

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT, ABBOTTABAD.

Appeal No. 648/2016

Date of institution ... 15.06.2016  
Date of decision .... 15.04.2019

Farhat Abbas Pawari Tehsil Jadban, District Torghar.  
... (Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary, Revenue &  
Estate Department, Peshawar and others.  
... (Respondents)

Present

Mr. Sultan Ahmad Jamshed,  
Advocate ... For appellant.

Mr. Muhammad Bilal,  
Deputy District Attorney ... For respondents.

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MR. HAMID FAROOQ DURANI, ... CHAIRMAN  
MR. AHMAD HASSAN, ... MEMBER.

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-


1. The appellant is essentially aggrieved of office order dated 16.03.2016 passed by Deputy Commissioner Torghar, whereby, Aqeel Ahmad son of Ishfaq Ahmad and Tufail Anjum Qureshi son of Ghulam Sadiq were promoted from the post of patwari (BPS-09) to the post of Kanungo (BPS-11) on regular basis. The appellant submitted departmental appeal against the order before the Commissioner Hazara Division on 28.03.2016 which could not find favour and was dismissed vide order dated 09.06.2016.

2. We have heard learned counsel for the appellant and learned Deputy District Attorney on behalf of the respondents. We have also perused the available record.

It was mainly the argument of learned counsel that the appellant was appointed as patwari on 03.05.2012 and at the relevant time, when Departmental Promotion Committee meeting for promotion of patwaris to the post of Kanungo was held on 09.03.2016, the appellant had already completed the requisite condition of minimum length of service of three years as patwari. He was, therefore, entitled for consideration for promotion as the number of vacancies available for promotion were three. In his view, the requisite promotion was wrongfully denied to the appellant.

Learned Deputy District Attorney, on the other hand, controverted the averments made on behalf of the appellant and contended that the respondents acted in accordance with law. The name of appellant was dropped from promotion being unfit as not having the requisite length of service.

3. The record transpires that the posts of Kanungo (Girdawar) BPS-11 were required to be filled in by promotion from patwaris (BPS-09) under the notification dated 30.01.2015, issued by the Revenue Department Khyber Pakhtunkhwa, Peshawar. The method of promotion was provided in the following terms:-



*"By promotion, on the basis of seniority-cum-fitness,  
from amongst the patwaris and Naib Office Kanungos of*

*the District concerned with three years service as such and who have passed the departmental examination of Kanungo."*


Seen in juxtaposition to the above noted provision the date of appointment as a patwari was 20.09.2011 in the case of Aqeel Ahmad. Similarly, Tufail Anjum Qureshi was also appointed as Patwari on 20.09.2011. In the said manner, both of them had completed the minimum length of service as patwaris and have also passed the departmental examination of Kanungo. On the other hand, the appellant although had also passed the requisite exam, his date of appointment as patwari (BPS-09) was 19.11.2014. Clearly, he had not completed a period of three years as patwari on the date the DPC meeting was held.

4. We have also attended to the argument of learned counsel for the appellant, wherein, it was claimed that the appellant was initially appointed as patwari BPS-09 on 03.05.2012. In the said context, the service of appellant was to be reckoned from the said date. We are not in agreement with the contention on behalf of appellant owing to the fact that on 03.05.2012 the appellant, amongst others, was appointed as patwari against the posts in Tehsil Settlement Operation Mansehra. The said appointment was contract based and against a project post which was created for a specific period. The claimed appointment was for a period of one year and was to expire in May, 2013. There is nothing on record to suggest that the appellant continued thereafter till his appointment as patwari BPS-09 on

19.11.2014. The service of appellant in a project and against contract was rightly not considered by the respondents. The continuation in service without break was also a matter for consideration with the respondents.

5. For what has been discussed, the appellant was clearly unqualified for the impugned promotion and his name was accordingly dropped from the recommendations. The appeal in hand, therefore, is bereft of any merits and is accordingly dismissed.

Parties are left to bear their respective costs. File be consigned to the record room.

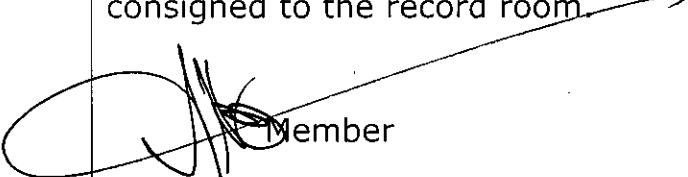
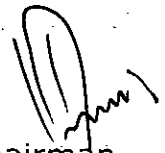


(AHMAD HASSAN)  
Member



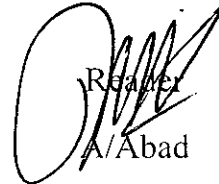
(HAMID FAROOQ DURRANI)  
Chairman  
Camp Court, Abbottabad.

ANNOUNCED  
15.04.2019

S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	15.04.2019	<p style="text-align: center;"><u>Present</u></p> <p>Mr. Sultan Ahmad Jamshed, Advocate ... For appellant</p> <p>Mr. Muhammad Bilal, Deputy District Attorney ... For respondents</p> <p>Vide our detailed judgment, the appeal in hand is dismissed.</p> <p>Parties are left to bear their respective costs. File be consigned to the record room.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">   Member </div> <div style="text-align: center;">   Chairman  Camp court, A/Abad </div> </div> <p style="text-align: center;"><u>ANNOUNCED</u> 15.04.2019</p>

15.11.2018


Counsel for the appellant and Sohail Bahadar Assisst for the respondent in person present. Due to retirement of the Hob'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 18.02.2019 at camp court Abbottabad.

  
Registrar  
A/Abad

18.02.2019

None for the appellant present. Mr. Muhammad Bilal, DDA for the respondents present. Notices be issued to the appellant and his counsel. Case to come up for arguments on 15.04.2019 before D.B at camp court Abbottabad.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member  
Camp Court Abbottabad

17.07.2018

Mr. Muhammad Ishtiaq, father of the appellant Farhat Abbas alongwith his counsel Malik Muhammad Arbaz, Advocate present. M/S Zaheer Shah, TRA and Attaullah, Asstt. Secretary on behalf of the respondents alongwith Mr. Usman Ghani, District Attorney present. Wakalatnama of Malik Muhammad Arbaz, Advocate placed on file.

Learned counsel for the appellant made a request for adjournment being newly engaged and has not prepared the case. Granted. To come up for arguments on 20.09.2018 before the D.B at camp court, Abbottabad.



Member



Chairman  
Camp Court, A/Abad

18.09.2018

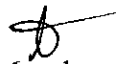
Since 20<sup>th</sup> September, 2018 has been declared as public holiday on account of Moharram therefore, case is adjourned to 15.11.2018 for arguments before the D.B at camp court, Abbottabad.




Chairman  
Camp court, A/Abad

15.1.2018

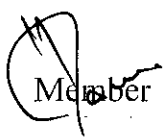
Father of the appellant and Mr. Muhammad Bilal, Deputy District Attorney alongwith Mukhtiar Ali, Assistant Secretary and Zaheer Shah, TRA for the respondents present. Due to general strike of the bar, counsel for the appellant is not in attendance. To come up for arguments on 20.02.2018 before the D.B at camp court, Abbottabad.

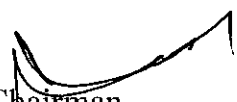
  
Member

  
Chairman  
Camp court, A/Abad.

20.02.2018

Clerk of counsel for the appellant and Addl. AG alongwith Mukhtiar Ali, Assistant Secretary and Zaheer Shah, Assistant for the respondents present. Clerk of Counsel for the appellant seeks adjournment. Granted. To come up for arguments on 21.05.2018 before the D.B at camp court A/Abad.

  
Member

  
Chairman  
Camp court, A/Abad.

21.05.2018

**Appellant with counsel and Mr. Usman Ghani learned District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 17.07.2018 before D.B at camp court, Abbottabad.**

  
Member

  
Chairman  
Camp court, A/Abad



25.08.2017

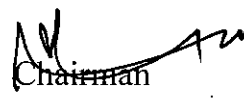
Father of the appellant, Mr. Muhammad Bilal, Deputy District Attorney alongwith Bahadar Khan, Assistant, Muhammad Zia, ADK, Khalid Mahmood, Junior Clerk and Zaheer Shah, TRA for the respondents present. The learned DDA submitted before the Court that respondent No. 8 has been impleaded who is unnecessary party and requested that respondent NO. 8 may be deleted from the panel of the respondents. Request being genuine is accepted. Respondent No. 8 is deleted from the list of the respondents. Written reply by respondents No. 3 & 4 has already been submitted. Learned DDA seeks further adjournment on behalf of other respondents. Last opportunity is further extended. To come up for written reply/comments of Respondents No. 1, 4 to 7 and 9 to 13 on 19.09. 2017 before S.B at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad

19.09.2017

Father of the appellant, Mr. Muhammad Bilal, Deputy District Attorney alongwith Zaheer Shah, TRA for respondent No. 3 & 4 and Khalid Mahmood, J.C for respondent No. 11 present. Written reply on behalf of respondent No. 11 received. Written reply by respondents No. 3 & 4 already submitted. None is present on behalf of other respondents nor their written reply received despite proper notices, hence proceeded against ex-parte. The appeal is assigned to D.B for rejoinder, if any, and arguments for 15.01.2018 at camp court, Abbottabad.


  
Member

  
Chairman  
Camp court, A/Abad.

648/2016

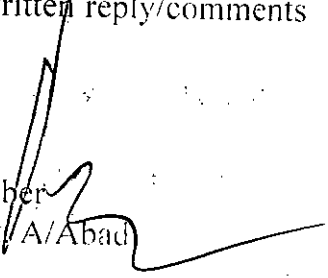
22.12.2016

Appellant in person and M/S Zaheer Shah, TRA and Nazar Muhammad, Assistant alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present. Requested for adjournment. To come up for written reply/comments on 17.02.2017 before S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad


17.02.2017

Appellant in person and Mr. Zaheer Shah, TRA alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Written not reply submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 21.04.2017 at camp court, Abbottabad.

  
Member  
Camp court/ A/Abad

21.04.2017

Appellant in person and M/S Zaheer Shah, TRA and Qasim Khan, Computer Operator alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present. Written reply by respondents NO. 2 & 3 submitted. Learned Sr.GP requested for adjournment on behalf of other respondents. The Worthy Chairman is on leave. On the request of learned Sr.GP last opportunity is further extended . To come up for written reply/comments on behalf of respondents No. 1, 4 to 13 on 25.08.2017 at camp court, Abbottabad.

  
Registrar  
Camp Court, Abbottabad,


07.2016

Counsel for the appellant present. Learned counsel for appellant argued that the appellant is serving as Patwari Halqa in Tehsil Judban District Torghar. That the appellant was eligible for consideration for promotion against the post of Kanungo alongwith similarly placed employees namely Aqeel Ahmad and Tufail Anjum. That vide impugned order dated 16.3.2016 other two employees were promoted as Kanungo/Girdawar while appellant ignored despite eligibility and availability of vacancy constraining the appellant to file departmental appeal on 28.3.2016 which was rejected on 09.06.2016 and hence the instant service appeal on 15.06.2016.

That the appellant is entitled to be considered for promotion w.e.f. the date of promotion of similarly placed employees referred to above vide order dated 16.3.2016 against the vacancy already available at the relevant time.


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 23.09.2016 before S.B at camp court, Abbottabad.

Appellant Deposited  
Security & Process Fee

  
Chairman  
Camp court, A/Abad,

23.09.2016




Appellant in person Mr. Saddam Hussain, Asstt, Bahadar Khan, Asstt. & Asif Shahzad, Assistant alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Requested for further adjournment. To come up for written reply/comments on 22.12.2016 before S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad

Form- A  
FORM OF ORDER SHEET

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

Case No. 648/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	15/06/2016	<p>The appeal of Mr. Farhat Abbas presented today by Mr. Sultan Ahmad Jamshed Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	16-6-16	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up there on. <u>22-6-2016</u></p> <p> CHAIRMAN</p>
	22.06.2016	<p>Appellant with junior counsel present. Senior counsel for the appellant was stated busy before the august Peshawar High Court, Abbottabad Bench. Requested for adjournment. Adjourned for preliminary hearing to 20.07.2016 before S.B at camp court, Abbottabad.</p> <p> Chairman Camp court, A/Abad,</p>

**BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL PESHAWAR**

Appeal No. 648 /2016

Farhat Abass

VERSUS

Govt of KPK through Secretary to Govt Revenue & E state Department and others

**SERVICE APPEAL**

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...APPELLANT

Through:

*(Signature)*

(SULTAN AHMED JAMSHED)  
Advocate Supreme Court  
Of Pakistan.

Dated:- \_\_\_\_\_/2016

Note  
Nine spare copies of the  
appeal will be provided after  
the admission of the appeal.

Nine copies completed  
today - *(Signature)*

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

Appeal No. 648/2016

Farhat Abbas, Patwari Tehsil Judban, District Torghar.

*Jawid*  
...APPELLANT

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 636

Dated 15-6-2016

**VERSUS**

1. Govt of KPK, Through Secretary to Government, Revenue and Estate Department, Peshawar.
- ✓ 2. Commissioner, Hazara Division, Abbottabad.
- ✓ 3. Deputy Commissioner Torghar, District Torghar.
4. Director Land Records, Khyber Pakhtunkhwa, /Chief Settlement Officer.
5. Senior Member Board of Revenue, KPK, Peshawar.
6. Secretary, Board of Revenue, KPK, Peshawar.
7. District Officer, Revenue & Estate/Collector, Haripur.
- ⑧ District Officer, Revenue & Estate/Collector,, Abbottabad.
- ✓ 9. Settlement Officer, Settlement Operation, Abbottabad.
10. District officer, Revenue & Estate/Collector, Mansehra.
- ✓ 11. Settlement Officer, Settlement Operation, Mansehra.
12. Tehsildar, Tehsil Torghar, Torghar.
13. District Office Qanungo, Torghar, Torghar.

...RESPONDENTS

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**SERVICE APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER BEARING NO. APPEAL-ESTAB/94/5-17 DATED 09/06/2016 PASSED BY COMMISSIONER HAZARA, ABBOTTABAD RESPONDENT NO 2, VIDE WHICH**

Respondents No. 1, 4 to 10 and 12, 13. Placed Ex-parte vide order dt: 19/9/17.

Resp'd No 8 deleted 25/8/17

Filed to-day

Registrar

15/6/16.

THE DEPARTMENTAL APPEAL OF APPELLANT FILED AGAINST THE, ORDER NO. 863/71, ESTT, DPSSC/DC/TC DATED 16-03-2016 PASSED BY DEPUTY COMMISSIONER TORGHAR ON THE SUBJECT OF NON-PROMOTING THE APPELLANT (PATWARI BPS-09) TO THE POST OF FIELD QANUNGO/TEHSIL QANUNGO BPS-11 IS DISMISSED AND THEREBY THE ORDER ABOVE MENTIONED PASSED BY RESPONDENT NO.3 IS MAINTAINED AND APPELLANT IS NOT PROMOTED FROM PATWARI BPS-11 TO THE POST OF FILED OFFICER QANUNGO BPS-14.

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**PRAYER:-**

ON ACCEPTANCE OF THE PRESENT APPEAL THE Appellant may graciously be held entitled for the promotion for the post of field office Qanungo (BPS-14) , as fully qualified in the light of the seniority mentioned in the seniority list, educational & departmental / experience qualifications, experience of length of service more than 3 years, as serving the department as Patwari BPS-09 (Tehsil Settlement operation, Mansehra) in the light of the order bearing no. 1087-1113 /LRO dated 03-05-2012 passed by Director land record, Chief Settlement Officer KPK Peshawar (respondent no-04) and accordingly any otherwise codal and procedural lacunae and hurdle allegedly showing the breakage of the continuity of length of experience/period of service, bifurcating the services of Patwari of settlement operation and Patwari at district Torghar may please be set aside, strucked



down, as being void ab-initio, unlawful, against the rights of the appellant, result of haste, beyond to the law, reasons thus orders passed by respondents No.2 & 3 are not speaking and good orders, therefore not sustainable, and any other order whichever is deemed appropriate leading to the proper redressal of the appellant may also graciously be passed in the interest of good administration of justice.

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**Respectfully Sheweth,**

**FACTS:**

1. That, Respondent no 4, being Director land record and Chief Settlement Officer of the KPK Province vide letter no 1087-1113/LRO dated 03-05-2012 appointed appellant as Patwari, BPS-09, against newly created posts in Tehsil settlement operation Mansehra. On 04-05-2012 the appellant put arrival on duty, and appellant also obtained NOC from respondent no 7. *(Copy of letter No.1087-1113/LRO dated 03-05-2012 is attached as annexure "A" Arrival report of Appellant dated 04-05-2012 is annexed as "B", NOC dated 05-08-2011 from DOR & E Haripur (respondent no 7) is annexed as annexure "C")*.
2. That, the respondent no 4 (Director land record) vide letter dated 12-11-2014, issued transfer letter of appellant( on mutual basis) from Mansehra to District Abbottabad, and on 19-11-2014, the appellant vide letter no 2626-33 DPSC/Estab/Tag by respondent no 3 (DC Torghar) was appointed Patwari at District Torghar and thereafter the appellant obtained NOC from respondent no 9, (Settlement Officer ATD) and also relieving order on 04-12-2014, *(Copy of the mutual transfer order dated 12-11-2014 is annexed as "D", copy of appointment as Patwari, district Torghar is*

*annexed as "E" , copy of NOC from respondent no 9 is annexed as "F" , copy of relieving order dated 04-12-2014 by respondent no 9 is annexed as "G" , copy of service record is annexed as "H" , copy of last pay certificate dated 01-12-2014 issued by respondent no 10 (settlement officer Mansehra) is annexed as annexure "I", copy of arrival report as Patwari district Torghar, dated 02/12/2014 is annexed as annexure "J").*

3. That, the respondent no 3, (DC Torghar) issued Permanent Seniority List of Patwaris, TRA, of District Torghar. *(Copy of seniority list of Patwaris, TRA, District Torghar is annexed as annexure "K")*
  
4. That, the appellant sought permission for appearance in the Qanungo ( Girdawar) examination from respondent No.3 (DC Torghar), and respondent no 3 (DC Torghar) vide letter no 2481/DC/RE (2015/TG dated 20-10-2015 issued permission letter and the appellant appeared in the exam and qualified and passed the same exam. *(Copy of application of appellant for permission to appear in the exam is annexed as annexure "L" , copy of the permission issued by respondent no 3, (DC Torghar) is annexed as "M" , copy of the result of the examination of Qanun Go and at serial no 198 the appellant has been shown as passed, the result is annexed as "N").*
  
5. That, Government of KPK, Board of Revenue /Revenue Estate department, respondent no 6 issued and passed notification Peshawar; dated 23-10-2015, no/942/Estt-1/135/SSRC under concerned rules, laid down the method of recruitment, qualification and other conditions specified in Column 3 to 7 of appendix to this (serial) notification and at page 9, the officer, posts etc for administration etc of Deputy Commissioner Torghar 2 posts for the officer of Qanun go BPS-11, meaning thereby 3 posts of Qanungos in District

Torghar are created within the following conditions (mentioned in the column no 6, for the office of Qanungo is specified.

Qanungo,	appointing authority	Qualification
BPS-11	District Collector,	By promotion, on the basis is seniority cum fitness from amongst the Patwaris and Naib office Qanungos of the district concerned, with three(3) years service as such and who have passed the departmental examination of Qanungo.

***(Copies of the notification dated 23.01.2015 with creation of post of Qanungo and Tehsil Office Qanungo for District Torghar are annexed as annexure "O").***

6. That, the appellant got the knowledge about the convening of district promotion committee meeting for approval of promotion for the office of Qanungos, (3 posts) therefore, submitted an application to the respondent no 3 (DC Torghar, Appointing authority) on 16-02-2016, and on receipt of the application same respondent no 3 asked for report from Tehsildar/DK Torghar (respondents no 12 & 13), Accordingly, the respondent no 12 submitted his report, containing clear words favouring the version of the appellant, that appellant's promotion for Qanungo is proper, however, advice from the respondents no 5 & 6 may be taken and till then the meeting of DPC may be adjourned. ***(Copies of the application dated 16-02-2016 are annexed as annexure "P" and report of Tehsildar dated 24-02-2016 is annexed as annexure "Q").***

7. That, working paper dated 19-02-2016 for agenda of DPC meeting likely to be held on 09-03-2016, notice for DPC meeting for participation in meeting, in the name of respondent no 6, history of candidates about promotion and order passed by respondent no 3 (DC Torghar) bearing no 863-7/Estt: DPSC / AE/ DC/TG dated Torghar the 16-03-2016, vide which 2 Patwaries namely Mr. Aqeel Ahmed S/o

Ishfaq Ahmed and Mr. Tufail Anjum Qureshi S/o Ghulam Sadiq were promoted, however such letter reveals trial neither that the appellant was considered nor promoted as Qanungo, Tehsil office Qanungo. Further all above proceedings shows that, promotion for the office of the Tehsil Qanungo has been badly ignored and never taken into consideration. (Copies of the letter no 552-55/DC/TGL dated 19-02-2016 and working paper is annexed as annexure "R", letter no 552-53/DC/TGL dated 19-02-2016, letter for participation addressed to respondent no 6 is annexed as "S", letter /history of candidates likely to be promoted is annexed as "T", minutes and office order no 863-71/ESst; DPSC/AE/DC/G dated 16-03-2016 with regard to promotions of other 2 Patwaries namely Aqeel Ahmed and Tufail Anjum Qureshi is annexed as annexure "U").

8. That, inspite of all above mentioned conduct of respondents the appellant has been appointed and posted as Qanungo but in his own pay scale. (minutes and office order no 863-71/ESst; DPSC/AE/DC/G dated 16-03-2016 with regard to promotions of other 2 Patwaries namely Aqeel Ahmed and Tufail Anjum Qureshi is annexed as annexure "V").
9. That, the appellant being aggrieved of the order dated 16-03-2016, passed by respondent no 3 (DC Torghar) through which appellant was neither considered for promotion for Qanungo nor the promotion for Tehsil Qanun Go (having similar qualification with Qanungos) was ever considered, submitted and preferred departmental appeal/representation to the Commissioner Hazara (respondent no 2), but the respondent no 2 (Commissioner) vide letter no Appeal-Estab/9415-17 dated Abbottabad 09-06-2016, without any reasons and without any offering of opportunity of hearing to the appellant, dismissed the appeal beyond to the law and rules (copies of the departmental appeal of appellant and

order of dismissal of appeal dated 09-06-2016 are annexed as annexure "V" & "W" respectively).

10. That ,appellant assails the impugned order dated 09-06-2016 passed by respondent no 2, (Commissioner) alongwith order dated 16-03-2016 passed by respondent no 3 (DC Torghar) on the following Grounds:-

### **GROUND:**

- i. That, impugned order alongwith the order passed by respondent no 3 (DC Torghar) are void ab-initio, unlawful, beyond to the scope and authority, result of nepotism, malafide, non exercise of the proper authority, biased and against the valuable rights of the appellant, thus not sustainable hence, bound to be set aside and strucked down.
- ii. That, the appellant joined the service as Patwari BPS-09, on 03-05-2012 by the respondent no 4, (Director land record) in Tehsil settlement operation Mansehra, and Submitted arrival report as such on 04-05-2012, and obtained NOC from respondent no 7 (DOR & E Haripur) and all record annexed with appeal reveals that the appellant continued in service as Patwari, till the appointment as Patwari at district Torghar, on 19-11-2014, accordingly the respondent no 3 (DC Torghar) issued himself the seniority list and maintained other record clearly showing the service of appellant, till the passing of promotion order of other through letter dated 16-03-2016, meaning thereby that the appellant as Patwari, is in service since 03-05-2012 till 16-03-2016, therefore appellant services comes to the period of 3

years, 10 months and 13 days, therefore, the appellant was well qualified for the promotion.

- iii. That, it is important to mention that, the appellant obtained the proper NOCs from concerned respondents, for the appointment, transfers and posting from all stations, it means that, there is no breakup of the service of the appellant.
- iv. That, it is also worth to mention that the respondent no 3 (DC Torghar) has allowed and permitted the appellant for the appearance in the examination of the Qanungo examination and the same examination was diligently passed by the appellant, s when the respondent no 3 himself allowed the appearances in relevant examination therefore, could not refuse the fruit of such passing of examination.
- v. That, the appellant submitted an application for the consideration for promotion as Qanungo and the respondent no 3 after receipt of the application of appellant himself asked for report to the Tehsildar, and same Tehsildar vide his report clearly mentioned that the appellant is the proper candidate for the promotion, and otherwise it was reported that respondent no 3 may obtain the concerned advice from the Board of Revenue but the respondent no 3 neither acted according to the report of Tehsildar concerning the promotion of appellant nor obtained the advice from the Board of Revenue. This all amounts to the biased, malafide conduct of the respondent no 3, leading to the violation of the rights of the appellant.
- vi. That, the respondent no 3 was reported by Tehsildar that till the receipt of the advice from Board of Revenue, the

DPC meeting may be adjourned, but the respondent neither opted for obtaining this advice on the subject nor adjourned the DPC meeting. This all suggest that the respondent no 3 was bent upon to ignore the promotion of appellant.

- vii. That, the respondents no 3 and others, being members of the DPC were not in the knowledge of accurate vacancies as per the notification of the Government which admitted /revealed that, there are 3 vacancies, 2 for Qanungos and 1 for Tehsil Qanungo, all said vacancies were having same and similar qualification, but all the documents of proceedings i.e. agenda of meeting, history etc reveals that only two vacancies were considered and 3 seat, post were altogether ignored without any plausible reason.
- viii. That, the respondent no.3 after promoting the other 2 candidates as Qanungo, has himself passed his order for the appointment of appellant as Qanungo for 3<sup>rd</sup> seat and post, but on the same pay, it Means that, the respondents no 3 & 2 were quite in knowledge that there is a vacancy of 3<sup>rd</sup> seat, but to the extent promotion of appellant as Qanungo, the appellant has been badly ignored.
- ix. That, the respondent no 2, while dealing with the appeal/representation of appellant, has violated the all good principles concerning the valuable rights of the appellant as he restricted himself only to the question of this promotion of 2 others as this was not the case of the appellant as the appellant is not challenging the promotion of 2 other colleagues, but the appellant feels himself aggrieved of the conduct of respondents no 2 & 3 to the extent that, the appellant has not been promoted

for the post of 3<sup>rd</sup> vacancy of Qanungo, as two vacancies of Qanungos and 3<sup>rd</sup> one is Tehsil Qanungo, the appellant or any one of his colleagues, who are promoted should have been considered for the promotion as Tehsil Qanungo as qualification for all vacancies is same and similar for all three posts attracting same grade of BPS-11.

- x. That, non consideration for promotion of appellant for 3<sup>rd</sup> vacancy, amounts to the violation of law, rules and good administration of justice.
- xi. That, in the presence of the alleged stance of the respondents about the alleged non completion of the service as Patwari at district Torghar, should have not stopped the appellant from passing the order of appellant's promotions as Qanungo BPS-11, they may have passed the order subject to the board in the light of the Tehsildar report.
- xii. That, the appellant always served with all his commitment, dedications, zeal and satisfaction of the concerned public & respondents, therefore, deserves for the due appreciations, including he redressal in shape of the promotion as prayed for.
- xiii. That, as per law and practice, the enlistment in the Patwaris candidates registering the basic criteria for counting appointment, seniority and period of service etc, as no register of Patwari candidates was maintained in District Torghar by the respondents concerned, therefore period of service on the basis of such register maintained by respondent no 7 DOR & E Haripur would requires to be kept in view.




xiv. That, the present appeal is well within time as the respondent no 3 (DC Torghar) passed his order of promotions by ignoring the appellant on 16-03-2016 (annexure E) while the appellant submitted his departmental appeal/ representation, annex "V" after 14/15 days of the order and departmental appeal/representation is dismissed on 09-06-2016(Annexure "W") by the respondent no 2 (Commissioner Hazara Division Abbottabad).

**It is therefore prayed that on acceptance of present appeal the order as prayed for in the title of the present appeal may graciously be passed.**

.....<sup>APPELLANT</sup>

**Through:**

Dated:- \_\_\_\_\_/2016

  
(SULTAN AHMED JAMSHED)  
Advocate Supreme Court  
Of Pakistan

**VARIFICATION**

I, Farhat Abbas, Patwari Tehsil Judban, District Torghar, the **Appellant**, do hereby solemnly affirm and declare on oath that the contents of instant Appeal are true and correct to the best of my knowledge and belief and no material facts has been concealed from this Honourable Service Tribunal.

DEPONENT

Dated:- \_\_\_\_\_/2016

  
.....APPELLANT

**IDENTIFIED BY:-**

  
(SULTAN AHMED JAMSHED)  
Advocate Supreme Court

of Pakistan.

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

Appeal No. \_\_\_\_\_/2016

Farhat Abbas, Patwari Tehsil Judban, District Torghar.

*Farhat Abbas*  
...APPELLANT

**VERSUS**

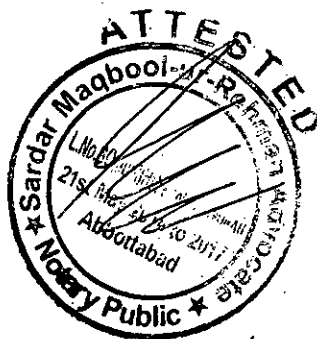
Govt of KPK, Through Secretary to Government Revenue and  
Estate Department, Peshawar. & others

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, Farhat Abbas Patwari Tehsil Judban, District Torghar, the ***petitioner***, do hereby solemnly affirm and declare on oath that the contents of instant ***Appeal*** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Service Tribunal.



**DEPONENT**

Dated:- \_\_\_\_\_/2016

14/6/16

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

Appeal No. \_\_\_\_\_/2016

Farhat Abbas, Patwari Tehsil Judban, District Torghar.

  
 ...APPELLANT

**VERSUS**

Govt of KPK, Through Secretary to Government Revenue and  
 Estate Department, Peshawar.& others

...RESPONDENTS

**SERVICE APPEAL**


**CERTIFICATE**

Certified that no such **APPEAL** has earlier been filed  
 before this Hon'ble Service Tribunal. .

  
 ...PETITIONER

**Through:**

Dated:- \_\_\_\_\_/2016

  
 (SULTAN AHMED JAMSHED)  
 Advocate Supreme Court  
 Of Pakistan.

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

Appeal No. \_\_\_\_\_/2016

Farhat Abbas, Patwari Tehsil Judban, District Torghar.

  
...APPELLANT

**VERSUS**

Govt of KPK, Through Secretary to Government Revenue and Estate  
Department, Peshawar.& others

**RESPONDENTS**

**SERVICE APPEAL  
ADDRESSES OF THE PARTIES**

***Respectfully Sheweth;***

The addresses of the parties are as under;

**PETITIONER:**


Farhat Abbas, Patwari Tehsil Judban, District Torghar.

**RESPONDENTS:**

1. Govt of KPK, Through Secretary to Government Revenue and Estate  
Department, Peshawar.
2. Commissioner, Hazara Division, Abbottabad.
3. Deputy Commissioner Torghar, District Torghar.
4. Director Land records, Khyber Pakhtunkhwa, /Chief settlement officer.
5. Senior Member Board of Revenue, KPK, Peshawar.
6. Secretary Board of Revenue, KPK, Peshawar.
7. District Officer, Revenue & Estate/Collector, Haripur
8. District Officer, Revenue & Estate/Collector,, Abbottabad.
9. Settlement officer, Settlement operation, Abbottabad.
10. District officer, Revenue & Estate/Collector, Mansehra.
11. Settlement officer, Settlement operation, Mansehra.
12. Tehsildar, Tehsil Torghar, Torghar.
13. District office Qanungo, Torghar, Torghar.

  
...PETITIONER

**Through:**

  
(SULTAN AHMED JAMSHED)  
Advocate Supreme Court  
Of Pakistan .

Dated:- \_\_\_\_\_/2016

GOVERNMENT OF KHYBER PAKHTUNKHWA, DIRECTORATE OF LAND RECORDS,  
PESHAWAR.

ANX - A

15

Pursuant to the recommendations of Departmental Selection Committee adopted during its meeting held on 19-20<sup>th</sup> April, 2012. at Manshehra, the following candidates are hereby appointed as Patwaris, BPS-09, against the newly created posts in Tehsil Settlement Operation, Manshehra, subject to the following terms and conditions :-

S.NO.	NAME & ADDRESS OF CANDIDATE
1	Saif Ali S/O Ahmed Saqib r/o Tahkara District Manshehra
2	Muhammad Nabeel S/O Saidur Rehman r/o Lari Ada District Manshehra
3	Sheraz Ahmed S/O Ghulam Sarwar r/o Chikka District Manshehra
4	Saboor Khan S/O Tahirullah Muik r/o Safeeda Road Jabri District Manshehra
5	Chand Gul S/O Ghulam Rehman r/o Dara No.2 District Manshehra
6	Sardar Muhammad Tahir S/O S. Muhammad Ayub r/o Rehar UC Behali District Manshehra
7	Malik Shujahat Ali S/O Masoodur Rehman r/o Mundhar PO Attasheesha District Manshehra
8	Muhammad Jamil S/O Muhammad Ayub r/o Khamian Bala PO Lissan Nawab District Manshehra
9	Obaid-ur-Rehman Tahir S/O Muhammad Shafiq r/o Thakra District Manshehra
10	Nabeel Ahmed S/O Muhammad Bashir r/o Village Lissan Nawab Tehsil & District Manshehra
11	Ahmed Abdullah S/O Muhammad Hisham Qureshi r/o Dab No.2 District Manshehra
12	Syed Bilal Islam S/O Syed Shah Islam r/o Trappi Tehsil & District Manshehra
13	Raja Junaid Arshad S/O Muhammad Arshad r/o Manshehra
14	Muhammad Ibrar Khan S/O Ilyas Khan r/o Manshehra
15	Faisal Khan S/O Afsar Khan R/O Shinkiani - Manshehra
16	Farhat Abbas S/O Muhammad Ishiq r/o Chamba Bala Kot Najeebullah District Haripur
17	Tahir Nawaz S/O Shah Nawaz r/o Raj Pur PO Kot Najeebullah District Haripur
18	Abdul Hanif S/O Afsar Khan r/o Jaloo Tehsil Ghazi District Haripur
19	Shahbaz Ahmed S/O Muhammad Nawaz r/o Qudrat Abad, Tehsil & District Charsadda
20	Irshad Khan S/O Wazirzada r/o Pachgali road Bashir abad Madina Colony No.2 District Peshawar
21	Saifullah S/O Shah Hussain r/o Muhallah Haji Abad Surizai Pian Tehsil District Peshawar
22	Ishtiaq S/O Ghulam Nabi r/o Village Koper Banda Tehsil Takhat Bai District Mardan
23	Sajjad Ali S/O Tor Gul r/o Haji Muhammad Zaman Khali PO Arif Khan Khan Tehsil Takhat Bai District Mardan
24	Fazal-e-Malik S/O Abdul Hameed r/o Village Pir Abad Tehsil Takhat Bai District Mardan
25	Ajmal Shah S/O Asghar Shah r/o Jabbar Barida PO Uadar Tehsil & District Mardan
26	Irfanullah S/O Hukam Khan R/O Sugar Mill Road, Sarfrazabad Mardan
27	Muhammad Iqbal S/O Zafarullah Khan r/o Lakki Marwat
28	Maqboolur Rehman S/O Darya Khan R/O Lakki Marwat
29	Khalid Usman S/O Ghulam Haider r/o PO Dagi Tehsil Razar District Swabi
30	Abdullah S/O Muhammad Parvez Khan R/O Razar Swabi

- The appointment is purely temporary/contract based against the Project posts created for specific period.
- Initial appointment is for one year. Further extension of contract agreement would be based on satisfactory performance / further scope of work.
- They shall not be entitled to pension/gratuity. Their services can be terminated at any stage due to un-satisfactory performance or abolition of posts etc. for which they would not be entitled to institute case against the Department in any court of law.
- They shall produce fitness certificate from the MS-King Abdullah Teaching Hospital Manshehra.
- Joining of duty would mean that the appointees have accepted the above terms & conditions and they would execute contract agreement.
- They shall join duty within 30 days, failing which appointment order stand withdrawn automatically.

Director Land Records/  
Chief Settlement Officer,  
Khyber Pakhtunkhwa  
Peshawar


Attested  
[Signature]

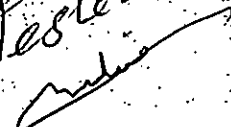
16

No. 1087-1113/LR0 dated 09/15/2012.

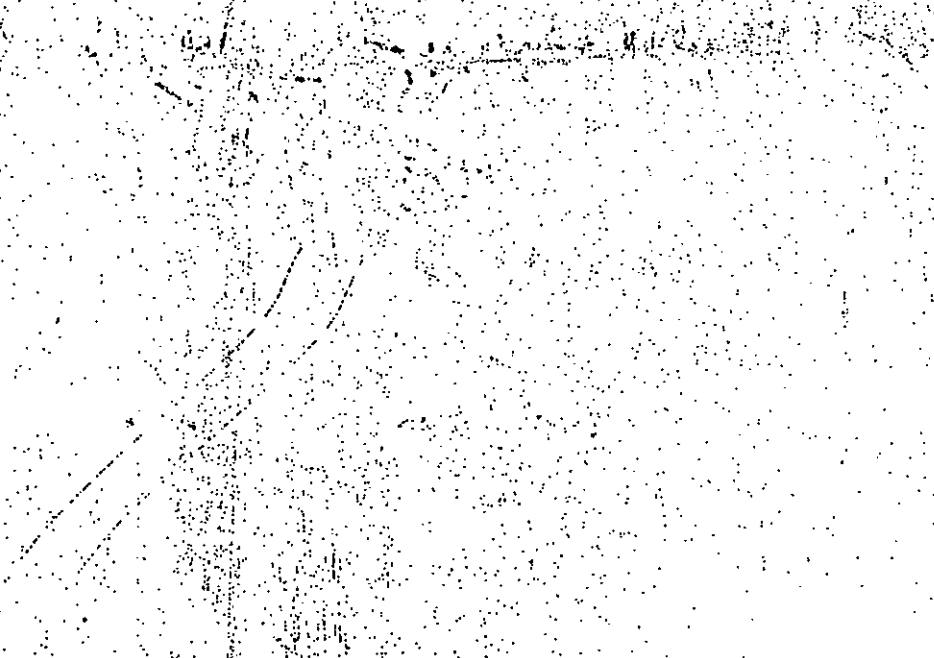
Copy forwarded to:-

1. Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Settlement Officer, Mansehra.
3. District Officer, R&L, Mansehra.
4. District Accounts Officer, Mansehra.
5. P.S. to Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
6. Candidate concerned for compliance.
8. Office order file - Directorate Land Records.

  
Director Land Records,  
Chief Settlement Officer,  
Khyber Pakhtunkhwa,  
Peshawar.

Attested  


~~Attest~~  
Attest



14/5/02  
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Date

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ANX-B

ANX-C

(18)

OFFICE OF THE DISTRICT OFFICER (R&E)/COLLECTOR HARIPUR

NO OBJECTION CERTIFICATE.

This office has got no objection on the appointment of Mr. Farhat Abbas s/o Mohammad Ishtiaq r/o Chamba Pind (Patwar candidate of District Haripur) in Settlement Operation Manshira.

*[Signature]*  
District Officer  
Revenue & Estate/Collector  
Haripur.

Dated Haripur the 05/08 /2011.

No. 2690-92 HC/DOR(H).

Copy to:-

1. The Director, Land Records, Khyber Pakhtunkhwa, Peshawar.
2. The Settlement Officer, Settlement Operation Manshira
3. Mr. Farhat Abbas s/o Mohammad Ishtiaq r/o Chamba Pind, Tehsil and District Haripur.

*[Signature]*  
District Officer  
Revenue & Estate/Collector  
Haripur.

*Attested*  
*[Signature]*



ANX-D

19

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF LAND RECORDS

Peshawar dated the 12/11/2014.

OFFICE ORDER.

No.LR-V/SO, Manshra \_\_\_\_\_ In pursuance of No issued by Settlement Officer  
Manshra vide No. 2344/SO(M) dated 17/10/2014 the following mutual posting transfer  
amongst the settlement Patwaris is hereby ordered with immediate effect in the public  
interest.

S.NO	Name	From	To
1.	Farhat Abbass	Settlement Operation, Manshra	Settlement Operation, Abbottabad
2.	Noor-ul-Basar	Settlement Operation, Abbottabad	Settlement Operation, Manshra

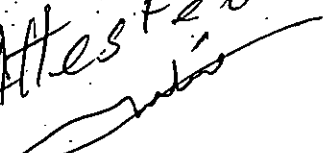
DIRECTOR LAND RECORDS  
KHYBER PAKHTUNKHWA

Endost: No.LR-V/SO, Manshra 2588-96

Copy forwarded to the:-

- 1). Settlement Officer, Manshra and Abbottabad.
- 2). District Accounts Officer, Manshra and Abbottabad.
- 3). District Accounts Officer, Manshra and Abbottabad.
- 4). Official Concerned.
- 5). Office Order File.

  
DIRECTOR LAND RECORDS  
KHYBER PAKHTUNKHWA

Attested  




OFFICE OF THE DEPUTY COMMISSIONER DISTRICT TORGHAR

ANX-E

Dated Torghar the 19-11-2014

OFFICE ORDER:

Consequent upon the recommendation/Approval of the Departmental Promotion/ Selection Committee meeting held on 18-11-2014, the following candidates are appointed against the five vacant posts of Patwari (BPS-09) on the following terms and conditions.

S.NO	Name & Father Name	R/O
1	Farhat Abbas S/o Muhammad Ishtiq	Chamba Pind P/o Kot Najibullah Tehsil&District Hari Pur
2	Muhammad Akram Khan S/o Muhaminad Aslam Khan	Batala P/o Gari Phol Gara Tehsil&District Abbottabad.
3	Zia Ur Rehman S/o Muhammad Golistan	Fiaz Dara P/o Damori Tehsil Alpori District Shangla
4	Muhammad Shahid S/o Gulistan	Banda Sahib Khan P/o Havalian District Abbottabad
5	Abdul Asim Khan S/o Muhammad Asif Khan	Mohalla Rehmat Abad, Balakot District Mansehra

TERMS AND CONDITIONS.

1. They will be governed by such rules and regulations as may be issued from time to time by the Government.
2. Before joining their duty the appointee will have to submit along with arrival report, the academic Qualification certificates and patwar pass certificate duly verified from the concerned Education Department and DLK Khyber Pakhtunkhwa in the token of its genuines.
3. Their services will be liable to termination on one month notice from either side. In case of resignation without notice his two month pay/allowances shall be forfeited to the government.
4. They will remain on probation for 2 years under the provision of Rule-15 of NWFP Posting/Transfer Rule 1989.
5. They will be treated as Civil Servant for all intents and purposes.
6. Production of Medical Fitness Certificate from the Medical Superintendent DHQ Hospital of their respective District of Domicile.
7. Joining of duty would mean that the appointee have accepted the above terms and conditions.
8. They shall join duty within 15 days, failing which appointment order stands with drawn automatically.

- sd -  
Deputy Commissioner,  
Tor Ghar.

Endst; NO. 2626-33 / DPSC/Estab/TG

Copy forwarded to the:

1. Secretary Board Of Revenue, Revenue & Estate Department Khyber Pakhtunkhwa Peshawar
2. Commissioner Hazara Division Abbottabad.
3. Director Land Record, Khyber Pakhtunkhwa Peshawar.
4. District Account Officer Tor Ghar
5. PS to Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
6. Personal File.
7. Office Order File.

Deputy Commissioner,  
Tor Ghar.

Attested  
[Signature]





**OFFICE OF THE SETTLEMENT  
OFFICER ABBOTTABAD**

ANX-6

No. 3409 /SO/ATD  
Dated Abbottabad the: 04/12/2014

22

RELEIVING ORDER:

As by the written request of Mr. Farhat Abbas (Settlement Patwari) forwarded through Settlement Tehsildar bearing No. 1266/ST dated 02-12-2014 who was recently transferred from Settlement Office Manshira to Settlement Office Abbottabad vide Order No. LR-V/SO, Manshira dated 12-11-2014 has requested for relieve order from this office as he has been appointed as patwari in district Torghar vide Deputy Commissioner Order No. 2626-33/DPSC/Estab/TG dated 19-11-2014.

He is hereby relieved from this office and had received his service book personally.

SETTLEMENT OFFICER  
ABBOTTABAD

Endst No. 3410-11

Copy forwarded to:

1. Director Land Records, Khyber Pakhtunkhwa, Peshawar
2. Settlement Tehsildar, Havelian, District Abbottabad
3. Official Concerned
4. Deputy Commissioner, Torghar.

SETTLEMENT OFFICER  
ABBOTTABAD

Attestees  
[Signature]







Last Pay Certificate

Last Pay Certificate in R/O Mr. Farhat Abbas Settlement Patwari, in connection with mutual posting transfer from Settlement Operation Mansehra to Settlement Operation Abbottabad vide Government Of Khyber Pakhtunkhwa Board of Revenue Director Land Records/Chief Settlement Officer, Order No. LR-VSO(M) 2588-96, Dated 12.11.2014.

He has been paid up to 30-11-2014 with the following rates.

Personal No. 682198.

Pay & Allowances		
S.No	Pay & Allowances	Rates
01.	Basic pay	Rs:6960
02.	House Rent	Rs:1146
03.	Conveyance Allowance	Rs:1932
04.	Medical Allowance	Rs:1200
05.	Stationary Allowance	Rs:500
06.	Patwar Khana Allowance	Rs:3100
07.	Adhoc relief 2011 15%	Rs:573
08.	Adhoc relief 2011	Rs:1910
09.	Adhoc relief Allowance	Rs:1392
10.	Adhoc relief 15%	Rs:1044
11.	Adhoc relief Allowance 2	Rs:696
Total		Rs: 20453

Deduction		
01.	GPF	Rs:595

No. 2742 SO(M)  
Dated. 01.12.2014.

*S. Farhat*  
SETTLEMENT OFFICER,  
MANSEHRA.

*verified*

*pay stop in 12/14*

*P*

*Attested*  
*S. Farhat*





GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT  
PAYROLL SYSTEM

P. Sec. 001, Month: December 2014  
TG7001 Deputy Commissioner Tor G

Form # 00482190 Buckle:  
Name: FARHAT ABBAS  
Dsg: PATWARI  
CNIC No. 1310176282731  
GPF Interest Free

Hir: Revenue Department  
NTN:  
GPF #:  
Old #:

BPS 09 Active Temporary		DEPTT CODE	TG7001
<b>PAYE AND ALLOWANCES:</b>			
2118-Adhoc Relief Allow (2012)			1,468.00
2148-15% Adhoc Relief All-2013			1,101.00
2174-Adhoc Relief Allow-2014			734.00
Gross Pay and Allowances			22,004.00
<b>DEDUCTIONS:</b>			
GPF Balance 12,495.00			Subrc:
Total Deductions			595.00
<b>NET AMOUNT PAYABLE</b>			21,409.00
QUALIFYING SERVICE YRS MON	D. O. B 11. 11. 1984	LFP Quota: NBP, MAIN BRANCH HARMAIN BRANCH HARI	
02 Years 07 Months	029 Days	7846-1	



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT  
PAYROLL SYSTEM

P. Sec. 001, Month: December 2014  
TG7001 Deputy Commissioner Tor G

Form # 00482190 Buckle:  
Name: FARHAT ABBAS  
Dsg: PATWARI  
CNIC No. 1310176282731  
GPF Interest Free

Hir: Revenue Department  
NTN:  
GPF #:  
Old #:

BPS 09 Active Temporary		DEPTT CODE	TG7001
<b>PAYE AND ALLOWANCES:</b>			
0001-Basic Pay			7,340.00
1000-House Rent Allowance			1,148.00
1210-Convey Allowance 2005			1,932.00
1300-Medical Allowance			1,200.00
1555-Stationery Allowance			500.00
1617-Patwar Khana Allowance			3,100.00
1923-UAA-OTHER 20%(I-15)			1,000.00
1971-Adhoc Allowance 2011@ 15%			573.00
1973-Adhoc Allowance 2011@ 50%			1,910.00
Gross Pay and Allowances			22,004.00
<b>DEDUCTIONS:</b>			
GPF Balance 12,495.00			Subrc:
Total Deductions			595.00
<b>NET AMOUNT PAYABLE</b>			21,409.00
QUALIFYING SERVICE YRS MON	D. O. B 11. 11. 1984	LFP Quota: NBP, MAIN BRANCH HARMAIN BRANCH HARI	
02 YRS 07 MON			

Attested

ANX - K - (29)

مستحق ستاٹس لسٹ کے لیے درخواست گزارانہ TRA

تعلیمی قابلیت	درجہ اور نمبر	تاریخ سہ ماہی	تعمیراتی نوٹ
F-A	Fn10 1/2 8414-19 dated 20-9-2011	22-9-1978	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
B-A	- do -	21-4-1987	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
D-Com	Fn10 1/2 8408-13 dated 20-9-2011	10-2-1990	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
B.Com	Enat/No 2626-33 APSC/Estad/15 dated 19-2-2011	11-11-1984	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
BA	- do -	22-3-1987	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
MA	- do -	18-6-1980	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
FA	- do -	14-5-1982	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے
FA	- do -	03-8-1983	تعمیراتی نوٹ کے لیے درخواست گزارانہ کے لیے

Deputy Commissioner  
of F.T. Ghar

Affected  
[Signature]



ANX-M



OFFICE OF THE DEPUTY COMMISSIONER DISTRICT TORGHAR

(31)

No.

2481

/DC/Rev (2015) /TG

Dated: 20.10.2015.

To

The Director,  
Land Record, Khyber Pakhtunkhwa  
Peshawar.

Subject:

PERMISSION FOR THE EXAM OF KANUNGO (GARDAWAR)

Memo:

Reference to the subject cited above, the following Revenue staff qualify the criteria for the subject purpose. This office allows/recommends them for the subject exam.

- 1- Aqeel Ahmad, Patwari
- 2- Tufail Anjum, Patwari
- 3- Farhat Abbas, Patwari

*M. J. Anwar*  
Deputy Commissioner  
Torghar

*Attested*  
*[Signature]*



Attached  
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123	Haripur	Abdul Haqim Khan / Khan	223	Pass	Pass	Pass	Pass	Pass	Pass
124	Haripur	Azhar Khan / Sartaraz Khan	235	Pass	Pass	Pass	Pass	Pass	Failed
125	Haripur	Majid Nawaz Khan / Mohammad Nawaz Khan	236	Pass	Pass	Pass	Pass	Pass	Failed
126	Haripur	Naveed Hassan / Hassan Gul	237	Pass	Pass	Pass	Pass	Pass	Failed
127	Haripur	Sajid Hussain / Ghulam	238	Pass	Pass	Pass	Pass	Pass	Failed
128	Haripur	Mohyuddin / Fateh	239	Pass	Pass	Pass	Pass	Pass	Failed
129	Haripur	Majid Khan / Khan	240	Pass	Pass	Pass	Pass	Pass	Failed
130	Haripur	Majid Khan / Khan	241	Pass	Pass	Pass	Pass	Pass	Failed
131	Haripur	Majid Khan / Khan	242	Pass	Pass	Pass	Pass	Pass	Failed
132	Haripur	Majid Khan / Khan	243	Pass	Pass	Pass	Pass	Pass	Failed
133	Haripur	Majid Khan / Khan	244	Pass	Pass	Pass	Pass	Pass	Failed
134	Haripur	Majid Khan / Khan	245	Pass	Pass	Pass	Pass	Pass	Failed
135	Haripur	Majid Khan / Khan	246	Pass	Pass	Pass	Pass	Pass	Failed
136	Haripur	Majid Khan / Khan	247	Pass	Pass	Pass	Pass	Pass	Failed
137	Haripur	Majid Khan / Khan	248	Pass	Pass	Pass	Pass	Pass	Failed
138	Haripur	Majid Khan / Khan	249	Pass	Pass	Pass	Pass	Pass	Failed
139	Haripur	Majid Khan / Khan	250	Pass	Pass	Pass	Pass	Pass	Failed
140	Haripur	Majid Khan / Khan	251	Pass	Pass	Pass	Pass	Pass	Failed
141	Haripur	Majid Khan / Khan	252	Pass	Pass	Pass	Pass	Pass	Failed
142	Haripur	Majid Khan / Khan	253	Pass	Pass	Pass	Pass	Pass	Failed
143	Haripur	Majid Khan / Khan	254	Pass	Pass	Pass	Pass	Pass	Failed
144	Haripur	Majid Khan / Khan	255	Pass	Pass	Pass	Pass	Pass	Failed
145	Haripur	Majid Khan / Khan	256	Pass	Pass	Pass	Pass	Pass	Failed
146	Haripur	Majid Khan / Khan	257	Pass	Pass	Pass	Pass	Pass	Failed
147	Haripur	Majid Khan / Khan	258	Pass	Pass	Pass	Pass	Pass	Failed
148	Haripur	Majid Khan / Khan	259	Pass	Pass	Pass	Pass	Pass	Failed
149	Haripur	Majid Khan / Khan	260	Pass	Pass	Pass	Pass	Pass	Failed
150	Haripur	Majid Khan / Khan	261	Pass	Pass	Pass	Pass	Pass	Failed
151	Haripur	Majid Khan / Khan	262	Pass	Pass	Pass	Pass	Pass	Failed
152	Haripur	Majid Khan / Khan	263	Pass	Pass	Pass	Pass	Pass	Failed
153	Haripur	Majid Khan / Khan	264	Pass	Pass	Pass	Pass	Pass	Failed

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190	Kohistan	Saeed Ahmad s/o Muntaz	290	Pass	Pass	Pass	Pass	Pass	Passed
191	Kohistan	Fazal Qadir s/o Abdul Aziz, Patwari	291	Pass	Pass	Pass	Pass	Pass	Passed
192	Buner	Nobat Khan s/o Julai Khan	292			Pass			
193	Tor Ghur	Muhammad Shahid s/o Gulistan	293	Pass	Pass	Pass	Pass	Pass	Passed
194	Tor Ghur	Aqeel Ahmad s/o Ahsan Ali	294	Pass	Pass	Pass	Pass	Pass	Passed
195	Tor Ghur	Tufail Anjum Quershi s/o Ghulam Sadiq	295	Pass	Pass	Pass	Pass	Pass	Passed
196	Tor Ghur	Abdul Asim s/o Muhammad Asif	296	Pass	Fail	Pass	Fail	Pass	Failed
197	Tor Ghur	Muhammad Akram Khan s/o Muhammad Aslam Khan	297	Fail	Fail	Pass	Fail	Pass	Failed
198	Tor Ghur	Farhat Abbas s/o Muhammad Ishtiaq	298	Pass	Pass	Pass	Pass	Pass	Passed
199	Tor Ghur	Zahir Rehman s/o Muhammad Gulistan	299	Pass	Fail	Pass	Pass	Pass	Failed
200	Charsadda	Iqbal ur Rehman s/o Hajji Habib ur Rehman	300	Pass	Pass	Pass	Pass	Pass	Passed
201	Charsadda	Ishad Ali s/o Abdul Imkoom	301	Pass	Pass	Pass	Pass	Pass	Passed
202	Charsadda	Bahar Ali s/o Sheli Sagar Khan	302	Pass	Fail	Pass	Pass	Pass	Failed
203	Charsadda	Fazal Dayan s/o Abdul Jalil	303	Pass	Fail	Pass	Pass	Pass	Failed
204	Charsadda	Shahad Ali s/o Subz Ali Khan	304	Pass	Fail	Pass	Pass	Pass	Failed
205	Charsadda	Dost Muhammad s/o Muhammad Sher	305	Pass	Pass	Pass	Pass	Pass	Passed
206	Charsadda	Wisal Muhammad s/o Jan Muhammad	306	Pass	Pass	Pass	Pass	Pass	Passed
207	Mardan	Imtiaz Ahmad s/o Akbar Said	307	Pass	Pass	Pass	Pass	Pass	Passed
208	Swabi	Mouazzar Khan s/o Wahid Shah	308	Pass	Pass	Pass	Pass	Pass	Passed
209	Swabi	Zuhair Ali s/o Noorullah	309	Pass	Pass	Pass	Pass	Pass	Passed
110	Swabi	Saukat Ali s/o Noor Hussain	310	Pass	Fail	Fail	Pass	Pass	Failed
111	Swabi	Imran Khan s/o Kamdar Khan	311	Fail	Fail	Fail	Pass	Pass	Failed
112	Swabi	Kausar Ali s/o Fazal Rabi	312	Fail	Fail	Fail	Pass	Pass	Failed
113	Swabi	Ruznullab s/o Gul Hayat	313	Pass	Fail	Pass	Pass	Pass	Failed
114	Battagram	Moeen Khan s/o Tahir Khan	314	Pass	Pass	Pass	Pass	Pass	Passed
115	Battagram	Nasim Khan s/o Moeen Khan	315	Pass	Pass	Pass	Pass	Pass	Passed
116	Battagram	Muhammad Ayaz s/o Aslam Khan	316	Pass	Pass	Pass	Pass	Pass	Passed
117	Battagram	Abdul Basit s/o Abdul Jalil	317	Pass	Pass	Pass	Pass	Pass	Passed
118	Battagram	Bukhtiar Muhammad s/o Niaz Muhammad	318	Pass	Pass	Pass	Pass	Pass	Passed
119	D.I.khan	Muhammad Aslam s/o Ghulam Sadiq	319						Result will be due to
120	Nowshera	Muhammad Hassan s/o Nawab Khan	320	Pass	Pass	Pass	Pass	Pass	Passed
121	Haripur	Muhammad Faraz Ghulam Muhammad	321					Pass	
122	Haripur	Muhammad Khan s/o	322						

Attested  
*[Signature]*



124	Abbottabad	Gul Faraz Khan s/o Shaukat Khan	324						
125	Abbottabad	Shahid Khan s/o Munshi Khan	325					Pass	
126	Abbottabad	Mumtaz Khan s/o Anwar Khan	326					Pass	

*[Signature]*  
 DIRECTOR LAND RECORDS,  
 KHYBER PAKHTUNKHWA

Endst: No. 3072-79 /LR-1/DEK/Hazara. Dated, /01/2016

Copy forwarded to the:-

- 5) Commissioner, Hazara Division, Abbottabad.
- 6) Deputy Commissioners concerned.
- 7) PS to Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
- 8) Government Printing Press.

*[Signature]*  
 DIRECTOR LAND RECORDS,  
 KHYBER PAKHTUNKHWA

*Attested*  
*[Signature]*

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36

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE /REVENUE AND ESTATE DEPARTMENT.

*[Handwritten signature]*

NOTIFICATION  
Peshawar, dated 23-01-2015

No. 1942/Estt./I/135/SSRC. In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 read with the Cabinet Division Notification No. SRO. 457(1)/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the Establishment and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 7 of the Appendix to this Notification and applicable to posts born on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix:-

APPENDIX

1 S.No	2 Nomenclature of the post.	3 Appointing Authority	4 Minimum Qualification for appointment by initial recruitment or by transfer	5 Minimum Qualification for appointment by promotion	6 Age limit	7 Method of recruitment
1.	Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	<del>Deleted</del>	21 - 90 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-cum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrar with at least five years service. (c) Twenty percent by promotion on the basis of joint seniority-cum-fitness from amongst Assistants of the office of Board of Revenue, offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such.

*Attested*  
*[Signature]*

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	2	3	4	5	6	7
1-A	Reader to Senior Member / Members Board of Revenue	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
1-B	Inspector of Stamps	Administrative Secretary (SMBR)				By transfer from amongst the Tehsildars
2.	Naib Tehsildar (BPS 14)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	<del>Deleted</del>	21-30 years For initial recruitment	(a) Fifty percent by initial recruitment, through NWFP Public Service Commission based on the result of a Competitive Examination conducted by it in accordance with syllabus, and (b) twenty five percent by promotion on the basis of Seniority - cum - fitness from amongst Kanungos with at least Five Years Service as such, who have passed the Departmental Examination of Naib Tehsildar. (c) fifteen percent by promotion, on the basis of joint Seniority - cum - fitness from amongst Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners Offices in the Division concerned; and (d) Ten percent by promotion on the basis of seniority cum fitness from amongst Junior Clerks as Political Muharrirs of the offices of Political Agents with atleast ten years service,";
3.	District Kanungo (Saddar Kanungo) (BPS 14)	Administrative Secretary (SMBR)				By promotion on the basis of seniority-cum-fitness, from amongst the Kanungo of the concerned District with at-least three years service as such
4.	Head Clerk Revenue (BPS - 14)					By transfer from amongst Naib Tehsildar (Deleted) (Post has been abolished)

*Attested*  
*[Signature]*

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	2	3	4	5	6	7
5.	District Revenue Accountant (BPS 14)	Administrative Secretary (SMBR)				By promotion, on the basis of seniority-cum-fitness, from amongst the Tehsil Accountant of the district with at least three years service as such.
6.	Kanungo (BPS - 11)	District Collector				By promotion, on the basis of seniority-cum-fitness, from amongst the Patwaris and Naib Office Kanungos of the district concerned with three years service as such and who have passed the Departmental examination of Kanungo.
7.	Tehsil Accountant	District Collector				By promotion on the basis seniority-cum-fitness from amongst the Naib Tehsil Accountants having three (03) years service as such.
8.	Patwari (BPS - 09)	District Collector	Intermediate or equivalent qualification, who have passed the Patwar Examination.		18 to 35	By initial appointment from amongst the Patwar passed candidate entered in the Tehsil patwar candidate register maintained by District Collector of the district concerned.
9.	Naib Tehsil Accountant / Naib Tehsil Office Kanungo	District Collector				By transfer from amongst the Patwaris.

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Sd/-  
SECRETARY TO GOVERNMENT  
REVENUE AND ESTATE DEPARTMENT

*Attested*  
*subis*

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1943-81/Estt:135/SSRC

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 Deputy Commissioners, Khyber Pakhtunkhwa.
9. Private Secretary to Minister for Revenue Khyber Pakhtunkhwa.
10. Controller, 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.

DEPUTY SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
REVENUE & ESTATE DEPARTMENT

*Attested  
[Signature]*

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**TG21C09 (6)**  
**REVENUE & ESTATE DEPARTMENT**

**011205 TAX MANAGEMENT (CUSTOM, INCOME TAX, EXCISE)**

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2014-2015	2015-2016	2014-2015	2014-2015	2015-2016
			Rs	Rs	Rs
<b>01 GENERAL PUBLIC SERVICE</b>					
<b>011 EXECUTIVE &amp; LEGISLATIVE ORGANS, FINANCIAL</b>					
<b>0112 FINANCIAL AND FISCAL AFFAIRS</b>					
<b>011205 TAX MANAGEMENT (CUSTOM, INCOME TAX, EXCISE)</b>					
<b>TG6036 DEPUTY COMMISSIONER TORGHAR</b>					
S035 Senior Clerk (BPS-14)	1				170,000
S115 Stenographer (BPS-14)	1				180,000
C082 Computer Operator (BPS-12)	6				600,000
J013 Junior Clerk (BPS-11)	6				480,000
K003 Kanungo (BPS-11)	2				240,000
T083 Tehsil Office Kanungo (BPS-11)	1				110,000
P017 Patwari (BPS-09)	7				610,000
G013 Generator Operator (BPS-07)	2				150,000
M168 Motor Boe. Operator (BPS-07)	2				150,000
T019 Telephone Operator (BPS-07)	2				160,000
T085 Tehsil Accountant (BPS-07)	1				80,000
D112 Driver (BPS-04)	5				355,000
C057 Chowkidar (BPS-01)	5				330,000
C095 Cook (BPS-01)	4				310,000
M010 Mali (BPS-01)	1				70,000
N005 Naib Qasid (BPS-01)	9				690,000
S162 Sweeper (BPS-01)	3				195,000
<b>A012 TOTAL ALLOWANCES</b>					<b>15,251,000</b>
<b>A012-1 TOTAL REGULAR ALLOWANCES</b>					<b>14,749,000</b>
A01202 House Rent Allowance					2,170,000
A01203 Conveyance Allowance					2,010,000
A01207 Washing Allowance					15,000
A01208 Dress Allowance					20,000
A0120D Integrated Allowance					30,000
A0120X Adhoc Allowance - 2010					2,710,000
A01217 Medical Allowance					980,000
A01218 Fixed contingen/stationary allowance					45,000
A0121A Ad - hoc Allowance - 2011					1,100,000
A0121M Adhoc Relief Allowance - 2012					1,510,000

*Attested*  
*min*

گورنمنٹ ہسپتال صاحب ضلع نور پور

16/02

ضابطہ

درخواست مضمون ذیل عرض ہے۔

یہ کہ ضلع نور پور میں قانون گورنمنٹ اور ان کی بین عدد گورنمنٹ

ضابطہ جس پر تقریر کی گئی ہے D.P پر ہے۔

یہ کہ سال کے قبل از میں ضلع مالیرہ میں صورت 03/05/2012

کو برائے آڈٹ نمبر LRO/1115/087-1115 تعینات ہو کر عرض 02/12/2014

تک بطور پوری ڈیوٹی سرانجام دینا رہا ہے۔ اور برائے آڈٹ نمبر T&A/Estab/OPS/33-2626

عرض 02/12/2014 سے ضلع نور پور میں بطور پوری ڈیوٹی سرانجام

دے رہا ہے۔ بدین وجہ سے سال کے پورے ضلع مالیرہ میں سرورس میں سال

نومہ ماہ سے ذرا حد پر کمی ہے۔ و ملائی سرورس کے نام سنیاری لسٹ

میں عیارم پر آتا ہے۔ سال کے سنیاری امیدواران کے عقلی طور سے

تفصیل انجمن 3 سید ظہیر شاہ نصیب۔

یہ کہ سید ظہیر شاہ مذکورہ بطور T.R.A ڈیوٹی کر رہا ہے۔ اور اس میں

قانون گورنمنٹ بجا پاس ہے۔ بدین وجہ سے سال کے سنیاری لسٹ

پوریاں میں عیارم کی بجائے تھری سنیاری عطا کی قانون بن جائے

یہ کہ سال کو معلوم ہوا ہے کہ سال کے سنیاری لسٹ کے کئی فوٹو مائی گراہ

لگا ہے۔ کو بدل کر نئی سنیاری لسٹ بنانے کی کوشش کی جا رہی

اور نئی سنیاری لسٹ جو کہ خلف قانون بنائی جا رہی ہے اس میں

P.T.O.

Attested

سائل سے جو نیشنل ڈیپازٹریٹ کو یومیہ اشرورسٹریج اور پبلک گولڈ  
ریزیرو سٹریٹجی کے تحت D.P. میں شامل کرنے کی کوشش  
کی جا رہی ہے۔ جو کہ فلڈ قانون اور فلڈ ریگولیشن اور  
فلڈ واقعات ہیں۔ جن کے سائل ناقابل تلافی  
نتیجہ ہیں۔ اور سائل کی حق تلفی ہے۔

5. یہ کہ سائل اسمان قانون کوئیوں / گروپوں میں سے

کیسڈ آفیس سے استدعا ہے کہ مطابق سائل  
سیناریو لسٹ سائل نام D.P. میں شامل کر کے سائل  
کی پرموشن بطور گروپ اور قانون کو فرمائی جائے تاکہ  
سائل حق قدر سید ہو سکے۔  
نوٹ: جس میں بھی سائل نے سائل سیناریو لسٹ کے لیے درخواست تیار کی ہے وہیں فوٹو کاپی مولا

المبرور

فرحت عباسی ڈیپازٹریٹ بدیاء ضلع تورغر

16/11/2016







OFFICE OF THE DEPUTY COMMISSIONER TORGHAR

ANX-R

43

NO: SS2-SS-DC/TGL

DATED: 19/02/2016

Working paper.

Agenda of district promotion and selection committee meeting held on

09/03/2016.

1- Promotion of two Patwaries to the two posts of kanungo (Girdawar) BPS-11.

- A) Two posts of kanungo BPS-11 were sanction by the Government of Khyber Pakhtunkhwa Peshawar. (Copy of budget book is attached).
- B) One patwari BPS-9 namely Muhammad Aqeel, is a senior most employee. He has 5 years of service as a Patwari BPS-9. He has F.A and also qualify the exam of Kanungo in the year 2015. As per District Promotion Rules issued by the Government of Khyber Pakhtunkhwa Peshawar vide Notification No.1942/Estt:1/135/SSR dated 23-1-2015, Three years service as a Patwari is mandatory for promotion against the post of Kanungo BPS-11. The official is serving as a Pastwari from last five (5) years and completed the requires service length for promotion against the post of Kanungo. It is fit case for promotion as per rules.
- C) One patwari BPS-9 namely Tufail Anjum Qureshi, is a senior most employee. He has 5 years of service as a Patwari BPS-9. He has B.A and also qualify the exam of Kanungo in the year 2015. As per District Promotion Rules issued by the Government of Khyber Pakhtunkhwa Peshawar vide Notification No.1942/Estt:1/135/SSR dated 23-1-2015, Three years service as a Patwari is mandatory for promotion against the post of Kanungo BPS-11. The official is serving as a Pastwari from last five (5) years and completed the requires service length for promotion against the post of Kanungo. It is fit case for promotion as per rules.

The synopses of the ACRs and requisite certificate in respect of the above officials along with photocopies of ACRs are attached.

*Attested*  
*[Signature]*

*[Signature]*  
Deputy Commissioner  
Torghar



OFFICE OF THE DEPUTY COMMISSIONER TORGHAR

ANX-S

(44)

NO: 552-53/DC/TGL

DATED: 19/02/2016

- To,

The Secretary,  
Board of Revenue  
Revenue & Estate Department,  
Khyber Pakhtunkhwa Peshawar.

Subject; DPSC MEETING.

A meeting on the subject cited above will be held on 09-103 /2016 at 11:00AM in the office of undersigned. Necessary working papers are enclosed herewith.

You are requested to depute your representative to attend the meeting on date and time mentioned above.

Deputy Commissioner  
Torghar

Endstt: NO& Date Even.

Copy to:

- 1- The Commissioner Hazara Division Abbottabad for favour of information please.
- 2- The Assistant Commissioner Judba Tor Ghar with the direction to attend the meeting date & time venue above.

*Attested*

*[Signature]*  
Deputy Commissioner  
Torghar



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TORGHAR

No. DPC -Estab: \_\_\_\_\_

Dated Torghar the \_\_\_/\_\_\_/2016.

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CASE HISTORY

SUBJECT: PROMOTION OF TWO PATWARIES TO THE POSTS OF KANUNGO TO THE POST OF KANUNGO BPS-11.

(1) In terms of provision of Notification No.1942/Estt/135/SSRC, dated 23-01-2015 (Annexure-A), the following method of promotion has been prescribed for the post of Kanungo BPS-11.

“ By Promotion, on the Basis of Seniority-Cum-Fitness, from amongst the patwaris and Niab Office Kanungos of the District Concerned with three years' service as such and who have passed the Departmental examination of Kanungo”.

(2) There are Two (2) Posts of Kanungos BPS-11 lying vacant in the Office of Deputy Commissioner Torghar, now the Two Patwaris Namely Aqeel Ahmad and Tufail Anjum Qureshi have been completed the prescribed 3 years length of service as Patwari and also passed the exam of Kanungo. As per prescribed rules of promotion the post of Kanungo shall be filled in by promotion on the basis of seniority from amongst Patwaris in order to seniority cum fitness ( Seniority list of Patwaris (Annexure B)

S.No	Name	Qualification	Date of Appointment As a patwari	Whether or not 3 years length of service as a patwari completed	Whether or Not already Appointed on Own pay scale As Kanungo
1	Aqeel Ahmad	F.A (Kanungo Exam Pass)	20-09-2011	Yes	Yes
2	Tufail Anjum Qureshi	B.A (Kanungo Exam Pass)	20-09-2011	Yes	Yes
3	Farhat Abbas	B.Com (Kanungo Exam Pass)	18-11-2014	No	NO
4	Muhammad Akram	B.A	18-11-2014	No	No
5	Zia Ur Rehman	M.A (Kanungo Exam Pass)	18-11-2014	No	No
6	Muhammad Shaid	F.A (Kanungo Exam Pass)	18-11-2014	No	No
7	Abdul Asim	F.A	18-11-2014	No	No

3. it is submitted that according to the service record of the most senior Patwaris namely Mr Aqeel and Tufail

1. Are not involved in any Disciplinary/Departmental Proceedings/Anti-Corruption case/judicial enquiry.

2. seniority position is final and undisputed.

4. original ACRs in respect of the official will be produced before the departmental promotion committee during course of meeting.

Submitted for further order please.

*Handwritten notes:* 12 out up draft 1976

*Signature and Stamp:*  
Assistant Establishment,  
DC Office Torghar.19-02-2016

*Attested*

**MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 16-03-2016 FOR THE PROMOTION OF KANUNGO BPS-11 IN THE OFFICE OF DEPUTY COMMISSIONER TOR GHAR.**

The meeting of Departmental Promotion Selection Committee was held on 16-03-2016 at 11:00AM under the chairman ship of Mr. Matloob Ur Rehman Deputy Commissioner Tor Ghar.

The Following attended the meeting;

Mr. Matloob Ur Rehman, Deputy Commissioner Tor Ghar.	(in Chair)
Mr. Naseer Ahmad, District Officer Finance District Tor Ghar.	(Member)
Mr. Tanveer Ahmad Additional Assistant Commissioner (Rev) Tor Ghar	(Member)
Mr. Qazi Muhammad Qafeel, (HVC) Rep; of the Commissioner Hazara Division Abbottabad.	(Member)

The meeting started with the recitation from the Holy Quran. The following cases were considered by the committee.

• **PROMOTION OF TWO PATWARIES BPS-09 TO THE POST OF KANUNGO (GIRDAWAR) BPS-11.**

Two posts of field Kanungo (Girdawar) BPS-11 and One post of Tehsil Office Kanungo BPS-11 were sanctioned by the Finance Department Government of Khyber Pakhtunkhwa Peshawar for the Office of Deputy Commissioner Tor Ghar. The Above sanctioned Posts are to be filled in by promotion in terms of provision of Notification No.1942/Estt/135/SSRC Dated 30-01-2015 issued by the Revenue Department Khyber Pakhtunkhwa Peshawar.

**“ By Promotion, on the basis of seniority-cum-fitness, from amongst the patwaris and Naib Office Kanungos of the District concerned with three years service as such and who have passed the departmental examination of kanungo”.**

As per prescribed rules of promotion the posts kanungos BPS-11 shall be filled in by promotion on the basis of seniority-cum-fitness from amongst the posts of Patwaris BPS-09.

The Departmental Promotion & Selection Committee discussed the following promotion cases and thoroughly examined the service record of the officials concerned decisions were taken as noted against each below.

S.No	Name	Qualification	Date of Appointment as a patwari BPS-09	Whether or not 03 years length of service as a patwari completed	Whether Departmental exam of Kanungo passed or Not	Remarks
1.	Aqeel Ahmad	F.A	20-09-2011	Yes	Passed	Found fit and recommended for promotion from patwari BPS-09 to the post of Field Kanungo BPS-11.
2.	Tufail Anjum Qurashi	B.A	20-09-2011	Yes	Passed	Found fit and recommended for promotion from patwari BPS-09 to the post of Field Kanungo BPS-11.
3	Farhat Abbas	B.Com	19-11-2014	No	Passed	Dropped due to the reason that the candidate is not having required length of service as per

Attested

2 HAVE CAP.

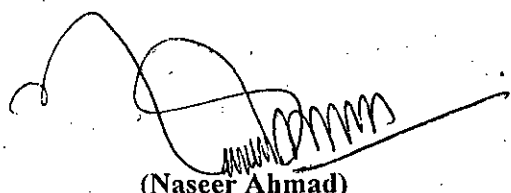
DO FSP

M. Qazi

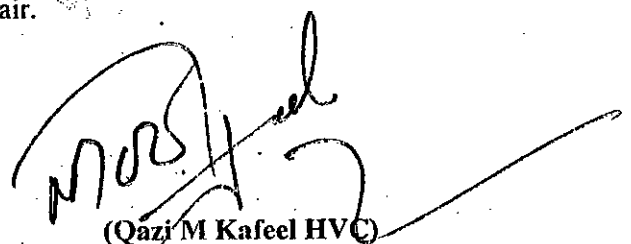
**DECISION.**

All the Members of the Committee agreed and unanimously approved the promotions of the above two Patwaries BPS-09 at serial No-1&2 to the post of field Kanungo (Girdawar) BSP-11 and the official at serial No. 3 is dropped out due to non fulfillment of codal formalities as mentioned above.

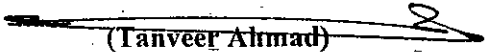
The meeting ended with the vote of thanks from chair.



(Naseer Ahmad)  
District Officer Finance Tor ghar  
(Member)



(Qazi M Kafeel HVC)  
Rep; of the Commissioner Office  
Hazara Division Abbottabad  
(Member)



(Tanveer Ahmad)  
Additional Assistant Commissioner (Revenue),  
Judba Tor Ghar.  
(Member)



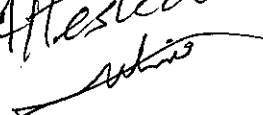
(Matloob Ur Rehman)  
Deputy Commissioner Tor Ghar.  
(Chairman)

No. 872/74 / Estt. DPSC/AE/DC/TG.

**Endstt: No. & Date Even.**

Copy forwarded to:-

- (1) The Commissioner Hazara Division Abbottabad with reference to diary No. nil dated 08-03-2016 with the request to take up the case with the concerned quarter for appointment against the vacant post of Tehsil Office Kanungo BPS-11 from adjacent districts since suitable candidates is not available in the District.
- (2) The Assistant Secretary Esttab, Board of Revenue Khyber Pakhtunkhwa Peshawar with reference to letter No. Estt/VII/ DPSC/ Torghar 7737-38 dated 03-03-2016.

Attested  


ANX-U

(48)



OFFICE OF THE DEPUTY COMMISSIONER  
DISTRICT TORGHAR

Dated Torghar the 16.03.2016.

**OFFICE ORDER.**

No. 863-71 /Estt;DPSC/AE/DC/TG. On the recommendation of District Promotion & Selection Committee, the competent authority has been pleased to promote the following Patvaries of BPS-09 to the post of Kanungo BPS-11 on regular basis with immediate effect.

- Mr. Aqeel Ahmed S/o Ishfaq Ahmed
- Mr. Tufial Anjum Qureshi S/o Gulam Sadiq

On promotion, they will be on probation for a period of One Year in terms of Section-6(2) of Khyber Pakhtunkwa Civil servant Act, 1973 read with rules 15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotions and Transfer) Rules 1989.

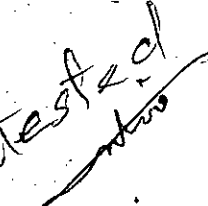
  
Deputy Commissioner  
Torghar

**Endstt: No. & Date Even.**

Copy forwarded to:-

- (3) The Commissioner Hazara Division Abbottabad.
- (4) The Director Land Record, Board of Revenue Khyber Pakhtunkhwa Peshawar.
- (5) The Assistant to Commissioner (R/GA), Hazara Division Abbottabad.
- (6) The Assistant Secretary Estt'ab, Board of Revenue Khyber Pakhtunkhwa Peshawar.
- (7) The Assistant Commissioner Judba Tor Ghar.
- (8) The Additional Assistant Commissioner Judba/Hassanzai.
- (9) The District Account Officer Tor Ghar at Mansehra.

  
Deputy Commissioner  
Torghar

*Attested*  


OFFICE OF THE DEPUTY COMMISSIONER, TORGHAR

No. 914-19/DC/Estab(2016)/TG

Dated 24.03.2016

OFFICE ORDER

Mr. Farhat Abbas Patwari office of the undersigned is hereby ordered to perform duty as Kanungo in Tehsil Kandar Hassanzai in his own pay and scale (BPS-09) on stop gap arrangement basis till availability of regular incumbent from any other adjacent district as requested in the minutes of the DPSC meeting held on 16.03.2016.

Sd/- Deputy Commissioner  
Torghar

1. The Assistant Commissioner, Torghar.
2. The Addl. Assistant Commissioner Judba/Hassanzai.
3. The Tehsildar & Naib Tehsildar, Judbai District Torghar.
4. The District Kanungo, DC office, Torghar.
5. Official concerned with the direction to perform duty in Tehsildar Kandar Hassanzai.

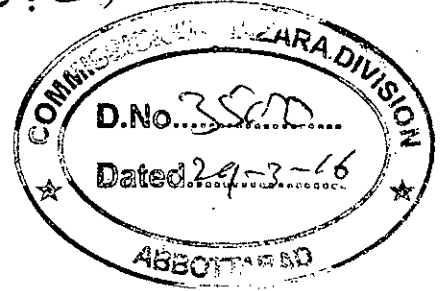
Sd/- Deputy Commissioner  
Torghar



# بعدالت جناب کمشنر صاحب ہزارہ ڈویژن ایبٹ آباد

فرحت عباس ولد محمد اشتیاق پٹواری تحصیل جدباء ضلع تورغر (اپلانٹ)

بنام



ڈپٹی کمشنر صاحب ضلع تورغر سپانڈنٹ

حکمانہ اپیل بروئے آرڈر نمبر No.863/71 Estt, DPSc/AE/DC/TG

اور آرڈر نمبر 16/03/2016 مورخہ 872/74/Estt: DPSc/AE/DC/TG

جناب عالی!

مضمون اپیل ذیل عرض رساں ہے۔

۱۔ یہ کہ مورخہ 16-03-2016 کو پروموشن پٹواریان کے لیے DPC ہوئی جس میں تین پٹواریان کی پروموشن ہونا مقصود تھی لیکن جناب ڈپٹی کمشنر صاحب نے تین میں سے دو پٹواریان کی پروموشن بحیثیت گرداور/قانون گو BPS-11 کر دی۔ جبکہ سائل کی پروموشن بحیثیت گرداور/قانون گو نہ کی بلکہ سائل پر سروس کم از تین سال کا اعتراض لگا کر سائل کا آرڈر پروموشن روک دیا گیا حالانکہ سائل کی سروس مورخہ 16/03/2016 تک تین سال دس ماہ تیرہ دن بنتی ہے سائل کا ابتدائی آرڈر بحیثیت پٹواری بندوبست ضلع مانسہرہ مورخہ 03-05-2012 بروئے

آرڈر نمبر 1087/1113/LRO ہوا۔ بعد ازاں سائل کی ٹرانسفر ضلع مانسہرہ سے ضلع ایبٹ آباد بندوبست ضلع (E) پر

آرڈر نمبر LRV SO (M) 2588-96 مورخہ 12/11/2014 ہوئی بعد ازاں سائل آرڈر ضلع تورغر میں بروئے آرڈر 2626-33/DPSc/Estt/TG مورخہ 19/11/2014 ہوا۔

۲۔ یہ کہ سائل ضلع ہری پور کارہاشی ہے اور جناب ڈسٹرکٹ آفیسر رونیو اینڈ اسٹیٹ صاحب ہری پور کی NOC پر ضلع

مانسہرہ میں بطور پٹواری بندوبست تعینات ہوا بعد ازاں جناب سٹیٹمنٹ آفیسر صاحب ضلع مانسہرہ کی NOC پر ضلع

ایبٹ آباد میں پٹواری تعینات ہوا سٹیٹمنٹ آفیسر صاحب ضلع ایبٹ آباد کی NOC پر ضلع تورغر میں پٹواری

تعینات ہوا۔

۳۔ یہ کہ سائل کا ابتدائی آرڈر بحیثیت پٹواری مورخہ 03/05/2012 کو ہوا اور تاحال سائل مستقل طور پر اپنی ڈیوٹی

سرا انجام دے رہا ہے۔ جس بابت اندراج سروس بک میں بھی موجود ہے۔

Attest  
مستطاب

یہ کہ DPC مورخہ 16/03/2016 غیر منصفانہ/خلاف قانون و خلاف واقعات کر کے سائل کی پروموشن بلا جواز و خلاف قانون روک دی گئی جو کہ سائل کے ساتھ سراسر نا انصافی ہے۔

یہ کہ سائل نے DPC سے قبل اپنی پروموشن کے لیے جناب ڈپٹی کمشنر صاحب تورغر کو درخواست گزاری تھی جس پر جناب ڈپٹی کمشنر صاحب نے تحصیلدار صاحب جدا سے رپورٹ طلب کی جناب تحصیلدار صاحب کی رپورٹ کی کاپی اپیل کے ساتھ لف ہے لیکن بوقت DPC جناب ڈپٹی کمشنر صاحب نے جناب تحصیلدار صاحب کی رپورٹ کو خاطر میں نہ لاکر غیر قانونی سائل کی پروموشن روک دی جو کہ ظلم اور نا انصافی ہے۔

یہ کہ سائل نے محکمانہ امتحان گرو اور ان/قانون گویان کے لیے جناب ڈپٹی کمشنر صاحب کو درخواست ارسال کی جس پر ڈپٹی کمشنر صاحب نے میری سروس زائد تین سال ہونے کی بناء پر امتحان گرو اور ان/قانون گویان کی اجازت کے لیے آرڈر نمبر 2481/DC/REV/015/TG مورخہ 20/10/2015 جاری کیا جس پر سائل نے امتحان قانون گویان پاس کیا اگر سائل کی سروس اندر میعاد نہ ہوتی تو سائل کو امتحان گرو اور ان/قانون گویان کی اجازت نہ دی جاتی۔

یہ کہ جناب ڈپٹی کمشنر صاحب نے قانونی تقاضے پورے نہ کرتے ہوئے فیصلہ جات عدالت ہائے سروس ٹریبونل اپیل نمبر (1448/2008) Date of institution 19/09/2008 تاریخ فیصلہ 02/04/2009 فیصلہ عدالت جناب کمشنر صاحب مردان ڈویژن مقدمہ نمبر NIL رجوعہ 18/10/2012 فیصلہ 06/12/2012 فیصلہ عدالت عالیہ پشاور ہائی کورٹ پشاور پیشین نمبر 313-P/2012 ونوٹیفیکیشن گورنمنٹ آف خیبر پختون خواہ بورڈ آف ریویو اینڈ اسٹیٹ ڈیپارٹمنٹ No.Esst:VII/Mid/Pesh6860/84 پشاور مورخہ 15/03/2012 کی روگردانی کرتے ہوئے سائل کی حق تلفی کی بتذکرہ فیصلہ جات ہائے ہمراہ اپیل لف ہیں۔

لہذا جناب سے التماس ہے کہ سائل کی پروموشن بحیثیت گرو اور/قانون گو BPS-11 میں کرنے کے احکامات صادر فرمائے جائیں تاکہ سائل حق رسید ہو سکے۔

العبد  
فرحت عباس پٹواری  
تحصیل جدا باضلع تورغر  
0345-9574554

READER  
Additional Commissioner  
Harara Division  
Abbotabad

As stated  
منصوب

Registered

ANX-W

52



OFFICE OF THE  
COMMISSIONER HAZARA DIVISION  
ABBOTTABAD

No. Appeal-Estab/ 9415-17  
Dated Abbottabad the 9/06/2016

ORDER

Mr. Farhat Abbas, Patwari, Tehsil Judbah District, Torghar had filed a Departmental appeal against the Deputy Commissioner, Torghar order No. 863/71 Estt, DPSc/DC/TG dated 16/03/2016 vide which M/S Aqeel Ahmed and Mr. Tufail Anjum Qureshi Patwaries were promoted to the cadre of Kanungo (BPS-11).

Comments of the Deputy Commissioner, Torghar were obtained and perused. Both the Patwaries who have been promoted were senior to the appellant and there seems no cause of action on this appeal.

Therefore, the appeal is dismissed being not maintainable.

Announced:

30/05/2016

Commissioner  
Hazara Division Abbottabad

Endst.No.& date even

Copy forwarded to the:

1. Deputy Commissioner, Torghar for information, please.
2. PS to Commissioner, Hazara Division for information, please.
3. Mr. Farhat Abbas, Patwari, Tehsil Judbah District Torghar.

Attest  
19/06/16

Commissioner  
Hazara Division Abbottabad

Attested

## وکالت نامہ

کورٹ فیس

بعدالت خیبر پختونخواہ سروسز لٹری ایفول، پشاور

عنوان: فرحت عباس بنام حکومت خیبر پختونخواہ پریویس سکریٹری سیکرٹریٹ

منجانب: اپیلانٹ

نوعیت مقدمہ:

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

سداطاً لہر جسٹس اسے ریلٹے سیم مل کورٹ ایپلٹا ہار، محمد عثمان علی ایڈووکیٹس

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر حالت فیصلہ بر حلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا بعد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناشر بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

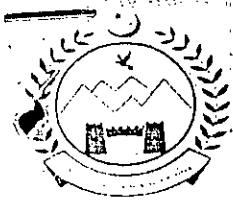
لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

الرقوم: جون 2016ء

بمقام:

Accepted  
[Signature]  
[Signature]Accepted  
[Signature]  
Advocate

فرحت عباس - اپیلانٹ



**OFFICE OF THE  
DEPUTY COMMISSIONER MANSEHRA**

No. 3191-95 /DK/Court Case/2017  
Dated: Mansehra District 24 /08/2017

To

Senior Government Pleader,  
Abbottabad.

Subject:

**SERVICE APPEAL TITLED "FARHAT ABBAS VS  
GOVERNMENT OF KPK AND OTHERS.**

Ref:

Your-letter No. 1138-41/Sr.GP/ATD dated 09.05.2017.

With regard to the captioned case it is stated that Service Appeal of Farhat Abbas does not relate with this-office. Neither the appellant is resident of this District nor candidate of this office. Deputy Commissioner, Mansehra has been included as unnecessary party in this case. Therefore it is requested that the court may be apprised accordingly please.

  
Deputy Commissioner  
Mansehra

**ENDST: EVEN NO. & DATE:**

Copy to:-

1. PS to Secretary. Revenue & Estate Department, Khyber Pakhtunkhwa, Peshawar.
2. Senior Member. Board of Revenue. Khyber Pakhtunkhwa, Peshawar.
3. PS to Secretary. Board of Revenue. Khyber Pakhtunkhwa, Peshawar.
4. Deputy Solicitor. Parliamentary Affairs & Human Rights Department, KPK, Peshawar.

  
Deputy Commissioner  
Mansehra

O/C

**OFFICE OF THE SENIOR GOVERNMENT  
PLEADER ABBOTTABAD**

NO 1132-4/Sr.GP/ATD

Dated 09/05/2017

To,


1. Director Land Records Khyber Pakhtunkhwa/Chief Settlement, Officer.
2. District Officer Revenue and Estate/Collector, Abbottabad.
3. District Officer Revenue and Estate/Collector, Haripur.
- ✓ 4. District Officer Revenue and Estate/Collector, Manshera.

**Subject: Service Appeal Titled "Farhat Abbas VS Government of KP and others.**

Sir,

With reference to the subject noted above and to state that the titled appeal is pending for adjudication before the Service Tribunal Peshawar (Camp court Abbottabad) and was fixed for written statement on 21-04-2017 with last opportunity, in which none appeared on behalf of yourself. The undersigned seeks adjournment which was granted with payment to cast of Rs: 500. Now the appeal is fixed on 25-08-2017.


You are therefore, requested please depute a competent representative well conversant with the facts of the case and also direct him to provide the entire record, brief history and joint parawise comments positively.

  
Senior Government Pleader  
Abbottabad

NO \_\_\_\_\_ Sr.GP/ATD

Copy Forwarded:

1. P.S to Secretary Revenue and Estate Department Khyber Pakhtunkhwa for information please.
2. Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar for information please.
3. P.S to Secretary Board of Revenue Khyber Pakhtunkhwa Peshawar for information please.
4. Deputy Solicitor Law, Parliamentary Affairs and Human Rights Department Khyber Pakhtunkhwa Peshawar for information please.

  
Senior Government Pleader  
Abbottabad