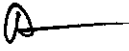
28.05.2015

Agent of counsel for the appellant and Mr. Mukhtiar Ali, Supdt. alongwith Addl: A.G for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 10.11.2015.


Chairman


10.11.2015

Counsel for the appellant and Mr. Usman Ghani, Sr. GP for respondents present. Arguments could not be heard due to paucity of time. To come up for arguments on 29-2-2016.


Member
Member

29.02.2016

Appellant with counsel and Mr. Mukhtiar Ali, Supdt alongwith Mr. Ziaullah, GP for the respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 08.04.2016 before D.B.


Member
Member

BEFORE THE SERVICE TRIBUNAL KPK AT PESHAWAR

Shahkeel AhmadVersus.....Govt Of KPK and others

APPLICATION FOR ADJOURNMENT.

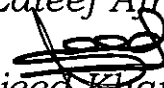
8/5

Respectfully Sheweth:

1. That the titled appeal is pending before this Hon'ble Court which is fixed for today i.e 08.04.2016
2. That the applicant is counsel for the appellant in the titled appeal but due to family and personal engagement and thus is unable to appear before this Hon'ble Court.

It is therefore requested that the above titled appeal may please be adjourned to some other date convenient to this Hon'ble Court.

Applicant

A.Lateef Afridi
& 
Sajeed Khan Afridi
Advocate, Peshawar
Counsel for the appellant

24.03.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially serving as Political Moharrir and was promoted as Political Naib Tehsildar by the order of SMBR passed on 07.05.2009 followed by notification dated 12.05.2009. That vide impugned order dated 25.09.2014 the appellant was reverted to the post of Political Moharrir by SMBR without any lawful justification. That the appellant preferred departmental appeal against the impugned order, received later on, on 28.10.2014 which was rejected on 15.12.2014 and received to the appellant on 17.12.2014. That the service appeal was preferred on 12.01.2015.

Appellant Deposited
Sec. Process Fee A



That the reversion of the appellant from the post of Political Naib Tehsildar after serving for more than 5 years is contrary to law and facts.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 28.04.2015 before S.B. Notice of stay application be also issued to the respondents for the date fixed.


Chairman

28.04.2015

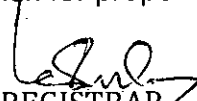


Counsel for the appellant and Mr. Mukhtiar Ali, Supdt. alongwith Addl. A.G for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 28.5.2015 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 95/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10.02.2015	<p>The appeal of Mr. Shakeel Ahmad resubmitted today by Mr. Ijaz Anwar Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	23-2-15	<p>This case is entrusted to Bench <u>I</u> for preliminary hearing to be put up thereon <u>24-2-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3	24.02.2015	<p>None present. Appeal be relisted and notice be issued to learned counsel for appellant for preliminary hearing before S.B for 24.03.2015.</p> <p style="text-align: right;"> Chairman</p>


The present appeal was returned to the counsel for the appellant for completion and resubmission within 15 days. Today he resubmitted the same which is returned again to the counsel for the appellant with the following remarks:-

- 1- Copy of promotion order dated 23.2.2009 mentioned in para-10 of the memo of appeal (Annexure-B) is not attached with the appeal which may be placed on it.
- 2- Copies of promotion order dated 22.7.2009 and 25.9.2009 mentioned in para-10 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Annexures-A and H of the appeal are illegible which may be replaced by legible/better one.

The same may be resubmitted within 15 days.

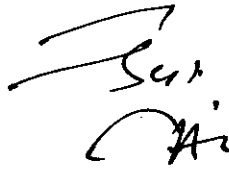
No. 78 /S.T,

Dt. 29/01/2015.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ijaz Anwar Advocate Peshawar.

- 1, Copy of order is attached Annex B.
- 2, The same also clear para-1
- 3, Copies of Annexures are now legible -1


Said AMID
ADVOCATE

The appeal of Mr. Shakeel Ahmad Political Naib Tehsildar received to-day i.e. on 12.01.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copies of orders dated 22.7.2009, 23.7.2009 and 28.2.2013 mentioned in para-2, 3&6 of the memo of appeal are not attached with the appeal which may be placed on it.
- 2- Copies of notices, replies and final seniority list mentioned in para-7&9 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Copies of order dated 07.5.2009 and 12.5.2009 mentioned in para-10 of the memo of appeal are not attached with the appeal which may be placed on it.
- 4- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 5- Copies recruitments rules (Annexure-I) is not attached with the appeal which may be placed on it.
- 6- Annexures of the appeal may be attested.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 34 /S.T. *pages be marked according to index.*

Dt. 13-1 /2015

[Signature]
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ijaz Anwar Adv. Pesh.

- ① Copies 22.7.2009, 23.7.2009, & 28.2.2013 is in correct but correct order 7.8.2009; 23.7.2009, & 12-5.2009 is attached with appeal
- ② Seniority list & notice is filed with appeal
- ③ objection NO 13 be removed
- ④ Copy of DA be added with appeal
- ⑤ Copies of Rules is added with appeal
- ⑥ All the annexure be attested
- ⑦ 5 copy be filed
- ⑧ Pages according to the index

[Stamp]

57
22/1/2015

[Signature]

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Appeal No. 95 /2015



Shakeel Ahmad. Appellant

Versus

Govt. of Khyber Pakhtunkhwa & others. Respondents

I N D E X

S.No	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Memo of appeal with affidavit		1-5
2.	Application and affidavit		6-8
3.	Copy of the order dated 07.05.2009	A	9-10
4.	Copy of the order dated 18.02.2009 & 12.05.2009	B	11-11A
5.	Copy of the notices, reply and final seniority list	C, D & E	12-36
6.	Copy of the notices of NAB	F	37-42
7.	Copies of the impugned notices	G	43-44
8.	Copy of order dated 25.09.2014	H	45
9.	Departmental appeal dated 28.10.2014	I	46-50
10.	Rejection order dated 15.12.2014	J	51
11.	Copies of the recruitment rules	K	52-54
12.	Wakalatnama		

Through
Appellant

IJAZ ANWAR
&

SAJID AMIN
Advocates, Peshawar

Dated: ___/01/2015

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 95 / 2015

B. V. P. Revenue
Khyber Pakhtunkhwa
Case No. 241
12-1-2015

Shakeel Ahmad, Political Naib Tehsildar, Mulagori, Tehsil Jamrud Khyber Agency.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Assistant Secretary, (Establishment) Board of Revenue, Revenue and Estate Department Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
3. ~~Government of KPK, Through Chief Secretary, Peshawar.~~
(Respondents)

Appeal under Section 4 of the Service Tribunal Act, 1974.

Against the order dated 25.09.2014 whereby the regularization of promotion order dated 07.05.2009 & 12.05.2009 as Naib Tehsildar has been withdrawn and the appellant has been reverted to the position he was holding before 7.05.2009, against which his departmental appeal dated 28.10.2014 has been regretted vide order dated 15.12.2014 communicate to the appellant on 17.12.2014.

Prayer in Appeal: -

ON ACCEPTANCE OF THIS SERVICE APPEAL BOTH THE IMPUGNED ORDERS DATED 25.09.2014 & 15.12.2014 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY PLEASE BE RESTORED TO HIS ORIGINAL POSITION AS NAIB TEHSILDAR BPS-14 WITH ALL BACK BENEFITS.

Respectfully Submitted:

1. That the appellant was initially appointed as Political Muharrir in the office of Political Agent Mohmand Agency, the appellant while serving in the said capacity throughout performed the duties as assigned, while serving in the said capacity the appellant was posted as Acting Political

re-submitted to ~~303~~
and filed.

12/1/15
10/2/15
Registrar

Naib Tehsildar on adhoc basis in the year 2009 on the recommendation of the Board of Revenue.

2. That after serving for about six months in Orakzai Agency the appellant was transferred to office of commissioner on 23.7.2009.
3. That on 5.8.2009 commissioner Kohat Division surrendered the services of appellant to Board of Revenue for further posting and on 24.8.2009 the appellant was transferred as Naib Tehsildar Land Acquisition Charsadda.
4. That assuming the charge as Naib Tehsildar Land Acquisition, the Secretary Board of Revenue recommended my name for Revenue training for 6 months in Chitral and Peshawar on 5.10.2009.
5. That after completion of six months training the appellant got both revenue and settlement training certificate.
6. That on 6.1.2010 was recommended for departmental examination for Naib Tehsildar in which I appeared and accordingly passed it.
7. That after passing departmental examination the appellant was transferred to Mulagori as Political Naib Tehsildar on 19.5.2010 by commissioner Peshawar from where the appellant was further transferred to Naib Tehsildar passport Torkham on 21.7.2010.
8. That there the appellant was transferred back as Political Naib Tehsildar Mulagori and still serving as Political Naib Tehsildar.
9. That the appellant while holding the post of Naib Tehsildar on acting charge basis, submitted appeal to the Respondent No. 1 and claimed promotion in view of the availability of the vacancies of Naib Tehsildars on regular basis relying upon the judgment of the apex court reported in 2006 SCMR page 1938, the respondent No. 1 vide his Judgment and order dated 7.5.2009, allowed the appeal and directed for the promotion of the appellant on regular basis. (Copy of the order dated 7.5.2009, is attached as Annexure A)
10. That the judgment and order was implemented and the appellant was promoted as Niab Tehsildar on regular basis w.e.f 23.2.2009 vide office order dated 18.2.2009. (Copy of the order dated 18.2.2009 is attached as Annexure B)
11. That some of Naib Tehsildars promoted with immediate effect exactly in similar circumstances, claimed promotion w. e. f the date when they were holding the post of Naib Tehsildar on acting charge basis, their cases were allowed and they were allowed seniority w.e.f the date they were holding the post of Naib Tehsildar by the Senior Member Board of

Revenue, the same was implemented and they were placed at the proper place in the seniority.

12. That in the meantime a seniority list of the Naib Tehsildar as it stood on 30.6.2010 was issued wherein the name of the appellant was not even mentioned.
13. That the Appellant while serving as Naib Tehsildar was served with a notice by the respondent No. 1, questioning his eligibility for being promoted as Naib Tehsildar under the administrative order. It was learnt that besides the appellant, there were as many as 50 other officials promoted under the administrative order, they were also subjected to the same proceedings. The appellant submitted detailed reply, besides appeared on different dates for hearing. The proceedings were thereafter left and it was learnt that after the circulation of final seniority list of Naib Tehsildars, the matter was impliedly dropped. (Copies of the Notices, reply & final Seniority list are attached as Annexure C, D & E)
14. That in the meantime the appellant was also issued notices by the NAB authorities whereto the appellant explained his position, they also found nothing pertaining to corrupt practices. (Copies of the Notices of NAB are attached as Annexure F)
15. That the Respondent No. 1 has again issued notices to the appellant for re-inquiring the matter of his promotion, which has attained finality. The notices so issued are beyond jurisdiction and is a past and closed transaction. (Copies of the Notices are attached as Annexure G)
16. That the appellant duly attended the proceedings however quite illegally, exparte proceedings was initiated against the appellant and vide office order dated 25.09.2014, communicated on 30.09.2014 **the regularization of promotion order dated 7.5.2009 & 12.5.2009 as Naib Tehsildar has been withdrawn and the appellant has been reverted to the position he was holding before 7.5.2009. (Copy of the order dated 25.9.2014 is attached as annexure H)**
17. That the appellant submitted his departmental appeal dated 28.10.2014, however, it was regretted vide order dated 15.12.2014, communicated on 18.12.2014. (Copy of departmental appeal and regret order are attached as annexure I & J).
18. That the appellant prays for the acceptance of his appeal inter alia on the following grounds:

Grounds of Appeal:

- A. That the appellant has not been treated in accordance with law and his rights secured and guaranteed under the law have been badly violated.

- B. That the acts and omission of the respondents in discriminating the appellant in respect of his valid promotion is illegal, in violation of law, without lawful authority and against the rights of the Appellant.
- C. That this Honourable Court will appreciate that the reinitiating the matter of the promotion of the appellant is extreme malafide, the matter of promotion of the appellant has twice attained finality and is a past and closed transaction, it shows the efforts of the hidden hands in depriving the appellant of his promotion. Such re-initiation amounts to double jeopardy and show the intention of the Respondents, to award the penalty to the appellant at any cost.
- D. That the respondents have acted discriminately as similarly placed employees when were allowed anti-dation of their promotion by the SMBR, were assigned the seniority from due date but the appellant has been discriminated, and not allowed him his proper place in the seniority, besides those employees are still holding their promotion on regular basis but the appellant has been subjected to the illegal proceedings.
- E. That the Senior member Board of Revenue is competent under the recruitment rules, he himself issued valid promotion orders, similarly the order was acted upon, seniority list were issued and circulated, subsequently he cannot be allowed to turn around after about 5 years to alleged that the promotion orders were not competently issued. (Copies of the recruitment rules are attached as Annexure K)
- F. That the Appellant has not treated been in accordance with law and he remained throughout deprived of his promotion due to in action / slackness of the respondents, thus they are bound to follow the law and to act in accordance with law
- G. That the Appellant is fit and eligible for the post Naib Tehsildar (BPS-14) and was thus rightly promoted the impugned action of the respondents is therefore failure on the part of the respondents to follow the law, the appellant has now even eligible to be promoted to the post of Tehsildar BPS-16, however the respondents are not conducting themselves in accordance with law thus seriously affecting the rights of the appellant.
- H. That the order of reversion is violation of law, condemning the appellant unheard, the order of promotion having been acted upon and implemented, cannot be withdrawn at a later stage. The order impugned is thus liable to be set at naught.

I. That the Appellant seeks the permission of this Honourable Court to rely on additional grounds at the hearing of this appeal.

It is, therefore, humbly prayed that on acceptance of this service appeal both the impugned orders dated 25.09.2014 & 15.12.2014 may please be set aside and the appellant may please be restored to his original position as Naib Tehsildar BPS-14 with all back benefits.


Appellant

Through

IJAZ ANWAR
Advocate Peshawar

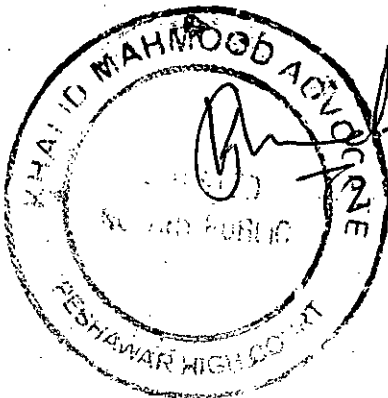
&

SAJID AMIN
Advocate Peshawar

AFFIDAVIT

I, Shakeel Ahmad, Political Naib Tehsildar, Mulagori, Tehsil Jamrud Khyber Agency, do hereby solemnly affirm and declare that the contents of the above appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.


Deponent



6

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

Appeal No. _____ / 2015

Shakeel Ahmad, Political Naib Tehsildar, Mulagori, Tehsil Jamrud Khyber Agency. **(Appellant)**

VERSUS

Govt of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Civil Secretariat Peshawar and others.

(Respondents)

Application to the effect that an interim relief be granted to the appellant and the respondents may please be restrained from taking any action adverse to the service career of the appellant & to maintain status quo till the decision of this appeal.

Respectfully Submitted:

That the noted appeal is pending in the Honorable Tribunal the appellant prays for interim relief on the following grounds.

GROUND:

1. That the facts and grounds mentioned in the accompanied Service Appeal be read as integral part of the application.
2. That the appellant having been lawfully promoted, the order of promotion has acted upon, therefore, the same cannot be undone after a period of more than 05 years.
3. That the appellant has got a good prima facie case and there is every likelihood of its success.
4. That the appellant would suffer irreparable loss in case the reversion order is implemented.
5. That the balance of convenience lies in maintaining statusquo.

6. That there is no legal impediment in allowing the interim stay order.

It is therefore, most humbly prayed that on acceptance of this application the respondents may please be restrained from taking any action adverse to the service career of the appellant & to maintain status quo till the decision of this appeal.



Applicant

Through

IJAZ ANWAR
Advocate Peshawar

8

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.

Appeal No. _____/2015.

Shakeel Ahmad, Political Naib Tehsildar, Mulagori,
Tehsil Jamrud Khyber Agency...
(Appellant)

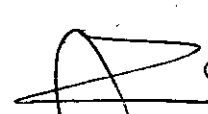
Versus

Govt of Khyber Pakhtunkhwa through S.M.B.R.
K.P.K, Civil Secretariat, Peshawar etc;

AFFIDAVIT.

I, Shakeel Ahmad, Political Naib Tehsildar,
Mulagori, Tehsil Jamrud, Khyber Agency do hereby solemnly
affirms and declare that contents of the ~~above~~ appeal are
true and correct to the best of my knowledge and belief
and that nothing has been kept back or concealed from
this Honourable Tribunal.

Dated :- 21/01/2015.


Dependant.





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2009-02-27

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21-1-09
P/15/2009

on Adhoc Basis.

already been accommodated / adjusted against the post of Political Naib Tehsildar one nor dispossess away other officials from the post of Naib Tehsildar as he has holding the post of Naib Tehsildar and his regular appointment will not effect any Scale) on 27.02.2009. The Counsel further argued that the Appellant is already PATA also posted as Political Tehsildar Upper Crankal Agency, Over Pay & In support the Counsel also pleaded that Additional Chief Secretary.

Naib Tehsildar on Adhoc basis on 18.02.2009 by the Board of Revenue NWFP. crises and was against error, as token of award he was appointed, promoted as satisfaction of his superiors. In light of his devotion and contribution in the present Moharir since 13.09.1992 till 18.12.2009 in Mohmand Agency to the entire Counsel of the Appellant pleaded that the appellant served as Political

through

Appellant with counsel present and record of the case also gone

as in field and has gained sufficient experience in this respect. Political Agent Mohmand's office on 13.09.1992 and has served at office as well (Adhoc) wherein he has stated that he was appointed as Political Moharir in This is an Appeal filed by Mr. Shakeel Ahmad Naib Tehsildar

ORDER

MR. SHAKEEL AHMAD NAIB TEHSILDAR (ADHOC)
UPPER ORAKZAI AGENCY

Date of Institution 20.04.2009
Dated of Decision 07.05.2009

Appeal No. 577/2009

IN THE COURT OF AHSANUJAH KHAN,
SENIOR MEMBER BOARD OF REVENUE NWFP.

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Record of the case shows that according to West Pakistan Tehsildari / Naib Tehsildari Rules, 1962, Political Moharrirs were also eligible to be promoted as Naib Tehsildar, but after devolution, Rules were amended in the year - 2002 and this category was too excluded / deleted from the list of eligible persons who were earlier eligible for appointment to the post of Naib Tehsildars. Time and again Political Moharrirs were agitating for amendment in the Rules for inclusion their category in the list of eligible persons. In this respect Standing Rules Committee meeting was held on 27.04.2009 wherein the Members of the committee unanimously agreed in principal to also include the Political Moharrirs of the office of Political Agents / Assistant Political Agents to be promoted to the post of Naib Tehsildars. In this respect Notification will be issued shortly.

In view of the above, the instant Appeal is hereby accepted, therefore the Appellant is selected / promoted to the post of Naib Tehsildar on regular basis with immediate effect.

Announced
07.05.2009

Attested
21-12-09

(Signature)
(Ahsanullah Khan)
Senior Member
Board of Revenue NWFP

ATTESTED
TO BE
True Copy.

Attested



GOVERNMENT OF NWFP
REVENUE & ESTATE DEPARTMENT

Dated 18/02/2009

ORDER

No. _____ /Admn:V/PF(S). The Competent Authority has been pleased to appoint / promoted Mr. Shakeel Ahmad, Political Moharrir of the office of Political-Agent Mohmand Agency as Naib Tehsildar (BPS - 14) on adhoc basis as under Rule - 14 (Part - IV) of NWFP (Appointment Posting & Transfer) Rules 1989 updated till 23.01.2009 vide circular No. SOR - VI/E&(AD)/Mis /Updation / 09, dated 23.01.2009 issued by Establishment & Administration Department NWFP. His services are placed at the disposal of FATA Secretariat for further posting as Political Naib Tehsildar.

By order of
Senior Member,
Board of Revenue NWFP

No. 4179 /Admn:V/PF(S).

Copy forwarded to the:-

1. Deputy Secretary (Law & Order) FATA Secretariat Warsak Road Peshawar
2. Commissioner, Peshawar Division with reference to his letter No. PS/Commr:/Pesh:/3-2/2008/219, dated 14.02.2009.
3. Political Agent Mohmand Agency with reference to his letter No. 4996-97/2009, dated 11.02.2009.
4. Agency Accounts Officer Mohmand Agency Official concerned.
5. Personal File.
6. Office Order File.

Secretary
Board of Revenue NWFP

TESTED
To be
True Copy.

Alley
me



GOVERNMENT OF NWFP
REVENUE & ESTATE DEPARTMENT

Dated 12/05/2009

ORDER

No _____ /Admn: V/PF (Shakeel). In pursuance of Judgment of Senior Member Board Revenue NWFP dated 07.05.209, filed by Mr. Shakeel Ahmad presently working as Naib Tehsildar on Adhoc Basis is hereby promoted as Naib Tehsildar (BPS - 14) on regular basis with immediate effect.

By order of
Senior Member,
Board of Revenue NWFP

No 11780-97 /Admn: V/PF (Shakeel)

Copy forwarded to the:-

1. Secretary Law & Order FATA Secretariat Warsak Road Peshawar.
2. Political Agent Mohmand Agency
3. Agency Accounts Officer Mohmand Agency.
4. Official concerned.
5. Personal File.
6. Office-Order File.


Assistant Secretary (Admn)
Board of Revenue NWFP

Admn
4

NOTICE

(19)

ANNEX: C

During Internal Audit of Board of Revenue, it has been observed that you, Mr. Shakeel Ahmad were promoted as Naib Tehsildar from Political Moharrir through an administrative order dated 07/5/2009. The audit found that there was no provision in the Tehsildari and Naib Tehsildari Service Rules 2001/2008 for promotion of Political Moharrir as Naib Tehsildar. In additions promotions are made only from amongst the eligible officials through the recommendations of Departmental Promotion Committee, which considers their eligibility or otherwise in accordance with the rules.

You are, called upon to appear before the Secretary Revenue and Estate Department/Senior Member, Board of Revenue, and explain as to why the un-lawful order, by which you were un-lawfully promoted, should not be re-considered and withdrawn.

*Jubail
FIR*

Secretary-I,
Board of Revenue, Khyber Pakhtunkhwa.

SM

Shakeel Ahmad
19/5/2011

Ally

NOTICE

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2

During Internal Audit of Board of Revenue, it has been observed that you, Mr. Shakeel Ahmad were Promoted as Naib Tehsildar through an administrative order dated 27/5/2007 without holding of Departmental Promotion Committee, which should have considered your eligibility or otherwise, before passing of the order.

You are called upon to appear before the Senior Member, Board of Revenue, and explain as to why the un-lawful order, by which you were un-lawfully promoted, should not be considered/withdrawn.

ASW
S

FAX
MOST IMMEDIATE
COURT MATTERS.

GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE AND ESTATE DEPARTMENT.

No. 579 /Judl/SMBR
Peshawar dated the 18/04/2011.


To

The Political Agent,
Khyber Agency.

SUBJECT: APPEARANCE BEFORE THE SENIOR MEMBER, BOARD OF REVENUE,
KHYBER PAKHTUNKHWA IN UNLAWFUL PROMOTION CASES.

I am directed to enclosed a notice on the subject, which may kindly be served upon Mr. Shakeel Ahmad N.T. Malik, with the direction to appear before the Senior Member, Board of Revenue, Khyber Pakhtunkhwa on 23/4/2011.

You are further requested to return the served notice before the date fixed for hearing.


Reader to Senior Member,
Board of Revenue, Khyber Pakhtunkhwa.

Received
19/4/11



FAX
MOST IMMEDIATE
COURT MATTERS.

GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE AND ESTATE DEPARTMENT.

No. 707 /Judl:/SMBR
Peshawar dated the 16 /05/2011.

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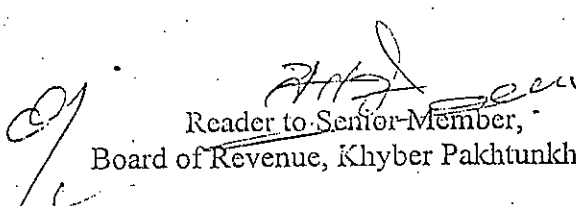
To

The Political Agent,
Khyber Agency

SUBJECT: APPEARANCE BEFORE THE SENIOR MEMBER, BOARD OF REVENUE,
KHYBER PAKHTUNKHWA IN UNLAWFUL PROMOTION CASES.

I am directed to enclosed a notice on the subject, which may kindly be served upon Mr. Shakeel Ahmad N/Tehsildar with the direction to appear before the Senior Member, Board of Revenue, Khyber Pakhtunkhwa on 28/5/2011.

You are further requested to return the served notice before the date fixed for hearing.


Reader to Senior Member,
Board of Revenue, Khyber Pakhtunkhwa.



MOST IMMEDIATE
COURT MATTERS.

GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE AND ESTATE DEPARTMENT.

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No. 707 /Judl:/SMBR
Peshawar dated the 16 /05/2011.

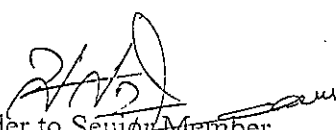
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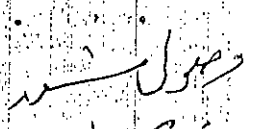
The Political Agent,
Khyber Agency.

SUBJECT: APPEARANCE BEFORE THE SENIOR MEMBER, BOARD OF REVENUE,
KHYBER PAKHTUNKHWA IN UNLAWFUL PROMOTION CASES.

I am directed to enclosed a notice on the subject, which may kindly be served upon Mr. Shakeel Ahmad N/Tekran with the direction to appear before the Senior Member, Board of Revenue, Khyber Pakhtunkhwa on 28/5/2011.

You are further requested to return the served notice before the date fixed for hearing.


Reader to Senior Member,
Board of Revenue, Khyber Pakhtunkhwa.


19/5/2011



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5. It was the Board of Revenue (with the present secretary Mubashar Hussain) who appointed me as Political Naib Tehsildar on adhoc basis and posted me to Orakai Agency law and order situation and Talibanization very few PNTS & / P.Ts were prepared to serve in the trouble tribal areas.

4. It was in the light of my performance that Political Agent Mohmand Agency recommended my name to Commissioner Peshawar Division for my selection and appointment as Naib Tehsildar who in turn after looking into my service balance sheet strongly supported my case and forwarded the same to the Board of Revenue for the desired selection and appointment.

3. I served faithfully to the entire satisfaction of my superiors. During my service in Mohmand Agency I seized smuggled goods, narcotics and helped the eradication of poppy cultivation and facilitated to my humble extent the construction of Khwizai Road to Afghan border. I was also kidnapped by Taliban while performing my duties as Political Moharrar.

2. I joined Service in 1992 as Political Moharrar in the office of Political Agent Mohmand Agency.

1. I Shakeel Ahmad S/O Fazal Subhan R/O Sugar Mills Charsadda presently posted as Political Naib Tehsildar, Mulagori, Tehsil Jamrud Khyber Agency graduated from Government College Charsadda. Degree attached as Annexure "A".

Sir

WRITTEN SUBMISSIONS BY SHAKEEL AHMAD POLITICAL NAIB TEHSILDAR

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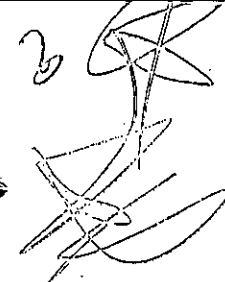
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After serving for about six months in Orkzai Agency I was transferred to Office of Commissioner on 23.07.2009. Transfer order attached as annexure "B".

6. On 05.08.2009 Commissioner Kohat Divisions surrendered my services to Board of Revenue for further posting and on 24.08.2009 I was transferred as Naib Tehsildar Land Acquisition Charsadda. Transfer order annexure "C".
7. That assuming charge as Naib Tehsildar land Acquisition The Secretary Board of Revenue recommended my name for Revenue training for 6 months in Chitral and Peshawar on 05.10.2009. Recommendation is annexure "D".
8. After completion of my 6 months training I got both revenue and settlement training certificate which is annexure "E".
9. That on 06.01.2010 I was recommended for departmental examination for Naib Tehsildar in which I appeared and accordingly passed it. Result and passing certificate is annexure "F".
10. After passing departmental examination I was transferred to Mulagori as Political Naib Tehsildar on 19.05.2010 by Commissioner Peshawar from where I was further transferred to Naib Tehsildar Passport Torkham on 21.07.2010. Transfer order is annexure "G".
11. From there I was transferred back as Political Naib Tehsildar Mulagori and am still serving as Political Naib Tehsildar.
12. Coming to the legal aspect of the case it is submitted that I was appointed in due process of law as I fulfilled all the

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conditions prior to my appointment as Naib Tehsildar. Despite the above facts my appointment is considered improper but I insisted that I was rightly appointed and if there was any thing wrong the same would be with the appointing authority. In this behalf the judgment of Supreme Court reported as SCMR 2006 Page-678 is very clear and the relevant citation is as under;-

Civil service---


---Illegal appointment---Termination of service---Imposition of penalty by Appointing Authority responsible for making illegal appointment---Validity---Appointment of an employee, if made illegally, could not be cancelled under Efficiency and Discipline Rules---Instead of taking action against such employee, action must be taken against Appointing Authority for committing a misconduct by making illegal appointment as per his own admission---Principles illustrated.

Copy of the judgment is annexure "H".

13. That a similarly question was also considered by the Supreme Court in its judgment reported as 1998 SCMR Page-850 and citation "A" and "B" are reproduced as under

West Pakistan Revenue Department Ministerial Service (Divisional Cadre) Rules, 1964---

---8.2 [as amended]---West Pakistan Tehsildari and Naib-Tehsildari Service Rules, 1962, R.8---Constitution of Pakistan (1973): Art.212(3)---Promotion--Person having served as Superintendent in Deputy Commissioner's Office for 3 years was eligible to be promoted as Tehsildar---Person who had served as Superintendent in Deputy Commissioner's Office was promoted while person who had served such term in Political Agent's Office was not promoted therefore, he filed appeal before Service Tribunal whereupon Government was directed that name of aggrieved person alongwith other senior most eligible candidates should be put before Departmental Promotion Committee who would make recommendations to Competent Authority for promotion to post of Tehsildar---Validity---Service Tribunal had rightly concluded that "Deputy Commissioner" would include "Political Agent" and word "District" would mean Revenue District and would include therein Political Agency (where aggrieved civil servant had served) thus, civil servant who had worked in the Office of Political Agent or Deputy Commissioner for 3 years would be sufficient qualification and Superintendent who had worked in the Office of Political Agent



(20)

for more than 3 years would be equally eligible to be considered for promotion to post of Tehsildar---Rule 2(f), West Pakistan Revenue Department Ministerial Service (Divisional Cadre) Rules, 1964 having been expanded to include Political Agency, was correctly expanded and Service Tribunal had rightly construed that such amendment not incorporated in West Pakistan Tehsildari and Naib-Tehsildari Service Rules, 1962, would not be of any legal consequence---Service Tribunal while construing relevant Rules had kept in mind concept of reasonableness and benevolence, therefore, interpretation made by Service Tribunal of relevant Rules seemed to be in accord with principles of interpretation of statutes---No interference with judgment of Service Tribunal was, thus, warranted---Leave to appeal was refused in circumstances. [p.853] A & B

Copy of the judgment is attached as annexure "I".

14. That in a case titled Nazir Muhammad...Versus... Government of Punjab the Lahore high court held as under;

Appointment:- Naib Tehsildar... Selection and appointment of Withdrawal of selection afterwards.. Challenge to -224 persons were appointed as Naib Tehsildar by concerned Commissioners in accordance with directive of Chief Minister—It is admitted that petitioner passed departmental examination in first attempt—Eleven Naib Tehsildars did not appear and nine failed in departmental examination, but they are still in service—Petitioner has been meted out discriminatory treatment—Order of selection having been passed by competent authority, could not have been withdrawn in an arbitrary manner—Held.: Withdrawal of selection by Commissioner on direction of Chief Minister, demonstrates that impugned order was passed in a mechanical manner and it cannot be treated to have been passed by competent authority... Petition accepted.

Copy of the judgment PLJ 1994 Lahore Page-11 is attached as annexure "J".

15. That the principle of locus poenitentiae has been interpreted by supreme court in numerous cases which plainly means that where once rights accrued to a person

Adly

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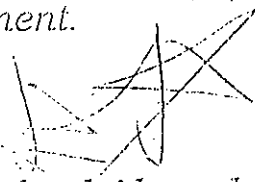
(21)

and he worked on a certain position those rights can not be withdrawn unless proved that he had assumed the office fraudulently or illegally. In this behalf judgments of Supreme Court as reported in 2009 SCMR Page-775, 2003 SCMR Page-1128 and PLD 1991 Supreme Court Page-973 with 2010 PLC (CS) Page-139 are annexed as annexure "K", "L", "M" "N" and "O".

It may kindly be noted that as Shakeel Ahmad I do not suffer from any deficiency for the following reasons.

- i. I am a graduate.
- ii. I was Political Moharrar and had served there for more than 15 years in the office of Political Agent Mohamand Agency.
- iii. I had under gone all the necessary trainings.
- iv. I fulfilled all the criteria laid down for the office of Naib Tehsildar.
- v. I was appointed by a competent authority whose order was never challenged by any person.
- vi. I have not committed any fraud or illegality warranting my dismissal, removal or termination of service.
- vii. That an order passed by the SMBR cannot be reviewed by its successor and therefore this Hon'ble SMBR is lacking jurisdiction in the matter and thus cannot review/ reopen the order passed by his predecessor in the office.

It is therefore prayed that no adverse is justified against me in the light of facts and circumstances coupled with the judicial pronouncement.


Shakeel Ahmad
S/O Fazal Subhan
R/O Sugar Mills, Charsadda
Presently Political Naib Tehsildar
Mulagori, Tehsil Jamrud, Khyber Agency



(22) APPROVED: E

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Dated Peshawar the 06/09/2012

OFFICE ORDER

No. Estt: V/F.S.L. 17736

In pursuance of Section 8 (1) of the Civil Servant Act, 1973, and all subsequent Notifications issued on the subject, a Final Seniority List of regular Naib Tehsildars (BPS - 14) in Khyber Pakhtunkhwa, as stood on 31.12.2010, is hereby published for information of all concerned.

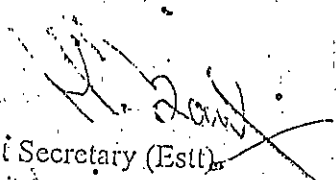
By Order of,
Senior Member

No. Estt: V/F.S.L. 17737

Copy alongwith a copy of Final Seniority List is forwarded to:-

1. All Divisional Commissioners, in Khyber Pakhtunkhwa
2. Office Order File

They are requested to circulate the same amongst the Naib Tehsildars concerned working under their jurisdiction / control.


Assistant Secretary (Estt.)

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FINAL SENIORITY LIST OF NAIB TEHSILDARS (BS-14) IN KHYBER PAKHTUNKHWA AS STOOD ON 31.12.2019

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
1.	Mr. Abdul Qadeer (MSc)	15.8.1962 DIKhan	28.08.1995	28.08.1995	Promotee	Appointed as Tehsildar on Acting Charge Basis
2.	Mr. Bashir Ahmad (FA)	10.04.1955 Nowshera	28.07.1973	12.10.2002	--do--	--do--
3.	Mr. Mian Samiullah Jan BA	17.10.1955 Charsadda	19.03.1982	12.10.2002	--do--	--do--
4.	Mr. Ghani Khan B.A	02.02.1952 Charsadda	1979	12.10.2002	--do--	--do--
5.	Mr. Ghulam Farooq (B.A)	01.01.1957 Bajuar	23.02.1978	13.01.2003	--do--	--do--
6.	Mr. Naz Amin Khan (Matric)	12.05.1960 Bajuar	25.11.1981	13.01.2005	--do--	Naib Tehsildar
7.	Mr. Shamas Gul B.A	1952 NW Agency	1973	09.05.2003	--do--	--do--
8.	Mr. Javed Hussain (Matric)	13.06.1952 Haripur	27.05.1977	30.06.2003	--do--	Appointed as Tehsildar on Acting Charge Basis
9.	Mr. S. Asghar Shah (Matric)	25.12.1959 Haripur	25.05.1981	30.06.2003	--do--	--do--
10.	Mr. Ali Sher Khan B.A LLB	15.02.1978 Peshawar	14.02.2004	14.02.2004	Direct	--do--
11.	Mr. Tariq Saleem B.A	14.08.1971 Tank	14.02.2004	14.02.2004	--do--	--do--
12.	Mr. Abdul Ghaffar B.A	15.12.1974 Tank	14.02.2004	14.02.2004	--do--	--do--
13.	Mr. Said Rehman (Matric)	30.10.1958 Mardan	01.10.1980	22.11.2004	Promotee	--do--
14.	Mr. Kiramat Ullah Kundi (B.A)	03.03.1974 Tank	29.11.2004	29.11.2004	Direct	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR ON Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
15.	Mr. Akbar Ifukhar Ahmad (B.A) LLB	29.03.1977 Hangu	24.11.2005	24.11.2005	Direct	Appointed as Tehsildar on Acting Charge Basis
16.	Mr. Qaisar Khan (B.A)	09.04.1975 DIKhan	19.12.2005	19.12.2005	--do--	--do--
17.	Mr. Najib Ullah (BA)	15.02.1969 DIKhan	06.03.19969	27.02.2006	--do--	--do--
18.	Mr. Muhammad Ayub Khan. (B.A)	01.03.1964 Bannu	12.06.2006	12.06.2006	--do--	--do--
19.	Mr. Abdur Rehman Shah (B.A)	15.02.1985 Bannu	23.01.2007	23.01.2007	--do--	--do--
20.	Mr. Sarir Ahmad (Matric)	13.05.1955 Peshawar	28.02.1977	31.05.2007	Promotee	--do--
21.	Mr. Hasham Gul (B.A)	01.01.1955 Peshawar	07.06.1982	31.05.2007	--do--	--do--
22.	Muhammad Riaz (Matric)	22.05.1958 Nowshera	06.08.1978	31.05.2007	--do--	--do--
23.	Mr. Atta Ullah (Matric)	1.04.1956 Charsadda	06.11.1978	31.05.2007	--do--	--do--
24.	Mr. Musadiq Hussain (Matric)	21.08.1955 Hangu	12.05.1973	31.05.2007	--do--	--do--
25.	Mr. Abdul Qayyum (Matric)	03.01.1954 Kohat	23.06.1970	31.05.2007	--do--	--do--
26.	Muhammad Nawaz (F.A)	30.03.1957 Mardan	20.05.1976	31.05.2007	--do--	--do--
27.	Mr. Mir Laiq (F.A)	27.04.1963 Mardan	08.03.1983	31.05.2007	--do--	--do--
28.	Mr. Nouman Ali Shah BCS (Ions)	17.09.1984 Bannu	06.07.2007	06.07.2007	Direct	--do--
29.	Muhammad Bashir (F.A)	10.12.1956 Haripur	01.11.1976	20.07.2007	Promotee	--do--
30.	Mr. Hidayat Ullah (B.A)	28.04.1962 Malakand	13.03.1991	20.07.2007	--do--	Naib Tehsildar
31.	Mr. Ifukhar Ahmad (Matric)	02.04.1954 Manshera	15.07.1979	20.07.2007	--do--	--do--

Seniority List of Naib Tehsildar

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
32.	Mr. Ghulam Sarwar (Matric)	01.03.1955 Shangla	01.03.1978	20.07.2007	Promotee	Najb Tehsildar
33.	Mr. Farzand Ali (Matric)	03.05.1954 Swat	19.05.1976	20.07.2007	--do--	--do--
34.	Mr. Muqarab Khan (F.A)	01.03.1953 Buner	13.08.1975	20.07.2007	--do--	--do--
35.	Mr. Said Rahim (Matric)	15.04.1957 Swat	04.09.1976	20.07.2007	--do--	--do--
36.	Mr. Fazli Raziq (B.Com)	01.05.1955 Swat	06.04.1981	20.07.2007	--do--	--do--
37.	Mr. Shah Nawaz (B.A)	01.10.1959 Lakki Marwat	11.11.1981	26.07.2007	--do--	--do--
38.	Mr. Asmat Ullah (Matric)	13.03.1959 Lakki Marwat	28.04.1982	26.07.2007	--do--	--do--
39.	S. Mazhar Hussain Shah (F.A)	07.07.1956 DIKhan	10.05.1976	26.07.2007	--do--	--do--
40.	Mr. Hussian Bakhsh (Matric)	13.04.1956 DIKhan	01.09.1976	26.07.2007	--do--	--do--
41.	Mr. Abdur Rashid (F.A)	01.09.1955 Tank	01.07.1984	26.07.2007	--do--	--do--
42.	Mr. Fateh Ullah (F.A)	10.10.1958 Tank	01.07.1984	26.07.2007	--do--	--do--
43.	Muhammad Akram (Matric)	03.10.1959 Tank	01.12.1983	26.07.2007	--do--	--do--
44.	Mr. Mutazim Hussain (Matric)	01.01.19557 Tank	05.07.1984	26.07.2007	--do--	--do--
45.	Muhammad Israr (B.A)	19.05.1959 Bannu	18.07.1985	26.07.2007	--do--	--do--
46.	Mr. Afzal Khan (F.A)	15.03.1959 Swat	05.04.1981	01.09.2007	--do--	--do--
47.	Mr. Anwar ul Haq (B.A)	01.02.1959 Swat	05.04.1981	31.12.2007	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
48.	Mr. Khyzar Hayat (F.A)	01.05.1955 Tank	22.12.1985	01.01.2008	Promotee	Naib Tehsildar
49.	Muhammad Farooq Anwar (Matric)	10.09.1958 Tank	23.12.1985	01.01.2008	--do--	--do--
50.	Mr. Kutab Khan (F.A)	22.05.1956 Tank	02.07.1986	01.01.2008	--do--	--do--
51.	Mr. Ghulam Qasim (FA)	28.08.1958 DIKhan		01.01.2008	--do--	--do--
52.	Mr. Qudratullah (Matric)	20.02.1959 DIKhan	01.09.1977	01.01.2008	--do--	--do--
53.	Mr. Aftab Hussain Shah (B.A)	04.05.1958 DIKhan	13.09.1980	01.01.2008	--do--	--do--
54.	Mr. Sikandar Hayat Shah (Matric)	20.01.1958 Bannu	18.02.1981	05.01.2008	--do--	--do--
55.	Mr. Ghulam Abbas (Matric)	15.02.1958 Lakki Marwat	11.11.1982	05.01.2008	--do--	--do--
56.	Mr. Saleem Asmat (BA)	03.01.1959 DIKhan	27.03.1984	31.03.2008	--do--	Promoted through Administrative Order of SMBR
57.	Mr. Raqibas Khan (FA)	01.09.1956 Bannu	05.03.1982	02.04.2008	--do--	Naib Tehsildar
58.	Mr. Habib Ahmad B.A	04.04.1955 Swat	06.04.1981	02.04.2008	--do--	--do--
59.	Mr. Himayat Ullah Qurashi (B.A)	06.11.1958 Tank	10.01.1978	02.04.2008	--do--	--do--
60.	Mr. Abdullah Jan (FA)	17.10.1958 Charsadda	01.09.1977	08.05.2008	--do--	--do--
61.	Mr. Miraj Muhammad (F.A)	30.09.1958 Charsadda	31.05.1975	12.05.2008	--do--	--do--
62.	Mr. Nazir Ahmad (Matric)	12.03.1954 Mansehra	18.08.1979	08.05.2008	--do--	--do--
63.	Mr. Muhammad Ziafat (F.A)	12.02.1955 Abbottabad	06.10.1976	08.05.2008	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH/ DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
64.	Mr. Abdur Rasheed (B.Com)	06.02.1952 DIKhan	01.09.1972	08.05.2008	Promotee	Naib Tehsildar
65.	Mr. Naimat Ullah Khan (BA)	11.08.1967 Tank	16.06.1990	08.05.2008	--do--	--do--
66.	Mr. Naik Muhammad (B.A)	04.04.1971 Kohat	26.07.1995	10.05.2008	--do--	--do--
67.	Mr. Amanullah (Matric)	09.06.1956 Tank	09.06.1956	29.05.2008	--do--	Promoted through Administrative Order of SMBR
68.	Mr. Shah Zaman (F.A)	16.07.1958 Tank	03.07.1984	29.05.2008	--do--	--do--
69.	Mr. Abdur Rashid (Matric)	1958 DIKhan	1987	29.05.2008	--do--	--do--
70.	Muhammad Ayub (Middle)	04.11.1960 Tank	18.12.1986	29.05.2008	--do--	--do--
71.	Mr. Amir Muhammad (B.A)	06.04.1961 Swabi	28.08.1988	11.08.2008	--do--	--do--
72.	Mr. Maqboolur Rehman (F.A)	02.05.1959 Bannu	07.04.1980	13.01.2009	--do--	Naib Tehsildar
73.	Mr. Shakir Ullah S/O Khan Mir (MA, MBA)	15.01.1978 Khyber Agency	02.02.2009	02.02.2009	Direct	Promoted through Administrative Order of SMBR
74.	Mr. Munir Ahmad S/O Thangi Khan (MSc)	20.03.1979 SWA	02.02.2009	02.02.2009	--do--	Naib Tehsildar
75.	Mr. Rahamd Ullah Khan S/O Ahmad Khan (MSc. Chem)	18.04.1978 Lakki Marwat	02.02.2009	02.02.2009	--do--	--do--
76.	Mr. Intiaz Ali Shah S/O Muhammad Ali Shah (MSc)	14.04.1980 Karak	02.02.2009	02.02.2009	--do--	--do--
77.	Mr. Khalid Khan S/O Ifitikhar Hussain (MA)	23.03.1978 Bajuar	02.02.2009	02.02.2009	--do--	--do--
78.	Mr. Fazli Wadood S/O Fazli Mahmood (BA)	04.04.1982 Mohmand	02.02.2009	02.02.2009	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH/ DOMICILE	DATE OF IST ENTRY INTO GOVT. SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT	REMARKS.
79.	Mr. Irshad Ali S/O Dost Muhamamd (MA)	15.03.1978 Mohmand	02.02.2009	02.02.2009	Direct	Naib Tehsildar
80.	Mr. Amir Nawaz S/O Gul Daraz (BSc/MPA)	22.04.1975 DIKhan	02.02.2009	02.02.2009	--do--	--do--
81.	Mr. Shah Wazir S/O Abdul Khan (MSc)	30.03.1980 SWA	02.02.2009	02.02.2009	--do--	--do--
82.	Mr. Sikandar Khan S/O Sar Zamin Khan (M.A)	10.12.1976 Swat	02.02.2009	02.02.2009	--do--	--do--
83.	Mr. Ishtiaq Ahmad Khan S/O Allaiddin (M.A)	30.04.1979 Malakand	02.02.2009	02.02.2009	--do--	--do--
84.	Mr. Shamsul Islam S/O Faqr Gul (MA)	10.04.1979 Malakand	02.02.2009	02.02.2009	--do--	--do--
85.	Mr. Allah Noor S/O Hazrat Noor (MA)	11.04.1983 (FR) DIKhan	02.02.2009	02.02.2009	--do--	--do--
86.	Muhammad Tariq Aziz S/O Ayaz Khan (MA)	04.02.1981 NWA	02.02.2009	02.02.2009	--do--	--do--
87.	Muhammad Ilyas S/O Shah Nasim Khan (MSc)	03.03.1975 Swat	02.02.2009	02.02.2009	--do--	--do--
88.	Mr. Yasir Salman Kundi S/O Hamid Khan Kundi (MBA)	03.08.1979 Lakki Marwat	02.02.2009	02.02.2009	--do--	--do--
89.	Mr. Yadullah Khan Khattak S/O Mohibullah Khattak (MA)	23.05.1979 Mardan	02.02.2009	02.02.2009	--do--	--do--
90.	Mr. Ahmad Hashmi S/O Fazli Rabbi (B.A)	2.04.1983 Dir Lower	02.02.2009	02.02.2009	--do--	--do--
91.	Mr. Arniq Ullah Khan S/O Dost Muhammad Khan (BA)	07.06.1977 DIKhan	02.02.2009	02.02.2009	--do--	--do--

Security List of Naib Tehsildars

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH/ DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT:	REMARKS.
92.	Mr. Islahuddin S/O Syed Badshah (B.A.LLB)	15.04.1982 Mardan	02.02.2009	02.02.2009	Direct	Naib Tehsildar
93.	Mr. Zehid Younis S/O Muhamamd Younis (M.A)	20.01.1978 Karak	02.02.2009	02.02.2009	--do--	--do--
94.	Mr. Naimat Ullah S/O Khanim Ullah (Double M.A)	26.04.1973 Dir	02.02.2009	02.02.2009	--do--	--do--
95.	Muhammad Riaz S/O Fazal Aziz (LLB)	02.02.1980 Dir Lower	02.02.2009	02.02.2009	--do--	--do--
96.	Muhammad Yar S/O Faqir Gul (MA)	02.02.1979 Malakand	02.02.2009	02.02.2009	--do--	--do--
97.	Mr. Sher Ali Khan S/O Sahibzar Gul (M.A)	13.11.1974 Swat	02.02.2009	02.02.2009	--do--	--do--
98.	Mr. Munawar Shah S/O Abdur Rashid (M.A)	12.02.1973 Dir Lower	02.02.2009	02.02.2009	--do--	--do--
99.	Mr. Iftikhar uddin S/O Zewar Din (MSc)	05.08.1973 Charsadda	02.02.2009	02.02.2009	--do--	--do--
100.	Mr. Younis Khan S/O Waqif Khan (M.A)	15.06.1981 Upper Dir	02.02.2009	02.02.2009	--do--	--do--
101.	Mr. Mujahid Ali S/O Khalil-ur-Rehman (M.A)	19.04.1974 Nowshera	02.02.2009	02.02.2009	--do--	--do--
102.	Syed Abdul Akbar Shah S/O Syed Gul Chaman (MSC/M.A)	11.04.1981 Mardan	02.02.2009	02.02.2009	--do--	--do--
103.	Syed Sultan Haider Shah S/O Syed Gulzar Hussain Shah (BA. LLB)	08.12.1972 Peshawar	02.02.2009	02.02.2009	--do--	--do--

Seniority List of Naib Tehsildar

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S.No.	NAME OF NAIIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT, SERVICE	DATE OF APPOINTMENT AS NAIIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT	REMARKS.
104.	Mr. Aftab Ahmad S/O Javed Muhammad (MSc)	08.12.1982 Peshawar	02.02.2009	02.02.2009	Direct	Naiib Tehsildar
105.	Mr. Dil Nawaz Khan S/O Alam Zeb (LLB)	22.03.1979 Swabi	02.02.2009	02.02.2009	--do--	--do--
106.	Mr. Kifayat Ullah S/O Haji Akbar (M.A)	09.01.1977 Peshawar	02.02.2009	02.02.2009	--do--	--do--
107.	Mr. Faqir Hussein S/o Muhammad Tounis (BA)	10.10.1983 Nowshera	02.02.2009	02.02.2009	--do--	--do--
108.	Mr. Zulfikar Khan S/O Arsala Khan (M.Com)	15.04.1983 Peshawar	02.02.2009	02.02.2009	--do--	--do--
109.	Mr. Waqar Ahmad S/O Muhammad Irfan (M.A)	24.04.1980 Mansehra	02.02.2009	02.02.2009	--do--	--do--
110.	Muhammad Faraz Qurashi S/O Muhammad Rjaz Qureshi (MBA)	17.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
111.	Mr. Fazal ur Rehman S/O Habib-ur-Rehman (M.A)	10.07.1975 Haripur	02.02.2009	02.02.2009	--do--	--do--
112.	Mr. Farukh Jadoon S/O Anwar Ahmad Khan (BSc)	04.05.1984 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
113.	Mr. Fayaz Ahmad S/O Pir Khan (M.A)	10.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
114.	Bilal Ahmad S/O Farid-ud-Din (BA, B.Ed)	10.10.1978 Haripur	02.02.2009	02.02.2009	--do--	--do--
115.	Mr. Tanveer Shahzed S/O Muhammad Sahif (M.A)	30.12.1977 Mansehra	02.02.2009	02.02.2009	--do--	--do--
116.	Mr. Ejaz Ahmad S/O Muhammad Riaz (3 - M.A)	15.04.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
117.	Muhammad Salim S/O Muhammad Sadiq (BSC)	03.05.1978 Abbottabad	02.02.2009	02.02.2009	Direct	Naib Tehsildar
118.	Muhammad Sohail S/O Muhammad Ayub (BA)	16.11.1979 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
119.	Mr. Sajid Saleem (BA)	01.04.1978 D.Khan	06.11.1996	10.02.2009	Promotee	Promoted through Administrative Order of SMBR
120.	Mr. Adil Waseem (BA)	25.12.1988 Newshera	27.02.2009	27.02.2009	Direct	Naib Tehsildar
121.	Mr. Tazil-ur-Rehman		14.04.2009	14.04.2009	--do--	--do--
122.	Qazi Muhammad Aslam (Matric)	25.11.1953 Abbottabad	05.07.1980	02.05.2009	Promotee	--do--
123.	Mr. Abdul Qayum (BA)	24.04.1984 Kohistan	27.12.1993	02.05.2009	--do--	--do--
124.	Mr. Roohul Amin (Matric)	25.10.1966 Kohat	01.04.1985	02.05.2009	--do--	--do--
125.	Mr. Qianoos (BA)	14.02.1962 Kohat	01.07.1991	02.05.2009	--do--	--do--
126.	Mr. Khurshid Ali (Matric)	19.01.1959 Malakand	05.12.1991	02.05.2009	--do--	--do--
127.	Mr. Latif-ur-Rehman (Matric)	01.07.1959 Shangla	01.03.1978	02.05.2009	--do--	--do--
128.	Mr. Jehan Wali (Matric)	01.02.1957 Shangla	01.03.1978	02.05.2009	--do--	--do--
129.	Mr. Amir Zarin (Matric)	06.08.1959 Shangla	01.03.1978	02.05.2009	--do--	--do--
130.	Mr. Shah Wazir (Matric)	02.02.1960 Swat	05.04.1981	02.05.2009	--do--	--do--
131.	Mr. Sher Bahadar (BA)	07.04.1965 Tank	10.10.1992	02.05.2009	--do--	--do--
132.	Mr. Shaukat Iqbal (M.A)	2/11/1973 D.Khan	19.10.1992	02.05.2009	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
133.	Mr. Abdur Rashid (MSc)	05.01.1962 Swabi	28.08.1988	02.05.2009	Promotee	Naib Tehsildar
134.	Mr. Ahmad Ali (MA, B.Ed)	17.04.1962 Swabi	28.08.1988	02.05.2009	--do--	--do--
135.	Mr. Faramosh (BA)	01.12.1957 Bajaur	26.11.1975	12.05.2009	--do--	Promoted through Administrative order of SMBR
136.	Mr. Abdul Haseeb (Matric)	01.09.1969 Bajaur	18.02.1977	12.05.2009	--do--	--do--
137.	Mr. Shakeel Ahmad MA	03.07.1971 Charsadda	13.09.1992	12.05.2009	--do--	--do--
138.	Mr. Gohar Ali (B.A)	31.03.1980 Bannu	29.05.2009	29.05.2009	Direct	Naib Tehsildar
139.	Mr. Mehmood Shah (Matric)	01.02.1959 Peshawar	04.10.1977	02.06.2009	Promotee	--do--
140.	Mr. Sher Dil (BA)	24.01.1974 Kohistan	10.04.1995	02.06.2009	--do--	--do--
141.	Mr. Muhammad Shoaib (BA)	01.01.1968 Kohat	09.12.1990	02.06.2009	--do--	--do--
142.	Mr. Muhammad Arshad (BA)	20.01.1967 Kohat	02.09.1984	26.06.2009	--do--	--do--
143.	Mr. Zafar Iqbal (B.A. L.L.B)	25.02.1953 Kohat	02.04.1987	02.07.2009	--do--	--do--
144.	Mr. Nawab Gul (F.A)	15.11.1966 Kohat	01.01.1995	02.07.2009	--do--	--do--
145.	Mr. Umbaras Khan (B.A)	30.06.1960 Mardan	30.08.1988	07.07.2009	--do--	--do--
146.	Mr. Shakeel-ur-Rehman	10.02.1978 Bannu	06.01.2009	11.07.2009	Direct	--do--
147.	Mr. Shiekh Muhammad Jamil (M.A)	15.02.1964 DIKhan	21.10.1992	18.07.2009	Promotee	--do--
148.	Muhammad Aslam Khan (Matric)	08.01.1953 DIKhan	16.07.1983	18.07.2009	--do--	--do--
149.	Mr. Bashir Ahmad (F.A)	01.01.1957 DIKhan	10.12.1983	18.07.2009	--do--	--do--

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT	REMARKS.
150.	Mr. Sheryar Khan (Matric)	01.10.1961 Mohmand	13.09.1983	25.07.2009	Promotee	Promoted through Administrative order of SMBR
151.	Mr. Hazrat Khan (Matric)	02.02.1956 Mohmand	08.10.1986	10.09.2009	--do--	--do--
152.	Mr. Sardar Yousaf (BA)	15.03.1959 Bajaur	22.02.1978	17.09.2009	--do--	--do--
153.	Mr. Saz Muhammad (FA)	01.02.1961 Bajaur	25.11.1981	17.09.2009	--do--	--do--
154.	Mr. Ghulam Saeedullah (FA)	01.01.1957 Bajaur	24.11.1975	18.09.2009	--do--	--do--
155.	Mr. Abdul Malik (FA)	01.08.1955 Bajaur	24.11.1975	26.09.2009	--do--	--do--
156.	Mr. Muhammad Saeed	Peshawar		30.09.2009	--do--	--do--
157.	Mr. Riaz-ul-Haq (BA)	11.01.1969 Bajaur	04.07.1987	22.10.2009	--do--	--do--
158.	Muhammad Iqbal (BA)	05.10.1953 Lakki	01.11.1975	22.10.2009	--do--	--do--
159.	Mr. Umar Said (BA)	16.10.1960 Mardan	05.09.1988	07.01.2010	--do--	--do--
160.	Mr. Jehanzeb Khan (BA)	01.04.1965 Matakand	13.12.1982	08.01.2010	--do--	--do--
161.	Mr. Asmatullah (BA)	NWA	01.07.1976	22.01.2010	--do--	--do--
162.	Mr. Gul Shehzad	15.06.1986 Peshawar		21.04.2010	--do--	--do--
163.	Mr. Muhammad Alam (FA)	FR (Lakki)		03.06.2010	--do--	--do--
164.	Mr. Abbas Ali Shah (FA)	06.08.1997 Battagram	14.05.1979	24.06.2010	--do--	--do--
165.	Mr. Dildar Khan (BA)	15.05.1975 Haripur	01.09.2003	25.06.2010	--do--	--do--
166.	Mr. Fazl-e-Hakeem (Matric)	02.09.1953 Swat	09.05.1979	14.07.2010.	--do--	--do--

Seniority List of Naib Tehsildar
43

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S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT	REMARKS.
167.	Mr. Musadqiq Hussain (BA)	27.10.1962 Kohat	15.03.1980.	23.07.2010	Promotee	Promoted through Administrative order of SMBR
168.	Mr. Fazle Rehman (Matric)	10.06.1958 DIKhan		02.09.2010	--do--	--do--
169.	Mr. Haq Nawaz (Matric)	03.07.1960 DIKhan		02.09.2010	--do--	--do--
170.	Mr. Gohar Zaman (FA)	20.04.1965 DIKhan		02.09.2010	--do--	--do--
171.	Mr. Anwar Hussain (FA)	23.03.1972 Kohat		15.10.2010	--do--	--do--
172.	Mr. Ghuncha Gul (C.Com)	24.04.1967 Mohmand	22.12.1998	02.11.2010	--do--	--do--
173.	Mr. Abdul Jalil (MA)	15.01.1964 Swat		04.11.2010	--do--	--do--
174.	Muhammad Amin (Matric)	19.06.1957 Swat	06.04.1981	08.11.2010	--do--	--do--
175.	Mr. Kamalistan (Matric)	01.04.1958 Swat	06.04.1981	08.11.2010	--do--	--do--
176.	Mr. Hazrat Yousaf (MA)	06.04.1959 Battagram	01.01.1977	11.11.2010	--do--	--do--

Assistant Secretary (Estt)
Board of Revenue Khyber Pakhtunkhwa

35

No. 2359-60 /Acctt:

Dated Ghallana the 3/01/2014

From The Political Agent,
Mohmand Agency

To The Director IW-1,
National Accountability Bureau,
PDA Complex Block-III Phase-V,
Hayatabad, Peshawar.

Subject Provision of information u/s 19 read with 27 of NAO 1999, Inquiry into misuse of authority / illegal appointment / promotions of revenue staff by officers / officials of Board of Revenue Department, Government of Khyber Pakhtunkhwa

Memorandum

Reference Assistant Secretary, Government of Khyber Pakhtunkhwa, Board of Revenue, Revenue Department, Peshawar endst: No. Estt: V/NAB/Inform/23265-67 dated 18.12.2013, addressed to you and copy thereof endorsed to this office etc on the subject noted above.

The requisite information in respect of the concerned PNTs is sent herewith on the prescribed proforma for further necessary action please:-

Political Agent
Mohmand Agency

No. 2359-60 /Acctt:

Copy forwarded to the Assistant Secretary (Estt), Government of Khyber Pakhtunkhwa, Board of Revenue, Revenue and Estate Department, Peshawar with reference to above cited letter for information.

Political Agent
Mohmand Agency

Handwritten signature/initials

S.No.	Name & P.Name	Domicile	Date & rank of Appt. in BPS-5	Date & rank of Promotion in BPS-7	Date & rank of Promotion in BPS-9	Date & rank of Promotion in BPS-11	Date & rank of Promotion in BPS-16	Details of officials promoted to PMS and their present postings	Remarks
	Shah Yaqub	Mohmand Agency		13.9.1983 Junior Clerk			30.3.2003 PNT		
	Mr. Hazrat Khan	Mohmand Agency		2.10.1976 Junior Clerk	12.9.1992 Senior Clerk		27.11.2007 Assistant 10.9.2009 PNT	4.11.2010 PT	Presently working as PNT/Background in Mohmand Agency
	M. Shakir Ahmad	District Charsadda		13.9.1992 Junior Clerk			22.5.2009 PNT		Presently working as PNT/Ambar in Mohmand Agency
	Mr. Ghunche Gul	Mohmand Agency	11.6.1999 Moharri	16.2.2009 Junior Clerk			18.01.2010 PNT		Presently working as PT (OPS) Bara Khyber Agency
	M. Zahir Khan No Samal Khan	Mohmand Agency		8.8.1977 Junior Clerk	16.10.1988 Senior Clerk		10.5.2006 Assistant 23.6.2009 PNT(Adhoc)		Presently working as PNT/Ambar Charsadda
	Mr. Liaqat Ali	Mohmand Agency		1.2.1980 Junior Clerk	20.3.1993 Senior Clerk		8.11.2008 PNT(Adhoc)		Presently working as Tehsildar in Commissioner Peshawar Division Office
									Presently working as PNT in Commissioner Peshawar Division Office



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
PDA COMPLEX BLOCK-III PHASE-V HAYATABAD
KPK PESHAWAR

108 ANNEX F
(37)

No 1/42/IW-1/Summon/NAB (KPK) 252
June 2013

To: Revenue Officials
(As pre list annex)

Through Senior Member Board of Revenue,
Khyber Pakhtunkhwa

PS/SMBR
Dy No: 2763
Date: 6/6/13
Govt. of Khyber Pakhtun Khwa

Subject: Call up notice to the Witness u/s 19 read with section 27 of NAO, 1999 Inquiry Into Misuse of Authority/ Illegal Appointment/ Promotion of Revenue Staff By Officers/ officials of Board of Revenue Department Govt of Khyber Pakhtunkhwa

1. Whereas the competent authority has taken cognizance of an offence committed by officers/ officials of revenue department Govt of Khyber Pakhtunkhwa under the provisions of NAO, 1999.

2. Whereas, the inquiry against officers/ officials of revenue department Govt of Khyber Pakhtunkhwa regarding misuse of authority in appointment/ promotion of revenue staff has revealed that you are in possession of information/ evidence which relates to the commission of said offence.

3. In view, thereof, you are hereby called upon to appear on the date and time as mentioned against each (in the annexed list) at NAB (KPK) PDA Complex, Block-III, Phase-V, Hayatabad Peshawar before Mr. Muhammad Kamran, Assistant Director to record your statement along with original/ certified copies as detailed below:

- Letter of nomination for Patwar course.
- DMC certificate of Patwar course.
- List of successful candidates of the course issued by Revenue Academy.
- Relevant record of Patwar register showing seniority list of the candidate.
- Personal file having all the record of appointment, promotion & transfer

4. You are advised that failing to comply with the notice, may entail penal consequences as provided in S. 2 of the schedule of NAO 1999.

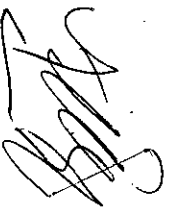
(Signature)
Lt Col (R)
For Director IW-1
(Sardar Ali)
Ph # 091-9217554

Encl: List of 48 officials

(Signature)

Name of The Officials of Board of Revenue Promoted as Tehsildar/Naib Tehsildar
On The Orders of EX-SMTR


Sl#	Name of Officer/Official	Day	Date	Time
1.	Saleem Asmat	Monday	10.06.2013	0930 hrs
2.	Shah Zamir	Tuesday	10.06.2013	1100 hrs
3.	Mohammad Ayub	Wednesday	10.06.2013	1400 hrs
4.	Amrullah	Thursday	10.06.2013	1530 hrs
5.	Fazal Rehman	Friday	11.06.2013	0930 hrs
6.	Qasim Zameer	Monday	11.06.2013	1100 hrs
7.	Haq Nawaz	Tuesday	11.06.2013	1400 hrs
8.	Abdul Jalil	Wednesday	11.06.2013	1530 hrs
9.	Sajid Saleem	Thursday	12.06.2013	0930 hrs
10.	Abdur Rasheed	Friday	12.06.2013	1100 hrs
11.	Fazillah	Monday	12.06.2013	1400 hrs
12.	Mohammad Alam	Tuesday	12.06.2013	1530 hrs
13.	Haq Dad Khan	Wednesday	13.06.2013	0930 hrs
14.	Mohammad Iqbal	Thursday	13.06.2013	1100 hrs
15.	Hayatullah	Friday	13.06.2013	1400 hrs
16.	Asmatullah	Monday	13.06.2013	1530 hrs
17.	Kemalullah	Tuesday	14.06.2013	0930 hrs
18.	Muhammad ul Rehman	Wednesday	14.06.2013	1100 hrs
19.	Yusuf Hussain	Thursday	14.06.2013	1400 hrs
20.	Arshad Hussain	Friday	14.06.2013	1530 hrs
21.	Mohammad Arif	Monday	17.06.2013	0930 hrs
22.	Hazrat Khan	Tuesday	17.06.2013	1100 hrs
23.	Amir Shazad	Wednesday	17.06.2013	1400 hrs
24.	Shehryar Khan	Thursday	17.06.2013	1530 hrs
25.	Chameha Gul	Friday	18.06.2013	0930 hrs
26.	Shakeel Ahmad	Monday	18.06.2013	1100 hrs
27.	Mohammad Saeed	Tuesday	18.06.2013	1400 hrs
28.	Farid Shehzad	Wednesday	18.06.2013	1530 hrs
29.	Fazal Hakeem	Thursday	19.06.2013	0930 hrs
30.	Umar Saif	Friday	19.06.2013	1100 hrs
31.	Hazrat Yousaf	Monday	19.06.2013	1400 hrs
32.	Abbas Ali Shah	Tuesday	19.06.2013	1530 hrs
33.	Dildar Khan	Wednesday	20.06.2013	0930 hrs
34.	Muhammad Zahoor	Thursday	20.06.2013	1100 hrs
35.	Kamalistan	Friday	20.06.2013	1400 hrs
36.	Muhammad Amin	Monday	20.06.2013	1530 hrs
37.	Shaham Saiedullah	Tuesday	21.06.2013	0930 hrs
38.	Abdul Malik	Wednesday	21.06.2013	1100 hrs
39.	Sardar Yousaf	Thursday	21.06.2013	1400 hrs
40.	Suz Mohammd	Friday	21.06.2013	1530 hrs
41.	Abdul Haseeb	Monday	24.06.2013	0930 hrs
42.	Faramoush	Tuesday	24.06.2013	1100 hrs
43.	Jehanzeb	Wednesday	24.06.2013	1400 hrs
44.	Hazrat Ahmad	Thursday	24.06.2013	1530 hrs
45.	Abdul Latif	Friday	25.06.2013	0930 hrs
46.	Qasim Khan	Monday	25.06.2013	1100 hrs
47.	Riz-ul-Haq	Tuesday	25.06.2013	1400 hrs
48.	Muhammad Asghar	Wednesday	25.06.2013	1530 hrs



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(2)



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
PDA COMPLEX BLOCK-III PHASE-V HAYATABAD
KPK PESHAWAR

NOTICE U/S 19 OF NAO, 1999

To: Secretary Board of Revenue,
Revenue & Estate Deptt
Govt of Khyber Pakhtunkhwa,
Peshawar.

Subject: Provision of Information u/s 19 read with 27 of NAO, 1999 -
Inquiry into Misuse of Authority / Illegal Appointments/
Promotions of Revenue Staff by Officers / Officials of Board of
Revenue Department Govt of Kyber Pakhtunkhwa.

1. National Accountability Bureau KP, Peshawar is conducting the subject inquiry under the National Accountability Ordinance, 1999. The documents / information useful or relevant to the inquiry are in your control or you are acquainted with facts and circumstances of the case.

2. Therefore, you are requested to provide the record / information as per list attached to the NAB investigation team on 18-12-2013 who will be visiting your office.

3. This Notice is issued under section 19 of the NA Ordinance, 1999 which provides that any one who fails to provide information / record requisitioned or knowingly provides false information / record or refuses to answer the question, shall be liable for prosecution under NA ordinance, 1999.

LIST OF RECORD/INFORMATION REQUIRED

Please provide complete detail of relevant record.

1. Administrative, Financial and judicial powers of SMBR
2. Certified copies of final seniority lists of political Mohrrar from 2000 to Dec, 2012. Certified copies of final seniority lists of Assistant / Ministerial Staff from 2000 to Dec, 2012. Certified copies of final seniority lists of Kanungo of D.I Khan Division from 2000 to Dec, 2012.
3. Certified copy of sanction posts of kanungos and Naib Tehsildar from 2000 to Dec, 2012 =
- Seniority list of Tehsildar, Naib Tehsildar & Kanungo as on June, 2007

Details list of Tehsildars, Naib Tehsildar & Equivalent working at different position in Govt of KPK and FATA. The detail may be provided on the following format:-

[Handwritten Signature]

(10)

(3)

FROM:

PHONE NO.

DEC. 23, 2013 10:53AM P1

2013.15.39

P. 01

S#	Name & F. Name	Domicile	Date & rank of Appt in BPS-5	Date & rank of Promotion in BPS-7	Date & rank of Promotion in BPS-9	Date & rank of Promotion in BPS-14	Date & rank of Promotion in BPS-16	Details of officials promoted to PMS and their Present Posting	Remarks

(The requisite documents should be legible, attested and with covering memo addressed to Investigation Officer)

No. 1/25 /IW-1/Notice/NAB (KPK) /438
17 Dec, 2013

Imran Sohail

Deputy Director (Coord)
For Director IW-1
(Imran Sohail)
Ph # 091-9217554



Atty

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GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
PDA COMPLEX BLOCK-III PHASE-V HAYATABAD
KPK PESHAWAR

No. 1/42/IW-1/Summon/NAB (KPK) 193
March, 2014

To: The Senior Member Board of Revenue,
Revenue & Estate Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

PS/SMBR
Dy No. 1226
Date 5/3/14
Govt. of Khyber Pakhtun Khw

Subject: Call Up Notice To The Following Officials mentioned Below
19 Read With 27 of NAO, 1999- Inquiry Into Misuse of authority /
Illegal appointments./ Promotions of Revenue Staff by Officers /
Officials of Board of Revenue Department Govt of KPK

See y-
m-12/12
5/3/14

1. Please direct the following officials to attend the NAB (KPK) office at PDA Complex, Block-III, Phase-V, Hayatabad, Peshawar before Inquiry Officer Mr. Adnan Aqic, Assistant Director at the date and time mentioned against their names to record their statements in the above Inquiry:-

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S. No	Name	Date of Appearance in NAB (KPK), Block-III, PDA Commercial Complex, Phase-V Hayatabad, Peshawar	Time
(1)	Mr. Abdul Malik (Naib Tehsildar)	12-3-2014	10:00 AM
(2)	Mr. Ghulam Saeed Ullah (Naib Tehsildar)	12-3-2014	10:00 AM
(3)	Mr. Faramosh Khan (Naib Tehsildar)	12-3-2014	10:00 AM
4	Mr. Sardar Yousaf (Naib Tehsildar)	12-3-2014	10:00 AM
5	Mr. Abdul Haseeb (Naib Tehsildar)	12-3-2014	10:00 AM
6	Mr. Saz Muhammad (Naib Tehsildar)	13-3-2014	10:00 AM
7	Mr. Riazul Haq (Naib Tehsildar)	13-3-2014	10:00 AM
8	Mr. Hazrat Khan (Naib Tehsildar)	13-3-2014	10:00 AM
9	Mr. Saleem Asmat (Naib Tehsildar)	13-3-2014	10:00 AM
10	Mr. Sajjad Saleem (Naib Tehsildar)	13-3-2014	10:00 AM
11	Mr. Shakeel Ahmad (Naib Tehsildar)	14-3-2014	10:00 AM
12	Mr. Shehriyar Khan (Naib Tehsildar)	14-3-2014	10:00 AM
13	Mr. Muhammad Saeed (Naib Tehsildar)	14-3-2014	10:00 AM
14	Mr. Muhammad Iqbal (Naib Tehsildar)	14-3-2014	10:00 AM
15	Mr. Umer Said (Naib Tehsildar)	14-3-2014	10:00 AM
16	Mr. Jehanzeb (Naib Tehsildar)	17-3-2014	10:00 AM
17	Mr. Asmatullah (Naib Tehsildar)	17-3-2014	10:00 AM
18	Mr. Muhammad Alam (Naib Tehsildar)	17-3-2014	10:00 AM

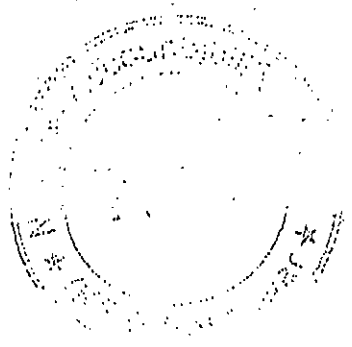
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19	Mr. Abbas Ali Shah (Naib Tehsildar)	17-3-2014	10:00 AM
20	Mr. Anwar Hussain (Naib Tehsildar)	17-3-2014	10:00 AM
21	Mr. Ghuncha Gul (Naib Tehsildar)	18-3-2014	10:00 AM
22	Hazrat Yousaf (Naib Tehsildar)	18-3-2014	10:00 AM
23	Abdul Jalil (Naib Tehsildar)	18-3-2014	10:00 AM

2. Please direct them to bring the following documents:-

- a. Appointment letter as Junior Clerk/Political Moharir
- b. Promotion letter as Senior Clerk
- c. Promotion letter as Assistant
- d. Divisional seniority list of Assistant on which basis they have been promoted as Naib Tehsildar
- e. All Original education degrees from Matric onwards alongwith attested copy.
- f. Any other relevant documents.




Deputy Director (Coord)
For Director IW-I
(ISRAR-UL-HAQ)
Phone # 091-9217578



43 GAVIEX = 1019

FAX

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

سجاد

No. Estt:V/NAB/ 11653-76

Peshawar dated the 27/06/2013

To

All Commissioners,
in Khyber Pakhtunkhwa

SUBJECT: CALL UP NOTICE TO THE WITNESS U/S 19 READ WITH SECTION 27 OF NAO, 1999 INQUIRY INTO MISUSE OF AUTHORITY / ILLEGAL APPOINTMENT / PROMOTION OF REVENUE STAFF BY OFFICERS / OFFICIALS OF BOARD OF REVENUE DEPARTMENT GOVERNMENT OF KHYBER PAKHTUNKHWA.

I am directed to enclose a copy of National Accountability Bureau letter No. 1/42/IW/Suman/NAB(KPK)/262, dated June, 2013 alongwith list containing the names of officials promoted in violation of rules of your respective Divisions with the request to direct them to appear before Muhammad Kamran Assistant Director National Accountability Bureau PDA complex Block - III Phase - V Hayatabad Peshawar on the dates mentioned against their names without fail please.

Assistant Secretary (Estt)

No. Estt:V/NAB/

Copy forwarded to Muhammad Kamran Assistant Director National Accountability Bureau PDA complex Block - III Phase - V Hayatabad Peshawar with reference to his letter above for information.

Assistant Secretary (Estt)

AC (R)
Commissioner Peshawar
6873 Dated 11/6/13

11/6

11/6

44

Most Immediate

FAX

OK

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT
No.Estt:V/NAB/ 4321-27
Peshawar dated 06/03/2014

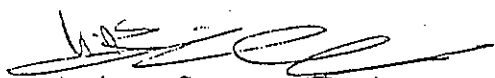
To

All Commissioners
in Khyber Pakhtunkhwa.

Peshawar


Subject: - CALL UP NOTICE TO THE FOLLOWING OFFICIALS BELOW U/S-19 READ WITH 27 OF NAO, 1999-INQUIRY INTO MISUSE OF AUTHORITY/ILLEGAL APPOINTMENTS / PROMOTIONS OF REVENUE STAFF BY OFFICERS / OFFICIALS OF REVENUE DEPARTMENT OF KPK.

I am directed to enclose copies of National Accountability Bureau letters No.1/42/IW-1/Summon/NAB(KPK)/193 and No.1/42/IW-1/Summon/NAB(KPK)/194, dated March, 2014 on the subject with the request to inform the officials mentioned in the NAB letters to appear before the Inquiry Officers (Mr.Adnan Aqiq) Assistant Director NAB on the date and time specified in the above mentioned letters please.


Assistant Secretary (Estt:)

No.Estt:V/NAB/_____

Copy forwarded to Mr.Israr-ul-Haq, Deputy Director (Coord), National Accountability Bureau PDS, Complex, Block-III, Phase-V, Hayatabad, Peshawar with reference to his letter quoted above for information please.


Assistant Secretary (Estt:)

3160

6/3/2014



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT
Peshawar dated 25/09/2014

APPROVED: - H

45

ORDER

No. Est: V/P.F/Shakeel / _____ Whereas Mr. Shakeel Ahmad was appointed as Political Moharrar in the office of Political Agent, Mohmand Agency on 13-09-1992.

Whereas his services were illegally regularized as Naib Tehsildar vide this department order No. 11789-95/Admn:V/PF (Shakeel), dated 12-05-2009 subsequent to a so called judicial order pronounced by the then Senior Member, Board of Revenue Khyber Pakhtunkhwa.

Consequent to order of Service Tribunal in Appeal No. 1285/2011 titled "Zabit Khan Political Moharrar versus Government of Khyber Pakhtunkhwa" an exercise was carried out to consider validity of various regularization orders passed by the then Senior Member, Board of Revenue Khyber Pakhtunkhwa.

Whereas it was found that Mr. Shakeel Ahmad was neither eligible for promotion as no provision for promotion of Political Moharrars as Naib Tehsildar was available in service rules; was promoted without holding of Departmental Promotion Committee without considering his seniors; and in exercise of authority which never vested in the Senior Member, Board of Revenue. A notice was served upon him on 23-4-2011 as to why the illegal orders may not be withdrawn. After submission of written reply on 2-7-2011, he was again given an opportunity of personal hearing on 10-9-2011; however further proceedings were stopped due to initiation of enquiry by NAB.

Whereas on receipt of advice from Establishment Department No. SOR-III(F&AD 2-4/2008 (Vol-VII) dated 16-12-2013 proceedings were restored and the official was summoned on 17-4-2014 with the direction to submit fresh reply. He appeared on a few hearings and sought adjournment to file fresh reply, however after 4-9-2014 onwards he intentionally absented himself, therefore ex-parte proceedings were initiated against the official, and his earlier reply dated 02-07-2014 was taken into consideration.

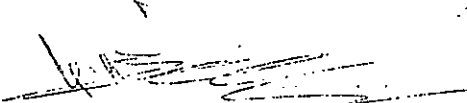
Now therefore after considering the facts, law and explanation of the official, a detail order dated 24-09-2014 (copy enclosed) has been passed withdrawing the regularization of promotion orders passed on 7-5-2009 by the then Senior Member, Board of Revenue followed by promotion notification issued on 12-5-2009. As a result of the withdrawal, he is reverted to position as it was before 7-5-2009 and 12-5-2009.

Sd/-
Senior Member

No. Est: V/P.F/Shakeel/ 19390-95

Copy forwarded to the:-

1. Additional Chief Secretary FATA, FATA Secretariat, Warsak Road Peshawar.
2. Commissioner, Peshawar Division, Peshawar.
3. Political Agent Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency.
5. Official concerned.
6. Personal file.


Assistant Secretary (ESM)





5.10.2009. After completion of six months training the undersigned got both revenue and settlement training certificate. On 6.1.2010, I was recommended for departmental examination for Naib Tehsildar in which I appeared and accordingly passed it.

4. That after passing departmental examination the undersigned was transferred to Mulagori as Political Naib Tehsildar on 19.5.2010 by commissioner Peshawar from where the undersigned was further transferred to Naib Tehsildar passport Torkham on 21.7.2010. thereafter the undersigned was transferred back as Political Naib Tehsildar Mulagori and still serving as Political Naib Tehsildar.
5. That while holding the post of Naib Tehsildar on acting charge basis, the undersigned submitted appeal to the Worthy Senior Member Board of Revenue (SMBR), Khyber Pakhtunkhwa, Peshawar wherein I claimed promotion in view of the availability of the vacancies of Naib Tehsildars on regular basis relying upon the judgment of the apex court reported in 2006 SCMR page 1938, the SMBR vide his Judgment and order dated 03.09.2009, allowed the appeal and directed for the promotion of the undersigned on regular basis.
6. That the judgment and order was implemented and I was promoted as Naib Tehsildar on regular basis w.e.f 10.9.2009 vide office order dated 10.9.2009.
7. That some of Naib Tehsildars promoted with immediate effect exactly in similar circumstances, claimed promotion w. e. f the date when they were holding the post of Naib Tehsildar on acting charge basis, their cases were allowed and they were allowed seniority w.e.f the date they were holding the post of Naib Tehsildar by the Senior Member Board of Revenue, the same was implemented and they were placed at the proper place in the seniority.
8. That in the meantime a seniority list of the Naib Tehsildar as it stood on 30.6.2010 was issued wherein the name of the undersigned was not even mentioned.
9. That I while serving as Naib Tehsildar was served with a notice by the Senior Member Board of Revenue, questioning my eligibility for being promoted as Naib Tehsildar under the administrative order. It was learnt that besides the undersigned, there were as many as 50 other officials promoted under the administrative order, they were also subject to proceedings.

10. That I duly submitted detailed reply, besides appeared on different dates for hearing. The proceedings were thereafter left and it was learnt that after the circulation of final seniority list of Naib Tehsildars, the matter was impliedly dropped.
11. That in the meantime I was also issued notices by the NAB authorities whereto the undersigned explained his position, they also found nothing pertaining to corrupt practices.
12. That again the Senior Member Board of Revenue issued notices to the undersigned for re-inquiring the matter of my promotion, which has attained finality. The notices so issued are beyond jurisdiction and is a past and closed transaction. That I also filed a writ petition before the honourable High Court against the notices so issued, the writ petition is still pending, and the Honourable High Court has also granted status quo on 29.09.2014, and which was further extended on 20.10.2014. the next dated of hearing is fixed as 20.11.2014.
13. That during the pendency of the writ petition and status orders of the Honourable High Court, the promotion orders dated 22.07.2009 and 25.07.2009 of the undersigned to the post of Naib Tehsildar has been withdrawn and I have been reverted back to the post of Political Moharrir vide order dated 25.09.2014, copy of the order was however communicated to the undersigned on 29.09.2014.
14. That the reversion so made is illegal unlawful against the law and facts hence liable to be set aside inter alia on the following grounds:

Grounds of Departmental Appeal:

- A. That the undersigned has not been treated in accordance with law and my rights secured and guaranteed under the law have been badly violated.
- B. That before reversion of the undersigned no proper procedure has been followed neither any charge sheet or show cause notice has been issued nor any inquiry has been conducted thus the reversion so made is liable to be set aside on this score alone.
- C. That the reinitiating the matter of the promotion of the undersigned is extreme malafide, the matter of promotion of the undersigned has twice attained finality and is a past and closed transaction, it shows the efforts of the hidden hands in depriving the undersigned of his promotion. Such re-initiation amounts to double jeopardy and show the



intention, to award the penalty to the undersigned at any cost.

- D. That the respondents have acted discriminately as similarly placed employees when were allowed anti-dation of their promotion by the SMBR, were assigned the seniority from due date but the undersigned has been discriminated, and not allowed him his proper place in the seniority, besides those employees are still holding their promotion on regular basis but the undersigned has been illegally reverted.
- E. That the Senior member Board of Revenue is competent under the recruitment rules, he himself issued valid promotion orders, similarly the order was acted upon, seniority list were issued and circulated, subsequently he cannot be allowed to turn around after about 5 years to alleged that the promotion orders were not competently issued.
- F. That the Undersigned has not treated been in accordance with law and I remained throughout deprived of my promotion due to in action / slackness of the respondents, thus they are bound to follow the law and to act in accordance with law.
- G. That the Undersigned is fit and eligible for the post Naib Tehsildar (BPS-14) and was thus rightly promoted, the order dated 25.09.2014, is therefore failure on the part of the department to follow the law, the undersigned has now even eligible to be promoted to the post of Tehsildar BPS-16, however the respondents are not conducting themselves in accordance with law thus seriously affecting the rights of the undersigned.
- H. That reversion to lower Post amounts to penalty for which proper right of hearing and inquiry is required coupled with service of proper show cause, in the instant case no such procedure was adopted, thus the order of reversion is illegal and not tenable.
- I. That undersigned was promoted by the competent authority after observing all legal formalities. I have taken charge of my higher post, have performed duties against such higher post for more then 5 years and have received salaries against the higher post, the order of promotion had acted upon since long and valuable rights have been created in favour of the undersigned the same cannot be undone or snatched away with one stroke of pen.



- J. That there were more than 60 officials / officers promoted on judicial orders however, discriminately only the petitioner was picked and awarded the penalty.
- K. That while reverting the undersigned/ withdrawing the promotion the mandatory procedure prescribed under the Govt Servant (E &D) Rules 2011 were not followed thus the order impugned is legally not sustainable.

It is, therefore, humbly prayed that on acceptance of this Departmental Appeal the impugned order dated 25.09.2014, may please be set-aside and the undersigned may please be restored to his original Post of Naib Tehsildar (BPS-14), with all back benefits.

Yours Obediently



SHAKEEL AHMAD
Political Naib Tehsildar
Mulagori, Khyber Agency

Dated: 28 / 10 / 2014



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ANNEX:-J

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

No. Estt:V/ D/A/Shakeel Ahmad/ 2476/
Peshawar dated the 15 /12/2014

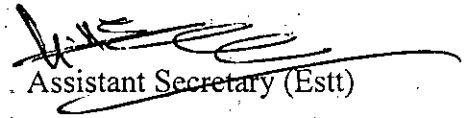
To ✓


Mr. Shakeel Ahmad,
Ex-Political Naib Tehsildar,
Mulagori, Khyber Agency.

SUBJECT: DEPARTMENTAL APPEAL AGAINST WITHDRAWAL OF
PROMOTION ORDER.

Your department appeal dated 28/10/2014 has been examined and rejected by
the Competent Authority.

Received on 17/12/14


Assistant Secretary (Estt)


PNTC (Mulagori)
17-12-14



(53) ANNEX - 11/11/11
GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
(REVENUE & ESTATE DEPARTMENT)

Peshawar dated the 30/03/2011

NOTIFICATION

No. 32102/Admn:1/135/SSRC /Admn:1/1/296/Amendment. In pursuance of provisions contained in Sub-Rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue & Estate Department in consultation with the Establishment and Finance Departments hereby directs that in this Departments Notification No. 32102/Admn:1/135/SSRC, dated 26.12.2008, the following further amendments shall be made, namely :-

AMENDMENTS

In the Appendix:-

(1) against S.No. 1, in column No. 7, for the existing entries, at clauses (b) and (c), the following shall be substituted, namely;

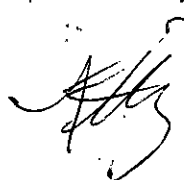
“(b) By promotion on the basis of seniority-cum-fitness in the following manner:

(i) sixty percent from amongst the Naib Tehsildars, District Kanungos, District Revenue Accountants and Head Clerk (Revenue) with at least five year service as such.

Note:- The seniority of existing District Kanungos, District Revenue Accountants and Head Clerks (Revenue) will be merged with Naib Tehsildars and further promotion to these cadres will not be made henceforth; and

// (ii) twenty percent from amongst graduate Assistant, Senior Scale Stenographer of Board of Revenue, Director Land Record, Senior Scale Stenographer of the offices of Commissioners, Additional Commissioners, Political Agents and Sub-Registrar with at least five years service as such.

Note: The officials in sub-clause (ii), so promoted, shall undergo Settlement / Revenue Training and pass “Kanungo Certificate Examination.”



(2). after serial No. 1, as so amended, the following new entries shall be inserted in the respective columns, namely;

1.	2	3	4	5	6	7
"1-A	Reader to Senior Member / Members Board of Revenue	-	-	-	-	By transfer from amongst Tehsildars and;

(3). against S.No. 2, in column No. 7, for the existing entries, the following shall be substituted, namely;

"(a) Fifty percent, by initial recruitment; and

(b) Fifty percent by promotion, on the basis of seniority-cum-fitness, in the following manner within the Division.

(i) thirty percent, from amongst Kanungos of the Division concerned with at least five years service as such who have passed the Departmental Examination of Naib Tehsildar; and.

// (ii) twenty percent from amongst graduate Assistants of the offices of Commissioners, Additional Commissioners District Coordination Officers, District Officer (R&E)/Collectors, and Executive District Officers (F&P), Political Moharrirs of the office of Political Agents and Assistant Political Agents (PR), with at least five years service as such.

Note: Age and qualification for initial recruitment of Naib Tehsildars, remain intact passing of Departmental Examination and prescribed training as per rules 52, 53, 54 and 55 of the West Pakistan Tehsildari and Naib Tehsildar Departmental Examination and Training Rules, 1969 shall remain intact;

M. Noor
SECRETARY

[Handwritten signature]

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No. 12429 /Admn/11/296/Amendment

Copy forwarded for information and necessary action to the :-

1. Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
2. Secretary to Government of Khyber Pakhtunkhwa Finance Department.
3. Secretary to Government of Khyber Pakhtunkhwa Law Department.
4. Secretary Khyber Pakhtunkhwa Public Service Commission.
5. Registrar Peshawar High Court.
6. Accountant General Khyber Pakhtunkhwa.
7. All Commissioners / Political Agents in Khyber Pakhtunkhwa.
8. All District Officers (R&E)/Collectors, in Khyber Pakhtunkhwa.
9. Private Secretary to Minister for Revenue Khyber Pakhtunkhwa.
10. Contoller, Government Printing Press Peshawar with the request to publish the above notification in the official Gazette and supply 50 printed copies thereof to the undersigned for record.

Subscribed

DEPUTY SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
REVENUE & ESTATE DEPARTMENT

[Handwritten signature]

POWER OF ATTORNEY

In the Court of 12 P12 Service Tribunal Peshawar
Shateel Ahmad

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of P12 etc

} Defendant
} Respondent
} Accused
}

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/We, the undersigned, do hereby nominate and appoint

IJAZ ANWAR ADVOCATE, SUPREME COURT OF PAKISTAN

Sejad Amin Advocate my true and lawful attorney, for me in ~~my~~ same and on my behalf to appear at P12 to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year _____
Executant/Executants _____
Accepted subject to the terms regarding fee _____

Acceptance
Sejad Amin

Ijaz Anwar
Advocate High Courts & Supreme Court of Pakistan

Sejad Amin

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

Service Tribunal. No: 95/2015

Shakeel Ahmad, Political Naib Tehsildar, Mulagori
Tehsil Jamrud Khyber Agency.Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa , through
Senior Member, Board of Revenue Khyber Pakhtunkhwa.....Respondents
2. Assistant Secretary (Estt:) Board of Revenue Khyber Pakhtunkhwa.
3. Government of Khyber Pakhtunkhwa through Chief Secretary.

PRELIMINARY OBJECTIONS.

1. The appeal is not competent in its present form.
2. The appeal is badly time barred.
3. That appellatant has got no cause of action.
4. That appeal is bad due to mis-joinder/ non-joinder of necessary parties.
5. That appellatant is estopped by his own conduct.
6. That appellatant has not come to the Tribunal with clean hands.

ON FACTS.

1. Incorrect; the official was appointed on adhoc basis and not as "Acting Political Naib Tehsildar".
2. Pertains to record.
3. Pertains to record.
4. Undergoing of training does not confer any right/ eligibility of promotion as Naib Tehsildar without adopting proper procedure i.e seniority-cum-fitness as well as holding of Departmental Promotion Committee.
5. As in para-4 above.
6. Passing of Departmental examination does not confer right of out of turn promotions.
7. Pertains to record.
8. Pertains to record.

9.

Incorrect. The appellant was appointed as Political Naib Tehsildar on adhoc basis by Board of Revenue on 18-02-2009. Departmental appeals are filed to the next higher authority against orders that affect the terms and service conditions of an official and not against "adhoc" posting orders. The judicial orders of the then Senior Member, Board of Revenue make no mention of Superior Court's decision reported in 2006 SCMR 1938, which relates to cancellation of illegal appointment following E & D proceedings, while the present proceedings were not initiated under Efficiency and Discipline Rules.

10. Correct to the extent that the void judicial order was notified by the Department. The Service Rules do not provide for promotion of Political Moharrirs to post of Naib Tehsildar. However, implementation of void order does not confer or create any right.

11. Correct; however the processes of other officials promoted through "judicial orders" are also under review, and some have been reversed.

12. Correct to the extent that his name was not included in the seniority list of regular Naib Tehsildars as the "judicial orders" were passed without any authority and not acted upon.

13. Partially correct. Proceedings in the matter were kept pending when NAB initiated enquiry in the matter. However, on advice of NAB and Establishment Department proceedings were revived.

14. Correct as far as summoning of appellant by NAB is reported. Enquiry by NAB is under process and is stated to be completed in near future.

15. Incorrect; as explained in para 13 above.

16. Incorrect. The promotion order through purported judicial order as Naib Tehsildar being invalid, devoid of force was unlawful and has been withdrawn after giving due opportunity of hearing to the appellant.

17. Departmental appeal has rightly been rejected by the appellate authority.

18. Incorrect. Appeal of the appellant is not maintainable.

GROUND.

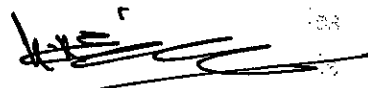
A. Incorrect. The appellant has been treated in accordance with law and given every opportunity to defend himself.

- B. Incorrect. The act of the respondent is according to law; the illegal order passed without authority has not created any rights in favour of the appellant.
- C. Incorrect. The promotion of the appellant was not in accordance with merit, service rules, and law. The illegal and void orders have been withdrawn.
- D. Incorrect. No discrimination has been done; the cases of similarly promoted officials have either be withdrawn or are still under review.
- E. Incorrect. The then SMBR has not made the illegal orders in exercise of powers under Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules/ Tehsildar/ Naib Tehsildar Service Rules, but in self assumed judicial authority.
- F. Incorrect. The appellant has been treated in accordance with law. The Service Rules do not cater for promotion of Political Moharrir to the post of Naib Tehsildar.
- G. Incorrect. The appellant was junior to 12 Junior Clerks at the time purported judicial orders were passed, therefore, was not eligible for promotion.
- H. Incorrect. The withdrawal order has been issued after affording proper opportunity.
- I. Arguments are restricted to positions taken in pleadings.

It is prayed that appeal having no merit may be dismissed with costs.



Respondent No.1



Respondent No.2



Respondent No.3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 95/ 2015


Shakeel Ahmad, Political Naib Tehsildar Mulagori.....Appellant
Tehsil Jamrud Khyber Agency

VERSUS

Senior Member Board of Revenue & others..... Respondents

AFFIDAVIT

I Mir Qasim, Assistant Secretary (Lit-II), Board of Revenue Khyber Pakhtunkhwa do hereby solemnly affirm that the contents of the written reply are true and correct to the best of my knowledge and belief information provided to me and nothing has been deliberately concealed from this Hon'able Tribunal


Assistant Secretary (Lit-II)
Board of Revenue

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

No. 356 /ST,

Dated 2/3 /2016


To:

The Senior Member,
Khyber Pakhtunkhwa, Board of Revenue,
Peshawar.

Subject:- APPEAL NO. 95/2015, SHAKEEL AHMAD, VERSUS GOVT. OF KPK
THROUGH SENIOR MEMBER, BOARD OF REVENUE, PESHAWAR ETC.

I am directed to forward herewith a certified copy of order dated 01.3.2016, passed by this Tribunal in the above mentioned service appeal for further necessary action.

Encl.As above.


REGISTRAR,
KPK SERVICE TRIBUNAL,
PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Present through Counsel. Heard that the appellant / Ph: was duly promoted on which ^{post} he has been working for more than 6 years, has been reverted back, has a good prima facie case for interim relief.

C.M.No. 169/2016

IN

S.A.No.95 of 2015

That Hence status quo be maintained till date fixed subject to notice.

K.P.K. Service Tribunal
Diary No. 169
Date 1-3-16

1/3/2016 01/3/2016

Shakeel Ahmad Appellant/ Applicant

Versus

Govt. of KPK and others Respondents

APPLICATION FOR EARLY HEARING
AND DISPOSAL OF STAY
APPLICATION.

Respectfully Sheweth;

- 1) That the above noted Service Appeal is pending adjudication before this Hon'ble Tribunal and fixed for 08.04.2016.
- 2) That the matter pertains to service of appellant. Since the appellant having been lawfully promoted, the order of promotion has been acted upon, same therefore, cannot be undone after a period of more than 05 years.
- 3) That if the stay application/ interim relief of appellant is not heard at an early date he would suffer irreparable loss.


- 4) That in the circumstances of the case it is just and fair that the case may please be heard at the earliest as convenience to this Hon'ble Tribunal.

It is, therefore, prayed that the titled appeal may please be accelerated and the C.M. for interim relief may be heard at an early date as may be convenient to this Hon'ble Tribunal

Applicant/ Appellant

Through

A.Lateef Afridi
Advocate Supreme Court
&


Sajeed Khan Afridi
Advocate High Court

AFFIDAVIT

I, do hereby affirm and declare as per information furnished by my client that the contents of the **Application** are true and correct and nothing has been concealed from this Hon'ble Tribunal.


Deponent

WAKALATNAMA

(Power of Attorney)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

Shakeel Ahmed.....(Applicant)
(Petitioner)
(Plaintiff)
(Appellant)
(Complainant)
(Decree Holder)

VERSUS

Government of KPK and others.....(Defendant)
(Respondent)
(Accused)
(Judgment Debtor)

I, the undersigned (Appellant in the above noted service appeal do hereby appoint and constitute **A. Lateef Afridi, Khalid Anwar Afridi, Khalid Ali Khan Advocate, and Sajeed Khan Afridi** Advocates Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/ Counsel at my/ our matter.

Attested & Accepted.


A. Lateef Afridi,



Khalid Anwar Afridi


Khalid Ali Khan,


Sajeed Khan Afridi
Advocates Peshawar

**B-7/G-17, Haroon Mansion,
Khyber Bazar Peshawar
Office: 091-2572888**

CLIENT


Shakeel Ahmed,
Political Naib
Tehsildar, Bara,
Khyber Agency,