

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT D.I.KHAN.

Appeal No. 651/2016

Date of Institution ... 15.06.2016

Date of Decision ... 26.11.2018

Qazi Maqbool Ahmad S/O Qazi Nisar Ahmad, Ex-Patwari, O/O Deputy
Commissioner Dera Ismail Khan. ... (Appellant)

VERSUS

1. The Senior Member Board of Revenue Khyber Pakhtunkhwa, Peshawar and
2 others. ... (Respondents)

MR. MUHAMMAD MAAZ MADNI,
Advocate

--- For appellant.

MR. USMAN GHANI,
District Attorney

--- For respondents

MR. AHMAD HASSAN,
MR. MUHAMMAD AMIN KHAN KUNDI

--- MEMBER(Executive)
--- MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the
parties heard and record perused.

FACTS

2. The brief facts are that the appellant has impugned order dated 20.05.2016
whereby his departmental appeal for grant of regular promotion to the post of
Kanungo w.e.f 08.03.2016 was regretted followed service appeal on 15.06.2016.

ARGUMENTS

3. Learned counsel for the appellant argued that officials juniors to him were
promoted as Kanungo on temporary basis vide order dated 30.03.2007. Vide order
dated 17.07.2009 he was also promoted as Kanungo on acting charge basis. Feeling
aggrieved he preferred departmental appeal before respondent no.1 which was

accepted vide order dated 03.02.2010 with directions to the quarters concerned to immediately convene the meeting of the Departmental Promotion Committee to consider the case of appellant for promotion as Kanungo on regular basis. He had passed Kanungo examination on 10.11.2008 while his name was reflecting at Sr.No.15 of the seniority list of Patwari circulated on 15.08.2007. On reaching the age of superannuation he stood retired from government service on 19.04.2015 notified on 17.03.2015. Subsequently, vide impugned order dated 12.01.2016 and 04.02.2016 Patwaris junior to him were promoted as Kanungo on regular basis. Learned counsel for the appellant further contended that appellant deserved to be considered for proforma promotion w.e.f 03.02.2010. Denial of proforma promotion also amounts to discrimination.

4. On the other hand learned District Attorney argued that as the appellant had not passed departmental examination which was a basic requirement for regular promotion, so he was appointed as Kanungo in his own pay and scale vide order dated 17.10.2009. Temporary promotion notified vide order dated 30.03.2007 and 17.04.2009 was granted on the basis of willingness given by the officials concerned. As the appellant was not eligible so had not given consent for consideration of promotion on temporary basis. He remained silent after acceptance of his departmental appeal by respondent no.1 on 03.02.2010 and never raised voice for his due rights. He stood retired from service 19.04.2015, while meeting of Departmental Promotion committee was convened on 06.01.2016, so there was hardly any justification for granting him proforma promotion.

CONCLUSION.

5. As claimed by the appellant that in promotion order dated 30.03.2007 juniors were considered for stop gap promotion but he was ignored. It is clarified that only

those Patwaris were considered, who had given option/willingness for temporary promotion as Kanungo. The learned counsel for the appellant failed to present any record through which it could be established that the appellant was ignored despite option/consent for temporary promotion. Moreover, he passed departmental examination on 10.11.2008 which was part of the basic eligibility/criteria, was a sufficient proof that prior to that he was not eligible for promotion. He was also appointed/promoted as Kanungo on acting charge/temporary basis on 17.07.2009. His departmental appeal against temporary/stop gap promotion was accepted by the competent authority with directions to the respondents to immediately place his case before the DPC for promotion. Moreover, he was also unable to present any documentary evidence, if regular posts were available for promotion 03.02.2010, i.e date from which he had requested for promotion. Thereafter he kept mum and never raised his voice about promotion to next higher scale. He stood retired from service on 19.04.2015 and the regular promotion of Kanungo was notified on 12.01.2016. In the circumstances, learned counsel for the appellant was unable to make out a case for indulgence of this Tribunal.

6. As a sequel to the above discussion, the appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)
MEMBER
CAMP COURT D.I.KHAN



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

ANNOUNCED
26.11.2018

S.A No.651/2016

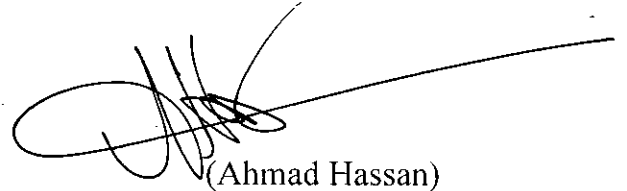
Order

26.11.2018

Counsel for the appellant present. M/S Muhammad Arif, Supdt, Muhammad Shafqat Awan, Supdt and Rozi Khan, Kanungo alongwith Mr. Usman Ghani, District Attorney for respondents present. Arguments heard and record perused.

Vide detailed judgment of today of this Tribunal placed on file, the appeal is dismissed. Parties are left to bear their own cost. File be consigned to the record room.

Announced:
26.11.2018



(Ahmad Hassan)

Member

Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member

22.06.2018

Appellant Qazi Maqbool Ahmad in person present. Mr. Muhammad Shafqat, Superintendent for the respondents present and written reply submitted. To come up for rejoinder, if any and arguments on 28.08.2018 before the D.B at camp court, D.I.Khan.



Chairman
Camp Court, D.I.Khan

28.8-18

*Appellant present in person. Mr. M. Shafqat
Supdt; for respondents present. Case is hereby
cancelled, therefore the case is adjourned for the
same on 12.9-18 at camp court D.I.Khan.*



Reader

12.09.2018

12th September has been declared as public holiday on account of 1st Muharram therefore, the case is adjourned for the same on 26.11.2018 before D.B at Camp Court D.I.Khan.




Reader
Camp Court D.I.Khan

Service Appeal No. 651/2016

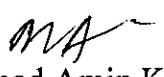
30.11.2017

None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Mukhtiar Ali, Assistant Secretary for the respondents present. Written reply on behalf of respondents not submitted. Learned District Attorney requested for further adjournment. Adjourned. To come up for written reply/comments on 22.02.2018 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

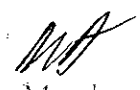
22.02.2018

Appellant in person present. Mr. Usman Ghani, District Attorney for the respondents also present. Representative of the respondents is not in attendance therefore, notice be issued to respondents with the direction to direct the representative of attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.04.2018 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan


25.05.2018

Due to retirement of the Worth Chairman, the Tribunal becomes non-functional. To come up for the same 22.06.2018. Notice be issued to the parties accordingly.


Member

26.1.2017

Counsel for the appellant and Muhammad Ibrar, Assistant Secretary alongwith Asstt. AG for the respondents present. Learned AAG requested for adjournment. Last opportunity granted. To come up for written reply/comments on 29-3-2017 as the same pertains to territorial limits of D.I.Khan Division.


Chairman


29.03.2017

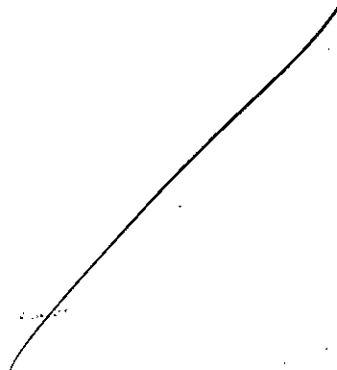
Since tour is hereby cancelled, therefore, the case is adjourned for the same on 23.08.2017.


Reader

23.08.2017

None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney for the respondents present. Representative of respondent-department is not in attendance, therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 30.11.2017 before S.B at Camp Court D.I.Khan. Notice be also issued to appellant and his counsel for attendance for the date already fixed.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan



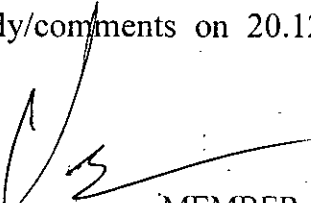
29.08.2016

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 31.10.2016 before S.B.


Chairman


31.10.2016

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 20.12.2016 before S.B.


MEMBER

20.12.2016

Clerk to counsel for the appellant and Asst. AG for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 26.01.2017 before S.B.


(MUHAMMAD AAMIR NAZIR)
MEMBER

20.06.2016

Appellant with counsel present. Preliminary arguments heard and case file perused. Through the instant appeal, the appellant has impugned the order dated 20.5.2016 vide which his application for grant of Performa promotion to the rank of Kanungo was rejected. Brief facts of the case are that the appellant was promoted as Kanungo his own pay and scale vide order dated 17.10.2009. The appellant has filed an application for SMBR from his regular promotion and challenged the promotion orders dated 30.3.2007. The departmental appeal of the appellant was accepted by the SMBR vide order dated 3.2.2010 and the office was directed to conduct DPC for promotion of the appellant as Kanungo on regular basis, but unfortunately the DPC could not be held for period of about five years and finally the appellant got retired on 20.4.2015 on superannuation. After the retirement of the appellant DPC meeting was held on 6.1.2016 and 3.2.2016 but the name of the appellant could not be placed before DPC therefore, the appellant submitted departmental appeal on 8.3.2016 which was rejected without due consideration vide order dated 20.5.2016.

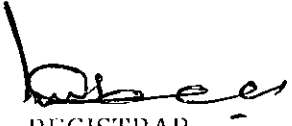

The matter required further consideration of this Tribunal therefore, admit for regular hearing subject to deposit of security and process fee within 10 days. Notices be issued to the respondents for written reply/comments for 29.8.2016 before S.B.

Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 651/2016

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 Qazi Maqbool Ahmad presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	17-6-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>22-6-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 651 /2016

QAZI MAQBOOL AHMAD

VS

SMBR

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL. 651 /2016

N.W.F. Province
Service Tribunal
Diary No. 637
Dated 15-6-2016

Qazi Maqbool Ahmad S/O Qazi Nisar Ahmad, Ex-Patwari,
O/O Deputy Commissioner Dera Ismail Khan **APPELLANT**

VERSUS

- 1- The Senior Member Board of Revenue Khyber Pakhtunkhwa, Peshawar.
- 2- The Commissioner D.I Khan Division, D.I Khan.
- 3- The Deputy Commissioner, Dera Ismail Khan.

.....**RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE APPELLATE ORDER DATED 26.5.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR THE GRANT OF REGULAR PROMOTION TO THE POST OF KANUNGO W.E.F 3.2.2010 HAS BEEN REGRETTEED

PRAYER:

That on acceptance of this appeal the impugned appellate order dated 26.5.2016 may kindly be set aside and the respondents may be directed to consider the appellant for pro forma promotion to the post Kanungo on regular basis w.e.f 3.2.2010 with all consequential benefits. Any other relief which this Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

1- That appellant joined the respondent Department as Patwari on the recommendation of Proper Departmental Selection Committee vide order dated 30.11.1986. That the appellant was enlisted at Serial No.71 of the seniority list of Patwaris of D.I Khan District as stood on 1.1.2002. Copy of the seniority list is attached as annexure **A.**

2- That appellant while serving as Patwari in the respondent Department in order dated 30.3.2007 was issued whereby junior to appellant has been promoted to the post of Kanungo on acting charge basis, who later on was regularized on the post of Kanungo. That on 17.10.2009 the appellant was also promoted to the post of Kanungo in his own pay and scale. Copies of the orders are attached as annexure.....**B & C.**

Filed to-day
Registrar
15/6/16

- 3- That appellant feeling aggrieved from the discriminatory treatment of the respondent No.3 filed Departmental appeal No.133/2007 before the respondent No.1. That the said Departmental appeal of the appellant was accepted by the respondent No.1 vide order dated 3.2.2010 with the direction to respondent No.3 to hold a meeting of Departmental Promotion Committee sharply for promotion of the appellant as Kanungo on regular basis. Copy of the order dated 3.2.2010 is attached as annexure.....**D.**
- 4- That it is very pertinent to mention that appellant had passed the Kanungo exam under roll No. 160 vide Notification dated 10.11.2008. That according to the seniority list of Patwaris issued vide dated 15.5.2008 appellant appeared at serial No.15 of the said list. Copies of the Notification and seniority list are attached as annexure.....**E & F.**
- 5- That appellant time and again visited the concerned quarter for implementation of the order dated 3.2.2010 but no response was received from the respondent Department. That finally the appellant was retired on superannuation basis vide order dated 17.3.2015 without being promoted to the post of Kanungo on regular basis, though his junior colleagues are now being working as regular Naib Tehsildar. Copies of the representation and retiring order are attached as annexure.....**G & H.**
- 6- That after his retirement many juniors to appellant have been promoted to the post Kanungo (BPS-11) on regular basis vide order dated 12.1.2016 and 4.2.2016. That appellant feeling aggrieved from the continuous discrimination filed Departmental appeal for Pro forma promotion to the post of Kanungo on regular basis w.e.f 3.2.2010 but the same was rejected by the appellate authority on 26.5.2016. Copies of the Departmental appeal and rejection order are attached as annexure.....**I & J.**
- 7- That appellant feeling aggrieved and having no other remedy filed the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned appellate order dated 3.2.2016 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That respondents acted in arbitrary and malafide manner by not considering the appellant for pro forma promotion to the post of Kanungo on regular basis w.e.f 3.2.2010.
- D- That not promoting the appellant to the post of Kanungo w.e.f 3.2.2010 the respondents violating the Appointment, Promotion and Transfer Rules 1989.
- E- That inspite of clear directions of the respondent No.1 issued vide order dated 3.2.2010 the respondent No.3 ignored the appellant from promotion to the post of Kanungo BPS-11 inspite of knowing the fact that appellant is senior most amongst his colleagues.
- F- That not promoting the appellant to the post of Kanungo BPS-11 on regular basis w.e.f 3.2.2010 the respondents clearly discriminated the appellant and as such the respondents violated the principal natural justice.
- G- That the inaction of the respondents is clearly against the spirit of Article 38(e) of the Constitution of Islamic Republic of Pakistan 1973.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may very kindly be accepted as prayed for.

APPELLANT



QAZI MAQBOOL AHMAD

THOROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE**

SENIORITY LIST OF CONFIRMED PATWARIS IN EPS-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2002.

A-④

S.No.	Name of Patwari.	Date of Birth.	Academic Qualifications.	Date of Ist entry	Regular appointment.	Remarks.
1.	2.	3.	4.	5.	6.	7.
①	Shadi Khan son of Jiwan.	10-11-1943.	Matric.	11-12-1962.	11-11-1980.	Promoted as Temporary Kanungo w.e.f. 22.7.1992 in his own pay scale.
②	Rustam Khan son of Ghulam Hussain.	7-1-1941.	Middle.	5-10-1963.	8-9-1983.	He is going to be retired on 31- on his own request.
3.	Abdur Rehman son of Ghulam Hussain.	25-10-1944.	Matric.	1-7-1964.	8-9-1983.	Promoted as Kanungo on 22.12.1992 in his own pay scale.
4.	Badar Munir Shah s/o Abdul Aziz.	4-4-1945.	Middle.	14-1-1965	25-11-1990.	Promoted as Kanungo on 12-6-1977 in pay and scale.
5.	Abdul Haleem s/o Karim Dad.	23-10-1946.	Matric.	1-8-1967.	8-9-1983.	Promoted as Kanungo on 27-7-1993 in own pay and scale.
⑥	Muhammad Din s/o Sher Khan.	15-2-1944.	Matric.	1-12-1968.	8-9-1983.	Promoted as Kanungo on 16-7-1978.
7.	Mumraiz Khan s/o Jan Muhammad.	1-1-1945.	F.A.	18-1-1969.	25-11-1990.	Promoted as Kanungo on 1-6-1977.
8.	Mulazim Hussain Shah s/o Talib Hussain.	25-4-1945.	Middle.	1-2-1969.	23-11-1990.	Promoted as Kanungo on 1-9-1994 in pay and scale.
⑨	Fazal Hussain Shah s/o Murtaza Shah.	25-2-1943.	Matric.	2-10-1969.	25-11-1990.	Promoted as Kanungo in settlement on 1-6-1977.
10.	Ashiq Hussain s/o Fida Hussain.	12.6.1944.	Matric.	15-5-1970.	25-11-1990.	
⑪	Siraj-Ud-Din s/o Munawar Din.	22-4-1943.	Matric.	1-7-1972.	8-9-1983.	Promoted as Temporary Kanungo on 12. in his own pay and scale.

Attested
[Signature]

[Signature]
District Kanungo
D. I. Khan

[Signature]
Deputy District Officer
D. I. Khan

[Signature]
District Officer
Revenue & Estates
Contd: Page

SENIORITY LIST OF CONFIRMED PATWARIS IN PPS-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2002.

(5)

1. No.	2. Name of Patwari.	3. Date of birth.	4. Academic qualifications.	5. Date of 1st entry.	6. Regular appointment.	7. Remarks.
12.	Syed Mazhar Hussain Shah s/o Syed Mulazim Hussain Shah. <i>Promoted</i>	7-7-1956.	Matric.	18-5-1976.	7-7-1993.	Promoted as Temporary Kanungo on 2.11.98 in his own pay & scale.
13.	Hussain Bakhsh s/o Haji Muhammad. <i>Promoted</i>	13-4-1956.	Matric.	1-9-1976.	7-7-1993.	Promoted as Temporary Kanungo on 1.12.2000 in his own pay & scale.
14.	Ghulam Qasim s/o Falak Sher.	28-8-1958.	Matric.	1-9-1976.	7-7-1993.	Promoted as Temporary Kanungo on 1.12.2000 in his own pay & scale.
15.	Jehangir Khan s/o Muhammad Ramzan. <i>Promoted</i>	4-3-1946.	Middle.	6-10-1976.	22-9-1982.	Promoted as Temporary Kanungo on 1.12.2000 in his own pay & scale.
16.	Muhammad Hashim s/o Mehar Jang. <i>Promoted</i>	23-12-1946.	Middle.	1-5-1977.	25-11-1990.	Promoted as Temporary Kanungo on 1.12.2000 in his own pay & scale.
17.	Amir Sultan. s/o Ghulam Qadir.	1-10-1946.	-do-	1-6-1977.	8-9-1983.	Promoted as Temporary Kanungo on 12.9.2000 in his own pay & scale.
18.	Ali Akbar s/o Ali Safdar. <i>Retired</i>	15-10-1943.	-do-	4-2-1979.	8-9-1983.	Promoted as Temporary Kanungo on 1.12.2000 in his own pay and scale.
19.	Abdul Ghaffar s/o Aurangzeb.	15-9-1945.	-do-	1-8-1979.	25-11-1990.	Promoted as Temporary Kanungo on 31.12.99 in his own pay and scale.
20.	Muhammad Nazif s/o Inayatullah.	4-7-1944.	-do-	4-3-1980.	25-11-1990.	Promoted as Temporary Kanungo on 13.11.2001 in his own pay and scale.
21.	Abdul Karim s/o Saifullah. <i>Retired</i>	1-5-1944.	-do-	5-6-1980.	25-11-1990.	Promoted as Temporary Kanungo on 13.11.2000 in his own pay and scale.
22.	Falak Sher s/o Malik Khan. <i>Retired</i>	15.11.1943.	Matric.	1-12-1980.	25-11-1990.	-
23.	Ghulam Sarwar s/o Muhammad Nawaz.	4-9-1944.	Middle.	1-12-1980.	25-11-1990.	-

Contd: page- 3.

Alf 64
District Magistrate
D. I. Khan

Attest
EP
Deputy District Officer
Revenue, D.I. Khan

[Signature]
District Officer,
Revenue & Estates,
Collector, D.I. Khan.

6

SENIORITY LIST OF CONFIRMED PATWARIS IN PS-5
OF D.I. KHAN DISTRICT AS STIPD ON 1-1-2002.

1. No.	Name of Patwari.	Date of Birth.	Academic Qualifications.	Date of Ist entry.	Regular appointment.	Remarks.
1.	2.	3.	4.	5.	6.	7.
24	Ghulam Rasul s/o Ghulam Hussain. Retired	6-9-1942.	Middle.	6-3-1982.	25-11-1990.	-
25	Suba Khan s/o Muhammad Nawaz. Retired	2-10-1943.	-do-	1-6-1982.	25-11-1990.	-
26	Imam Bakhsh s/o Ghulam Haider. Retired	1-3-1943.	Matric.	16-11-1982.	25-11-1990.	-
27.	Mulazim Hussain s/o Ghulam Sarwar.	22-11-1945.	Middle.	17-11-1982.	25-11-1990.	-
28.	Shah Jehan s/o Sher Jan.	12-3-1954.	-do-	17-11-1982.	7-7-1993.	-
29.	Ghulam Abbas s/o Ghulam Muhammad.	1-1-1946.	-do-	18-11-1982.	25-11-1990.	-
30.	Ghulam Hassan s/o Ghulam Hussain. Retired	14-2-1943.	-do-	21-11-1982.	25-11-1990.	-
31.	Abdul Ghaffar s/o Abdul Karim.	6-7-1958.	-do-	7-7-1983.	25-11-1990.	-
32.	Qudratullah s/o Ghulam Rasul.	20-2-1959.	Matric.	1-9-1976.	31-12-2001.	-
33.	Aftab Hussain Shah s/o Mehr Hussain Shah.	4-5-1958.	B.A.	13-9-1980.	31-12-2001.	-
34.	Fazal Dad s/o Sahib Dad.	4-4-1953.	Matric.	1-7-1981.	31-12-2001.	-
35.	Shah Nawaz s/o Fatch Khan. Retired	15-3-1943.	-do-	24-10-1982.	31-12-2001.	-
36.	Muhammad Sanaullah s/o Sher Muhammad.	3-2-1955.	-do-	11-11-1982.	31-12-2001.	-
37.	Abdul Jalil s/o Abdul Latif.	5-4-1958.	Middle.	6-3-1983.	31-12-2001.	-
38.	Syed Agha Hussain s/o Atta Hussain Shah.	25-10-1954.	Matric.	23-4-1983.	31-12-2001.	-

M. Khan
District Manager
D.I. Khan

Attested
[Signature]

Deputy District Officer
Revenue, D.I. Khan

[Signature]
District Revenue
Collector, D.I. Khan

Contd: page- 4.

(7)

SENIORITY LIST OF CONFIRMED PATWARIS IN P.S-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2001.

1. No.	2. Name of Patwari.	3. Date of Birth.	4. Academic Qualifications.	5. Date of 1st entry.	6. Regular appointment.	7. Remarks.
39.	Asmatullah s/o Ghulam Sarwar.	4.12.1956.	Matric.	8.5.1983.	31.12.2001.	-
40.	Abdur Rashid s/o Allah Diwaya.	29.6.1959.	-do-	12.5.1983.	31.12.2001.	-
41.	Muhammad Aslam s/o Rab Nawaz.	5.11.1958.	-do-	30.6.1983.	31.12.2001.	-
(42.)	Muhammad Ramzan s/o Said Rasul. <i>Expired</i>	1.3.1958.	Middle.	1.7.1983.	31.12.2001.	-
43.	Muhammad Aslam Khan s/o Nawaz Khan.	8.11.1953.	Matric.	16.7.1983.	31.12.2001.	-
(44.)	Khair Muhammad s/o Mohyuddin.	1.1.1954.	-do-	1.8.1983.	31.12.2001.	-
45.	Hamidullah s/o Wali Khan.	5.3.1956..	Middle.	25.10.1983.	31.12.2001.	-
46.	Muhammad Hussain s/o Ghulam Hussain.	8.8.1958.	Matric.	22.11.1983.	31.12.2001.	-
(47.)	Bashir Ahmad s/o Ghulam Muhammad.	1.1.1957.	F.A.	14.12.1983.	31.12.2001.	-
(48.)	Shah Nawaz s/o Haji Haq Nawaz.	5.4.1953.	F.A.	1.1.1984.	31.12.2001.	-
(49.)	Ghulam Abbas s/o Abdur Rehman.	2.3.1960.	Matric.	18.1.1984.	31.12.2001.	-
50.	Tauqir Ahmad s/o Haji Muhammad Afzal.	25.10.1958.	-do-	13.2.1984.	31.12.2001.	-
51.	Muhammad Jan s/o Haji Muhammad Ramzan.	15.5.1956.	-do-	28.3.1984.	31.12.2001.	-
52.	Ghulam Jan s/o Ghulam Aziz.	24.9.1951.	-do-	1.4.1984.	31.12.2001.	-

Alp-sh
District Manager
D.I. Khan

Attested
up

Deputy District Officer
Revenue, D.I. Khan

[Signature]
District Officer,
Revenue & Estates
Collector, D.I. Khan.

Contd: Page- 5.

8

SRICORITY LIST OF CONFIRMED PATWARIS IN PPS-5
OF D.I.KHAN DISTRICT AS STOOD ON 1-1-2002.

1.	2.	3.	4.	5.	6.	7.
No.	Name of Patwari.	Date of Birth.	Academic Qualifications.	Date of 1st entry.	Regular appointment.	Remarks.
53.	Muhammad Rafi s/o Abdul Qadir.	4.8.1952.	Matric.	12.4.1984.	31.12.2001.	-
54.	Naim Khan s/o Hakim Khan.	3.2.1958.	-do-	3.7.1984.	31.12.2001.	-
55.	Ghulam Qasim s/o Sarfaraz.	15.4.1953.	-do-	10.7.1984.	31.12.2001.	-
56.	Shamsuddin s/o Abdur Rahim.	10.6.1953.	-do-	10.7.1984.	31.12.2001.	-
57.	Abdul Hanan. s/o Wali Khan.	8.5.1959.	Middle.	21.9.1984.	31.12.2001.	-
58.	Malik Muhammad Riaz s/o Haji Imam Bakhsh.	8.9.1956.	Matric.	16.10.1984.	31.12.2001.	-
59.	Khurshid Alam s/o Abdul Manan. <i>Expired</i>	27.8.1959.	-do-	16.10.1984.	31.12.2001.	- (Died)
60.	Fazal Rehman s/o Saifur Rehman.	10.6.1958.	-do-	9.7.1985.	31.12.2001.	-
61.	Abdul Qadir s/o Ashiq Hussain.	3.9.1957.	-do-	1.10.1985.	31.12.2001.	-
62.	Gohar Zaman s/o Muhammad Ramzan.	20.4.1965.	FA.	27.10.1985.	31.12.2001.	-
63.	Imam Bakhsh s/o Illahi Bakhsh.	15.1.1957.	Matric.	12.4.1986.	31.12.2001.	Promoted as Temporary Kanungo in Settlement Operation DIKhan on 1.2.92.
64.	Muhammad Akram s/o Allah Bakhsh.	20.3.1960.	-do-	26.4.1986.	31.12.2001.	-
65.	Ghulam Sibtain s/o Malik Gulsher.	13.5.1958.	Middle.	25.5.1986.	31.12.2001.	-
66.	Khadim Hussain s/o Ranjhu.	15.4.1955.	Matric.	15.6.1986.	31.12.2001.	-

Al-Sah
District Kanungo
D. I. Khan

Attended
Deputy District Officer
Revenue, D.I. Khan

Continued
District Officer
Revenue & Estates
Collector, D.I. Khan

Continued Page-6.

SENIORITY LIST OF CONFIRMED PATWARIS IN P.S-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2000.

1. NO.	Name of Patwari.	Date of Birth.	Academic Qualifications.	Date of 1st entry.	Regular appointment.	Remarks.
1.	2.	3.	4.	5.	6.	7.
67.	Muhammad Nawaz s/o Pir Ghulam.	1.1.1956.	Matric.	14.8.1986.	31.12.2001.	
68.	Ghulam Akbar s/o Ghulam Hussain.	1.8.1957.	-do-	1.9.1986.	31.12.2001.	Promoted as Temporary Kanungo in Settlement Operation DIKhan on 1.11.2000.
69.	Furhad Khan s/o Qalandar Khan.	21.3.1958.	-do-	8.10.1986.	31.12.2001.	
70.	Ahmad Bakhsh s/o Khuda Bakhsh.	20.5.1956.	-do-	29.10.1986.	31.12.2001.	
71.	Qazi Maqbool Ahmad s/o Nisar Ahmad.	20.4.1955.	-do-	30.11.1986.	31.12.2001.	
72.	Muhammad Iqbal s/o Muhammad Jan.	16.3.1960.	Middle.	2.12.1986.	31.12.2001.	
73.	Tabarak Hussain s/o Hussain Bakhsh.	1.1.1959.	Matric.	21.12.1986.	31.12.2001.	
74.	Imam Bakhsh s/o sardar.	1.6.1954.	-do-	15.1.1987.	31.12.2001.	
75.	Saeedullah s/o Alamsher.	2.2.1959.	-do-	18.1.1987.	31.12.2001.	Promoted as Temporary Kanungo in Settlement Operation DIKhan on 30.11.2000.
76.	Dur Muhammad s/o Qadir Bakhsh.	12.3.1956.	-do-	6.4.1987.	31.12.2001.	
77.	Haq Nawaz s/o Hussain Bakhsh.	3.7.1960.	Middle.	21.4.1987.	31.12.2001.	
78.	Ghulam Fazil s/o Malik Kaloo.	21.8.1956.	Matric.	23.4.1987.	31.12.2001.	
79.	Nazir Ahmad s/o Muhammad Ashraf.	20.10.1957.	-do-	1.5.1987.	31.12.2001.	
80.	Abdur Rashid s/o Umer Daraz.	20.11.1958.	-do-	1.5.1987.	31.12.2001.	
81.	Hakim s/o Falak Sher.	1.6.1962.	-do-	2.5.1987.	31.12.2001.	

APR 64
District Manager

Dept. of Revenue
Revenue Officer
D.I. Khan

Attested
District Officer,
Revenue & Estt. Dept.
Collector, D.I. Khan.

(10)

SENIORITY LIST OF CONFIRMED PATWARIS IN PS-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2002.

1. NO.	Name of Patwari.	Date of birth.	Academic qualifications.	Date of 1st entry.	Regular appointment.	Remarks.
1.	2.	3.	4.	5.	6.	7.
82.	Hamidullah s/o Habibullah.	7.3.1956.	Matric.	20.5.1987.	31.12.2001.	-
83.	Allah Nawaz s/o Rab Nawaz.	1.6.1957.	-do-	20.5.1987.	31.12.2001.	-
84.	Muhammad Iqbal s/o Muhammad Jan.	4.4.1958.	-do-	20.5.1987.	31.12.2001.	-
85.	Ghulam Abbas Shah s/o Nazar Hussain Shah.	20.4.1958.	-do-	20.5.1987.	31.12.2001.	-
86.	Shah Jehan s/o Jan Muhammad.	28.4.1958.	-do-	20.5.1987.	31.12.2001.	-
87.	Bashir Hussain s/o Ghulam Haider.	8.5.1958.	-do-	20.5.1987.	31.12.2001.	-
88.	Kifayatullah s/o Ghulam Jaffar.	25.10.1959.	-do-	20.5.1987.	31.12.2001.	-
89.	Muhammad Hassan s/o Ahmad Khan.	8-2-1961.	Middle.	20.5.1987.	31.12.2001.	-
90.	Rab Nawaz s/o Lal Khan.	6.11.1957.	Matric.	1.6.1987.	31.12.2001.	-
91.	Rozi Khan s/o Nasrullah Khan.	2.2.1962.	F.A.	9.8.1987.	31.12.2001.	-
92.	Muhammad Aslam s/o Umar Khan.	7.4.1960.	Matric.	18.8.1987.	31.12.2001.	-
93.	Ahmad Khan s/o Piao Khan.	12.3.1959.	-do-	15.9.1987.	31.12.2001.	-
94.	Allah Nawaz s/o Allah Piwaya.	1.4.1964.	-do-	16.11.1987.	31.12.2001.	-
95.	Muhammad Khan s/o Abdul Hai.	12.3.1958.	Middle.	31.1.1988.	31.12.2001.	-

Ali Gh
District Manager
D.I. Khan.

[Signature]
Deputy District Officer
Revenue, D.I. Khan

[Signature]
District Officer,
Revenue & Estates
Collector, D.I. Khan.


SENIORITY LIST OF CONFIRMED PATWARIS IN PS-5
OF D.I. KHAN DISTRICT AS STOOD ON 1-1-2002.

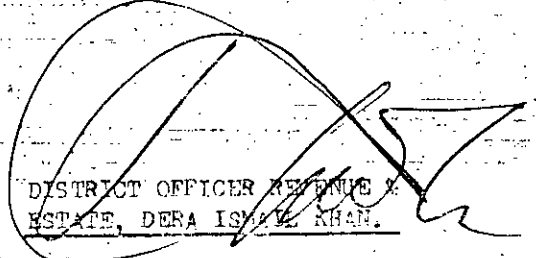
page- 8.

(11)

Sl. No.	Name of Patwari.	Date of birth.	Academic qualifications.	Date of 1st entry.	Regular appointment.	Remarks.
1.	2.	3.	4.	5.	6.	7.
96.	Muhammad Iqbal s/o Muhammad Akhtar.	1.6.1959.	Middle.	2.2.1988.	31.12.2001.	-
97.	Muhammad Hayat s/o Muhammad Nawaz.	10.3.1958.	Matric.	25.4.1988.	31.12.2001.	-
98.	Muhammad Bakhsh s/o Muhammad Ramzan.	2.1.1959.	Matric.	30.4.1988.	31.12.2001.	-
99.	Muhammad Ashraf s/o Abdur Rehman.	1.6.1960.	B.Sc.	3.5.1988.	31.12.2001.	-
100.	Saeedullah s/o Muhammad Bakhsh.	5.6.1962.	Middle.	20.12.1989.	31.12.2001.	-
101.	Sher Jan s/o Abdullah.	10.10.1958.	Middle.	15.5.1990.	31.12.2001.	-


DISTRICT KANUNGO, DIKHAN.


DEPUTY DISTRICT OFFICER REVENUE
& ESTATE, D. I. KHAN.

Attested

DISTRICT OFFICER REVENUE &
ESTATE, DERA ISMAIL KHAN.

B-12

**OFFICE OF THE DISTRICT OFFICER,
REVENUE & ESTATES, D.I.KHAN.**

ORDER: -

Due to the retirement of Mr. Abdul Haleem and Muhammad Hashim Khan kanungos, two posts of kanungos are lying vacant in D.I.Khan District. Moreover, Mr. Muhammad Hussain kanungo has been proceeded on 120 days earned leave and his post is also become vacant.

In order to fill the above-mentioned vacant posts the senior most fourteen were asked to submit their consent with kanungo certificate whether they are willing to be posted as kanungo on temporary basis. In response to this Office's letter only four kanungos have submitted their applications for their posting as kanungo on temporary basis.

The following three (03) senior most Patwaris out of four patwaris who have submitted their willingness for posting as kanungo, are hereby posted as kanungo purely on temporary basis, in their own pay and scale as stop-gap arrangement against the vacant posts mentioned against each:-

S. NO. NAME OF KANUNGO

PLACE OF POSTING

Mr Ahmad Bukhsh,
presently posted as
Patwari Halqa Hissain

Kanungo Rod Kohi

1

~~Mr Samant Lal,
presently posted as
Patwari Halqa
Gara Baran~~

~~Office Kanungo
Rod Kohi~~

2

~~Mr Abdur Rashid,
Presently posted as
Patwari Halqa Mithan~~

~~Kanungo Settlement
Circle Yarik~~

District Officer,
Revenue & Estates, D.I.Khan.

Dated: D.I.Khan The 30-3-2007

No 50-53 /SK

Copy to the:-]

1. D.D.O. Rod Kohi Irrigation, D.I.Khan.
2. Tehsildar, settlement, D.I.Khan
3. Bill Clerk, Main Office.
4. Official concerned.

Attested
[Signature]

District Officer,
Revenue & Estates, D.I.Khan

30/3/2007

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[Signature]
30/3/2007

C-13

OFFICE OF THE DISTRICT OFFICER, REVENUE & ESTATES,
D.I.KHAN.

ORDER.

Mr. Allah Nawaz Patwari, who was promoted as Kanungo vide this office's order bearing No. 374/SK dated 13/10/2009, has forego his promotion. Therefore, Qazi Mubqool Ahmad Patwari of Kulachi Tehsil, the next senior most and Kanungoi pass Patwari, is hereby promoted as Kanungo with immediate effect, purely on temporary basis, (in own pay & scale) in place of Mr. Allah Nawaz and posted as Kanungo Rod Kohi (he) will work as Assistant with District Kanungo, D.I.Khan till further orders.

District Officer,
Revenue & Estates, D.I.Khan

No. 387 /SK Dated D.I.Khan the 17/10/2009

- 1. D.D.O. Rod Kohi D.I.Khan.
- 2. Tehsildar, Kulachi.
- 3. Bill Clerk main office.
- 4. Officials concerned.

District Officer,
Revenue & Estates, D.I.Khan

Put up in file
10/10/09

Attested
[Signature]

Attested
Examiner
[Signature]

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

Case No. 133/2007.
Date of Institution. 02/06/2007.
Date of Decision. 03/02/2010.

D-14

Qazi Maqbool Ahmad Patwari, District D.I.Khan

Appellant.

Versus

1. District Officer (Revenue & Estate)/Collector, D.I.Khan.
2. Saeedullah Kanungo, Rod Kohi, D.I.Khan.
3. Abdul Rasheed, Kanungo Settlement Circle Yarrak District D.I.Khan.

Respondents.

ORDER

This is a departmental appeal filed by Qazi Maqbool Patwari against the order bearing No. 50-53/SK dated 30/03/2007 issued by District Officer (Revenue & Estate)/Collector, D.I.Khan vide which the respondents No. 2 and 3 have been promoted as Kanungo and the appellant has been ignored.

Brief facts of the case are that the appellant is confirmed Patwari and his name exists at S. No. 71 of the seniority list as stood on 01/01/2002, whereas the names of respondents 2 and 3 appears at S. No. 75 and 80 of the said seniority list issued by the District Officer (Revenue & Estate)/Collector, D.I.Khan. On the basis of said seniority list the respondents 2 and 3 were promoted and the appellant was ignored. Hence the present appeal.

Appellant with counsel present. Arguments heard. The District Officer (Revenue & Estate)/Collector, D.I.Khan was repeatedly directed to submit his comments but he failed. The learned counsel while arguing the case pointed out that the appellant is senior most Patwari and juniors to him were promoted. His name also appears at S. No. 15 of the seniority list of confirmed Patwari of District D.I.Khan as stood on 15/05/2008 issued by the District Officer (Revenue & Estate)/Collector, D.I.Khan. He also contended that the appellant has passed the Departmental Examination of Kanungo vide Director Land Record, NWFP Notification No. 9303/LR-1/20-DIK dated 10/11/2008 and thus he is eligible for promotion as Kanungo on regular basis.

Keeping in view the above, the appeal of the appellant is accepted and the District Officer (Revenue & Estate)/Collector, Khan is directed to hold a meeting of Departmental Promotion Committee sharply for promotion of the appellant as Kanungo on regular basis.

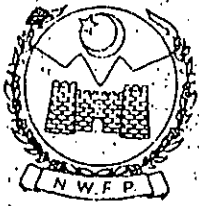
ANNOUNCED.
03/02/2010

Attested
Examined
20/4

Attested

22/2
Senior Member
Board of Revenue, NWFP.

(AHSANULLAH KHAN)
SENIOR MEMBER
BOARD OF REVENUE, NWFP



OFFICE OF THE
DIRECTOR LAND RECORDS/INSPECTOR
GENERAL OF REGISTRATION, NWFP.

No. 9303 LR-I/20-DEK
Peshawar dated the 10/11/2008

E-15

CORRIGENDUM.

No. _____ /LR-I/20-DEK. In pursuance of this office Notification issued vide Endst. No. 8373-8405/LR-I/DEK, dated, 24/09/2008, the result of Paper No.IV(Arithmetic) in respect of Qazi Maqbool Ahmed s/o Qazi Nisar Ahmed of District D.I.Khan may be considered as Passed under R.No.160.

DIRECTOR LAND RECORDS,
NORTH WEST FRONTIER PROVINCE.

Under No. _____ /LR-I/20-DEK.

Copy forwarded to the :-

- 1) District Officer (R & B) D.I.Khan; with the request to make necessary correction in the result sheet.
- 2) Official concerned.
- 3) Office order file.


DIRECTOR LAND RECORDS,
NORTH WEST FRONTIER PROVINCE.

Attested


Examiner
30/11

Attested
23
9

SENIORITY LIST OF CONFIRMED PATWARIS IN BPS-5 OF DERA ISMAIL KHAN DISTRICT AS STOOD ON 15.05.2008

F-16

S. No	Name of Candidates Patwariyan	Father Name	Caste	Address	Date of Birth	Qualification	Date of 1st Entry	Regular Appointment	Remarks
1	Asmat Ullah	Ghulam Sarwar	Siyal	Darwais	04.12.1956	S.S.C	08.05.1983	31.12.2001	
2	Toqeer Ahmad	Muhammed Afzal	Khado Khel Gandapur	Kulachi	25.10.1958	S.S.C	13.02.1984	31.12.2001	
3	Muhammed Jan	Muhammed Ramzan	Kanaira	Himat	15.05.1956	S.S.C	28.03.1984	31.12.2001	
4	Abdul Shakoor	Abdur Razag	Lashkarzai	Yasoozbai Kulaci	10.10.1958	Middle	01.07.1984	29.05.2004	
5	Naeem Khan	Hakeem	Hussainzai	Kulachi	03.02.1958	S.S.C	03.07.1984	31.12.2001	
6	Ghulam Qasim	Sarfaraz	Sagoo	Miankhel	15.04.1953	S.S.C	10.07.1984	31.12.2001	
7	Sharnas ud Din	Abdur Rahim	Lashkarzai	Para Khel Kulachi	10.06.1953	S.S.C	10.07.1984	31.12.2001	
8	Abdul Hanan	Wali Khan	Gandapur	Kot walidad Kulachi	08.05.1959	Middle	21.09.1984	31.12.2001	
9	Muhammed Ri'az	Haji Imam Bekhsh	Arach	Chah Khaima wala Dera	08.09.1956	S.S.C	16.10.1984	31.12.2001	
10	Ghulam Sibtain	Gul Sher	Siyal	Chah Siyal	13.05.1958	S.S.C	25.05.1985	31.12.2001	
11	Moin Ud Din	Sahar Khan	Patkhel	Mundi	10.03.1961	S.S.C	25.05.1985	29.05.2004	
12	Muhammed Nawaz	Pir Gubran	Baloch	Bandkorai	01.01.1956	S.S.C	14.08.1985	31.12.2001	
13	Ghulam Akbar	Ghulam Hussain	Jurr	Muryali	01.08.1957	S.S.C	01.09.1985	31.12.2001	
14	Ghulam Shabir	Habib Nawaz	Baloch	Touya Fazil	19.02.1952	S.S.C	08.10.1985	31.12.2001	

District Kasungo
Dera Ismail Khan

Attested
[Signature]

Attested
25/4
Examiner

[Signature]
District Officer
Revenue Estate/ Collector
Dera Ismail Khan

**NIROITY LIST OF CONFIRMED PATWARIS IN BPS-5 OF DERA ISMAIL KHAN DISTRICT
AS STOOD ON 15.05.2008**

17

S. No	Name of Candidates Patwariyan	Father Name	Caste	Address	Date of Birth	Qualification	Date of 1st Entry	Regular Appointment	Remarks
15	Qazi Magbool Ahmad	Nisar Ahmad	Qazi	Street Qazianwali Kulachi	20.04.1955	S.S.C	31.11.1986	31.12.2001	
16	Muhammad Iqbal	Muhammad Jan	Bahadar Khel	Takwara Kulachi	16.03.1960	Middle	02.12.1985	31.12.2001	
17	Dur-Muhammad	Qadir Bakhs	Sohlan	Thatha Sohlan Thesi Parova	12.03.1956	S.S.C	06.04.1987	31.12.2001	
18	Ghulam Fazil	Malik Kaloo	Dhap	Near Wansam College Dera	21.08.1956	S.S.C	23.04.1987	03.12.2001	
19	Sheikh Nazeer Ahmad	Muhammad Ashraf	Qureshi	Qazi Khozhar Dhap	20.10.1957	S.S.C	01.05.1987	03.12.2001	
20	Allah Nawaz	Rab Nawaz	Hot Baloch	Rangpur Tehsil Paharcu	01.06.1957	S.S.C	20.05.1987	03.12.2001	
21	Muhammad Ismail	Muhammad Jan		Kamal Khel R. Baloch	04.04.1958	S.S.C	20.05.1987	03.12.2001	
22	Ghulam Abbas Shah	Nazar Hussain Shah	Syed	Basti Kanchanwali D.I.Khan	20.04.1958	S.S.C	20.05.1987	03.12.2001	
23	Shahjehan	Jan Muhammad	Awan	Chah Bary Wala Sheikh Yousaf Dera	26.04.1958	S.S.C	20.05.1987	31.12.2001	
24	Eashir Hussain	Ghulam Haider	Baloch Shahani	Jhok Bishara Dera	03.05.1958	S.S.C	20.05.1987	31.12.2001	
25	Kifayat Ullah	Ghulam Jaffer	Baloch Bhanri	Jhok Goma	25.10.1959	S.S.C	20.05.1987	31.12.2001	
26	Muhammad Hassan	Ahmad Nawaz Khan	Baloch Hot	Rangpur Shoma	06.02.1961	Middle	20.05.1987	31.12.2001	
27	Rabnawaz	Lal Khan	Baloch	Dania G. Dera	06.11.1957	F.A	01.06.1987	31.12.2001	
28	Pozi Khan	Nasrullah Khan	Gandapur	Ranaza Kulachi	02.02.1962	F.A	19.06.1987	31.12.2001	

District Officer
Dera Ismail Khan

Attested
[Signature]
Examiner

[Signature]
District Officer
Revenue Estate/ Cullctor
Dera Ismail Khan

Office of the
DIRECTOR
NORTH WEST FRONTIER

SENIORITY LIST OF CONFIRMED PATWARIS IN BPS-5 OF DERA ISMAIL KHAN DISTRICT AS STOOD ON 15.05.2008

(18)

S. No	Name of Condidates Patwariyan	Father Name	Caste	Address	Date of Birth	Qualification	Date of 1st Entry	Regular Appointment	Remarks
29	Muhammad Aslam	Umar Khan	Rasheed Khel	Kulachi	07.04.1960	S.S.C	1808.1987	31.12.2001	
30	Ahmad Khan	Umar Piyao	Marwal	Wangan Me Dil Kata Kal	12.03.1959	S.S.C	15.09.1987	31.12.2001	
31	Allah Nawaz	Allah Diwaya	Blaoch	Kolla Saidan	01.04.1954	S.S.C	16.11.1987	31.12.2001	
32	Muhammad Khan	Muhammad Abdul Hai	Diyal	Grah Muhaba Kulachi	12.03.1958	Middle	31.01.1988	31.12.2001	
33	Muhammad Iqbal	Muhammad Akhtar	Tajakzai Gandapur	Kot Dera: Koral	01.05.1959	Middle	22.02.1988	31.12.2001	
34	Muhammad Hayat	Muhammad Nawaz	Bhatti	Basir Ustarata Dera	10.03.1958	S.S.C	25.04.1988	31.12.2001	
35	Muhammad Baksh	Muhammad Ramzan	Chandani	Arfa D. Khan	02.01.1959	S.S.C	30.04.1988	31.12.2001	
36	Muhammad Ashraf	Abdur Rehman	Sheedi	Sheed Kurat Pahar	01.05.1960	B.Sc.	03.05.1988	31.12.2001	
37	Bashir Hussain	Ghulam Rasool	Utra	Kat Ghani Pandapur	02.03.1955	Middle	20.08.1988	31.12.2001	
38	Saeed Ullah	Muhammad Baksh	Awan	Chah Sadiq Wala Sheikh Yousaf Food	05.05.1962	Middle	25.12.1989	31.12.2001	
39	Nazir Ahmad	Umar Daraz		Bagwan Wala D.I. Khan	07.07.1958	S.S.C	24.12.1989	31.12.2001	
40	Sher Jan Khan	Abdullah Jan	Gandapur	Lakhra Rana Kulachi	10.10.1958	Middle	15.05.1990	31.12.2001	
41	Shahjehan	Syed Muhammad	Awan	Han Kachhi Khan	15.03.1957	Middle	11.08.1990	31.12.2001	
42	Taseem Ud Din	Sheikh Niazam	Sheikh Jebani	Shero Shanda	02.03.1960	Middle	22.09.1990	31.12.2001	

District Kanungo
Dera Ismail Khan

Attested

Examiner

Attested
[Signature]

[Signature]
District Officer
Revenue Estate/ Collector
Dera Ismail Khan

Dera Ismail Khan

Office of

DIRECTOR
WEST FRONTIER P.

**SENIORITY LIST OF CONFIRMED PATWARIS IN BPS-5 OF DERA ISMAIL KHAN DISTRICT
AS STOOD ON 15.05.2008**

19

S. No	Name of Candidates Patwariyan	Father Name	Caste	Address	Date of Birth	Qualification	Date of 1st Entry	Regular Appointment	Remarks
43	Muhammad Abbas	Haji Ghulam Qasim	Awan	Moh. Kumbaranwala City Dera	20.03.1960	S.S.C	08.10.1990	31.12.2001	
44	Gul Azam	Mir Azam	Manwat	Rehmani Khak	02.05.1957	S.S.C	12.03.1992	31.12.2001	
45	Majeed Afzal	Muhammad Afzal	Khadar Khel Gandapur	Kulachi	24.03.1960	S.S.C	03.05.1992	29.05.2004	
46	Soba Khan	Khuda Bakhsh	Arain	Babar Pacha	02.02.1959	S.S.C	20.05.1992	29.05.2004	
47	Ghulam Yaseen	Ghulam Hussain	Baloch	Kinal	24.11.1958	F.A	20.05.1992	29.05.2004	
48	Qayyum Nawaz	Allah Nawaz	Baloch	Sara Garah Ramak	04.03.1959	S.S.C	20.05.1992	29.05.2004	
49	Mulazim Hussain	Muhammad Ramzan	Hisam	Chalkan	04.12.1959	F.A	20.05.1992	29.05.2004	
50	Azhar Hussain	Muhammad Hussain	Khokhar	Kachi Kai Ghar	10.03.1958	Middle	28.07.1992	29.05.2004	
51	Sher Ali Shah	Shah Hussain Shah	Syed	Paharpur	12.01.1960	Middle	01.08.1992	29.05.2004	
52	Inayat Ullah	Ubaid Ullah	Sherqi Khel	Saidowali	01.01.1959	Middle	05.08.1992	29.05.2004	
53	Qayyum Nawaz	Hag Nawaz	Baloch Shahani	Charagh Sharikat Misharat	10.04.1958	S.S.C	01.12.1992	29.05.2004	
54	Sher Dad	Khaliq Dad	Mohana	Kulachi	08.03.1958	S.S.C	04.10.1990	15.05.2008	
55	Muhammad Ibrahim	Ghulam Hussain	Baloch	Basu Ustarana Shumali	20.02.1958	S.S.C	10.02.1993	15.05.2003	
55	Allah Bakhsh	Muhammad Zaman	Kalo	Lodhro Dhas Shumali	01.07.1958	Middle	13.02.1993	15.05.2003	

Attested

Examiner

District Kanungo
Dera Ismail Khan

District Officer
Revenue Estate/ Collector
Dera Ismail Khan

Attested
16/8/2011

Attested
16/8/2011

Handwritten text in Urdu script, appearing to be a list or record of items, possibly related to a medical or administrative process. The text is written in a cursive style and includes various words and phrases.

9-20

Handwritten text at the bottom of the page, possibly a signature or a note.



OFFICE OF THE
DEPUTY COMMISSIONER
DERA ISMAIL KHAN

H-21

Phone #: 0966-9280115-16 / Fax #: 0966-9280110
Email ID: deputycommissioner.dik@gmail.com

No. 325 /DC (DN)

Dated DI Khan the 17 /03/2015

ORDER

On attaining the age of superannuation /60 years, Qazi Maqbool Ahmad S/o Qazi Nisar Ahmad, Kanungo (BPS-09, own Pay & Scale) working as Kanungo, circle Kulachi, Tehsil Kulachi, Revenue Department DI Khan shall stand retired from Government Service on 19/04/2015 (A.N).

His date of birth is 20/04/1955.

Deputy Commissioner,
DI Khan

Dated DI Khan, the 17 /03/2015

Deputy Commissioner,
DI Khan

No. _____ /BC/ Pension

Copy to the:

- 1- District Account officer, DI Khan.
- 2- Office pension file.

Attested

Attested

Examiner

26/4



DEPUTY COMMISSIONER
DERA ISMAIL KHAN

Phone #: 0966-9280116 / Fax #: 0966-9280110

(22)

ORDER

As recommended by the Departmental Promotion & Selection Committee in its meeting held on 06/01/2016, the following senior most / Kanungoi Pass Patwaris are hereby promoted as Kanungos (BPS-11) against the vacant posts with immediate effect:-

1. Mr. Dur Muhammad s/o Qadir Bakhsh.
2. Mr. Ghulam Fazil s/o Malik Kaloo.
3. Mr. Allah Nawaz s/o Rab Nawaz.
4. Mr. Ghulam Abbass Shah s/o Nazar Hussain Shah.
5. Mr. Shah Jehan s/o Jan Muhammad.
6. Mr. Kifayatullah s/o Ghulam Jaafar.
7. Mr. Muhammad Hassan s/o Ahmad Nawaz Khan.
8. Mr. Nazir Ahmad s/o Umar Daraz.
9. Mr. Majeed Afzal s/o Muhammad Afzal.
10. Abdur Rehman s/o Muhammad Nawaz.
11. Abdul Majeed s/o Gulab Din.

DEPUTY COMMISSIONER,
DERA ISMAIL KHAN

No. 36-42/SK Dated D.I.Khan the 12/01/2016

Copy to the:-

1. Commissioner, D.I.Khan Division, D.I.Khan.
2. Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. All the Assistant Commissioners in D.I.Khan District.
4. District Accounts Officer, D.I.Khan.
5. All the Tehsilddars in D.I.Khan District.
6. Bill Clerk main office.
7. Officials concerned.

DEPUTY COMMISSIONER,
DERA ISMAIL KHAN

Attested
[Signature]

Attested

Examiner
[Signature]

OFFICE OF THE
DEPUTY COMMISSIONER
DERA ISMAIL KHAN

Phone #: 0966-9280116 / Fax #: 0966-9280110

23

ORDER

As recommended by the Departmental Promotion & Selection Committee in its meeting held on 3rd February, 2016, the following senior / Kanungo Pass Patwaris of D.I.Khan District are hereby promoted as Kanungo (BPS-11) with effect from the dates mentioned against each:-

S.NO.	NAME OF KANUNGO	DATE
1.	Shakar Din s/o Mohy-ud-Din	With effect from 13/01/2016
2.	Akram Khan s/o Punnaal Khan	With effect from 21/01/2016
3.	Ehsanullah s/o Saqaulah	With effect from 05/03/2016

DEPUTY COMMISSIONER
DERA ISMAIL KHAN

No. 133-40 /SK

Dated D.I.Khan the 4 /02/2016

Copy to the:-

1. Commissioner, D.I.Khan Division, D.I.Khan.
2. Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. Director Land Records, Khyber Pakhtunkhwa, Peshawar.
4. All the Assistant Commissioner/A.A.Cs in D.I.Khan District.
5. District Accounts Officer, D.I.Khan.
6. All the Tehsildars/Nailb Tehsildars in the District.
7. Bill, Clerk main office.
8. Officials concerned.

DEPUTY COMMISSIONER
DERA ISMAIL KHAN

Attested

Attested

5/2/16

P.T.O.

2/4

EXAMINER

2015 Affected

2015

pp 17 3 pp 365/oc

Attended

2010 June-3

2010 June-3

2010

2010 June-3

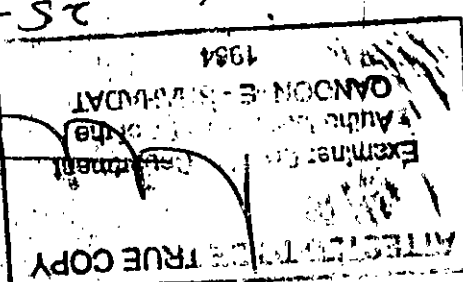
2009 30-pp 50-53

2009 17-2 pp 387/5K

8-03-16

1568/DC

25/6



BPS-11

Immediate

I-24

BPS-11

Attested
Examiner

2016

2016-3-8
BPS-11
2016

BPS-11
2016

2016
SMBR

2016
2016

2016
2016

2016

2016

PUC Flag "A"

J-25

This is an application of Qazi Maqbool Ahmad for Promoting in BPS-11. The applicant was promoted as a Kanungo in his own pay & scale vide this office order dated 17.10.2009 (Flag-B).

Before the issuance of above noted order, the applicant lodged an appeal before the S.M.B.R. against the promotion orders of same Kanungos issued vide this office order dated 30.03.2007 (Flag-C). The Appeal of the applicant was accepted by the learned S.M.B.R. vide his order dated 03.02.2010 (Flag-D) & this office was directed to hold D.P.C. for promotion of the applicant as Kanungo on regular basis, but unfortunately no D.P.C. Meeting can be held in a period of about 5 years and the applicant was retired on superannuation of 60 years age on 20.04.2015 vide this office order date 17.03.2015 (Flag-E).

After retirement of the applicant the D.P.C. meeting was held on 06.01.2016 & 03.02.2016, but the name of the applicant was not placed before the D.P.C. & now the applicant has submitted present application.

May if approved, the case of the applicant be submitted before the next D.P.C. for promotion to resolve the issue once for all.

Deputy Commissioner

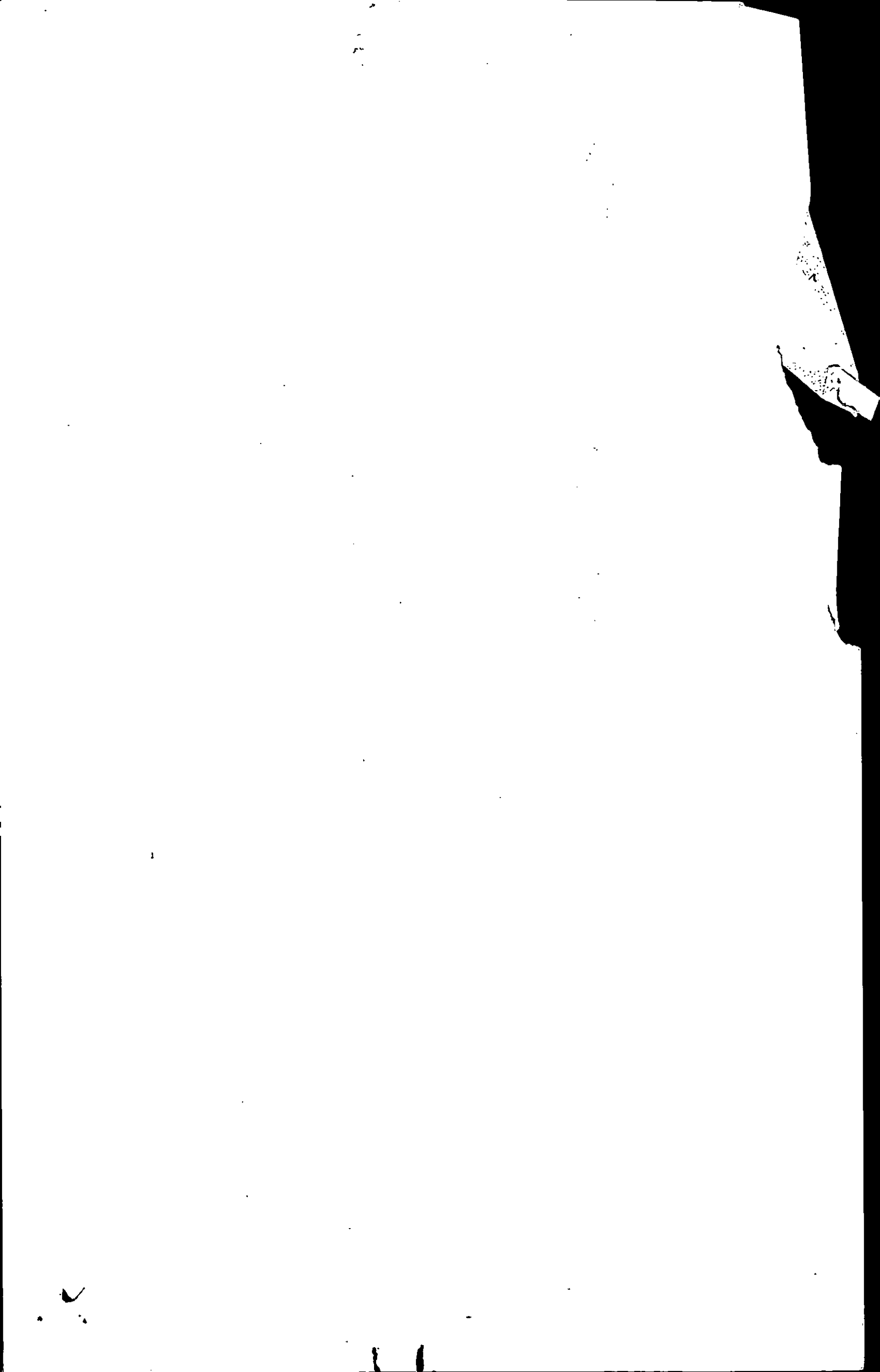
Attended
17
[Signature]

Can not be entertained
Rejected and
Filed
20/5/2016
[Signature]

~~District Kanungo~~
~~D.I. Khan~~

Attended
[Signature]
Examiner

306



VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2016

Qazi Magbool Ahmad

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Senior Member Board of
Revenue

(RESPONDENT)
(DEFENDANT)

I/We Qazi Magbool Ahmad

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2016

تاج محمد احمد

CLIENT

N.M.K.

ACCEPTED

**NOOR MOHAMMAD KHATTAK
(ADVOCATE)**

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No 0345-0383141

Rur 66645

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No. 651/2016.

Qazi Maqbool Ahmad S/o Qazi Nisar Ahmad, Ex: Patwari.

(Appellant)

VERSUS

Senior Member, Board of Revenue, Khyber Pakhtunkhwa and Others.

(Respondents)

Parawise comments on behalf of Respondents No. 1,2 & 3.

PRELIMINARY OBJECTIONS.

1. That the Appellant has got no cause of action and locus standi.
2. That the Appellant has not come to this court with clean hand.
3. That the petition is not maintainable and in-competent.
4. That appellant is estopped due to his own conduct.
5. That the appellant has concealed material facts from the Hon'ble Court.

Respectfully Sheweth.

ON FACTS.

1. Pertains to record.
2. In order to fill the vacant posts of Kanungos, the Knungoi Passed Patwaris were temporarily promoted as Kanungos, in own pay & scale as stop-gape arrangements. As the Appellant had not passed the Kanungoi examination at that time, therefore, he was not considered for his promotion as Kanungo. The Appellant passed Kanungoi Examination on 10.11.2008 vide Notification (Annexure-E). Later-on, the Appellant was also promoted as Kanungo in own pay & Scale, purely on temporary basis as Stop gape arrangements on 17.10.2009 vide order at Annexure-C.
3. Correct. The learned Senior Member, Board of Revenue, Khyber Pakhtunkhwa, accepted the service Appeal of the Appellant with the directions to hold the meeting of Departmental Selection & Promotion Committee to consider the case of Appellant. But due to litigations and

objection over the seniority lists, the meeting of the Departmental Selection & Promotion Committee could not be held. After resolving the issues, the meeting of Departmental Selection & Promotion Committee was held on 06.01.2016 but the Appellant was not in service at that time hence he was not considered for promotion.

4. Correct to extent that he had passed the Kanungoi examination on 10.01.2008 but no meeting of Departmental Selection & Promotion Committee was held, thereafter, upto 05.01.2016.
5. As stated above that due to litigation and objection over the seniority lists, the meeting of the Departmental Selection & Promotion Committee could not be held. After resolving the issues, the meeting of Departmental Selection & Promotion Committee was held on 06.01.2016 but the Appellant was not in service at that time hence he was not considered for promotion.
6. Departmental Selection & Promotion Committee held on 06.01.2016, the Appellant was retired from service and was not in service.
7. The Appellant has got no cause of action and locus standi and has not come to this court with clean hand. The petition is not maintainable and in-competent. Moreover, the appellant has concealed material facts from the Hon'ble Court. Therefore, the instant Appeal may please be please dismissed.

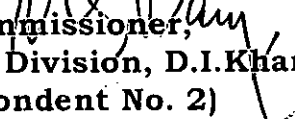
ON GROUND.

- A. Incorrect.
- B. Incorrect. The facts have been explained above.
- C. Incorrect.
- D. Incorrect
- E. The facts for non-holding the meeting of the meeting of the Departmental Selection & Promotion Committee has been explained above in Para 3.
- F. Incorrect.
- G. Incorrect.

H. The Appellant has got no cause of action and locus standi and has not come to this court with clean hand. The present Appeal is not maintainable.

The Appellant has got no cause of action and locus standi and he has not come to this court with clean hand. Moreover, the petition is not maintainable and in-competent. The appellant is estopped due to his own conduct and the appellant has concealed material facts from the Hon'ble Court. Therefore, it is prayed that the instant Appeal may kindly be dismissed.


**Deputy Commissioner,
Dera Ismail Khan
(Respondent No. 3)**


**Commissioner,
D.I.Khan Division, D.I.Khan
(Respondent No. 2)**

**Commissioner
DIKhan Division, DIKhan**


**Senior Member,
Board of Revenue, Khyber Pakhtunkhwa,
(Respondent No. 1)**

6/21 2008

9, 2008

Attention - m. R. Li. 2

RESULT OF KANUNGOI EXAMINATION IN RESPECT OF D. LKHAN DISTRICT 2008

S/No	Roll/No	Name of Patwari	Paper I	Paper II	Paper III	Paper IV	Paper V
1	138	Ulfat Raza					
2	141	M. Aslam	Pass	Pass	Pass	Pass	Pass
3	143	Hameedullah s/o Wali Khan	Pass	Pass	Pass	Pass	Pass
4	144	M. Husain		Pass	Pass		
5	145	Tauqir Afzal	Pass	Pass	Pass		
6	149	Ghulam Qasim	Pass	Pass	Pass	Pass	Pass
7	151	Abdul Hanan	Pass	Pass	Fail	Pass	Pass
8	155	Ghulam Sibtain	Pass	Pass	Pass		
9	159	Ahmad Bakhsh				Pass	
10	160	Qazi Maqbool	Pass	Pass	Pass	Pass	Pass
11	163	Dur Muhammad	Pass	Pass	Pass	Pass	Pass
12	512	Muhammad Shahid	Pass	Pass	Pass	Pass	Pass
13	513	Shaikh Fazal Rehman	Pass	Pass	Pass	Pass	Pass
14	514	Bakharud Din	Pass	Pass	Pass	Pass	Pass
15	515	Muhammad Akram	Pass	Pass	Pass	Pass	Pass
16	529	Abdul Shakoor	Fail	Pass	Pass	Pass	Pass
17	530	Muhammad Qaizar	Pass	Pass	Pass	Pass	Fail
18	537	Nazir Ahmad	Pass	Pass	Pass	Pass	Pass
19	538	Kifayatullah	Pass	Pass	Pass	Pass	Pass
20	539	Khizar Hayat	Pass	Pass	Pass	Pass	Pass
21	547	Akbar Zaman	Pass	Pass	Pass	Pass	Pass
22	548	Shakar Din	Pass	Pass	Pass	Pass	Pass
23	555	Ehsanullah	Pass	Pass	Pass	Pass	Pass
24	556	Majeed Afzal	Pass	Pass	Pass	Pass	Pass
25	561	Atta-ur-Rehman	Pass	Pass	Pass	Pass	Pass
26	562	Raees Ahmad	Pass	Pass	Pass	Pass	Pass
27	564	Naseer Ahmad	Pass	Pass	Pass	Pass	Pass
28	565	Amanullah	Pass	Pass	Pass	Pass	Pass
29	575	Abdul Qadeem	Pass	Pass	Pass	Pass	Pass
30	576	Muhammad Ishaq	Pass	Pass	Pass	Pass	Pass
31	580	Mughammad Aslam	Pass	Pass	Pass	Pass	Fail

	607	Syed Agha Shah	Pass						
33	610	Allah Nawaz			Pass				
34	611	Abdur Rehman			Pass				
35	613	Muhammad Nawaz						Pass	
36	614	Syed Ghulam Abbas						Pass	

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9/10

"P"



OFFICE OF THE
DEPUTY COMMISSIONER
DERA ISMAIL KHAN

Phone #: 0966-9280116 / Fax #: 0966-9280110

AUTHORITY LETTER.

Mr. Shafqat Awan, Superintendent, Deputy Commissioner Office, D.I.Khan is hereby authorized to submit Para-wise comments of the Service appeal No. 651 of 2016, Qazi Maqbool versus Senior Member, Board of Revenue, Khyber Pakhtunkhwa etc: before the Khyber Pakhtunkhwa Services Tribunal, on behalf of the undersigned:-


DEPUTY COMMISSIONER,
DERA ISMAIL KHAN

No. 240 /DC (SK) Dated D.I.Khan the 16/04/2018

Copy to the:-

3. Learned Chairman, Khyber Pakhtunkhwa Services Tribunal camp at D.I.Khan.
4. Superintendent, Deputy Commissioner Office, D.I.Khan.


DEPUTY COMMISSIONER,
DERA ISMAIL KHAN

**BEFORE THE HON'BEL KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL**

In Service Appeal No. 651 of 2016

Qazi Maqbool Ahmad

(Petitioner).

Versus:-

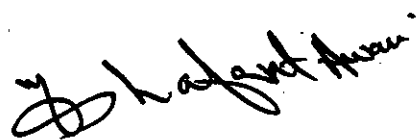
Government of Khyber Pakhtunkhwa Revenue & Estates Department and
others

(Respondents)

AFFIDAVIT.

I, Muhammad Shafqat Awan, Superintendent Deputy
Commissioner Office, D.I.Khan (BS-17) do hereby solemnly affirm on oath
that the contents of above Para-wise comments are true and correct to the
best of my knowledge and belief.

Deponent



**(MUHAMMAD SHAFQAT AWAN)
CNIC No. 12101-0967860-5**