

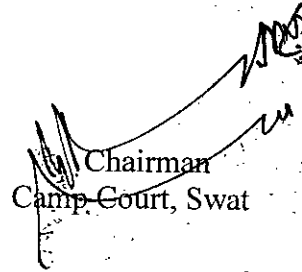
31.01.2018

Counsel for the appellant present and Addl: AG alongwith Farhad Ullah, Computer Operator for official respondent and private respondent No. 5 in person present.

Counsel for the appellant after the arguing the case at some length has requested this Tribunal that since respondent no. 5 has attained superannuation on 14.11.2017 and the appellant has been appointed as regular TRA from 15.02.2016 and at the present the grievances of the appellant has been redressed. That he would withdraw this appeal by reserving his right to sue afresh in case his right violated in future.

In view of the above the present appeal is dismissed as withdrawn. File be consigned to the record room.


  
Member

  
Chairman  
Camp Court, Swat

**ANNOUNCED**  
**31.01.2018**

06.09.2017


Appellant in person and Mr. Muhammad Zubair, District Attorney alongwith Mr. Mukhtiar Ali, Asst: Secretary for the official respondents and private respondent no.5 in person present. Counsel for the appellant is not in attendance. Appellant seeks adjournment. Adjourned.. To come up for final hearing on 06.12.2017 before the D.B at camp court, Swat.


  
Member

  
Chairman  
Camp court, Swat.

06.12.2017

Appellant in person and Mian Amir Qadar, District Attorney alongwith Farhadullah, Computer Operator for the official respondents and private respondent No. 4 in person present. Counsel for the appellant has not turned up from Peshawar. Seeks adjournment. To come up for arguments on 31.01.2018 before the D.B at camp court, Swat.

  
Member

  
Chairman  
Camp court, Swat

31.01.2018

Counsel for the appellant present and Addl: AG alongwith Farhad Ullah, Computer Operator for official respondent and private respondent No. 5 in person present.

*misprinting*

Counsel for the appellant after the arguing the case at some length has requested this Tribunal that since respondent no. 5 has attained superannuation on 14.11.2017 and the appellant has been appointed as regular TRA from 15.02.2016 and at the present the grievances of the appellant has been redressed. That he would withdraw this appeal by reserving his right to sue afresh in case his right violated in future.

In view of the above the present appeal is dismissed as withdrawn. File be consigned to the record room.


MEMBERSHIP OF THE BOARD OF DISCIPLINARY OFFICERS

Member in Charge of the Board of Discipline  
Camp Court, Swat

ANNOUNCED  
31.01.2018

10.11.2016


Appellant in person and Mr. Jehangir Khan, Computer Operator for official respondents No. 1 to 4 Mian Amir Qadar, GP present who already filed written reply. Private respondent No. 5 in person present and written reply filed. Cost of Rs 1000/- paid and receipt whereof obtained from the appellant. The appeal assigned to D.B for rejoinder and final hearing for 08.02.2017 at camp court, Swat.

  
Chairman  
Camp court, Swat

08.02.2017


Appellant in person and Mr. Muhammad Ibrar, Assistant Secretary alongwith Mr. Muhammad Zubair, Senior Government Pleader for the respondents present. Appellant requested for adjournment as his counsel has not turned up from Peshawar. To come up for <sup>rejoinder &</sup> final hearing on 02.05.2017 before D.B at camp court, Swat.

  
Member

  
Chairman  
Camp court, Swat

02.05.2017

Appellant in person present. Mr. Sultan Zeb Naib Tehsildar alongwith Mr. Muhammad Zubair, District Attorney for official respondents No. 1 to 4 and private respondent No. 5 in person also present. Due to non-availability of learned counsel for the appellant as well as incomplete bench arguments could not be heard. To come up for rejoinder and arguments on 06.09.2017 before D.B at Camp Court Swat.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER  
Camp Court Swat.

153/16

13.7.2016

Appellant in person and Mr. Mukhtiar Ahmad, Supdt. alongwith Mian Amir Qadar, GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 08.09.2016 before S.B at camp court, Swat.

  
Chairman  
Camp Court, Swat

08.09.2016

Appellant in person and Mr. Farhadullah, Computer Operator alongwith Mian Amir Qadar, GP for the official respondents and private respondent No. 5 in person present. Written reply by official respondents submitted while private respondent No. 5 requested for further adjournment despite last opportunity. Last opportunity is further extended subject to payment of cost of Rs. 1000/- which shall be borne by private respondent No. 5 from his own pocket. To come up for written reply/comments of respondent No. 5 and cost on 10.11.2016 at camp court, Swat.

  
Chairman  
Camp Court, Swat.

01.03.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Tehsil Revenue Accountant and was eligible to be considered for promotion as District Revenue Accountant (BPS-14) but vide impugned order dated 3.11.2015 private respondent No. 5 was considered and promoted against the said position where-against appellant preferred departmental appeal on 2.12.2015 which was rejected on 26.1.2016 and hence the instant service appeal on 18.2.2016.

That the appellant was senior-cum-fit and was fulfilling the prescribed criteria while private respondent No.5 was neither senior nor fulfilling the prescribed criteria and was illegally promoted in preference to appellant.

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 7.4.2016 before S.B at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division.

Appellant Deposited  
Security & Process Fee

Chairman

07.04.2016

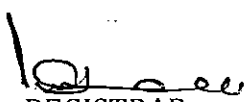


Appellant in person, Mr. Samiur Rahman, Asstt. alongwith Muhammad Zubair, Sr.GP for the official respondents present. Requested for adjournment. To come up for written reply/comments on 13.07.2016 before S.B at Camp Court, Swat.

Chairman  
Camp court, Swat.

Form- A  
FORM OF ORDER SHEET

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

Case No. 153/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18.02.2016	<p>The appeal of Mr. Muhammad Irfan presented today by Mr. Khushdil Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>24-02-2016</u></p> <p> CHAIRMAN</p>
2	24.02.2016	<p>Appellant in person present. Requested for adjournment. Adjourned for preliminary hearing to 1.3.2016 before S.B.</p> <p> Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 153 /2016

Muhammad Irfan,  
Tehsil Revenue Accountant, Daggar..... Appellant

Versus

The Chief Secretary and others.....Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal			1-7
2.	Copy of the impugned transfer order	13-08-2015	A	0-8
3.	Copy of order sheet of this Hon'ble Tribunal	26-10-2015	B	0-9
4.	Copy of the Notification with Appendix in respect of (Tehsildar, Naib Tehsildar /Subordinate Revenue Service Rules, 2008)	23-01-2015	C	10-13
5.	Copy of letter regarding the seniority of respondent No. 5	24-08-2015	D	0-14
6.	Copy of application to respondent No .2	28-10-2015	E	15-16
7.	Copy of impugned order thereby respondent No. 5 was unlawfully promoted to the post of DRA (BPS-14)	03-11-2015	F	0-17
8.	Copy of departmental appeal to respondent No .1 with registered receipt	02-12-2015	G	18-19
9.	Copy of letter thereby departmental appeal was rejected and sent to appellant under the signature of	26-01-2016	H	0-20



S.No.	Description of Documents	Date	Annexure	Pages
	secretary -I of the office of respondent No. 2			
10.	Copy of office order thereby respondent No. 5 was posted Assistant District Kanungo in his own pay and scale	06-03-2015	I	0-21
11.	Copy of payroll of October, 2015		J	0-22

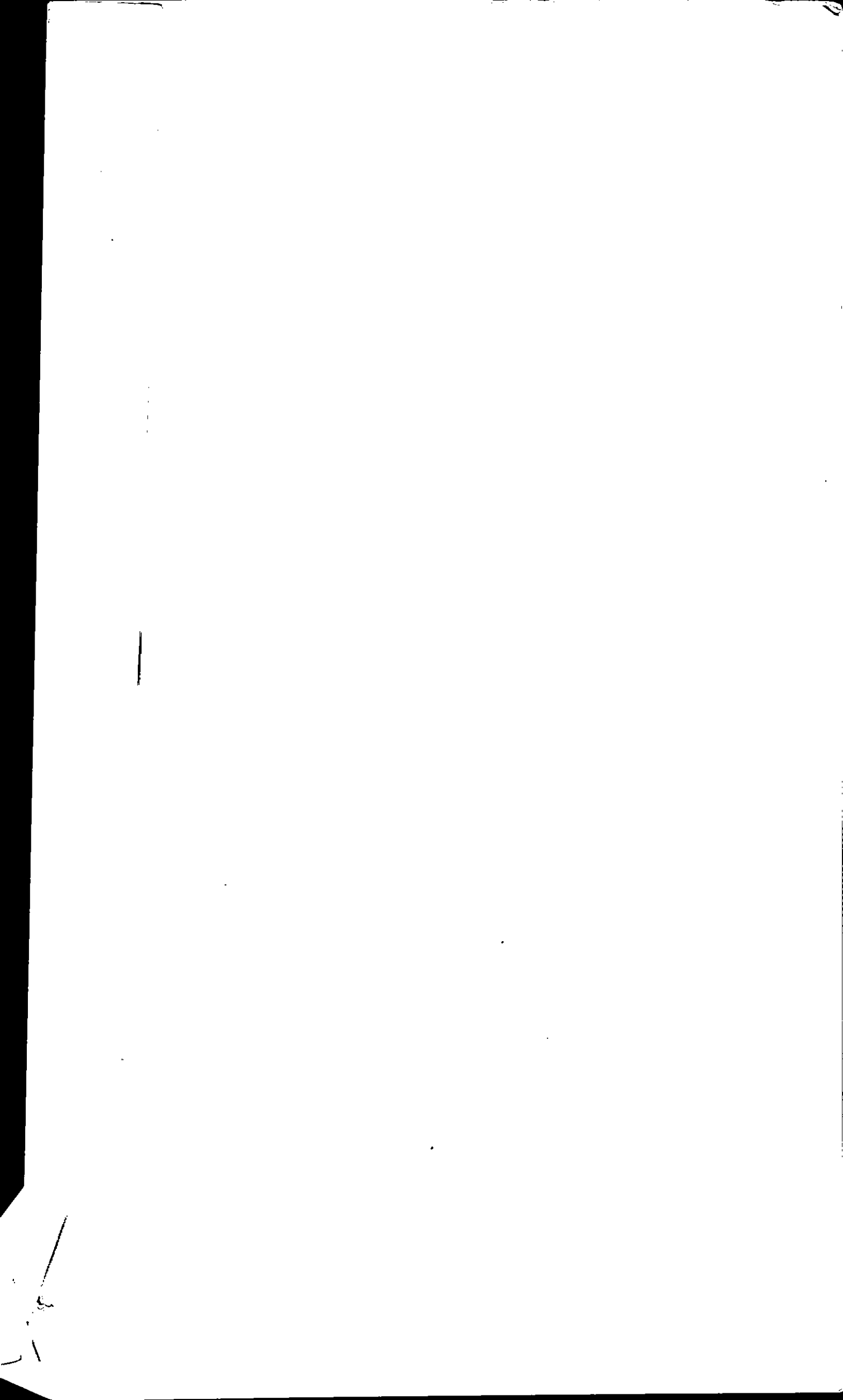
*[Signature]*  
Appellant

Through

*[Signature]*  
Khush Dil Khan  
Advocate,

Supreme Court of Pakistan  
9-B, Haroon Mansion,  
Khyber Bazar, Peshawar.  
Cell # 091-2213445

Dated: 17 /02/2016



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

Service Appeal No. 153 /2016

Muhammad Irfan,  
Tehsil Revenue Accountant,  
Daggar, under Transfer to the Post  
Patwari Halqa, Ghordara, District Buner.....Appellant

K.W.P. Province  
Service Tribunal  
Diary No. 119  
Dated 18-2-2016

Versus

1. The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar
2. Senior Member,  
Board of Revenue,  
Revenue & Estate Department,  
Khyber Pakhtunkhwa, Peshawar.
3. The Departmental Promotion Committee,  
through its Chairman/Respondent No. 2
4. Deputy Commissioner,  
District Buner
5. Kifayat Ullah,  
District Revenue Accountant BPS-14  
District Buner.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST  
THE IMPUGNED ORDER DATED 03-11-2015 THEREBY  
RESPONDENT NO. 5 WAS PROMOTED TO THE POST OF  
DISTRICT REVENUE ACCOUNTANT (BPS-14) IN  
VIOLATION OF RULES ON SUBJECT AGAINST WHICH  
APPELLANT FILED DEPARMENTAL APPEAL UNDER  
REGISTERED POST ON 02-12-2015 WHICH WAS REJECTED**

**Filed to the**  
**Registrar**  
**18/2/16**

BY APPELLATE AUTHORITY WHICH WAS COMMUNICATED TO APPELLANT ON 26-01-2016 UNDER THE SIGNATURE OF SECRETARY-1 OF THE OFFICE RESPONDENT NO. 2.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant initially appointed as Tehsil Revenue Accountant on 28-09-2009 and posted at Nagraya District Buner then he was transferred and posted TRA Daggar. Meanwhile an office order was issued 13-08-2015(**Annexed-A**) thereby respondent No. 5 was transferred and posted against the post of appellant as TRA while appellant was transferred and posted as Patwari against the vacant post of Patwar Halqa Gwardara in violation of rules on subject.
2. That respondent No. 5 was initially appointed as Patwari but he was mala fide transferred to the post of appellant as TRA therefore the appellant has challenged such impugned order in this Hon'ble Tribunal through Service Appeal No. 1168/2015 which is still sub judice and 8<sup>th</sup> march 2016 fixed for arguments. It is pertinent to mention that in this case (transfer case) notice of stay application was issued to respondent with further order that status-quo be maintained vide order sheet dated 26-10-2015.(**Annexed-B**)
3. That the terms and conditions of the service of appellant and respondent No. 5 are governed by the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and under sub rule (2) of the rule 3 of these rules, the method of recruitment, qualification and

other conditions have been notified and applied to the posts born on the cadre strength of Revenue and Estate Department through a notification dated 23-01-2015 which named as (Tehsildar, Naib Tehsildar/Subordinate Revenue Service Rules, 2008). The relevant part of these rules is reproduced as under;

1	2	3	4	5	6	7
S. No	Nomenclature of the post	Appointing authority	Minimum qualifications for appointment by initial recruitments or by transfer	Minimum qualifications for appointment by promotion	Age limit	Method of recruitment
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 Patwari and Naib Officer 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 of seniority-cum-fitness from amongst the Naib Tehsil Accountants having three(03) years service as such
8	Patwari (BPS-9)	District Collector	Intermediate for equivalent qualification, who have passed the Patwar examination		18 to 35	By initial appointment from amongst the Patwar passed candidates entered in the Tehsil Patwar candidate register by District Collector of the district concerned
9	Naib Tehsil Accountant/Nab Tehsil office Kanungo	District Collector				By transfer from amongst the patwari

Copy of notification dated 23-01-2015 (Annexed-C)

4. That when appellant came to know that the respondent No.3 (DPC) has consider the case of respondent No. 5 for promotion to the post of District Revenue Accountant (BPS-14) on basis of illegal seniority list issued on 24-08-2015(**Annexed-D**) so he filed an application before respondent No. 2 on 28-10-2015 (**Annexed-E**) wherein he brought in the notice of authority that status-quo was maintained in the transfer order and the consideration of respondent No. 5 for promotion to the District Revenue Accountant (BPS-14) is illegal and amounting to disobey the order of this Hon'ble Tribunal but it ignored the order of this Hon'ble Tribunal and acted mala fide and issued the impugned order dated 03-11-2015 (**Annexed-F**) thereby respondent No. 5 was promoted to the post of District Revenue Accountant (BPS-14) on regular basis.
  
5. That appellant being aggrieved of the impugned order of promotion of respondent No. 5 filed a departmental appeal under the registered post on 02-12-2015 (**Annexed-G**) before the respondent No. 1 but the same was rejected vide letter dated 26-01-2016 (**Annexed-H**) sent to appellant under the signature of Secretary I of the office of respondent No. 2.

Hence the present appeal is submitted on the following amongst other grounds:-

**Grounds:**

- A. That respondents No. 2 & 3 have acted mala fide and in a partial, unjust and oppressive manner and unlawfully promoted respondent No. 5 in violation of rules which is

illegal, of no legal effect and inoperative on the rights of appellant and liable to be set aside.

- B. That appellant was originally appointed as TRA and he was the only eligible candidate for promotion to the post of District Revenue Accountant (BPS-14) but purposely respondent No. 5 was transferred against the excadre post on the place of appellant for ulterior motives to further promote him to the post of District Revenue Accountant (BPS-14) which was done vide impugned order dated 03-11-2015 which is invalid and violative of the rules.
- C. That the promotion order of respondent No. 5 is totally incorrect and against the rules neither he has three years service as Tehsil Revenue Accountant nor otherwise eligible for impugned promotion but such impugned promotion is only based on nepotism and favoritism which is not sustainable under the rules.
- D. That the seniority list as prepared and issued by respondent No. 4 is also incorrect and against the record and unlawfully considered it by respondent No. 3. In the impugned seniority letter the respondent No. 5 shown as adjusted against the post of TRA with effect from 05-10-2009 which is incorrect and against the record there is no such adjustment order was ever issued in favour of respondent No. 5 and it is based on misstatement.
- E. That respondent No. 5 was originally appointed as Patwari and during this period he was transferred as Patwari from one Halqa to other as evident from office order 06-03-2015 (**Annexed-I**) and **payroll for the month of October, 2015 (Annexed-J)** therefore the promotion of respondent No. 5 is unjustified and liable to be set aside.



F. That appellant was fully eligible and qualified for the promotion to the post of District Revenue Accountant (BPS-14) for the reasons that he was originally appointed as TRA and having more than three years service at his credit as TRA but mala fidly he was ignored and an ineligible and unqualified Patwari (respondent No. 5) was promoted unlawfully which is not sustainable and liable to be set aside.

It is, therefore, humbly prayed that on acceptance of this service appeal, the impugned orders dated 03-11-2015 thereby respondent No. 5 was unlawfully promoted to the post of District Revenue Accountant (BPS-14) and the order 26-01-2016 thereby departmental appeal was rejected by respondent No. 1 may kindly be set aside. Further prayed that respondents 2 and 3 may graciously be directed to consider the case of appellant for promotion to the post of District Revenue Accountant (BPS-14) on the basis of merit.

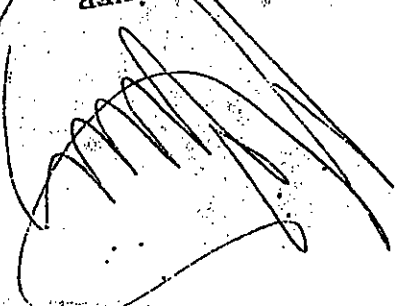
Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant

Khush Dil Khan,  
Advocate,  
Supreme Court of Pakistan

DEPUTY COMMISSIONER  
BUNER



- Copy forwarded to:-
1. The Additional Deputy Commissioner, Buner.
  2. The Assistant Commissioner, Daggar for information.
  3. The Assistant Commissioner, Mandaur for information.
  4. The Tehsildar, Daggar.
  5. The Tehsildar, Mandaur.
  6. Official Concerned.

No. 13454-60 / 1/6 / DK

DEPUTY COMMISSIONER  
BUNER

S.No.	Name	From	To
1.	Mr. Hamid-ul-Haq	Patwari Halqa Malka	ADK Buner
2.	Mr. Kifayat Ullah	ADK Buner	TRA Daggar
3.	Mr. Muhammad Irfan	TRA Daggar	Halqa Chwardara (against vacant post)
4.	Mr. Said Amjad Hussain Shah	Halqa Sher Ali	Halqa Kulyari
5.	Mr. Nasreen Gul	Halqa Kulyari	Halqa Ambella

The following postings / transfers amongst the officials of this office are hereby ordered in the best interests of public service with immediate effect.

**OFFICE ORDER**

Dated: 13/08/2015.

No. 13453 / 1/6 / DK

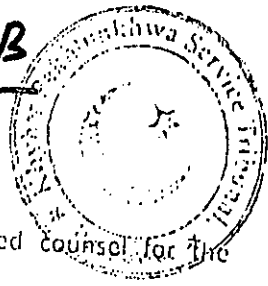
DEPUTY COMMISSIONER  
BUNER

Amex-A  
P-8

16

Annex-B

P 9



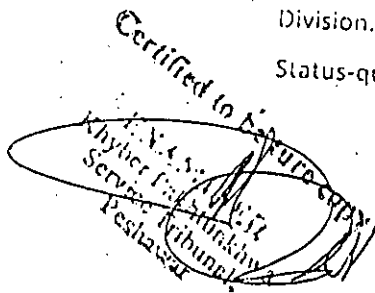
26.10.2015

Counsel for the appellant present. Learned Counsel for the appellant argued that the appellant was serving as Tehsil Revenue Accountant at Daggar when transferred as Patwari Halqa Ghwardara vide impugned order dated 13.8.2015 against which he preferred departmental appeal on 27.8.2015 which was rejected on 5.10.2015 and hence the instant service appeal on 19.10.2015.

That the impugned order is premature as the appellant was posted against the said post on 1.12.2014 and, furthermore, the appellant is a TRA and as such cannot be posted as Patwari Halqa.

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 7.12.2015 at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division. Notice of stay application be also issued for the date fixed. Status-quo be maintained. ///

Appellant Deposited Security & Process Fee



Sd/-  
Chairman

800	27-10-2015
6	
2	
8	
27	27-10-2015
27	27-10-2015

On

OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER.

Annex-D  
P-14

No. 367/DC/Buner/Estt.  
Aug 24, 2015.

To The Assistant Secretary (Estt-I),  
Board of Revenue,  
Revenue & Estate Department,  
Peshawar.

Subject: Seniority List of Senior Tehsil Revenue Accountants as it Stood on 31-12-2014.

Memo:

Reference the subject and to send herewith the Seniority List of Tehsil Accountants as below:

S. No.	Name	Date of Birth	Date of Appointment	Date of Adjustment as TRA
1	Mr. Kifayatullah	01-12-1957	04-04-1981	05-10-2009

To mention, Mr. Kifayatullah is the only regular TRA posted against one of the four TRAs i.e. TRA Dagar. The rest 03 are lying vacant.

DEPUTY COMMISSIONER,  
BUNER.

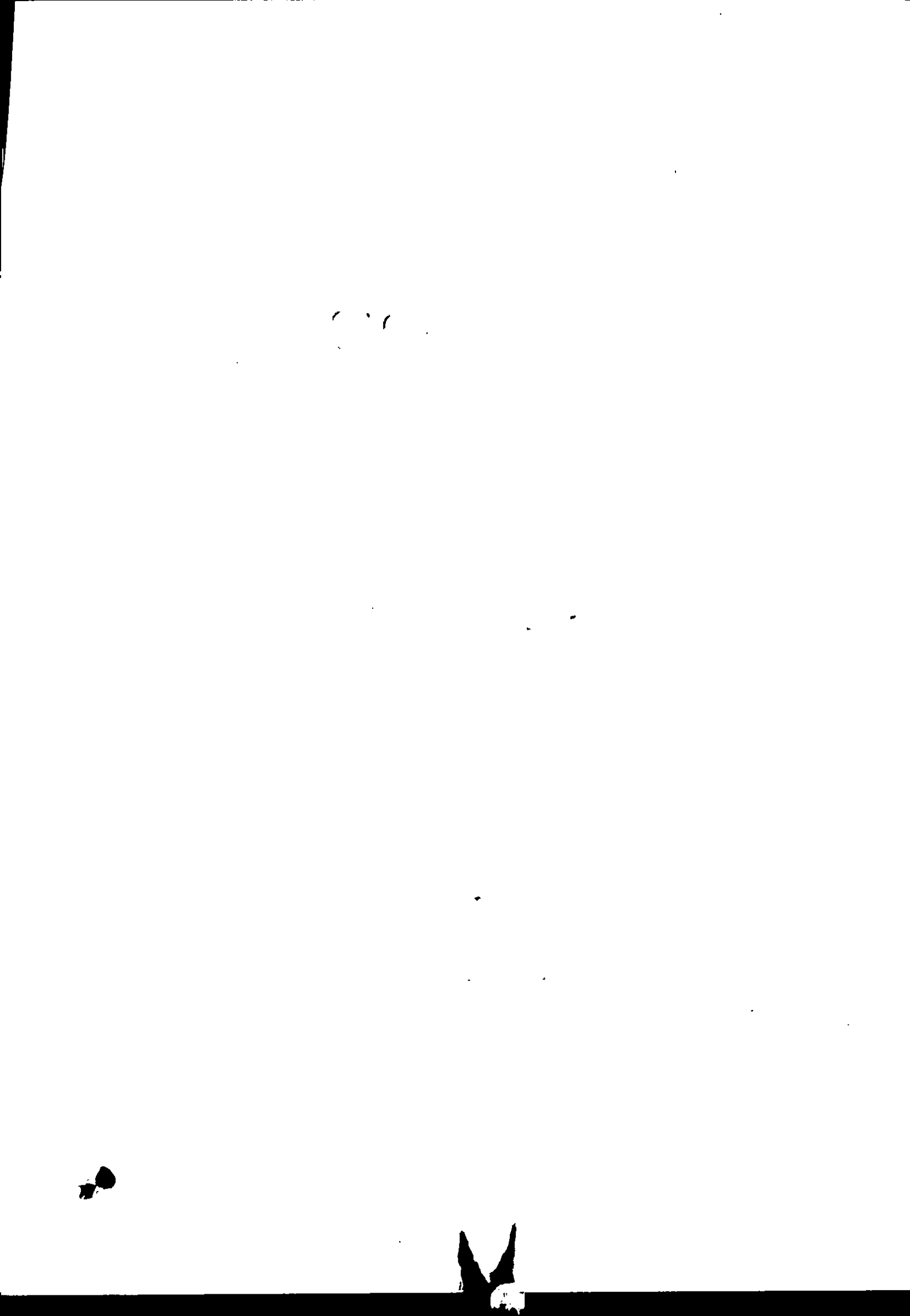
Encl. No. & date even.

For information to:

Commissioner, Malakand Division.

DEPUTY COMMISSIONER,  
BUNER.

ATTESTED



Annex - E

P-15

To:

The Senior Member Board of Revenue,  
Revenue and Estate Department,  
Khyber Pakhtunkhwa, Peshawar

Subject:

APPLICATION / APPEAL AGAINST THE DECISION OF  
DEPARTMENTAL PROMOTION COMMITTEE DATED 22-10-2015  
THEREBY ONE KIFAYAT ULLAH PATWARI HOLDING THE POST OF  
ASSISTANT DISTRICT KANUNGO IN OWN PAY SCALE WAS  
RECOMMENDED FOR PROMOTION TO THE POST OF DISTRICT  
REVENUE ACCOUNTANT PBS-14 DISTRICT BUNER

Respected Sir,

I have the honor to submit this application/appeal for your kind consideration on the following facts and grounds:-

1. That I appellant was appointed as Patawari but then I was posted against the post of TRA Daggar, District Buner vide order dated 01-12-2014 and Mr Kifayat Ullah was transferred to Halqa Ambella as Patawari. The Deputy Commissioner Buner issued an order dated 13-08-2015 thereby I transferred from the said post to Halqa Gwardara while the said named official (Kifayat Ullah) was again transferred against the post of TRA Daggar for the purpose of promotion to the post of DRA.
2. That my transfer order was made malafidly by the Deputy Commissioner Buner based on favoritism and nepotism. Since my transfer order was illegal, pre-mature and against the policy therefore I challenged the same before the Khyber Pakhtunkhwa Service Tribunal Peshawar through Service Appeal No.1168/2015. The preliminary hearing was held on 26-10-2015, the same was admitted for regular hearing and meanwhile status-quo was also granted. Copy of the order sheet dated 26-10-2015 is attached as Annexure 'A'
3. That I, appellant came to know that Departmental Promotion Committee has recommended the above named official (Mr Kifayat Ullah) for the promotion to the post of District Revenue Accountant BPS-14 which is illegal, unfair and without lawful authority and not sustainable on the following Grounds:-
  - A. That the above named official Kifayat Ullah is originally appointed as Patawari and according to the rule on subject Patawari has to be promoted to the post of Girdawar BPS-11 but Deputy Commissioner Buner has malafidly posted him against the post of TRA for the purpose of said promotion to the post of DRA BPS-14 and he extended undue favour to him while deprived me to my legitimate right of promotion to the post of DRA.

ATTESTED

lawful authority, malafidly and against the law and public interest.

B. That the impugned transfer order which was passed in favour of the above named Kifayat Ullah was stayed thus in view of the order of Service Tribunal now the post was occupied by me and thus in such circumstances the recommendations of Departmental Promotion Committee has become in fructuous and having no legal sanctity.

It is therefore humbly prayed that on acceptance of this application/appeal the recommendation of Departmental Promotion Committee may kindly be set aside and the Committee may graciously be directed to consider my case for the requisite promotion to the post of DRA BPS-14

Your's sincerely

Muhammad Irfan, TRA Daggar,  
District Buner

9/c

Dy No 6079

PS/SMBR

28/10/15

Jy EBR

ATTESSED

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 03/11/2015

Annex-F

P 17

ORDER

No.Estt:V/DPC/\_\_\_\_\_. On the recommendation of Departmental Promotion Committee, the Competent Authority is pleased to order the promotion of Mr. Kifayatullah Tehsil Accountant (BS - 07) to the post of District Revenue Accountant (BPS-14) on regular basis with immediate effect.

On promotion, the above official will be on probation for a period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973, read with Rule 15 of Khyber Pakhtunkhwa, Civil Servant (Appointment, Promotion and Transfer) Rules - 1989.

Consequent upon his promotion, he is posted as District Revenue Accountant Buner against the vacant post.

By order of  
Senior Member

No.Estt:V/DPC/

25068-64

Copy forwarded to:-

1. The Commissioner Malakand Division at Saidu Sharif.
2. Deputy Commissioner, Buner.
3. District Accounts Officer, Buner.
4. Official concerned.
5. Personal Files.

M  
Secretary-I

ATTESTED



Annex G

P-18

To

The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa  
Civil Secretariat, Peshawar.

**Subject: Departmental appeal against the order dated 03.11.2015 thereby Mr. Kifayatullah, Patwari promoted to the post of District Revenue Accountant (BPS-14) by the order of Senior Member Board of Revenue in violation of rules on subject.**

Respected Sir,

I the appellant submit this departmental appeal for your kind consideration on the following facts and grounds:-

Facts:

1. That I/appellant was holding the post of Tehsil Revenue Accountant (TRA), Tehsil Daggar when an office order was issued on 13.08.2015 by the Deputy Commissioner, District Buner thereby I was transferred from the post of TRA Daggar while Mr. Kifayatullah Patwari was posted against that very post with the malafide intention to promote him to the post of District Revenue Accountant (BPS-14).
2. That I/appellant have/has challenged the above referred impugned transfer order in the Hon'ble Service Tribunal, Khyber Pakhtunkhwa through Service Appeal No.1168/2015 and status-quo was granted vide order dated 26.10.2015 (*Annex:-A*). The copy of the status-quo order was communicated to the Senior Member Board of Revenue with an application for suspending/cancellation of the recommendation of promotion of the above named official by the Departmental Promotion Committee but it was ignored deliberately and promoted him as District Revenue Accountant (BPS-14) in very clandestine manner by an order dated 03.11.2015 (*Annex:-B*).

Grounds:

- A. That the impugned promotion of the above named official is against the law and rules, liable to be set aside.
- B. That according to the rules on subject, the Tehsil Revenue Accountant promoted to the post of District Revenue Accountant (BPS-14). Since the said official was inducted as Patwari, therefore, he managed his transfer to the post of TRA, Daggar through political interference in order to promote himself to the post of District Revenue Accountant as there was no other candidate except the me/appellant. Thus the impugned promotion of the above named official is illegal, without lawful authority, malafide and against the law and rules on subject and

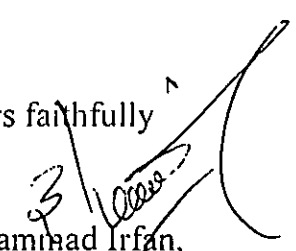
ATTESTED

not sustainable.

- C. That the above named official is most junior to me/appellant and was not eligible and qualified for the said promotion but the impugned order was passed due to political pressure and interference which is not tenable.

It is, therefore, humbly requested that on acceptance of this departmental appeal, the impugned promotion order of Mr. Kifayatullah, Patwari dated 03.11.2015 may graciously be set aside and the Senior Member Board of Revenue may graciously be directed to consider me/appellant for such promotion in view of my seniority and fitness as per rules.

Yours faithfully



Muhammad Irfan,  
 Tehsil Revenue Accountant,  
 Daggar. Now under transfer  
 to the post of Patwari,  
 Halqa Ghordara, District Buner

Dated: 02/12/2015

3/12/2015

3 (12/2015)

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or in which no acknowledgment is due.

Office: Sectul Date-Stamp: Sectul

Write here "letter", "postage packet" or "parcel" with the word "insured", before it when necessary.

Rs. (in figures) 50 (in words) 50

Weight } Kilo  
 Grams

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words) \_\_\_\_\_

Name and address \_\_\_\_\_

Sender \_\_\_\_\_

**ATTACHED**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Annex-4

P-20

No. Estt:V/PF/M.Irfan/MKD/ 2893  
Peshawar dated the 26/01/2016

To

Mr. Muhammad Irfan  
Patwari of Tehsil Daggar District Buner

Through Deputy Commissioner Buner.

SUBJECT: DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 03.11.2015  
THEREBY MR. KIFAYATULLAH, PATWARI PROMOTED TO THE POST  
OF DISTRICT REVENUE ACCOUNTANT (BS-14) BY THE ORDER OF  
SENIOR MEMBER BOARD OF REVENUE IN VIOLATION OF RULES ON  
SUBJECT

Your departmental appeal dated 02.12.2015 has been examined and filed by  
the Appellate Authority.

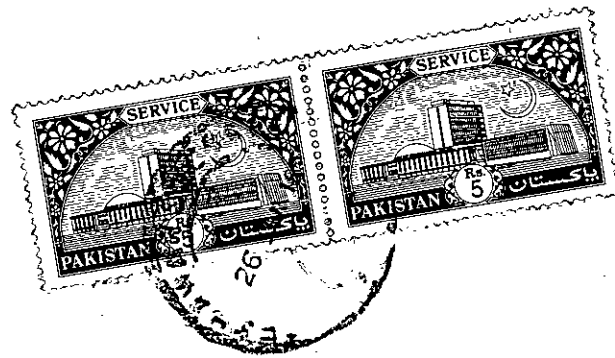
  
Secretary - I

ATTACHED

OF PAKISTAN STATE SERVICES

محمد عرفان بیٹو اسی  
تعمیر ڈسٹرکٹ ہونیر

DESPATCHER  
Board of Revenue,  
Khyber Pakhtan Khaw



Fair Copy. Better copy

Amr-i  
P-21

OFFICE OF THE  
DEPUTY COMMISSIONER  
BUNER

No. 3827-31/DC/Buner/Estt

March, 05, 2015

**Office order:**

Consequent upon the suspension of Mr. Inamullah ADK, Mr. Kifayatullah Patwari Halqa Ambela is posted Assistant District Kanungo in his own pay & scale in the best interest of public service. Assistant Commissioner Mandanr is directed to arrange for the alternative of Mr. Kifayatullah.

(Khaista Rahman)

DEPUTY COMMISSIONER  
BUNER

**Findst. No. & date even.**

1. Additional Deputy Commissioner, Buner
2. Assistant Commissioner, Mandanr.
3. Additional Assistant Commissioner, Mandanr.
4. Naib Tehsildar, Chamla.
5. Both the official.

(Khaista Rahman)

DEPUTY COMMISSIONER  
BUNER

ATTESTED

Amul

P-21  
R.1/4  
R9

OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER.

No. 3873 of 1913  
March 6, 1913.

Office Order.

Consequent upon the suspension of Mr. Inamullah ADE, Mr. Kifayatullah Papiani (Hajji) is posted Assistant District Kanungo in his own pay & scale in the absence of public service. Assistant Commissioner, Mandamr is directed to advise alternative of Mr. Kifayatullah.

Endst. No. & date even.

1. Additional Deputy Commissioner, Buner.
2. Assistant Commissioner, Mandamr.
3. Additional Assistant Commissioner, Mandamr.
4. Naib Tehsildar, Chamla.
5. With the officials.

(Khanis R. Buner)  
DEPUTY COMMISSIONER,  
BUNER.

(Khanis R. Buner)  
DEPUTY COMMISSIONER,  
BUNER.

ATTACHED

Annex - C  
P-10

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE / REVENUE AND ESTATE DEPARTMENT  
BOARD OF REVENUE / SUBORDINATE REVENUE SERVICE RULES, 2008

D.K. Bakhsh  
For information  
and records  
MPC  
Muzaffar  
4/1/2015

(TEHSILDAR, NAIB TEHSILDAR / SUBORDINATE REVENUE SERVICE RULES, 2008)  
NOTIFICATION  
Peshawar, dated 23-01-2015

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 read with the Cabinet Division Notification No. SRO-4571/2001 dated 28th June, 2001 and in supersession of all previous rules issued in this behalf, the Revenue and Estate Department, in consultation with the 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	2	3	4	5	6	7
S.No	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1	Tehsildar (BPS 16)	Administrative Secretary (S/ADIR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 35 years For initial recruitment	(a) Twenty percent by initial recruitment; and (b) Sixty percent by promotion, on the basis of joint seniority-sum-fitness from amongst Naib Tehsildars, District Revenue Accountants, District Kanungos and Sub-Registrar with at least five year service. (c) Twenty percent by promotion on the basis of joint seniority-sum-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.

Q

1	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	Deleted	21 - 30 years For initial recruitment	(a) Fifty percent by initial recruitment, through Khyber Pakhtunkhwa, 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)

a



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 Patwaris 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.

*On*

Sd/-  
 SECRETARY TO GOVERNMENT  
 REVENUE AND ESTATE DEPARTMENT



Annex-J  
P. 22

Sheet No. R-1/16 P-110

SN: 1 Bunair at Dagga  
P Sec: 001 Month: October 2015  
BD6164 - Deputy Commissioner, Buner  
DEPUTY COMMISSIONER BUNER  
Pers No: 00271618 Buckle: 0  
Name: KIFAYAT ULLAH  
NTN: 0  
GPF No: NULL  
Old No: 11557068906

CNIC No: 11557068906  
GPF Interest: Free  
09 - Active Permanent  
BD6164 - 00

PAYS AND ALLOWANCES:	
0001-Basic Pay	19,895.00
1000-House Rent Allowance	1,148.00
1210-Convey Allowance / 2005	1,932.00
1300-Medical Allowance	1,500.00
1555-Stationery Allowance	500.00
1617-Patwar Khana Allowance	3,100.00
1911-Cdpen Allow 20% (1-15)	1,000.00
1948-Adhoc Allowance 20102 50%	4,140.00
2148-15% Adhoc Relief All-2013	2,298.00
Gross Pay and Allowances	39,032.00
DEDUCTIONS:	
IT Payable 737.24 Deducted	580.00
GPF Balance 205,384.00	TAX: (3609) 106.00
6505-GPF Loan Principal Instal Bal: 30,000.00	Subrc: 772.00
3501-Benevolent Fund	5,000.00
3511-Addl Group Insurance	180.00
3604-Group Insurance	7.00
	67.00

Total Deductions 6,132.00  
32,900.00

D.O.B 01.06.1957 LFP Quota: HABIB BANK LIMITED DEWANA RABA 3979-6  
34 Years 06 Months 026 Days

SN: 2 Bunair at Dagga  
P Sec: 001 Month: October 2015  
BD6164 - Deputy Commissioner, Buner  
DEPUTY COMMISSIONER BUNER  
Pers No: 00271618 Buckle: 0  
Name: KIFAYAT ULLAH  
NTN: 0  
GPF No: NULL  
Old No: 11557068906

CNIC No: 11557068906  
GPF Interest: Free  
09 - Active Permanent  
BD6164 - 00

PAYS AND ALLOWANCES:	
2174-Adhoc Relief Allow-2014	1,532.00
2199-Adhoc Relief Allow 0102	1,989.00

Gross Pay and Allowances 39,032.00  
DEDUCTIONS:  
IT Payable 737.24 Deducted 580.00  
GPF Balance 205,384.00 Subrc:

Total Deductions 6,132.00  
32,900.00

D.O.B 01.06.1957 LFP Quota: HABIB BANK LIMITED DEWANA RABA 3979-6  
34 Years 06 Months 026 Days

ATTENDED

WAKALAT NAMA

IN THE COURT OF K. P. Service Tribunal Feroz

Muhammad Irfan

TRA Dageer Appellant(s)/Petitioner(s)

VERSUS

The Chief Secretary & others

Respondent(s)

I/We Muhammad Irfan do hereby appoint  
**Mr. Khush Dil Khan, Advocate Supreme Court of Pakistan** in the above  
mentioned case, to do all or any of the following acts, deeds and things.


1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

**AND hereby agree:-**

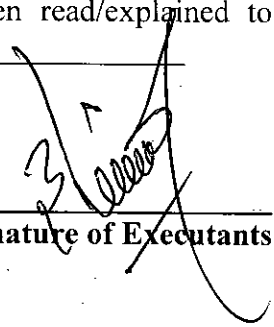
- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this \_\_\_\_\_

Attested & Accepted by

  
**Khush Dil Khan,**  
Advocate,

Supreme Court of Pakistan  
9-B, Haroon Mansion  
Off: Tel: 091-2213445

  
Signature of Executants

*DX Branch  
For information  
and record  
APC  
11/2/2015*

*E*

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE / REVENUE AND ESTATE DEPARTMENT.  
(TEHSILDAR, NAIB TEHSILDAR / SUBORDINATE REVENUE SERVICE RULES, 2008)

NOTIFICATION  
Peshawar, dated 23-01-2015

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa, 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	2	3	4	5	6	7
S.No	Nomenclature of the post	Appointing Authority	Minimum Qualification for appointment by initial recruitment or by transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS 16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by the Higher Education Commission	Deleted	21 - 30 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 Kanunges 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.

1	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	Deleted	21 - 30 years For initial recruitment	(a) Fifty percent by initial recruitment, through Khyber Pakhtunkhwa, 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)

	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.

Sd/-  
 SECRETARY TO GOVERNMENT  
 REVENUE AND ESTATE DEPARTMENT

Before the Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

SERVICE APPEAL NO. 153/2016.

Muhammad Irfan -----Petitioner

VS

1. Chief Secretary, Khyber Pakhtunkhwa,
2. Senior Member, Board of Revenue, Khyber Pakhtunkhwa,
3. DPC Through Chairman / Respondent No. 2
4. Deputy Commissioner, Buner,
5. Mr. Kifayatullah DRA BPS-14 -----Respondents.

Service Appeal Under Section-4 of the Khyber Pakhtunkhwa, Service Tribunals Act 1974 Against the Impugned Order Dated 03-11-2015 Thereby Respondent No. 5 Was Promoted to the Post of District Revenue Accountant (BPS-14) in Violation of Rules on Subject Against Which Appellant Filed Departmental Appeal Under Registered Post on 02-12-2015 Which Was Rejected by Appellate Authority Which Was Communicated to Appellant on 16-01-2016 Under the Signature of Secretary-I of the Office of Respondent No. 2.

Preliminary Objections:

1. The appeal is not maintainable.
2. The appellant has not come into this court with clean hands.
3. The appellant has tried to conceal facts from the august tribunal.

Para-wise Comments:

1. The appellant was appointed as Patwari vide order / endorsement no. 3547/3/42/DRA dated 28-09-2009 (**Annexure-A**). No violation of rules on the subject has been made. The transfer was a routine course. Respondent no. 5 was transferred to the post of TRA Daggar because he held the regular post of TRA.
2. Respondent no. 5 was initially appointed as Patwari and later on adjusted as TRA vide "Office Order" No. 3645/3/42-Vol:II/DRA(B) dated 05-10-2009 (**Annexure-B**). Thus he was posted as TRA Dagar under the law the status-quo was granted in the matter of transfer of the appellant from the post of TRA Daggar to Halqa Ghurdara (**Annexure-C**). No violation of the status-quo has been made and accordingly, the appellant is still working on the post of TRA Daggar.
3. No comments.
4. Seniority list (**Annexure-D**) was issued legally as the Respondent No 5 was the only designated TRA of the time. The status-quo did not bar the Respondent No. 2 from issuing the seniority list of Tehsil Revenue Accountants (TRAs). Status-quo was instead granted against the transfer order of the appellant from the position of TRA Daggar (**Annexure-C**)



which was obeyed. No disobedience has therefore been made towards the order of the honourable Tribunal.

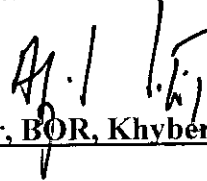
5. The appeal of the appellant before the respondent no. 1 was filed according to the rules.

**Grounds:**


- A. Denied. Promotion was made according to the set procedure, law and rules on the subject. The rules for promotion to the post of DRA (BPS-14) say: "by promotion on the basis of seniority-cum-fitness from amongst the Tehsil Accountants of the district with at least three years service as such" (**Annexure-E**). Respondent No. 5 was Tehsil Accountant since October, 2009 hence promoted Promotion has therefore not been made on the basis of malafide intentions; the law has been obeyed accordingly.
- B. Denied. The appellant was originally posted as Patwari (**Annexure-A**). Respondent No. 5 was transferred to his designated post thus obeying the law. Instead of the appellant, the Respondent No. 5 was the eligible candidate for promotion to the post of DRA.
- C. Denied. Respondent No. 5 has more than six (06) years of service as TRA hence promoted under the rules (**Annexure-B**).
- D. Denied. At the time of issuance of seniority list of the Tehsil Accountants, the Respondent No. 5 was the only designated TRA. Reference **Annexure-B** please.
- E. Transfers were made on need basis. Payroll of October 2015 would require corrective measures as the Respondent No. 5 was by designation the TRA (BPS-07) instead of Patwari (BPS-09). The same would have been the result of confusion which would have arisen after the up gradation of the scales of Patwari throughout the province.
- F. The appellant was not entitled for promotion to the post of DRA as he was Patwari by designation and not TRA. Reference **Annexure-A** please.

It is requested that the appeal may be dismissed with costs.

  
**Chief Secretary, Khyber Pakhtunkhwa / Respondent No. 1**

  
**Senior Member, BOR, Khyber Pakhtunkhwa / Respondent No. 2**

**DPC Through Chairman (Respondent No. 2) / Respondent no. 3**

  
**Deputy Commissioner, Buner / Respondent No. 4.**



Before the Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

SERVICE APPEAL NO. 153/2016.

Muhammad Irfan -----Petitioner

VS

1. Chief Secretary, Khyber Pakhtunkhwa,
2. Senior Member, Board of Revenue, Khyber Pakhtunkhwa,
3. DPC Through Chairman / Respondent No. 2
4. Deputy Commissioner, Buner,
5. Mr. Kifayatullah DRA BPS-14 -----Respondents.

**Service Appeal Under Section-4 of the Khyber Pakhtunkhwa, Service Tribunals Act 1974 Against the Impugned Order Dated 03-11-2015 Thereby Respondent No. 5 Was Promoted to the Post of District Revenue Accountant (BPS-14) in Violation of Rules on Subject Against Which Appellant Filed Departmental Appeal Under Registered Post on 02-12-2015 Which Was Rejected by Appellate Authority Which Was Communicated to Appellant on 16-01-2016 Under the Signature of Secretary-I of the Office of Respondent No. 2.**

**Preliminary Objections:**

1. The appeal is not maintainable.
2. The appellant has not come into this court with clean hands.
3. The appellant has tried to conceal facts from the august tribunal.

**Para-wise Comments:**

1. The appellant was appointed as Patwari vide order / endorsement no. 3547/3/42/DRA dated 28-09-2009 (**Annexure-A**). No violation of rules on the subject has been made. The transfer was a routine course. Respondent no. 5 was transferred to the post of TRA Daggar because he held the regular post of TRA.
2. Respondent no. 5 was initially appointed as Patwari and later on adjusted as TRA vide "Office Order" No. 3645/3/42-Vol:II/DRA(B) dated 05-10-2009 (**Annexure-B**). Thus he was posted as TRA Dagar under the law the status-quo was granted in the matter of transfer of the appellant from the post of TRA Daggar to Halqa Ghurdara (**Annexure-C**). No violation of the status-quo has been made and accordingly, the appellant is still working on the post of TRA Daggar.
3. No comments.
4. Seniority list (**Annexure-D**) was issued legally as the Respondent No 5 was the only designated TRA of the time. The status-quo did not bar the Respondent No. 2 from issuing the seniority list of Tehsil Revenue Accountants (TRAs). Status-quo was instead granted against the transfer order of the appellant from the position of TRA Daggar (**Annexure-C**)

which was obeyed. No disobedience has therefore been made towards the order of the honourable Tribunal.

The appeal of the appellant before the respondent no. 1 was filed according to the rules.

**Grounds:**

- A. Denied. Promotion was made according to the set procedure, law and rules on the subject. The rules for promotion to the post of DRA (BPS-14) say: "by promotion on the basis of seniority-cum-fitness from amongst the Tehsil Accountants of the district with at least three years service as such" (Annexure-E). Respondent No. 5 was Tehsil Accountant since October, 2009 hence promotion has therefore not been made on the basis of malafide intentions; the law has been obeyed accordingly.
- B. Denied. The appellant was originally posted as Patwari (Annexure-A). Respondent No. 5 was transferred to his designated post thus obeying the law. Instead of the appellant, the Respondent No. 5 was the eligible candidate for promotion to the post of DRA.
- C. Denied. Respondent No. 5 has more than six (06) years of service as TRA hence promoted under the rules (Annexure-B).
- D. Denied. At the time of issuance of seniority list of the Tehsil Accountants, the Respondent No. 5 was the only designated TRA. Reference Annexure-B please.
- E. Transfers were made on need basis. Payroll of October 2015 would require corrective measures as the Respondent No. 5 was by designation the TRA (BPS-07) instead of Patwari (BPS-09). The same would have been the result of confusion which would have arisen after the up gradation of the scales of Patwari throughout the province.
- F. The appellant was not entitled for promotion to the post of DRA as he was Patwari by designation and not TRA. Reference Annexure-A please.

It is requested that the appeal may be dismissed with costs.

Chief Secretary, Khyber Pakhtunkhwa / Respondent No. 1

Senior Member, BOR, Khyber Pakhtunkhwa / Respondent No. 2

DPC Through Chairman (Respondent No. 2) / Respondent no. 3

Deputy Commissioner, Buner / Respondent No. 4.

S. J. [Signature]

*Noted subject to the provision / annexing the seniority list of Patwaris as on 5/10/2009.*

*[Signature]*  
Senior Government Officer  
Swat at Gulakada.

OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE BUNER.

No. 3547 /3/42/DRA, Dated the 28/9/2009.

ORDER

Consequent upon the recommendation of the Departmental Promotion/Selection Committee, Mr. Mohammed Irfan S/O Amir Akbar R/O Bajkata Tehsil Gagra District Buner (Patwar Candidate) is hereby appointed as Patwar (BPS-25) on regular basis with immediate effect. He will be on probation for a period of one year. He should produce Medical & Fitness Certificate from Medical Superintendent District Head Quarter Hospital Daggar.

(ISMAE KHAN)  
DISTRICT OFFICER,  
REVENUE & ESTATE BUNER.

No. 3548-53 /3/42/DRA.

Copy forwarded to the:-

1. District Coordination Officer Buner.
2. Secretary Board of Revenue NWFP Peshawar.
3. District Accounts Officer Buner.
4. Dy: District Officer (Revenue) Buner.
5. Official Concerned.
6. Office Order File.

  
DISTRICT OFFICER  
REVENUE & ESTATE BUNER.



No. 3645 /3/42-Vol:II/ DRA (B).

Dated Daggar the 5/10/2008

**OFFICE ORDER.**

As per recommendation of departmental promotion/ Selection Committee the following Patwaris BPS-5 are hereby adjusted / posted as Senior Tehsil Revenue Accountants BPS-07, as envisaged in Government of NWFP Revenue & Estate Department Tehsildar & Naib Tehsildar /Subordinate Revenue Services ) Rules -2008 at S.NO.7 of the appendix .circulated vide Notification No. 32102/Admn:1/135/SSRC dated 26.12.2008:- with immediate effect.

<u>S.No.</u>	<u>Name of Patwari.</u>
1.	Mr. Miran Shah
2.	Mr. Kifayatullah .
3.	Mr. Faiz Nazar.


<u>Adjusted /Posted As</u>
Senior Tehsil Revenue Accountant Mandanr.
Senior Tehsil Revenue Accountant Daggar.
Senior Tehsil Revenue Accountant Gagra.

  
DISTRICT OFFICER  
REVENUE & ESTATE/COLLECTOR.  
BUNER AT DAGGAR. 2

No. 3646-53 /3/42-Vol:II/ DRA (B).

Copy forwarded to:-

1. The Secretary, Board of revenue NWFP Peshawar.
2. The Director, Land Records NWFP , Peshawar.
3. The Dy: District Officer , Revenue , Daggar.
4. The District Account Officer, Buner at Daggar.
5. The Tehsildar, Daggar /Gagra/Mandanr.
6. The Official concerned by name.
7. The revenue Bill Clerk Local.
8. The Office Copy File

  
DISTRICT OFFICER  
REVENUE & ESTATE/COLLECTOR  
BUNER AT DAGGAR. 2

26.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Tehsil Revenue Accountant at Daggar when transferred as Patwari Halqa Ghwardara vide impugned order dated 13.8.2015 against which he preferred departmental appeal on 27.8.2015 which was rejected on 5.10.2015 and hence the instant service appeal on 19.10.2015.

That the impugned order is premature as the appellant was posted against the said post on 1.12.2014 and, furthermore, the appellant is a TRA and as such cannot be posted as Patwari Halqa.

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 7.12.2015 at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division. Notice of stay application be also issued for the date fixed. Status-quo be maintained.

As-BSM

Sd/-  
12/11

Sd/-  
Sd/-

Sd/-  
Chairman

OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER.

Annex-D  
P-14

No. 367/DC/Buner/Estt.  
Aug 24, 2015.

The Assistant Secretary (Estt-I),  
Board of Revenue,  
Revenue & Estate Department,  
Peshawar.

Subject: Seniority List of Senior Tehsil Revenue Accountants as it Stood on 31-12-2014.

Memo: Reference the subject and to send herewith the Seniority List of Tehsil Accountants as below:

S. No.	Name	Date of Birth	Date of Appointment	Date of Adjustment as TRA
1	Mr. Kifayatullah	01-12-1957	04-04-1981	05-10-2009

To mention, Mr. Kifayatullah is the only regular TRA posted against one of the four TRAs i.e. TRA Daggar. The rest 03 are lying vacant.

DEPUTY COMMISSIONER,  
BUNER.

Endst. No. & date even.

For information to:

Commissioner, Malakand Division.

ATTACHED

DEPUTY COMMISSIONER,  
BUNER.

TENTATIVE SENIORITY LIST OF PATWARIS IN BUNER AS STOOD ON  
30/11/2009.

S.No.	Name of Patwar	Date of Appointment.	Date of Birth	Remarks.
1.	Mr. Abdul Wakil.	20/5/1976	6/6/1954	
2.	Mr. Alam Zeb.	20/5/1976.	17/7/1955	
3.	Mr. Bakht Bhand.	20/5/1976.	11/8/1955	
4.	Syed Ali Shah.	20/5/1976.	15/6/1956.	
5.	Mr. Anur Dost Khan.	20/5/1976.	3/6/1957	
6.	Mr. Qilooos Khan.	19/5/1976.	13/9/1957	
7.	Mr. Anur Afsar.	17/7/1976	6/10/1954.	
8.	Mr. Anroz Khan.	2/9/1976	15/12/1952	
9.	Mr. Sarzamm Khan.	31/8/1976	4/1/1953	
10.	Mr. Shamsul Wahab.	1/9/1976.	15/2/1953.	
11.	Mr. Abdul Mannan.	27/8/1976	5/4/1954.	
12.	Mr. Ibrahim Shah.	11/9/1976	17/6/1954.	
13.	Mr. Abdur Rahim.	31/8/1976	5/9/1954.	
14.	Mr. Faqir Muhammad.	31/8/1976	24/12/1954.	
15.	Mr. Sher Hukam Shah.	2/9/1976.	15/2/1955	
16.	Mr. Khalid Rehman.	31/8/1976	5/6/1956.	
17.	Mr. Faiz Muhammad	3/9/1976	15/2/1957	
18.	Mr. Said Kaboot Shah.	11/9/1976	20/4/1957	
19.	Mr. Ashrafuddin.	1/4/1980	12/4/1955	
20.	Mr. Muhammad Laiq.	1/4/1980	25/2/1958.	
21.	Mr. Ishaqullah.	1/4/1980	15/2/1960.	
22.	Mr. Fazal Muhammad	1/4/1980	1/4/1958.	
23.	Mr. Fazal Ghafoor.	8/8/1980	8/1/1957.	
24.	Mr. Kifayatullah.	7/4/1981	1/12/1960	
25.	Mr. Miran Shah.	6/4/1981	25/4/1961	
26.	Mr. Miderullah.	6/4/1981	10/8/1957	
27.	Mr. Abdul Malik.	6/4/1981	8/11/1958	
28.	Mr. Mumtaz Ali.	6/4/1981	15/3/1961	
29.	Mr. Hamdul Haq.	6/4/1981	10/7/1957.	
30.	Mr. Siraj Muhammad.	8/4/1981	20/5/1958.	
31.	Mr. Taj Ahmad.	5/4/1981	11/8/1957	
32.	Mr. Nobat Khan.	5/4/1981	10/12/1957.	
33.	Mr. Zaman Khan.	5/4/1981	15/3/1956	
34.	Mr. Naseem Gail.	5/4/1981	15/4/1956.	
35.	Mr. Mumtaz Muhammad.	6/4/1981	16/11/1960.	
36.	Mr. Miraj Muhammad/	16/12/1982.	10/8/1961	
37.	Mr. Muhammad Darwazh.	16/12/1982.	9/9/1953	
38.	Mr. Fazal Hadi.	16/12/1982.	5/6/1963.	
39.	Mr. Sami Mulla.	22/12/1985	1/1/1962	
40.	Mr. Faiz Nazam.	22/12/1985	5/2/1965	





DISTRICT OFFICER,  
REVENUE AND ESTATE, BUNER.

41.	Mr. Sindh Khan	22/12/1985	20/4/1959
42.	Mr. Bakht Chafoor Shah	22/12/1985	16/9/1961
43.	Mr. Zahid Tab Gul	22/12/1985	1/2/1962
44.	Mr. Amir Bahadar	21/1/1988	14/2/1965
45.	Mr. Said Ali Nisar	13/1/1996	1/1/1970
46.	Mr. Saiful Malook	12/6/2002	20/3/1972
47.	Mr. Shahzad Rehman *	12/3/2003	5/8/1969
48.	Mr. Naseebza	28/7/2007	20/7/1976
49.	Mr. Noor Farooq	28/7/2007	1/1/1984
50.	Mr. Mushim Khan	30/11/2007	9/1/1986
51.	Mr. Yousaf Ali Shah	30/11/2007	30/3/1980
52.	Mr. Sarfati Khan	30.8.2008	18/10/1986
53.	Mr. Gulshad Khan	30.8.2008	19/4/1982
54.	Mr. Farah Muhammad Khan	30.8.2008	15/4/1984
55.	Mr. Javid Ahmad	30/8/2008	16/4/1979
56.	Mr. Ihtisham Ahmad	5/3/2009	16/4/1979
57.	Mr. Muhammad Younas	30/7/2009	1/3/1988
58.	Mr. Muhammad Alam	30/7/2009	1/3/1989
59.	Mr. Asif Iqbal	18/8/2009	12/1/1990
60.	Mr. Muhammad Irfan	28/9/2009	24/6/1987
61.	Mr. Saqar Khan	28/9/2009	10/3/1990
62.	Mr. Shakeel Khan	28/9/2009	20/3/1988
63.	Mr. Imtiaz Shah	28/9/2009	16/4/1980
64.	Mr. Israr Khan	28/9/2009	20/3/1985
65.	Mr. Azmat Ali	19/10/2009	4/1/1988
66.	Mr. Dilraj Khan	19/10/2009	2/2/1983
67.	Mr. Shamsud Ali	19/10/2009	2/4/1988
68.	Mr. Ihtisham Ali	19/10/2009	2/1/1985
69.	Mr. Sardar Ali	19/10/2009	1/3/1982

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FINAL SENIORITY LIST OF PATWARI SHIKARPORE DISTRICT  
AS STOOD ON 31/08/2008

Sl. No.	Name of Patwari	Date of Appointment	Date of Birth	Remarks
1.	Mr. Saad Usman Shah	13/11/1975	2/1/1954	
2.	Mr. Raandamand Shah	12/11/1975	5/4/1954	
3.	Mr. Mohmood Shah	19/5/1976	16/4/1952	
4.	Mr. Behman Noor	20/5/1976	13/5/1954	
5.	Mr. Abdul Wakil	20/5/1976	6/6/1954	
6.	Mr. Alam Zeb	20/5/1976	17/7/1955	
7.	Mr. Bakht Bhand	20/5/1976	11/8/1955	
8.	Mr. Saad Ali Shah	20/5/1976	15/6/1956	
9.	Mr. Amir Dost Khan	20/5/1976	3/6/1957	
10.	Mr. Qilooos Khan	19/5/1976	13/9/1957	
11.	Mr. Amir Afsar	17/7/1976	6/10/1954	
12.	Mr. Mohammad Ghafoor	2/9/1976	6/9/1949	detached
13.	Mr. Amroz Khan	2/9/1976	15/12/1952	
14.	Er. Sarzamin Khan	31/8/1976	4/1/1953	
15.	Mr. Shamsul Wahab	1/9/1976	15/2/1953	
16.	Mr. Abdul Manan	27/8/1976	5/4/1954	
17.	Mr. Ibrahim Shah	11/9/1976	17/6/1954	
18.	Mr. Abdur Rahim	31/8/1976	5/9/1954	
19.	Mr. Faqir Mohammad	31/8/1976	24/12/1954	
20.	Mr. Sher Hukam Shah	2/9/1976	15/2/1955	
21.	Mr. Khalilur Rehman	31/8/1976	5/6/1956	
22.	Mr. Faiz Mohammad	3/9/1976	15/2/1957	
23.	Mr. Saad Kaboot Shah	1/9/1976	20/4/1957	
24.	Mr. Ashrafuddin	1/4/1980	12/4/1955	
25.	Mr. Mohammad Laiq	1/4/1980	25/2/1958	
26.	Mr. Inamullah	1/4/1980	15/2/1960	
27.	Mr. Fazal Mohammad	1/4/1980	1/4/1958	
28.	Mr. Fazal Ghafoor	8/8/1980	8/1/1957	
29.	Mr. Kifayatullah	7/4/1981	1/12/1960	
30.	Mr. Miran Bhan	6/4/1981	25/4/1961	
31.	Mr. Midranullah	6/4/1981	10/8/1957	
32.	Mr. Abdul Malik	6/4/1981	8/11/1958	
33.	Mr. Mumtaz Ali	6/4/1981	15/3/1961	
34.	Mr. Hamdul Haq	6/4/1981	10/7/1957	
35.	Mr. Saraj Muhammad	8/4/1981	20/5/1958	
36.	Mr. Taj Ahmad	5/4/1981	11/8/1957	
37.	Mr. Nobat Khan	5/4/1981	10/12/1957	
38.	Mr. Zaman Khan	5/4/1981	15/3/1956	
39.	Mr. Nasran Gul	7/4/1981	15/4/1956	
40.	Mr. Mumtaz Mohammad	6/4/1981	16/11/1960	

- 41. Mr. Miraj Muhammad. 16/12/1982. 10/8/1961.
- 42. Mr. Muhammad Darwaish. 16/12/1982. 9/9/1953.
- 43. Mr. Tazal Hadi. 16/12/1982. 5/6/1963.
- 44. Mr. Sani Mullah. 22/12/1985. 1/1/1962.
- 45. Mr. Faiz Nazar. 22/12/1985. 5/2/1965.
- 46. Mr. Sarmir Khan. 22/12/1985. 20/4/1959.
- 47. Mr. Bakht Ghafoor Shah. 22/12/1985. 16/9/1961.
- 48. Mr. Zahid Tab Gul. 22/12/1987. 1/3/1962.
- 49. Mr. Amir Bahadar. 2/1/1988. 14/2/1965.
- 50. Mr. Said Ali Afsar. 13/11/1996. 1/1/1970.
- 51. Mr. Saiful Malook. 12/6/2002. 20/3/1972.
- 52. Mr. Shafuzur Rehman. 12/3/2003. 5/8/1969.
- 53. Mr. Faiz Mohammad Khan. 23/1/2007. 8/4/1980.
- 54. Mr. Naseeb Zai. 28/7/2007. 20/7/1976.
- 55. Mr. Noor Farooq. 28/7/2007. 1/1/1984.
- 56. Mr. Muslim Khan. 30/11/2007. 9/1/1986.
- 57. Mr. Yousaf Ali Shah. 30/11/2007. 30/3/1980.
- 58. Mr. Sarbali Khan. 30.8.2008. 18/10/1986.
- 59. Mr. Gul Shaid Khan. 30/8/2008. 19/4/1982.
- 60. Mr. Fateh Mohammad Khan. 30/8/2008. 15/4/1984.
- 61. Mr. Javid Ahmad. 30/8/2008. 16/4/1979.

DISTRICT OFFICER,  
REVENUE & ESTATE BUNER.

*Bu*

Receipt

Received some of Rupees Rs 1000/-

(One thousand Rupees) to CST in Rupees

Office No 1513/2016 today i.e on

16/11/2016

E3  
100000

Muhammad Yousaf  
10/11/2016

Received from Mrs. J. J. (one thousand)

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 153 of 2016

Muhammad Irfan . ---VERSUS--- The Chief Secretary K.P and others

INDEX

S. #	Description of documents	Annexure	Pages
1.	Written reply along with affidavit	... ..	1-4
2.	Copy of order of DPC dated 19-09-2009	"A"	5-6
3.	Copy of Order of DPC dated 28-09-2009	"B"	7-12
4.	Copy of order No. 3645/3/42-Vol:II/DRA(b) dated 05-10-2009	"C"	13
5.	Copy of Notification No. 1948/Estt.I/135/SSRC dated 23-01-2015.	"D"	14-17
6.	Wakalat Nama		18

Respondent No. 5

  
Kifayat Ullah

①

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

Service appeal No. 153 of 2016

Muhammad Irfan

...Appellant

**VERSUS**

The Chief Secretary K.P. and others

...Respondents

**Written reply on behalf of the respondent No. 5 Kifayat Ullah;**

Respectfully Sheweth:

Written reply on behalf of respondent No. 5 is as under:

**Preliminary Objections:**

- a. The appellant has got no cause of action.
- b. The appellant is estopped to file the appeal in hand.
- c. The appellant has concealed material facts from this Hon'ble Tribunal.
- d. The appellant has come with unclean hands and is, therefore, not entitled to the relief sought.

**ON FACTS:**

1. Para No. 1 is not correct, the appellant has concealed material facts from this Hon'ble Tribunal. The appellant being a Patwari candidate in 2009 was recommended for fresh and initial appointment / recruitment as Patwari vide DPC held on 19/09/2009 and resultantly was appointed as Patwari in District Buner vide order No. 3547/3/42/DRA dated 28/09/2009. (Copy of both the DPC and office order are annexure A and B). The appellant was posted at Halqa Nagrai District Buner as Patwari, but



due to unsatisfactory performance, he was transferred to Halqa Rega on 24/09/2010 and then due to reasons known to the appellant he was further transferred from Halqa Rega to Halqa Chena Channar on 13/01/2012 and then further transferred on 29/03/2014 to another Patwar Halqa i.e. Kulyari, but subsequently was transferred to Halqa Topi on 29/08/2014. All these frequent transfers of the newly appointed employees show weak, feeble and unsatisfactory performance on the part of the appellant.

(Copies Attached.)

2. Para No. 2 is incorrect. Respondent No. 5 served the revenue department as Patwari since 1981 and was later on adjusted and confirmed as senior T.R.A. (Senior Tehsil Revenue Accountant) vide office order No. 3645/3/42-Vol:II/DRA(b) dated 05/10/2009. (Copy attached as annexure C). It is further explained that service appeal No. 1168 of 2015 is in respect of transfer order dated 13/08/2015, wherein the present appellant is granted status quo by this Hon'ble Tribunal, which is still intact and the appellant is working as T.R.A. Daggar on temporary basis.
3. Para No. 3 is not correct. The respondent No. 5, being the only designated Senior T.R.A. in the District is rightly promoted to the post of D.R.A. (District Revenue Accountant) dated 03/11/2015, on the recommendations of the Departmental Promotion Committee under the rules on the subject (Tehsildar, Naib Tehsildar / Subordinate Revenue Service Rules, 2008 and notification No. 1948/Estt.I/135/SSRC dated 23/01/2015). (Copy attached as annexure D). It is further explained that no violation of the status quo is made.
4. Para No. 4 is replied in the forgoing para.
5. Para No. 5 needs no comments.

**GROUNDS:**

- a. Para No. (A) is denied. Promotion of the respondent No. 5, being the only designated T.R.A. in the District, is made according to the rules on the subject, referred above. The other respondents were legally bound to promote the respondent No. 5 being the only qualified candidate in the District. The appellant is neither senior to the respondent No. 5 nor has got the qualification for the post of D.R.A., the appeal is filed with malafide intention, just to embarrass the respondent No. 5.
- b. Para No. (B) denied, the appellant being a junior official (appointed in 2009) was neither qualified for the post of T.R.A. and then for the post of D.R.A. nor he has the seniority to have been considered for the same. The appeal in hand is not maintainable on the face of the record and is liable to be dismissed with costs throughout. The respondent No. 5 is lawfully promoted to the post of D.R.A. in accordance with the rules and procedure on the subject. (Copies are already on file).
- c. Para No. (C) is denied. The respondent No. 5 has six years experience as T.R.A. and was the only designated official, who is rightly selected / promoted to the post of D.R.A. in accordance with law.
- d. Para No. (D) is denied. Reply is already given in the foregoing paras.
- e. Para No. (E) is in respect of the record, which for the respondent No. 1 has explained a situation.
- f. Para No. (F) is denied. The appellant is neither qualified for the promotion of D.R.A. nor has the required capability to have been considered for the same. He is by designation a Patwari and is, therefore, not competent to be promoted as D.R.A. For the post of D.R.A. one shall be a designated T.R.A. duly recommended by Departmental

(4)

Promotion Committee. The appellant has leveled baseless allegations against the respondent No. 5, which are to be discouraged, moreover he has concealed material facts from this Hon'ble Tribunal, which render his appeal to be dismissed with costs throughout.

It is, therefore, humbly prayed that the appeal of the appellant may kindly be dismissed with costs throughout.


Respondent No. 5

  
Kifayat Ullah

Affidavit:

It is stated on oath that all the contents of this written reply are true and correct to the best of my knowledge and belief.

Deponent

  
Kifayat Ullah (Respondent No. 5)

(5)

*[Handwritten signature]*  
Annex: "A" (1)

**MINUTES OF THE DEPARTMENTAL PROMOTION / SELECTION COMMITTEE MEETING HELD ON 19.09.2009 IN THE OFFICE OF DISTRICT OFFICER (R&E)/COLLECTOR, BUNER.**

A meeting of Departmental Promotion / Selection Committee for the purpose of Promotion and appointment of Revenue Staff in the District Officer (R&E)/Collector, office was held on 19.09.2009 under the Chairmanship of District Officer (R&E)/Collector, in his office. The following attended the meeting :-

1. Mr. Ismail Khan,  
District Officer (R&E)/Collector, Buner ..... Chairman
2. Representative of DCO Buner ..... Member
3. Mr. Hamayun Khan, Superintendent  
Representative of Board of Revenue NWFP ..... Member
4. Mr. Momin Khan,  
Deputy District Officer (R&E)/Collector, Buner ..... Member

**ITEM No. 1**

**PROMOTION OF KANUNGOS**

The posts of Office Kanungos were newly created for the Establishment of new upgraded / created Sub Division by the Provincial Government through Board of Revenue NWFP vide Notification No. 22584/BUD/I/BOR/2008-2009, dated 27/08/2009, the posts of Office Kanungo one each for Totalai and Gagra Sub Divisions are to be filled in the promotion from amongst the following senior most eligible Patwaris in the District:-

1.	Mr. Mehmood Shah, Patwari	19.05.1976	Kanungo examination passed
2.	Mr. Behman Noor TRA	20.05.1976	--do--
3.	Mr. Abdul Wakil Patwari	20.05.1976	--do--
4.	Mr. Alam Zeb, Patwari	20.05.1976	--do--

The committee examined the service record, seniority Annual Confidential Reports etc: of the above mentioned Patwaris and found the officials at S.No. 1 & 2 have passed Kanungo examination and their ACRs are free from adverse entries and no Departmental / NAB/Anti Corruption cases pending against them, are therefore recommended for promotion to the post of Kanungo (BPS - 09) on regular basis.

**ITEM NO. 2**

**APPOINTMENT OF TRA / PATWARI**

Two posts of Tehsil Revenue Accountant in (BPS - 07) have also been created for the newly created Sub Divisions. Moreover, one Mr. Muhammad Ghafoor Patwari has been retired from Service on 06.09.2009. Thus 05 posts of Patwari / TRA are available vacant in the District which are required to be filled amongst senior most Patwari candidate Register maintained in the office of District Officer (R&E)/Collector, Buner.

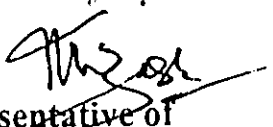
(6)

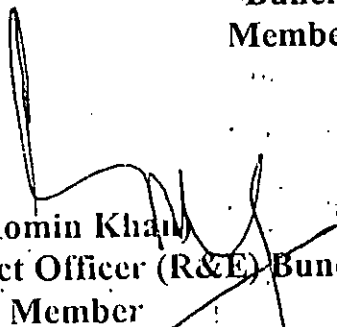
The committee examined the Patwar Candidate Register and unanimously recommended the following senior most Patwar Candidates for appointment as Patwaris (BPS - 05) on regular basis with immediate effect.

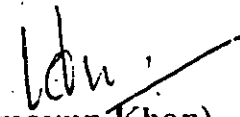
(2)


S.No.	Name of candidates	Date of birth	Qualification
1.	Mr. Muhammad Irfan S/O Amir Akbar	24.06.1987	Diploma (3 years) in Technical Education
2.	Mr. Sar Zamin Khan S/O Hamidullah	10.03.1990	FSc
3.	Mr. Shakil Khan S/O Abdul Namir	20.03.1988	FSc
4.	Mr. Imtiaz Khan S/O Said Kabot Shah	16.04.1980	F.A
5.	Mr. Israt Khan S/O Qilus Khan	20.03.1985	FSc

The meeting was ended with vote of thanks by the Chairman.

  
Representative of  
District Coordination Officer,  
Buner  
Member

  
(Momin Khan)  
Deputy District Officer (R&E) Buner  
Member

  
(Hamayun Khan)  
Representative of  
Board of Revenue NWFP  
Member

  
(Ismail Khan)  
District Officer (R&E)/Collector,  
Buner  
Chairman

(7)

Consequent

Annex: "B"

OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE BUNER.

No. 3547 /3/42/DRA,

Dated the 28/9 /2009.

O R D E R -


Consequent upon the recommendation of the Departmental Promotion/Selection Committee, Mr. Mohammad Irfan S/O Amir Akbar R/O Bajkata Tehsil Gagra District Buner (Patwar Candidate) is hereby appointed as Patwari (BPS-5) on regular basis with immediate effect. He will be on probation for a period of one year. He should produce Medical & Fitness Certificate from Medical Superintendent District Head Quarter Hospital Daggar.

(ISMAIL KHAN)   
DISTRICT OFFICER  
REVENUE & ESTATE BUNER.

No. 3548-53 /3/42/DRA.

Copy forwarded to the:-

1. District Coordination Officer Buner.
2. Secretary Board of Revenue NWFP Peshawar.
3. District Accounts Officer Buner.
4. Dy: District Officer (Revenue) Buner.
5. Official Concerned.
6. Office Order File.

  
DISTRICT OFFICER  
REVENUE & ESTATE BUNER



(8)

OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE BUNER

No. 3809 /1/16/DK, Dated the 14/10 /2009.

ORDER.

With the approval of the Competent Authority the following Patwaris waiting for posting are ~~xxx~~ posted as Halqa Patwaris noted against each with immediate effect, in the interest of public service.

<u>S.No.</u>	<u>Name of Patwari.</u>	<u>From:</u>	<u>To.</u>
1.	Mr. Israj Khan.	Waiting for posting.	Patwari Halqa Panjtar (Vacant)
2.	Mr. Imtiaz Khan.	-do-	Patwari Halqa Ghazikot (Vacant).
3.	Mr. Irfan.	-do-	Patwari Halqa Nagrai. (Vacant)
4.	Mr. Shakil Khan.	-do-	Patwari Halqa Miragai (Vacant).

*07* DISTRICT OFFICER,  
(REVENUE & ESTATE BUNER.)

No. 3810-17 /1/16/DK.

Copy forwarded to the:-

1. Naib Tehsildar Totalai.
2. Naib Tehsildar Chamla.
3. Naib Tehsildar Chagharzai.
- 4-7. Official concerned for compliance.

*9/c*

DISTRICT OFFICER,  
REVENUE & ESTATE BUNER.

(9)

No. 2035 /1/16/DK, Dated the 24/9 /2010.

O R D E R .

With the approval of competent authority the following posting/transfer of Patwaris is hereby ordered with immediate effect, in the interest of public service:-

<u>S.No.</u>	<u>NAME OF PATWARIS</u>	<u>FROM</u>	<u>TO</u>
1.	Mr.Mohammad Irfan.	Halqa Nagrai.	Halqa Rega.
2.	Mr.Saifur Malook.	Halqa Topai.	Halqa Amnawar.
3.	Mr.Azmat Ali.	Halqa Batara.	Halqa Shalbandai.

DISTRICT OFFICER,  
REVENUE & ESTATE BUNER.

No. 2036-41 /1/16/DK.

Copy forwarded to the:-

1. Tehsildar Gagra.
2. ~~Mr.~~ Tehsildar Chamla Amazai.
3. Naib Tehsildar Chagharzai.
4. Officials concerned for compliance.

DISTRICT OFFICER,  
REVENUE & ESTATE BUNER.

2



10

12

OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE/ COLLECTOR BUNER

No. 11/16/DK

Dated 9/11/2012.

**OFFICE ORDER.**

The following Posting/Transfer of Patwaris of this office is hereby ordered with immediate effect in the interest of public service.

S.No	Name of Patwari	From	To
1	Mr Sani Mulla	Halqa Topai	Halqa Kalpani against the vacant post
2	Mr. Sher Hukam Shah	Main Office	Halqa Topai
3	Mr. Sarbali Khan	Halqa Cheena/Chanar	Halqa Rega
4	Mr. Muhammad Irfan	Halqa Rega	Halqa Cheena/Chanar

DISTRICT OFFICER,  
REVENUE AND ESTATE, BUNER.

No. 11/16/DK.

Copy forwarded to the:

1. Tehsildar Gagra
2. Naib Tehsildar Gagra
3. Naib Tehsildar Chagharzai
4. Officials Concerned for compliance.

DISTRICT OFFICER,  
REVENUE AND ESTATE, BUNER.

Vertical text or markings on the right edge of the page, possibly bleed-through or a scanning artifact.



(11)

(13)


OFFICE OF THE  
DEPUTY COMMISSIONER /  
DISTRICT MAGISTRATE,  
BUNER.

No. 3066-72/DC/Buner/Estt.  
March 19, 2014.

Office Order.

Partial modification of this Office Order No. 3121 dated 20-12-2013, the following transfers among the Patwaris are hereby ordered with immediate effect in the best of public interest:


S. No.	Name of Patwari	From Halqa	To Halqa
1	Mr. Asif Ali	Meragai	Checna
2	Mr. Muhammad Irfan	Checna	Kulyari
3	Mr. Fazal Muhammad	Kulyari	Main Office

  
Deputy Commissioner /  
District Magistrate,  
Buner.

ndst. No. & date even.

Information and necessary action:

Assistant Commissioner, Daggar.  
Assistant Commissioner, Gagra.  
Tehsildar Gagra.  
Tehsildar Daggar.  
Naib Tehsildar Chagharzi.  
Officials concerned.

  
Deputy Commissioner /  
District Magistrate,  
Buner.

12

14

OFFICE OF THE ASSISTANT COMMISSIONER  
GAGRA BUNER.

/AC(G)

Dated. 21/08/2014

OFFICE ORDER.

The following posting/transfers amongst the Patwaris of this office are hereby ordered with immediate effect in the interest of public service.

S.NO	Name of Patwari	From	To
01	Mr. Muhammad Irfan	Halqa Kulyari	Halqa Topai
02	Mr. Nasreen Gul	Halqa Topai	Halqa Kulyari

ASSISTANT COMMISSIONER  
GAGRA BUNER.

No: 624-27 /AC(G).

Copy forwarded to:-

1. The Deputy Commissioner, Buner.
2. The Naib Tehsildar, Gagra and Chagharai.
3. The official concerned.

  
ASSISTANT COMMISSIONER  
GAGRA BUNER.

3  
2  
a

(17)

**OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE / COLLECTOR, BUNER.**

No. 3645 /3/42-Vol:II/ DRA (B).

Dated Daggar the 5/10 /2009.

Annex C

**OFFICE ORDER.**

As per recommendation of departmental promotion/ Selection Committee the following Patwaris BPS-5 are hereby adjusted / posted as Senior Tehsil Revenue Accountants BPS-07, as envisaged in Government of NWFP Revenue & Estate Department Tehsildar & Naib Tehsildar /Subordinate Revenue Services ) Rules -2008 at S.NO.7 of the appendix .circulated vide Notification No. 32102/Admn:1/135/SSRC dated 26.12.2008:- with immediate effect.

**S.No. Name of Patwari.**

**Adjusted /Posted As**

- |                      |   |
|----------------------|---|
| 1. Mr. Miran Shah    | Senior Tehsil Revenue Accountant Mandanr. |
| 2. Mr.Kifayatullah . | Senior Tehsil Revenue Accountant Daggar.  |
| 3. Mr. Faiz Nazar.   | Senior Tehsil Revenue Accountant Gagra.   |

  
**DISTRICT OFFICER  
REVENUE & ESTATE/COLLECTOR.  
BUNER AT DAGGAR.**

No. 3646-53 /3/42-Vol:II/ DRA (B).

Copy forwarded to:-

1. The Secretary, Board of revenue NWFP Peshawar.
2. The Director, Land Records NWFP , Peshawar.
3. The Dy: District Officer , Revenue , Daggar.
4. The District Account Officer, Buner at Daggar.
5. The Tehsildar, Daggar /Gagra//Mandanr.
6. The Official concerned by name.
7. The revenue Bill Clerk Local.
8. The Office Copy File

  
**DISTRICT OFFICER  
REVENUE & ESTATE/COLLECTOR.  
BUNER AT DAGGAR.**

(14)

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

Annex: D

(TEHSILDAR, NAIB TEHSILDAR / SUBORDINATE REVENUE SERVICE RULES, 2008)

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 Khyber Pakhtunkhwa, 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 - 30 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.

	2	3	4	5	6	7
	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	Deleted	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 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 Kanungos 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)

943-01/Admn I/I/296/Establishment

(16)

Copy forwarded for information and necessary action to the:-

1. Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
2. Secretary to Government of Khyber Pakhtunkhwa Finance Department.
3. Secretary to Government of Khyber Pakhtunkhwa Law Department.
4. Secretary Khyber Pakhtunkhwa Public Service Commission.
5. Registrar Peshawar High Court.
6. Accountant General Khyber Pakhtunkhwa.
7. All Commissioners / Political Agents in Khyber Pakhtunkhwa.
8. All District Officers (R&E)/Collectors, in Khyber Pakhtunkhwa.
9. Private Secretary to Minister for Revenue Khyber Pakhtunkhwa.
10. 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



GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT  
Peshawar dated the 03/11/2015

**ORDER**

No. Estt. V/D/FC/.....  
On the recommendation of Departmental Promotion Committee, the Competent Authority is pleased to order the promotion of Mr. Khatayulha Tehsil Accountant (BS - 07) to the post of District Revenue Accountant (BS-14) on regular basis with immediate effect.

On promotion, the above official will be on probation for a period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973, read with Rule 15 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules - 1989.

Consequent upon his promotion, he is posted as District Revenue Accountant Buner against the vacant post.

By order of  
Senior Member


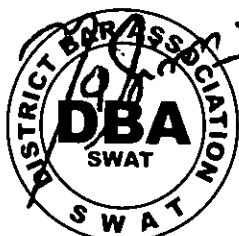

No. Estt. V/D/FC/ 25068-04

- 1. The Commissioner, Market and Division at Saidu Sharif
- 2. Deputy Commissioner, Buner
- 3. District Accounts Officer, Buner
- 4. Official concerned
- 5. Bureaucratic files

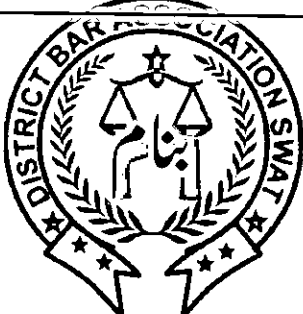
Office of the DC Buner  
Date No. 11/11/15  
Branch.....  
Signature.....

*Handwritten notes:*  
13/11/15  
DC Buner  
W. B. P. No. 25068-04  
District Revenue Accountant  
Buner

Secretary

 <p>بار کونسل نمبر: 573</p> <p>بار ایسوسی ایشن نمبر: 573</p> <p>رابطہ نمبر: 03005740299</p>	<p>13415</p>   <p>ڈسٹرکٹ بار ایسوسی ایشن سوات</p>
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بعدالت جناب: سروس سٹریٹجیٹک کنڈ، سیتاور ضلع خیبر پختونخوا

<p>منجانب:</p> 	<p>دعویٰ اور خواہش:</p> <p>علت نمبر:</p> <p>مورخہ:</p> <p>جرم:</p> <p>تھانہ:</p>
---	--

**باعتحریراکھ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دہی کاروائی متعلقہ

آن مقام شہید سید شرف الدین سید املوڑ اسٹیف

کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ بر حلف دینے دعویٰ، جواب دعویٰ، اقبال دعویٰ، واپسی مقدمہ اور درخواست ازہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوا کے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وصول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، مقدمہ کسی بھی عدالت میں بوجہ عدم پیروی داخل دفتر ہونے کی صورت میں وکیل موصوف ذمہ دار نہیں ہوگا؛ لہذا وکالت نامہ لکھ دیا تاکہ سند ہے

المقوم:

ذرا دلچسپ

مدعا علیہ سید شرف الدین

یعنی میں اپنے فیصلہ سے

الع ہد گواہ شد الع ہد

مقام شہید سید شرف الدین سید املوڑ اسٹیف کے لئے منظور ہے۔

ایڈووکیٹ دستخط:

Sajid

Sajid Malook

Attc

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 153/2016

Muhammad Irfan,  
Tehsil Revenue Accountant,  
Daggar, under Transfer to the Post  
Patwari Halqa, Ghordara, District Buner.....Appellant

Versus

The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar and others.....Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Rejoinder.			1-5
2.	Copy of working paper prepared District Officer (R&E)/Collector, Buner.		Rj/A	6-7
3.	Copy of the Minutes of the Departmental Selection Committee.	19-09-2009	Rj/B	8-9
4.	Copy of office order whereby appellant was posted as TRA, Daggar.	01-12-2014	Rj/C	0-10
5.	Copy of order whereby Respondent No.5 was appointed as Patwari on Temporary basis in Swat settlement.	04-04-1981	Rj/D	0-11
6.	Copy of extracts of Service Book of respondent No.5.		Rj/E	12-35
7.	Copy of the Notification containing Tehsildar, Naib Tehsildar/Subordinate Revenue Service Rules, 2008.	26-12-2008	Rj/F	36-39
8.	Copy of covering letter whereby final seniority list of Patwaris of District Buner was circulated.	06-03-2016	Rj/G	40-42
9.	Copy of letter whereby seniority of Senior Tehsil Revenue Accountant was circulated.	24-08-2015	Rj/H	0-43

Through

Appellant

Khush Dil Khan  
Advocate,  
Supreme Court of Pakistan

Dated: 28 / 04 / 2017

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 153/2016**

Muhammad Irfan,  
Tehsil Revenue Accountant,  
Daggar, under Transfer to the Post  
Patwari Halqa, Ghordara, District Buner.....Appellant

Versus

The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar and others.....Respondents

---

**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO  
REPLY FILED BY RESPONDENTS NO. 1 TO 4.**

---

Respectfully Sheweth,

**PRELIMINARY OBJECTIONS:**

Preliminary objections raised by answering respondents are erroneous and frivolous which are denied in toto. The detail reply of each one is given as under:-

- I. That the appeal is fully maintainable in all respects.
- II. That the appellant has genuine grievances so he rightly filed the present appeal supported by authentic documents.
- III. That the case of appellant is based on facts and law which he elucidated in the appeal in prescribed manner.

**REJOINDER TO REPLY OF FACTS:**

1. That the answering respondents have concealed the facts from this Hon'ble Tribunal and the reply is based on exaggeration so

denied. Earlier the post of Tehsil Revenue Accountant (TRA) and Patwari treated as equal in all respects and also carrying same basic pay scale 5. The District Officer (R&E)/Collector, Buner prepared a working paper for the appointments of Tehsil Revenue Accountants at as item No.2, which was duly considered by Department Promotion/Selection Committee in its meeting held on 19-09-2009 and selected candidates including appellant were recommended for the requisite appointments. Copies of Working Paper and Minutes of the Meeting of DPC are attached as (Rj/A & Rj/B).

**It is pertinent to mention that appellant had applied for the post of Tehsil Revenue Accountant (TRA) but since at the relevant time the post of TRA and Patwari was the same and for the both posts candidates were to be selected from the Patwar Candidates Register maintained in the office of District Officer (R&E)/Collector, Buner and similarly the criteria for such appointment were also the same. Then appellant was posted against the post of TRA Daggar vide office order dated 01-12-2014 (Rj/C).**

2. That it is candidly admitted by the answering respondents that the Respondent No.5 was originally appointed as Patwari. Actually he (Respondent No.5) was appointed as Patwari on temporary basis in Swat Settlement by an order dated 04-04-1981 vide No. 878/SOS-76/2 (Rj/D). Later on, he was transferred to Buner District and in the year 1996 he was confirmed as Patwari such entry recorded at Page 11 of the extracts of Service Book. The extracts of Service Book attached as (Rj/E).

So far the reply to the extent of adjustment of Respondent No.5 against the post of TRA by an office order dated 05-10-2009 vide No. 3645/3/42-Vol:II/DRA(B) is incorrect so denied because such adjustment was made in violation of the rules

namely Tehsildar, Naib Tehsildar/Subordinate Revenue Service Rules, 2008 notified on 26-12-2008 (Rj/F) for the reason that in view of S.No. 7 of the Rules, the appointment to the post of Senior Tehsil Revenue Accountant (BPS-7) and Junior Tehsil Revenue Accountant/Wasil Baqi Nawis/Additional Baqi Nawis (BPS-5) is to be made by transfer from amongst Patwaris. In the case of Respondent No.5 only he was adjusted against that vary post in violation of rules instead of making appointment of any eligible candidate as required by law. Moreover appointment by transfer is to be made against the post of equal pay scale but in this case Respondent No.5 was holding the post of Patwari (BPS-05) and he was adjusted against the post of Tehsil Revenue Accountant (BPS-07) which is illegal and not sustainable.

3. Furnished no comments by the answering respondents meaning thereby they have conceded the contents thereof.
4. That the reply is against the record and the answering respondents have concealed the facts that the office of Respondent No.4 (Deputy Commissioner Buner) has issued two seniority lists, one on 06-03-2015 (Rj/G) and the other on 24-08-2015 (Rj/H). The seniority list dated 06-03-2015 is final seniority list of Patwaris in District Buner as stood on 05-03-2015, the name of Respondent No.5 (Kifayat Ullah) at serial No.4 while the seniority list dated 24-08-2015 was only named Respondent No.5 which was issued mala fidely in order to promote him to the next post of District Revenue Accountant (BPS-14) which they did in illegal manner during stay order. The seniority list dated 24-08-2015 has not been framed in accordance with law because the seniority is counted from the regular date of appointment or promotion which is existed in the case of Respondent No.5.

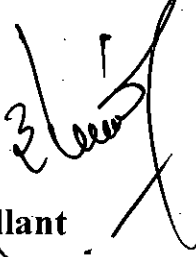
5. That answering respondents have acted in violation of law and rules on subject and unlawfully filed departmental appeal without assigning any reason.

**REJOINDER TO REPLY OF GROUNDS:**

- A. That the reply to Ground-A is totally incorrect so denied. The appointment to the post of Senior Tehsil Revenue Accountant (BPS-7) is to be made by transfer amongst Patwaris in view of relevant rules. In the case of Respondent No.5 no such method was adopted and he was only adjusted against that vary post by office order dated 05-10-2009 in clandestine manner which is not tenable because adjustment against the post of high scale is violation of the law and rules on subject because the post of Patwari was in BPS-05 while the post of Senior Tehsil Revenue Accountant having BPS-07 at the time of his adjustment.
- B. That the reply to Ground-B is incorrect so denied. It is a settle principle of law that when initial order or act relating of initiation of proceedings was contrary to law and illegal, then all subsequent proceedings and actions taken thereon would have no basis and would fall. That since the adjustment of Respondent No.5 against the post of Senior Tehsil Revenue Accountant was illegal and contrary to law so subsequent promotion to the post of District Revenue Accountant on the basis of such illegal adjustment has no legal justification and liable to be set aside.
- C. That the reply is incorrect so denied.
- D. That the reply is incorrect so denied.
- E. That the reply is incorrect, base on exaggeration so denied.

F. That the reply is incorrect so denied.

It is, therefore, humbly prayed that the reply of answering Respondents No. 1 to 4 may graciously be rejected and the appeal as prayed for may graciously be accepted with costs.

  
Appellant  
Through  
**Khush Dil Khan**  
Advocate,  
Supreme Court of  
Pakistan

Dated: 28/05 /2017



from (BPS - 1 to 10) in the office of District Officer (R&E)/Collector, Buner, the Provincial Government has notified the following Committee:

1. District Officer (R&E)/Collector, Buner ..... Chairman
2. Representative of Board of Revenue NWFP ..... Member
3. Representative of DOR Buner ..... Member
4. Deputy District Officer (Revenue) Buner ..... Member

ITEM NO. 1

PROMOTION OF KANUNGO

Two (2) posts of Office Kanungos in (BPS - 09) have been created by the Provincial Government through Board of Revenue NWFP for the new Establishment of the two (2) newly created / upgraded Sub Division vide Notification No. 22584/Dud:I/BOR/2008-09, dated 27.08.2009. As the posts of Kanungos not directly filled, which will be filled by promotion from the senior Patwaris accordance with the relevant rules. According to the Seniority List the following are the senior most Patwaris for promotion as Kanungos :-

1. Mr. Mehmood Shah, Patwari
2. Mr. Behman Noor TRA
3. Mr. Abdul Wakil, Patwari
4. Mr. Alam Zeb Patwari

Annual Confidential Reports of the above officials in original alongwith synopses are placed next for consideration please.

ITEM NO. 2

APPOINTMENT OF TEHSIL REVENUE ACCOUNTANT

Two (2) posts of Tehsil Revenue Accountant in (BPS - 07) have also been created newly for the newly created / upgraded Sub Division. The post of Tehsil Revenue Accountant is basically Patwari and also the same will be filled from the Patwari candidates. Moreover, one Mr. Muhammad Ghafoor Patwari has been retired from service on 06.09.2009. Thus 05 posts of TRA / Patwari (BPS - 05) become vacant / available which will be filled.


P. 6

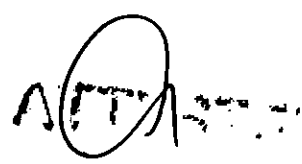
from amongst the senior most Patwari candidates Register maintained in the office of District Officer (R&E)/Collector, Buner. According to rules the Register Umidwaran Patwari maintained in the office of the District Collector, the following are the senior most candidates for the appointment / selection of Tehsil Revenue Accountant.

1.	Mr. Muhammad Irfan S/O Amir Akbar
2.	Mr. Sar Zamin Khan S/O Hamidullah
3.	Mr. Shakil Khan S/O Abdul Namir
4.	Mr. Imtiaz Khan S/O Said Kabot Shah
5.	Mr. Israrj Khan S/O Qilus Khan

In order to consider the above cases of promoting as Kanungo and appointment of Patwaris a meeting of Departmental Promotion / Selection Committee is scheduled Tehsildar to be held on 19.09.2009 in the office of the District Officer (R&E)/Collector, Buner.

All the relevant documents of the senior most and Register Candidates Patwaris are placed before the Committee for consideration.

  
District Officer (R&E)/Collector,  
Buner.



MINUTES OF THE DEPARTMENTAL PROMOTION / SELECTION COMMITTEE MEETING HELD ON 19.09.2009 IN THE OFFICE OF DISTRICT OFFICER (R&E)/COLLECTOR, BUNER.

Amree: B<sup>3</sup> R.T. B  
 19/09/2009

A meeting of Departmental Promotion / Selection Committee for the purpose of Promotion and appointment of Revenue Staff in the District Officer (R&E)/Collector, office was held on 19.09.2009 under the Chairmanship of District Officer (R&E)/Collector, in his office. The following attended the meeting :-

1. Mr. Ismail Khan,  
District Officer (R&E)/Collector, Buner ..... Chairman
2. Representative of DCO Buner ..... Member
3. Mr. Hamayun Khan, Superintendent  
Representative of Board of Revenue NWFP ..... Member
4. Mr. Momin Khan,  
Deputy District Officer (R&E)/Collector, Buner ..... Member

**ITEM No. 1**

**PROMOTION OF KANUNGOS**

The posts of Office Kanungos were newly created for the Establishment of new upgraded / created Sub Division by the Provincial Government through Board of Revenue NWFP vide Notification No. 22584/BUD/I/BOR/2008-2009, dated 27/08/2009, the posts of Office Kanungo one each for Totalai and Gagra Sub Divisions are to be filled in the promotion from amongst the following senior most eligible Patwaris in the District:-

1.	Mr. Mehmood Shah, Patwari	19.05.1976	Kanungo examination passed
2.	Mr. Behman Noor TRA	20.05.1976	--do--
3.	Mr. Abdul Wakil Patwari	20.05.1976	--do--
4.	Mr. Alam Zeb, Patwari	20.05.1976	--do--

The committee examined the service record, seniority Annual Confidential Reports etc: of the above mentioned Patwaris and found the officials at S.No. 1 & 2 have passed Kanungo examination and their ACRs are free from adverse entries and no Departmental / NAB/Anti Corruption cases pending against them, are therefore recommended for promotion to the post of Kanungo (BPS - 09) on regular basis.

**ITEM NO. 2**

**APPOINTMENT OF TRA / PATWARI**

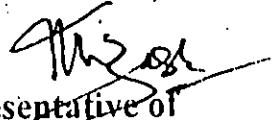
Two posts of Tehsil Revenue Accountant in (BPS - 07) have also been created for the newly created Sub Divisions. Moreover, one Mr. Muhammad Ghafoor Patwari has been retired from Service on 06.09.2009. Thus 05 posts of Patwari / TRA are available vacant in the District which are required to be filled amongst senior-most Patwar candidate Register maintained in the office of District Officer (R&E)/Collector, Buner.

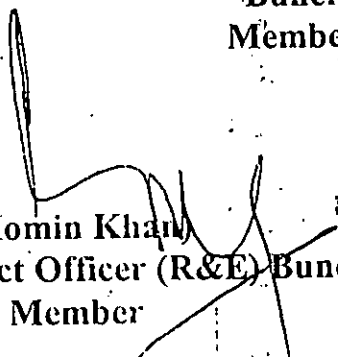
*(Handwritten signature)*


The committee examined the Patwar Candidate Register and unanimously recommended the following senior most Patwar Candidates for appointment as Patwaris (BPS-05) on regular basis with immediate effect.


S.No.	Name of candidates	Date of birth	Qualification
1.	Mr. Muhammad Irfan S/O Amir Akbar	24.06.1987	Diploma (3 years) in Technical Education
2.	Mr. Sar Zamin Khan S/O Hamidullah	10.03.1990	FSc
3.	Mr. Shakil Khan S/O Abdul Namir	20.03.1988	FSc
4.	Mr. Imtiaz Khan S/O Said Kabot Shah	16.04.1980	F.A
5.	Mr. Isra Khan S/O Qilus Khan	20.03.1985	FSc


The meeting was ended with vote of thanks by the Chairman.

  
Representative of  
District Coordination Officer,  
Buner  
Member

  
(Momin Khan)  
Deputy District Officer (R&E) Buner  
Member

  
(Hamayun Khan)  
Representative of  
Board of Revenue NWFP  
Member

  
(Ismail Khan)  
District Officer (R&E)/Collector,  
Buner  
Chairman

  
ATTESTED

Better Copy

OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER.

Ammed. C  
= P. 10  
A.J  
Dec 01, 2014

**OFFICE ORDER:**

**No. 15345-76/DC/Buner.** In pursuance of the Govt. of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department's letter no. Estt: VI/General File/21358-90 dated 28-10-2014, following Postings/Transfer amongst the Patwaris of this district are hereby ordered with immediate effect in the best interest of public service.

S. No.	Name of Patwari	From	To	Remarks.
1.	Sardar Ali	Bajkata	Ammnawar	
2.	Sarbali Khan	Rega	Tanta Pacha	
3.	Saiful Malook	Ammnawar	Kalpani	Against the vacant post
4.	Muslim Khan	Gumbat	Matwani	
5.	Shafi Ur Rehman	Matwani	To Bajkata	
6.	Zahid Tab Gul	Pandair	Rega	
7.	Abdul Mujeeb	Banj Kara	Pandair	
8.	Abdul Malik	Bampokha	Anghapur	
9.	Mumtaz Ali	Anghapur	Jowar	
10.	Iftikhar	Jowar	Bampokha	
11.	Gul Shed	Katkala	Gumbat	
12.	Fateh Muhammad	Pacha	Gulbandi	
13.	Noor Farooq	Malakpur	Pacha	
14.	Inam Ullah	Ambella	Report to DC Office	Disciplinary Proceedings pending against him in Board of Revenue.
15.	Kamal Afsar	Agarai	Nawagai	
16.	Muhammad Younas	Ghwradara	Malakpur	
17.	Shakeel	Khanpur	Chanal	
18.	Anwar Ali	Charorai	Khanpur	
19.	Dawa Khan	Chanal	Charorai	
20.	Dilraj Khan	Nawagai	Agarai	
21.	Kifayat Ullah	TRA Daggar	Ambella	
22.	Muhammad Irfan	Topai	TRA Daggar.	

Sd/-

(Khaista Rahman)  
DEPUTY COMMISSIONER,  
BUNER.

**Endst. No. & date even.**

1. Secretary-1, Govt. of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department, Peshawar.
2. Secretary to Commissioner, Malakand Division w/r to his letter No. 19205/2/8/Estt: dated 06-11-2014.
3. All Assistant Commissioner, Buner.

AT P.10

Dec-01, 2014.

Office Order

No. 215345-76/DC/Buner. In pursuance of the Govt. of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department's letter no. Estt. VI/General File/21358-90 dated 28-10-10 following Postings/Transfers amongst the Patwaris of this district are hereby ordered with immediate effect in the best interest of public service.

No.	Name of Patwari	From	To	Remarks
1	Sardar Ali	Barkata	Amnawar	
2	Sarbali Khan	Rega	Tanta Pacha	
3	Saiful Malook	Amnawar	Kalpani	Against the vacant post.
4	Muslim Khan	Gumbat	Matwani	
5	Shafiqur Rahman	Matwani	Barkata	
6	Zahid (Ab. Gul)	Pandari	Rega	
7	Abdul Mujeeb	Banj Kara	Pandari	
8	Abdul Malik	Bampokha	Anghapur	
9	Mumtaz Ali	Anghapur	Jowar	
10	Iftikhar	Jowar	Bampokha	
11	Gul Shed	Katkala	Gumbat	
12	Eateh Muhammad	Pacha	Gulbandi	
13	Noor Parooq	Malakpur	Pacha	
14	Inamullah	Ambella	Report to DC Office	Disciplinary proceedings pending against him in Board of Revenue
15	Kamal Afsar	Agarai	Nawagai	
16	Muhammad Younas	Chwardara	Malakpur	
17	Shakeel	Khanpur	Chanal	
18	Anwar Ali	Charora	Khanpur	
19	Dawakhan	Chanal	Charora	
20	Dilraj Khan	Nawagai	Agarai	
21	Kifayatullah	TRA Daggar	Ambella	
22	Muhammad Irfan	Topai	TRA Daggar	

(Khanista Rahman)  
DEPUTY COMMISSIONER,  
BUNER

Endst. No. & date even.

- Secretary-I, Govt. of Khyber Pakhtunkhwa, Board of Revenue, Revenue & Estate Department, Peshawar.
- Secretary to Commissioner, Malakand Division w/z to his letter no. 10205/2/8/Estt. dated 06-11-2014.
- All Assistant Commissioners, Buner.

A

## Fair Copy

OFFICE OF THE SETTLEMENT OFFICER, SWAT, SAIDU SHARIF

No. 878 /SOS-76/2. Dated Saidu Sharif the 4<sup>th</sup> April, 81

Amaz: D<sup>2</sup>  
P.11  
R.T

### O R D E R

The following Forty-Seven persons are appointed temporarily as Patwaris in Swat Settlement against existing temporary vacancies with effect from the date of assuming charge of their assignments. All the posts in Swat Settlement are temporary and as such their services shall be liable to termination at any time on fourteen days notice or pay in lieu thereof:-

1-	Abdul Kamal S/O Muqam Khan r/o Kota - Barikot Swat.
2-	Abdul Malik S/O Mahmood Khan r/o Jowar - Buner.
3-	Abid Raza S/O Abdul Jalal Mian r/o Madyan, Swat.
4-	Akbar Badshah S/O Sher Bahadur r/o Gwaleri - Matta - Swat.
5-	Anwarul Haq S/O Pir Dad r/o Moh: Amanullah Mingora - Swat.
6-	Aziz S/O Niamat r/o Durush Khela - Swat.
7-	Bakht Mulk S/O Fatehul Mulk r/o Leelonai - Alpuri.
8-	Dera Wadan S/O Shah Asarli r/o Chalyar Khwaza Khela, Swat.
9-	Dost Mohammad S/O Dilaram Khan r/o Dulhara - Kabal - Swat.
10-	Farin Khan S/O Faizullah Khan r/o Rega - Buner.
11-	Fateh Khan S/O Amir Chaman r/o Charbagh - Swat.
12-	Fazal Raziq S/O Mir Wahid r/o Kotah - Swat.
13-	Fazal Wahid S/O Amoz Khan r/o Kokarai - Swat.
14-	Habib Ahmad S/O Alangir Khan r/o Barikot - Swat.
15-	Hamidul Haq S/O Fazal Rehman r/o Agarai - Buner.
16-	Hazrat Yunas S/O Tor Ali r/o Barikot - Swat.
17-	Javed Iqbal S/O Abdul Qayum r/o Dagai Tutalai Buner.
18-	Jehan Malik S/O Arjumand r/o Minglawar - Swat.
19-	Kamalistan S/O Karim Bakhsh r/o Mera Besh Bar - Swat.
20-	Khaista Mohammad S/O Mohammad Sheerin r/o Kharerey Matta, Swat.
21-	Kifayatullah S/O Hazrat Jamal r/o Kulyari - Buner.
22-	Mian Gul Hilal S/O Mian Jee r/o Saidu Sharif - Swat.
23-	Midrarullah S/O Naqibullah r/o Chinglae Khudu Khel - Buner.
24-	Miran Shah S/O Ikran Shah r/o Korya - Buner.
25-	Mohammad Afzal S/O Taj Mohd r/o Takhta Band Mingora - Swat.
26-	Mohammad Amin S/O Fazal Ilahi r/o Minglawar - Swat.
27-	Mohammad Malik S/O Abdul Qadir r/o Khwaza Khela - Swat.
28-	Mohammad Rafiq S/O Khonkar r/o Khwaza Khela - Swat.
29-	Mohandi Room S/O Sargand Khan r/o Kotah - Swat.
30-	Mohammad Shah Room S/O Behram Khan r/o Sakhra - Matta - Swat.
31-	Mohammad Zuber S/O Toti r/o Biha - Matta - Swat.
32-	Mumtaz S/o Hazrat Jamal r/o Chinglai - Buner.
33-	Mumtaz Ali S/O Manra r/o Kalpani - Buner.
34-	Nasrin Gul S/O Yusuf Gul r/o Nawagai - Buner.
35-	Naubat Khan S/O Jalal Khan r/o Kalpani - Buner.
36-	Nazar Mohammad S/O Niaz Mohammad r/o Chinglai - Buner.
37-	Saifullah S/O Sher Mohammad r/o Chinda Khwara - Swat.
38-	Sarwar Ali S/O Syed Mohd Shah r/o Sarsardarey - Swat.
39-	Shah Wazir S/O Nausher r/o Bahrain - Swat.
40-	Siraj Mohammad S/O Abdul Ghafur r/o Chinglae - Buner.
41-	Sultan Zeb S/O Sultan Mulk r/o Kotah - Swat.
42-	Syed Zafar Ali S/O Mian Said Wahid r/o Sarsardarey - Swat.
43-	Taj Ahmad S/O Ahmad r/o Chinglai - Buner.
44-	Taj Maluk S/O Zafar Khan r/o Gwalera Matta - Swat.
45-	Usman Shah S/O Amanullah r/o Khwaza Khela - Swat.
46-	Zakir Rehman S/O Amullah r/o Kakari - Swat.
47-	Zaman Khan S/O Mian Gul r/o Shalbandi - Buner.

Sd/  
Settlement Officer,  
Swat, Saidu Sharif.

No. 879-82/SOS-76/2. Dated 4<sup>th</sup> April, 1981.

Copy forwarded to all for information and necessary action.

~~SECRET~~  
SECRET

*Suppl.*  
*Mr. [Signature]*

15/12/57  
[Signature]  
[Signature]

20. Signature and designation of the Head of the Office, or other Attesting Officer

19. Signature of Government servant  
*Kilgoban*

*[Signature]*

Thumb



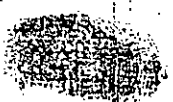
Middle Finger



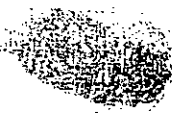
Little Finger



Fore Finger



Ring Finger



2. Left hand thumb and finger impression of (non-gazetted) officer

1. Personal marks for identification

- Cut marks on fore hand

4. Exact height by measurement

- Five feet and five inch  
5'-5"

3. Date of birth by Christian era nearly as can be ascertained

21. First December nineteen hundred and fifty-seven  
1.12.1957

4. Father's name and residence

Hajrat-Jamal village Kalyan (Barr) Doga (Barr)

3. Residence

village Kalyan (Barr) Doga (Barr) District Svat

2. Race

Afghan

1. Name

Kilgoban

Note:—The entries in this page should be removed or re-attested at least every five years and the appropriate lines should be dated.

Amir P.12

R.I



1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state— (i) substantive appointment or (ii) whether service counts for pension under Art. 37, C. S. R.	4 Pay in substantive post	5 Additional pay for officiating	6 Other emoluments falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
290-10-357/12-470							
Groat Settlement Katwari		Temp.	290/-	15/-		5.8/2.81 (EN)	[Signature]
290-10-357/12-470-14-540							
Groat Settlement Katwari		do	302/-	15/-		1.7.81	[Signature]
do		do	310/-	15/-		1.12.81	[Signature]
do		do	320/-	15/-		1.2.82	[Signature]
Revise B.P.S. No. 5 = 520-8-880							
do		do	574/-	15/-		1.7.83	[Signature]
do		do	592/-	15/-		1.12.83	[Signature]
do		do	610/-	15/-		1.12.83	[Signature]
do		do	610/-	15/-	1. pay 83/-	1.7.85	[Signature]
do		do	628/-	15/-	07/-	1.12.85	[Signature]
<p>Service Verified w e.f. 1-12-84 to 30-11-85 from pay Roll, &amp; other Record of this Office.</p> <p>(P. 1.0)</p> <p>Supervisor EDENT Guner.</p> <p>[Signature] D. S. D. Bottlewar: Smt. 1985</p>							

EDENT  
BUNSI  
Office

19/10/85

Rs 574/- P.W. 17.83  
52-18-85 B.S. No. 5  
Pay fixed in basic pay scale 1982  
W.F.P. Peshawar  
Office of the Accountant General -  
Peshawar

General Accountant  
to 30.11.83 from the office  
of pay bills of this office  
for the year 1983  
Drawn and taken No. 15/11/83  
Rs 67/50  
Rest & correction Allowance of Pay  
15/11/83

Service Verified of 1-12-83  
to 30-11-83 from pay roll  
& other record of this Office.  
Peshawar

for the year 1983  
Drawn and taken No. 15/11/83  
Rs 67/50  
Rest & correction Allowance of Pay  
15/11/83

SETTLEMENT OFFICER  
Peshawar

Service verified list  
7.4.81 to 30.11.82 in  
the office copy of  
bills of this office

SETTLEMENT OFFICER  
Peshawar

Appointed rule this  
office order No 878/503  
76/2 of 4.4.1981

30.6.83  
30.6.83  
30.6.83

30.6.83  
30.6.83  
30.6.83

30.6.81  
30.6.81  
30.6.81

30.6.81  
30.6.81  
30.6.81

Handwritten notes and signatures on the right side of the page, including names like 'Munir' and 'Munir' and various dates and initials.

Table with multiple columns and rows, containing printed text and some handwritten entries. The text is mostly illegible due to the quality of the scan and the angle of the page.

DC's Office Building  
 SUPP. FEDERAL  
 MAIL

1.12.58	9257					
1.12.87	9007					
1.12.87	8257				700-95-100	Hammerhead
1.1.87	6467					Circle Show Bars Temp.
11/9. 1.12.86	6567	157				
113/ 1.7.86	6287	157				
1.12.85	6287	157				Temp.
1.12.85	857	157				Statement

Blair-Potts No. 5-520-18-880

P.15





1	2a	2b	2c	2d	2e		2f	2g
					Leave	Period		
<p>Signature and designation of the head of the office or other official to whom the application is made</p> <p><i>D.C. Buner</i></p>	<p>Date of termination of appointment</p> <p>30<sup>11</sup>/<sub>90</sub></p>	<p>Reason of termination (such as promotion, transfer, discharge, etc.)</p> <p>Annual Commission</p>	<p>Signature of the head of the office or other attesting officer</p> <p><i>Deputy Commissioner Dist. Collector Swat</i></p>	<p>Signature and duration of leave taken</p>	<p>Allocation or periods of leave in advance not up to four months for which leave salary is payable to another Government</p> <p>From 1-12-87 to 31-12-90</p>	<p>Period</p>	<p>Signature of the head of the office or other attesting officer</p> <p>For Deputy Commissioner Swat</p>	<p>Reference to any previous pay document or other document of the Government</p>
<p><i>D.C. Swat</i></p>	<p>31<sup>5</sup>/<sub>91</sub> Transfer</p>	<p>Annual Commission</p>	<p><i>Deputy Commissioner Dist. Collector Swat</i></p>					
<p><i>Deputy Commissioner Buner</i></p>	<p>30<sup>11</sup>/<sub>91</sub> Annual Commission</p>	<p>Annual Commission</p>	<p><i>Deputy Commissioner Buner</i></p>					
<p><i>Deputy Commissioner Buner</i></p>	<p>30<sup>11</sup>/<sub>92</sub> Annual Commission</p>	<p>Annual Commission</p>	<p><i>Deputy Commissioner Buner</i></p>					
<p><i>Deputy Commissioner Buner</i></p>	<p>30<sup>11</sup>/<sub>93</sub> Annual Commission</p>	<p>Annual Commission</p>	<p><i>Deputy Commissioner Buner</i></p>		<p>Service from 1-6-91 to 30-11-92 verified from the office copies of pay bills and found correct.</p>			
<p><i>Deputy Commissioner Buner</i></p>	<p>30<sup>11</sup>/<sub>92</sub> Annual Commission</p>	<p>Annual Commission</p>	<p><i>Deputy Commissioner Buner</i></p>		<p>Service from 1-12-92 to 30-11-93 verified from the office copies of Pay bills and found correct.</p>			
<p><i>Deputy Commissioner Buner</i></p>			<p><i>Deputy Commissioner Buner</i></p>					

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state— (1) substantive appointment or (2) whether service counts for pension under Art. 371, C. S. R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "Pay"	Date of appointment
700- Rana		Revision of basic pay scales vide notification No. F.D. (PRC) 1-1/94 dated 30-6-94				
BPS - 5 1400-66-2390		RS 2192/-				6/94
Pay fixed by order of 12/14	do	Temp		RS 2258/-		12/94
	do			RS 2324/-		12/95
10/25/94 Rana Rana						
	do	Perm		RS 2340/-		12/96
do						

Office of The Assistant General  
N.Y.F.F. Peshawar.

Pay fixed in the revised basic pay scales 1994  
of Rs. 400-66-2390 (5)  
a. Rs. 2192/- P.M.W.E.F. 1-6-1994  
With next increment on 1-12-1994

Accounts Officer.

Pay Fixation Party N.Y.F.F. Peshawar.

*[Handwritten signature]*

INTD at elc  
SUB-DIVISIONAL OFFICER  
DEPT. OF INDIAN BUREAU







1	2	3	4	5	6	7	8
				Leave			
Name and position of the person to whom the leave is granted				Nature and duration of leave taken		Particulars of the leave account	
Date of commencement and termination of leave				Allocation of pay for leave on a average pay up to last month for which leave salary is payable to member of Government		Particulars of the leave account	
Deputy Commissioner Distt. Buner	30-11-98	due to m-over granted	Deputy Commissioner Distt. Buner	Deputy Commissioner Distt. Buner	Service from 1-12-96	verified from office copies of pay bills and found correct	for D.C. Buner
Deputy Commissioner Distt. Buner	30-11-99	granted m-over BPS-6	Deputy Commissioner Distt. Buner	Deputy Commissioner Distt. Buner	granted m-over BPS-6 order no. 817/36/31 DRA dt 5-7-99 Pay in B.P.S(5) on 1-12-96 Rs. 2390/- Pay fixed in B-6 on 1-12-97 Rs. 2462/- Annual Inc allowed.	verified from office copies of pay bills and found correct	for D.C. Buner
Deputy Commissioner Distt. Buner	30-11-99	granted m-over	Deputy Commissioner Distt. Buner	Deputy Commissioner Distt. Buner	granted m-over in BPS-7 vide D.C. Buner order no 767-91/36/3/DRA dt 4-7-2000	verified from office copies of pay bills and found correct	for D.C. Buner
Deputy Commissioner Distt. Buner	30-11-99	granted m-over	Deputy Commissioner Distt. Buner	Deputy Commissioner Distt. Buner	granted m-over in BPS-7 vide D.C. Buner order no 767-91/36/3/DRA dt 4-7-2000	verified from office copies of pay bills and found correct	for D.C. Buner
Deputy Commissioner Distt. Buner	30-11-99	granted m-over	Deputy Commissioner Distt. Buner	Deputy Commissioner Distt. Buner	granted m-over in BPS-7 vide D.C. Buner order no 767-91/36/3/DRA dt 4-7-2000	verified from office copies of pay bills and found correct	for D.C. Buner

30-11-99  
Due to granted m-over

Deputy Commissioner  
Distt. Buner

for D.C. Buner

306  
277  
Area of Pay & Allowance  
Went 4/12/97 to 30/6/99 on  
d/c of Buner area to BPS  
sl. 6 total Rs. 2000/-

PS 12 Area of Pay & Allowance  
30-11-99 granted m-over in BPS-7 vide D.C. Buner order no 767-91/36/3/DRA dt 4-7-2000

1- Pay in BPS-6 on 1-12-1998 = Rs. 2535/-  
2- Pay fixed in BPS-7 on 1-12-1999 = Rs. 2614/-

ADJUTANT  
Deputy Commissioner  
Distt. Buner

Service from 1-12-98  
To 30-11-2000  
verified from office copies of pay bills and found correct

for D.C. Buner

B.P.S-7(1480-81-2685)

Pativan

Rs 2685

15 8  
2001

Primas pay is Rs 2685/in BPS.  
pay Revise in BPS-5 Rs 4100/

B.P.S-5(2100-100-5100)

B: Pativan

Rs 4100/

1 12  
2001

di

Rs 4100/

1 12  
2002

do

4300/

1 12  
2003

Di

*Handwritten signatures and notes, including a large scribble and the name "S. K. Singh".*

Revenue Officer  
Pat Division, Patna, 800001, Bihar

INTEREST  
D.O's Office, Bunc

P.224

16 Particulars of the entries in the accounts of the Government	17 Person of designation (such as promotion, transfer, dismissal, etc.)	18 Signature of the head of the office or other attesting officer	19 Leave taken	20 Allocation of periods of leave on average pay up to four months for which leave salary is payable to another Government	21 Signature of the head of the office or other attesting officer	22 Reference to any relevant paragraph, section of statute, or rule of the Government
PS-7						
pay revised vide Govt Notification No. FD/PRC/1-1/2001 dt. 2-10-2001						verified from office copies of pay bill and found correct. 15-8-2001 DOR&E, Buner
30-11-2001						verified from office copies of pay bill and found correct. 1-12-2001 DOR&E, Buner
Annual increment accorded 30-11-2001						verified from office copies of pay bill and found correct. 1-12-2001 DOR&E, Buner
Annual increment accorded 30-11-2003						verified from office copies of pay bill and found correct. 1-12-2002 DOR&E, Buner
Annual increment accorded 30-11-2004						verified from office copies of pay bill and found correct. 1-12-2004 DOR&E, Buner

Annual leave granted w.e.f. 06/3/2004 to 27/4/2004 (50 days) with full average pay vide order No. 1247-59/27.4.2004.

Distt. Officer  
Buner

Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state— (a) substantive appointment or (b) whether on vice basis for position under Act 1951, C. S. S.	Pay is substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment
Patwari BPS No. 5	Sub/perm.		Rs. 4400/-			12/1/2004
<u>Revised Entry</u>						
B-5-1540-38-2860			B. 2772/-			12/01
B-5-1400-66-2380			B. 2786/-			12/07
<u>Scale Revised 2001</u>						
B-5-2102-10-5100			B. 4210/-			12/01
			B. 4300/-			12/12
			B. 4400/-			12/03
			B. 4500/-			12/04
Patwari	Sub/perm.		Rs. 5175/-			7/2005
B-5(2415-115-5865)			Rs. 5290/-			12/2005

**SUPERINTENDENT**  
 Dcs Office, Buner.

Name of the person	Rank or position	Department or office	Leave taken	Remarks
R&E, Buner.	Entry Revised	DOR&E Buner		<p>Service from 1-12-2003 to 30-11-2004 Verified from the office copies of Pay bills and found correct.</p> <p>Granted Earned leave with effect from 4<sup>3</sup>/<sub>05</sub> to 17/4/05 (5 day) with full pay vide order NO. 2285-87/ESH/3 (2)4 dated 25/4/05 DCO Buner</p> <p>Service Verified N.E.F. 1-12-2004 to 30-11-2005 from acq. Roll and other Record of this office.</p> <p>DOR&amp;E Buner</p>
30 <sup>11</sup> / <sub>01</sub>	Annual Award	DOR&E Buner		
30 <sup>11</sup> / <sub>02</sub>	Annual Award	DOR&E Buner		<p>Granted more-ave vide DCO, Buner order bearing No. 2592-96/ESH/14 DCO, Buner 57505.</p>
30 <sup>11</sup> / <sub>03</sub>	Annual Award	DOR&E Buner		<p>District Officer Revenue &amp; Estate Distt. Buner</p>
30 <sup>11</sup> / <sub>04</sub>	Annual Award	DOR&E Buner		
30 <sup>6</sup> / <sub>05</sub>	Annual Award	DOR&E Buner		<p>Area A Py Gallo</p>
30 <sup>11</sup> / <sub>05</sub>	Annual Award	DOR&E Buner		<p>Area A Py Gallo</p>
30 <sup>11</sup> / <sub>06</sub>	Annual Award	DOR&E Buner		<p>Area A Py Gallo</p>

T No 572 Area A Py Gallo  
 2815  
 W/ 1<sup>12</sup>/<sub>01</sub> to 31<sup>5</sup>/<sub>05</sub> on/c of  
 More-ave to BR 58  
 B. 2087  
 DOR&E Buner

RECEIVED

3	4	5	6	7	8	
Financial post	Whether substantive or collection post and whether permanent or temporary	If officiating state— (i) substantive appointment or (ii) whether service counts for pension under Art. 374, G. S. R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the name "Pay"	Date of appointment
Patwari	Subpost		5290/- Rs. 5405/-		306 2007	12 2006
						Cutting attested DOR&E Collector Bund. 14
						BPS - 5 (2780 - 135 - 6830)
- do -	- do -		6155/-		17 2007	

4200/01  
5175/05

Revised  
2001  
OFFICE OF THE ACCOUNTANT GENERAL  
N.W.F.P. PESHAWAR  
PAY FIXED IN THE REVISED BASIC  
PAY SCALES 2001  
OF RS. 2100 - 100 - 5100/15  
AT RS. 4200/01 P.M.W.E.F. 1-12-2001  
With Next Increment on

Rs. 4200/01  
A.O. (P.F.P.)

M. Shah  
Accounts Officer  
Pay Fixation Party N.W.F.P. Peshawar

2005  
OFFICE OF THE ACCOUNTANT GENERAL  
N.W.F.P. PESHAWAR  
PAY FIXED IN THE REVISED BASIC  
PAY SCALES 2005  
OF RS. 2405 - 115 - 5865/25  
AT RS. 5175/05 P.M.W.E.F. 1-07-2005  
With Next Increment on 1-12-2005

1

M. Shah  
Accounts Officer  
Pay Fixation Party N.W.F.P. Peshawar

TO

				LADRO		
<p>Department of the Treasury</p> <p>Office of the Inspector General</p>	<p>Office of the Inspector General</p>	<p>Division of Investigation</p>	<p>Department of the Treasury</p>	<p>Department of the Treasury</p>	<p>Department of the Treasury</p>	<p>Department of the Treasury</p>
<p><i>[Signature]</i> DORCE/Collector, Buner.</p>		<p>Scale Revised.</p> <p><i>[Signature]</i> DORCE/Collector, Buner.</p>			<p>Service Verified W.E.F. 1-12-2005 10.30-11-2006. from acq. Roll and other Record of this office.</p>	
<p><i>[Signature]</i> DORCE/Collector, Buner.</p>		<p>Pay Fixed</p> <p><i>[Signature]</i> DORCE/Collector, Buner.</p>			<p><i>[Signature]</i> DORCE/Collector, Buner.</p>	
					<p>Refundable</p> <p>T 140</p> <p>28/10/13 GPF Advance</p> <p>vide D.C. Sanction</p> <p>NO 10 683-84 dt. 10/10/13</p> <p>Total Rs. 150000/-</p> <p><i>[Signature]</i> DORCE/Collector, Buner.</p>	

*[Signature]*  
DORCE/Collector,  
Buner.

ATTACHED

CONFIDENTIAL



cutting already 24/70/

12/20

District Office Revenue & Excise, Cuttack Bunder at Dargah

PROCEEDMENT  
Cuttack, Bunder

Service from 8.12.2008 to 30.11.2009  
verified from the office copies of  
and other documents and if

84/78/-

Rs. 8080/-

Rs. 8230

7900

Net Income due: Rs. 1801/-

Rs. 7719/2

Rs. 7660/-

Rs. 7500/-

Patnam Bps No. 5 (336-160-814)

Rs. 6290/-

Patnam Bps 5: 2780-135-6830

3530-190-9230  
Telcel Rev: Acct. BPS-7

BPS-7 (3530-190-9230)

12/20

12/3

5/10

5/10

12/2008

12/2008

12/2007

Index of

Documents

Admission

Form in

in accordance with the provisions of the Act, 1952.

Statement of

Documents

1	2	3	4	5		6	7
				Leave	Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government		
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2007</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> DOR&amp;E/Collector, Buner</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> DOR&amp;E/Collector, Buner.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Service from 1-12-2006 to 30-11-2007 Verified from the office copies of Pay bills and found correct.</p>
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2008</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> DOR&amp;E/Collector, Buner</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Pay fixed on the revised pay scale w.e. 1-7-2008 vide Govt. P.O. No. 11/2008 dated 10-7-2008.</p>
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2009</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>promoted as BPS-5 to BPS-7 Tehsil Revenue Accountant vide D.O.R&amp;E State Buner order No. 364651/314/DRA dated 5-10-09.</p>
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2010</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Granted 45 days earned leave w.e. from 24-9-2010 to 5-11-2010 vide this office order no. 1040-47/3/40-EL/DRA(B) dated 22-9-2010.</p>
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2011</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Service from 1-12-2007 to 30-4-2008 Verified from the pay roll and other documents (office copies) and found correct.</p>
<p>Signature of the head of the office or other attesting authority</p> <p>30/11/2011</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Annual Increment</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government</p> <p>Period to which debitable</p>	<p>Signature of the head of the office or other attesting authority</p> <p><i>[Signature]</i> District Officer, Revenue &amp; Estates Collector, Buner at Daggari.</p>	<p>Reasons of promotion (such as promotion, transfer, dismissal, etc.)</p> <p>Pay revised.</p>

Source: M-2-F-1-12-2012 to 30-11-0  
 from pay roll of this office & from  
 office.

1	2	3	4	5	6	
Date of	Other emoluments falling in term - Pay	Additional pay for assisting	Pay in substantive post	If officiating state - (i) substantive appointment or (ii) whether service counts for pension under Art. 377, C.S.R.	Whether substantive or whether permanent or temporary	Scale of pay
1/12/2011			Rs. 13800/-			Tablet Rev. Accountant
1/12/2011			Rs. 14120/-			
1/12/2011			Rs. 14760/-			
2/12/2011			Rs. 14180/-			
1/12/2012			Rs. 14560/-			
1/12/2013			Rs. 14940/-			
1/12/2014			Rs. 15320/-			
1/12/2015			Rs. 15700/-			

District Officer,  
 Revenue & Estates/Collection  
 Buner at Dargat

Accounts Officer  
 by fixation B.P.S. 7  
 01-12-2011

Rate of Next Increment is on  
 Rs. 14180/-  
 Rs. 14760/-  
 Rs. 15320/-  
 Rs. 15700/-  
 Rs. 16260/-  
 Rs. 16820/-  
 Rs. 17380/-

Director of the Accounts, Government of Punjab  
 Basic Pay Scale  
 B.P.S. 7 - 5800-320-15400

Sl. No.	Name of the Officer	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other allowing officer	Nature and duration of leave and pay up to four months for which leave salary is payable to another Government	Period to which Government is debitable	Signature of the head of the office or other allowing officer	Reference to any recorded proceedings or award or prize of the Government
13	Bob E Buner	Annual Agreement	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.	30.11.2011	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.
14	Bob E Buner	Annual Agreement	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.	30.11.2011	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.
15	Bob E Buner	Annual Agreement	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.	30.11.2011	Bob E Buner	Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Printed 52 days before  
 this office order No 916-17/3/14 B/2011  
 dated 19.9.2011.  
 District Officer,  
 Revenue & Estates/Collector,  
 Buner at Dageerh.

Printed 52 days before  
 this office order No 916-17/3/14 B/2011  
 dated 19.9.2011.  
 District Officer,  
 Revenue & Estates/Collector,  
 Buner at Dageerh.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

Service was from 1.12.2010 to 30.11.2011. Service was terminated from the office. Copies of Pay Roll and Form correct.

(For use in Police and other similar Departments)

RECORD OF POSTINGS

No. of District Order	Name and post	Date	No. of District Order	District and post
5		81-11		
4		81-3		
15		81-3		
31		82-5		
16		82-6		
1		82-6		
24		82-7		
8		82-7		
25		82-8		
13		82-10		
14		82-10		
9		83-1		
10		83-1		
11		83-1		
12		83-1		
13		83-1		
14		83-10		
15		83-10		
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49		83-10		
50		83-10		


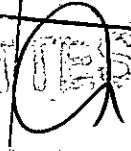
ALTERED

McArthur

DEPARTMENT OF POLICE  
 DISTRICT OFFICE, BUNRAV

P.33

men

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art, 37 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signatu. Government
D.A. BPS-14	(10340 - 790 - 34040)						
<del>BPS-15</del>	<del>(10985 - 905 - 38125)</del>		<del>21400</del>	<del>21845</del>		<del>13/11</del> 2015	
<del>BPS-14</del>	<del>(12720 - 905 - 32000)</del>		<del>26750</del>			<del>7</del> 2015	
BPS-15	(13510 - 1120 - 47110)		28070/2			7 2016	
<p>Attene.    <b>SUPERINTENDENT</b>            Dc's Office, Buner.</p>							
<p>ATTESTED  </p>							

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer dismissal, etc)	Signature of the head of the office or other attesting officer.	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
Asstt. Commissioner (Inv.) BUNER.		promoted		Promoted to the post of DRA BPS-14 vide Secretary Board			
		pay post upgraded		Revenue order no. 2506-64 DT 3/11/2015.			
		promoted		Add. Asstt. Commissioner (Inv.) BUNER			
		pay in BS-9 on 2/11/2015		Rs. 19895			
		pay fixed w BPS-14		Rs. 20610			
		one premature increment		Rs. 7901			
				TOTAL pay			
				Add. Asstt. Commissioner (Inv.) BUNER			
				Post upgraded from BPS-14 to BPS-15 vide			
				M.P. order no. PDC(SO)FR/17-20/2015 dt 30-6-2015			
				5-7/11/15			
				Deputy Commissioner Buner			
				38			
				Area of B. by 4 HRA w. of			
				12 to 30.6/15, due to graduation			
				of B-14 to B-15			
				Rs. 3115/2			
				AT			
				D.A.			

BETTER COPY

P-36

**GOVERNMENT OF NORTH-WEST FRONTIER PROVINCIAL REVENUE AND ESTATE DEPARTMENT**

**NOTIFICATION**

**(Tehsildar, Naib Tehsildar/Subordinate Revenue Service Rules, 2008)**

Peshawar dated the 26/12/2008.

**No. 32102/Admn: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 28<sup>th</sup> 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 borne on the cadre strength of Revenue and Estate Department specified in column 2 of the said appendix.

**APPENDIX**


1	2	3	4	5	6	7
S. No	Nomenclature of the post	Appointing authority	Minimum Qualifications for appointment by initial recruitments or by transfer	Minimum qualifications for appointment by promotion	Age limit	Method of recruitment
1.	Tehsildar (BPS-16)	Administrative Secretary (SMBR)	Second class Graduation from any University recognized by Higher Education Commission.	Second class Graduation from any recognized by the Higher Education Commission.	21-30 years For initial recruitment	(a) Twenty percent by initial recruitment: and (b) Sixty percent by promotion, on the basis of seniority-cum-fitness From amongst the Graduate Naib Tehsildar with at least Five Years Service as such. The condition of Graduation will be applicable after five years from the date of issuance of this Notification; and (c) Twenty percent by promotion, on the basis of Joint seniority-cum-fitness from amongst the Graduate Assistants/Senior Scale Stenographer of Board of Revenue NWFP Director Land Record NWFP Revenue Appellate Court/Sub-Registrar with at least Five Years Service as such.



1.	2.	3.	4.	5.	6.	7.
2.	Naib Tehsildar (BPS-14)	Administrative Secretary (SMBR)	Second Class Graduation from any University recognized by the Higher Education Commission	Second Class Graduation from any University recognized by the Higher Education Commission.	21-30 years for initial recruitment	<p>(a) Fifty percent by initial recruitment, through Public Service Commission based on the result Competitive Examination conducted by it in accordance with syllabus, and</p> <p>(b) Thirty percent by promotion, on the basis of seniority-cum-fitness from amongst Graduate Kanungos with least Five Years Service as such, who have passed Departmental Examination of Naib Tehsildar and the condition of Graduation will be applicable after five years from the date of issuance of this Notification.</p> <p>(c) Twenty percent by promotion, on the basis of seniority-cum-fitness from amongst Junior Stenographer and Assistants in the office of Political Agent and Assistant Political Agent Frontier Revenue Assistant/Junior Scale Stenographer of Ex-Deputy Commissioner/Commissioners officers presently working in the office of DCO/ACO/EDO (F&amp;P) and DEO who are Graduate with five years Service as such.</p>
3.	District Kanungo (Saddar Kanungo) (BPS-14)	-----	-----	-----	-----	By transfer from amongst Naib Tehsildar.
4.	Head Clerk (Revenue) (BPS-14)	-----	-----	-----	-----	By transfer from amongst Naib Tehsildar.
5.	District Revenue Accountant (BPS-14)	-----	-----	-----	-----	By Transfer from amongst Naib Tehsildar.

1	2	3	4	5	6	7
6	Kanungo (BPS-9) (Now BPS-11)	District Officer (Revenue & Estate)/Collector	-----	-----	-----	By promotion, on the basis of seniority-cum-fitness, on District level from amongst the Patwari and Tehsil Revenue Accountants and Wasil Baqi Nawis who have passed the Departmental Examination of Kanungo with at least five years Service as such.
7	Senior Tehsil Revenue Accountant (BPS-07) and Junior Tehsil Revenue Accountant Wasil Baqi Nawis/ Additional Wasil Baqi Nawis (BPS-05)	-----	-----	-----	-----	By transfer from amongst Patwaris.
8	Patwari (BPS-05)	District Officer (Revenue & Estate)/Collector.	Intermediate or equivalent qualification, who have passed the Patwari Examination having one year diploma in information technology from any institution recognized by Board of technical education.	18-30	By initial recruitment	By initial appointment from amongst the Patwar passed candidates entered in Registered maintained by the District Collector of the District Concerned having on year diploma in information technology from any institution recognized by Board of technical education. The condition of diploma will be applicable after three years from the date of issuance of Notification.

Sd/-

ATTESTED  


SECRETARY TO GOVERNMENT OF NWFP  
 REVENUE AND ESTATE DEPARTMENT.

**BETTER COPY**

P.39

**No. 32103-31/Admn:I/135/SSRC**

Copy forwarded for information and necessary action:

1. Secretary to Government to NWFP Establishment Department.
2. Secretary to Government of NWFP Finance Department.
3. Secretary to Government of NWFP Law & Parliamentary Affairs Department.
4. Secretary NWFP Public Service Commission.
5. Secretary to Governor NWFP.
6. Registrar Peshawar High Court Peshawar.
7. Advocate General, NWFP.
8. Accountant General NWFP Peshawar.
9. Private Secretary to Chief Secretary NWFP.
10. All District Coordination Officer, in NWFP.
11. All District Officer (Revenue & Estate)/Collector, in NWFP.
12. Director Land Record NWFP.
13. The Controller, Government Printing Press, NWFP Peshawar with request that the notification may be published in the official gazette and supply one hundred printed copies to the undersigned.

ATTESTED

**DEPUTY SECRETARY,  
GOVERNMENT OF NWFP,  
REVENUE & ESTATE DEPARTMENT.**

Annex G RJ  
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**OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER**

No. 3893 / 01/16 / DK (B)

Dated 06/03/2015

*Daggal*

To: All the Assistant Commissioners, District Buner.

Subject: FINAL SENIORITY LIST OF PATWARIS IN RESPECT OF DISTRICT BUNER.

Memo: Enclosed find herewith final seniority list of Patwaris in respect of District Buner is sent herewith for circulation amongst Patwaris under your jurisdiction.

*[Signature]*  
DEPUTY COMMISSIONER,  
BUNER

Office of the  
Deputy Commissioner  
Buner  
Dated 9-3-2015  
Branch H.C.

*N2-608-10/15/2/AcB dt-9/3-2015*

*CD Tehnidar Daggal and NO (Gaderi)*

*Office Kamanga*

*For info and report*

*JM 9/3/2015*

*[Signature]*

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**FINAL SENIORITY LIST OF PATWARIS IN DISTRICT BUNER AS STOOD ON 05-03-2015**

S.No	NAME OF PATWARI	DATE OF APPOINTMENT	DATE OF BIRTH	REMARKS
1	Mr.Sher Hukum Shah	02-09-1976	15-02-1955	Retired on 14/02/2015
2	Mr.Muhammad Laiq	01-04-1980	25-02-1958	
3	Mr.Inam Ullah	01-04-1980	15-02-1960	
4	Mr.Kifayat Ullah	07-04-1981	01-12-1960	
5	Mr.Midrar Ullah	06-04-1981	10-08-1957	
6	Mr.Abdul Malik	06-04-1981	08-11-1958	
7	Mr.Mumtaz Ali	06-04-1981	15-03-1961	
8	Mr.Hamid Ul Haq	06-04-1981	10-07-1957	
9	Mr.Siraj Muhammad	08-04-1981	20-05-1958	
10	Mr.Taj Ahmad	15-04-1981	11-08-1957	
11	Mr.Nobat Khan	05-04-1981	10-12-1957	
12	Mr.Zaman Khan	05-04-1981	15-03-1962	
13	Mr.Nasreen Gul	05-04-1981	15-04-1956	
14	Mr.Mumtaz Muhammad	06-04-1981	16-11-1960	
15	Mr.Javid Iqbal	06-04-1981	01-04-1961	
16	Mr.Miraj Muhammad	16-12-1982	10-08-1961	
17	Mr.Fazal Hadi	16-12-1982	05-06-1962	
18	Mr.Sani Mulla	22-12-1985	01-01-1962	
19	Mr.Sarmir Khan	22-12-1985	20-04-1959	
20	Mr.Bakht Ghafoor Shah	22-12-1985	16-09-1961	
21	Mr.Zahid Tab Gul	22-12-1987	01-02-1962	
22	Mr.Amir Bahadar	02-01-1988	14-02-1965	
23	Mr.Sayeed Ali Afsar	13-11-1996	01-01-1970	
24	Mr.Saifal Maluk	12-06-2002	20-03-1972	
25	Mr.Shafiz Urahman	13-03-2003	05-08-1969	
26	Mr.Nasib Zai	28-07-2007	20-07-1976	
27	Mr.Noor Farooq	28-07-2007	01-01-1984	
28	Mr.Muslim Khan	30-11-2007	09-01-1986	
29	Mr.Sarballi Khan	30-08-2008	18-10-1986	
30	Mr.Gul Sahid Khan	30-08-2008	19-04-1982	
31	Mr.Fateh Muhammad Khan	30-08-2008	15-04-1984	
32	Mr.Javid Ahmad	30-08-2008	16-04-1979	
33	Mr.Iftikhar Ahmad	05-03-2009	16-04-1979	
34	Mr.Muhammad Younas	30-07-2009	01-03-1988	
35	Mr.Muhammad Alam	30-07-2009	01-03-1989	
36	Mr.Asif Iqbal	18-08-2009	12-01-1990	
37	Mr.Muhammad Irfan	28-09-2009	24-06-1987	
38	Mr.Shakil Khan	28-09-2009	20-03-1988	
39	Mr.Imtyaz Shah	28-09-2009	16-04-1980	
40	Mr.Israj Khan	28-09-2009	20-03-1985	

41	Mr.Azmat Ali	19-10-2009	04-01-1988
42	Mr.Dil Raj Khan	19-10-2009	02-02-1983
43	Mr.Shamshad Ali	19-10-2009	02-04-1988
44	Mr.Iftikhar Ali	19-10-2009	02-01-1985
45	Mr.Sardar Ali	19-10-2009	01-03-1982
46	Mr.Ihsan Ali	30-08-2010	04-04-1990
47	Mr.Akhtar Ali Shah	30-08-2010	01-09-1980
48	Mr.Abid Ali Khan	30-08-2010	02-11-1987
49	Mr.Asif Ali Khan	30-08-2010	02-11-1987
50	Mr.Fawad Ali Shah	28-09-2011	02-02-1987
51	Mr.Murad Ali	20-12-2011	01-01-1988
52	Mr.Gul Sher Khan	20-12-2011	04-03-1985
53	Mr.Sabz Ali Khan	20-12-2011	17-05-1989
54	Mr.Bakht Sher	20-12-2011	20-04-1988
55	Mr.Said Imran	20-12-2011	09-01-1989
56	Mr.Kaman Afsar	20-12-2011	13-04-1989
57	Mr.Abdul Mujeeb	20-12-2011	13-04-1989
58	Mr.Shakil Khan	07-12-2012	15-04-1988
59	Mr.Munair Ahmad	28-12-2012	13-04-1990
60	Mr.Anwar Ali	28-12-2012	28-03-1980
61	Mr.Muhammad Ali	28-12-2012	15-12-1990
62	Mr.Telawath Khan	18-12-2013	15-04-1981
63	Mr.Said Amjad Hussain Shah	18-12-2013	02-01-1979
64	Mr.Sajid Ali	18-12-2013	07-04-1989
65	Mr.Altaf Ali	18-12-2013	05-01-1986
66	Mr.Waris Shah	18-12-2013	10-03-1990
67	Mr.Shahid Ali	18-12-2013	12-12-1989
68	Mr.Dawa Khan	18-12-2013	07-11-1988
69	Mr.Sahib Zada	18-12-2013	05-02-1986
70	Mr.Shamsul Arafin	20-12-2013	01-03-1987

*Deputy Commissioner, Buner*

OFFICE OF THE  
DEPUTY COMMISSIONER,  
BUNER.

Annex: H  
R.T  
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No. 367/DC/Buner/Estt.  
Aug 24, 2015.

To The Assistant Secretary (Estt-I),  
Board of Revenue,  
Revenue & Estate Department,  
Peshawar.

Subject: Seniority List of Senior Tehsil Revenue Accountants as it Stood on 31-12-2014.

Memo: Reference the subject and to send herewith the Seniority List of Tehsil Accountants as below:

S. No.	Name	Date of Birth	Date of Appointment	Date of Adjustment as TRA
1	Mr. Kifayatullah	01-12-1957	04-04-1981	05-10-2009

To mention, Mr. Kifayatullah is the only regular TRA posted against one of the four TRAs i.e. TRA Daggar. The rest 03 are lying vacant.

DEPUTY COMMISSIONER,  
BUNER.

Encl. No. & date even.

For information to:

Commissioner, Malakand Division.

DEPUTY COMMISSIONER,  
BUNER.

On

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 153/2016

Muhammad Irfan,  
Tehsil Revenue Accountant,  
Daggar, under Transfer to the Post  
Patwari Halqa, Ghordara, District Buner.....Appellant

Versus

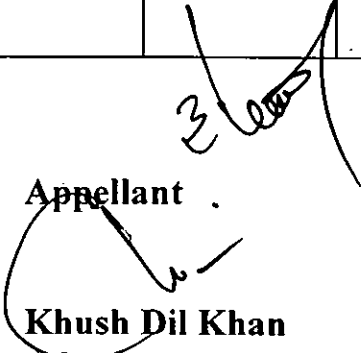
The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar and others.....Respondents

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S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Rejoinder.			1-3
2.				

Through

Appellant

  
Khush Dil Khan  
Advocate,  
Supreme Court of Pakistan  
9-B, Haroon Mansion,  
Khyber Bazar, Peshawar.  
Cell # 091-2213445

Dated: 28/04/2017



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 153/2016**

Muhammad Irfan,  
Tehsil Revenue Accountant,  
Daggar, under Transfer to the Post  
Patwari Halqa, Ghordara, District Buner.....Appellant

Versus

The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar and others.....Respondents

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**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO  
REPLY FILED BY RESPONDENT NO.5 (KIFAYAT ULLAH).**

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Respectfully Sheweth,

**PRELIMINARY OBJECTIONS:**

Preliminary objections raised by answering respondents are erroneous and frivolous which are denied in toto. The detail reply of each one is given as under:-

- I. That at the relevant time, appellant was holding the post of Tehsil Revenue Accountant but without cogent reason, he was transferred and Respondent No.5 was posted against that vary post and then promoted to the post of District Revenue Accountant (BPS-14) in vey clandestine manner of which he was aggrieved and rightly filed the present appeal.
- II. That in the present case legal issue is involved so principle of estoppel is not applicable.

- III. That appellant has genuine grievances against which he filed the present appeal depicted material facts.
- IV. That appellant has exercised his legal right to file the present appeal.

**REJOINDER TO REPLY OF FACTS:**

1. That the reply of Para No.1 is totally incorrect being based on exaggeration so denied.
2. That the reply is correct to this extent that answering respondent was appointed as Patwari on temporary basis in Swat Settlement then he was transferred to District Buner in the year 1996 and thereafter he was confirmed as Patwari. Purposely he was adjusted against the post of Senior Tehsil Revenue Accountant (BPS-07) in illegal manner which is not tenable under the rules.
3. That the reply of Para No.3 is also incorrect so denied. The promotion of the answering respondent to the post of District Revenue Accountant (BPS-14) is illegal and unjustified liable to be set aside.
4. Furnished no reply so no need of further elucidation.
5. Furnished no reply so no need of further elucidation.

**REJOINDER TO REPLY OF GROUNDS:**

- A. That the reply is incorrect so denied.
- B. That the reply is incorrect so denied.
- C. That the reply is incorrect so denied.
- D. That the reply is incorrect so denied.

- E. That the reply is incorrect so denied.
- F. That the reply is incorrect so denied.

It is, therefore, humbly prayed that the reply of answering Respondent No. 5 may graciously be rejected and the appeal as prayed for may graciously be accepted with costs.

Appellant  
Through  
Khush Dil Khan  
Advocate,  
Supreme Court of  
Pakistan

Dated: 28/04/2017