

504/2019

29.08.2019

Appellant in person present.

A copy of order dated 09.07.2019 has been submitted whereby the appellant has been promoted as Assistant BPS-16. The appellant, in view of the development, requests for withdrawal of instant appeal.

Dismissed as withdrawn. File be consigned to the record room.


Chairman

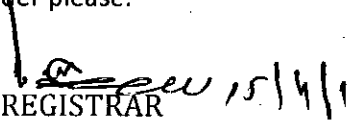

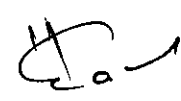
Announced:
29.08.2019

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 504 /2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/04/2019	<p>The appeal of Mr. Muhammad Nazir presented today by Mr. Amjid Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	22/04/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
23.05.2019		<p>Appellant absent. Learned counsel for the appellant absent. Adjourn. To come up for preliminary hearing on 08.07.2019 before S.B.</p> <p style="text-align: right;"> Member</p>

08.07.2019

Appellant in person present.

Appellant requests for adjournment due to indisposition of his learned counsel.

Adjourned to 29.08.2019 for preliminary hearing before S.B.



Chairman

~~Sir Stanza Shima Advocate on behalf of the appellant present.~~

~~Requests adjournment of learned counsel. Appellant is not a party to the case. Adjourned to 29.08.2019 for preliminary hearing before S.B.~~

~~Chairman~~

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

Service Appeal No. 504 /2019

Muhammad Nazir.....Appellant

VERSUS

Senior Member Board of Revenue/ Secretary
Revenue, KPK and others..... Respondents

INDEX

S.No.	Description of documents.	Annexure	Page No
1.	Memo of appeal		1-4
2.	Addresses of parties		5
3.	Copy of appointment order	A	6
4.	Copy of DPC Minutes dated 05.04.2017	B	7
5.	Copy of working papers alongwith Law Department Opinion and NAB letter	C	8-15
6.	Copy of letter dated 05.10.2018	D	16
7.	Copy of order dated 23.11.2018	E	17-25
8.	Copy of memo of appeal	F	28
9.	Wakalatnama		27


Appellant

Through


Amjad Ali (Mardan)

Advocate

Supreme Court of Pakistan

Cell: 0321-9882434

Dated: 15/4/2019

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. 504 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 619

Dated 15/4/2019

Muhammad Nazir, Senior Clerk
Office of Deputy Commissioner, Malakand

.....Appellant

VERSUS

- 1) Senior Member Board of Revenue/ Secretary Revenue, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2) Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3) Departmental Promotion Committee through its Chairman, Civil Secretariat, Peshawar.
- 4) Deputy Commissioner Malakand.
- 5) Shah Faisal, Assistant Office of Deputy Commissioner, Malakand
- 6) Secretary Law, Civil Secretariat, Peshawar.

.....Respondents

***APPEAL U/S 4 OF KP SERVICE TRIBUNAL
ACT, 1974 AGAINST THE PROMOTION
ORDER DATED 23.11.2018, WHEREBY
RESPONDENT NO.5, JUNIOR TO THE
APPELLANT IN SENIORITY LIST HAS
BEEN PROMOTED AND THEREAFTER
DEPARTMENTAL APPEAL DATED
18.12.2018 REMAINED UNRESPONDED,
WHICH IS ILLEGAL, AGAINST LAW AND
FACTS.***

Filed to-day


Registrar

15/4/19

PRAYER:

***On acceptance of this appeal, the
promotion order dated 23.11.2016***

(2)

passed by respondent No.1 may please be set-aside and appellant may please be considered for promotion from Senior Clerk (BPS-14) to Assistant (BPS-16), as per law department advice and 2000 SCMR 645 with effect from 33.11.2018 when respondent No.5, Junior to appellant has been promoted with all back service/ monetary benefits.

Sir,

Appellant humbly submits as under;-

- 1) That the appellant is serving as Senior Clerk in the office of DC, Malakand vide order dated 24.04.2017. **(Copy of appointment order is Annex "A")**
- 2) That appellant was promoted to the post of Senior Clerk (BPS-14) on regular basis vide order dated 24.04.2017 in light of DPC minutes dated 05.04.2017 despite pendency of an FIR against the appellant. **(Copy of DPC Minutes dated 05.04.2017 is Annex "B")**
- 3) That appellant's turn for promotion to the post of Assistant (BPS-16) came in the year 2018. The Deputy Commissioner Malakand prepared working papers and in Para-4 of the working paper ibid the FIR against the appellant was discussed, however, in Para-5 of the working papers ibid, it was stated that in light of ESTACODE instructions and Law Department opinion dated 21.07.2016 promotion of a Civil Servant cannot be deferred due to pending inquiry or criminal proceedings, the working papers were sent to Commissioner Malakand. **(Copy of working papers alongwith Law Department Opinion and NAB letter is Annex "C")**

- 4) That vide letter dated 05.10.2018 the Commissioner Malakand sent the working papers ibid to the respondent and cleared the appellant for promotion. (Copy of letter dated 05.10.2018 is Annex "D")
- 5) That vide minutes of DPC dated 24.10.2018, appellant was deferred from promotion to BPS-16 due to pending inquiry and order dated 23.11.2018 was issued in which junior to the appellant namely Shah Faisal was promoted. (Copy of order dated 23.11.2018 is Annex "E")
- 6) That appellant submitted departmental appeal dated 18.12.2018, which has not yet been responded despite lapse of 90 days. (Copy of memo of appeal is Annex "F")
- 7) That appellant approaches this hon'ble Tribunal on following grounds:-

GROUNDS


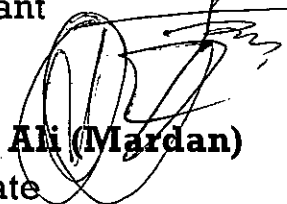
- A. Because as per 2000 SCMR 645, promotion of a Civil Servant cannot be deferred due to pending inquiry etc.
- B. Because as per Law Department Opinion dated 21.07.2016 promotion of a Civil Servant cannot be deferred due to pending inquiry etc.
- C. Because as per NAB letter dated 17.04.2005 promotion of a Civil Servant cannot be deferred due to pending inquiry or proceedings.
- D. Because as per ESTACODE instructions promotion of a Civil Servant cannot be deferred due to pending inquiry or FIR etc.
- E. Because no inquiry is pending against the appellant.

- (4)
- F. Because appellant has not been dealt in accordance with law, hence Article 4 of the Constitution of Pakistan, 1973.
- G. Because appellant has been discriminated, which is prohibited under Article 27 of the Constitution of 1973.

PRAYER

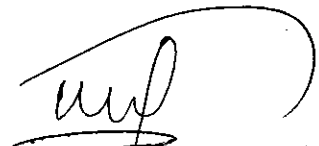

It is therefore, humbly prayed that, the promotion order dated 23.11.2016 passed by respondent No.1 may please be set-aside and appellant may please be considered for promotion from Senior Clerk (BPS-14) to Assistant (BPS-16), as per law department advice and 2000 SCMR 645 with effect from 33.11.2018 when respondent No.5, Junior to appellant has been promoted with all back service/ monetary benefits.

Any other relief deemed appropriate in the circumstances of the case may kindly also be granted.

Appellant 
Through 
Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan

VERIFICATION

It is verified that, the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.


Deponent


(5)

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

Service Appeal No. _____/2019

Muhammad Nazir.....Appellant

VERSUS

Senior Member Board of Revenue/ Secretary
Revenue, KPK and others..... Respondents

ADDRESSES OF PARTIES

APPELLANT

Muhammad Nazir, Senior Clerk
Office of Deputy Commissioner, Malakand

RESPONDENTS

- 1) Senior Member Board of Revenue/ Secretary Revenue,
Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2) Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.
- 3) Departmental Promotion Committee through its Chairman,
Civil Secretariat, Peshawar.
- 4) Deputy Commissioner Malakand.
- 5) Shah Faisal, Assistant Office of Deputy Commissioner,
Malakand
- 6) Secretary Law, Civil Secretariat, Peshawar.

Appellant

Through

Amjad Ali (Mardan)

Advocate

Supreme Court of Pakistan



OFFICE OF THE DEPUTY COMMISSIONER
MALAKAND

Annex A

Dated the: 24/04/2017

(6)

ORDER

No 6361 /1/2/Estt: In the light of recommendation of the Departmental Promotion Committee (DPC), the following Junior Clerks are hereby promoted to the post of Senior Clerk on regular basis with immediate effect:-

S.No	Name of Official	Promoted From	Promoted to
1.	Mr. Muhammad Nazir	Junior Clerk (BPS-11)	Senior Clerk (BPS-14)
2.	Mr. Muhammad Zahid	Junior Clerk (BPS-11)	Senior Clerk (BPS-14)

They will however remain on probation for a period of one year as provided under Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule-15(1) of the Khyber Pakhtunkhwa, Civil Servant (Appointment, Promotion & Transfer) Rules 1989.

DEPUTY COMMISSIONER
MALAKAND

No: 6362-691

Copy forwarded to:-

1. The Secretary to Commissioner Malakand Division.
2. The Additional Deputy Commissioner, Malakand.
3. The District Accounts Officer Malakand.
4. The Account Officer, DC Office, Malakand.
5. The Assistant Establishment, DC Office Malakand.
6. The Official concerned.
7. The Accountant.
8. Office order file.

DEPUTY COMMISSIONER
MALAKAND

Amjad Ali
ADVOCATE
SUPREME COURT

A



OFFICE OF THE DEPUTY COMMISSIONER
MALAKAND

Aux B

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE REGARDING PROMOTION OF JUNIOR CLERK (BPS-11) AS SENIOR CLERK (BPS-14) AND NAIB QASID (BPS-04) AS JUNIOR CLERK (BPS-11) IN THE OFFICE OF DEPUTY COMMISSIONER, MALAKAND.

A meeting of the Departmental Promotion Committee was held on 05-04-2017 at 11:00 am under the chairmanship of Deputy Commissioner Malakand in his office to consider the promotion of Junior Clerks (BPS-11) as Senior Clerk (BPS-14) and Naib Qasid (BPS-04) as Junior Clerk (BPS-11).

The following attended the meeting: -

1. Deputy Commissioner, Malakand (Chairman)
2. Additional Deputy Commissioner, Malakand (Member)
3. Establishment Assistant, Commissioner Office, Malakand Division. (Member)

(7)

While starting the discussion, the chairman welcomed the participants and highlighted the aims & objectives of the meeting. First of all, issue of the two officials, namely M/S Muhammad Nazir (Junior Clerk) and Wali man Shah (Naib Qasid) was discussed in detail.

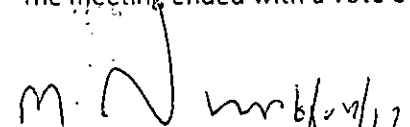
The promotion case of Mr. Muhammad Nazir, Junior Clerk (BPS-11) was considered by the committee in the light of National Accountability Bureau's letter No.3(20) Gen-COS-2006 (NAB) dated 17.04.2005 (Para-2) - "It has come to the notice of NAB that all civil servants under investigation are not considered for posting / promotion which adversely affects their career progression. It is, therefore, recommended that all civil servants whose cases are pending with NAB may be considered for postings / promotions on merit in order to give them fair and just chance for their progression." and resultantly, he was allowed with the promotion as Senior Clerk (BPS-14). On the other hand, the case of Mr. Waliman Shah, Naib Qasid (BPS-04) was deferred being convicted by the National Accountability Bureau (NAB), where against, an appeal is still pending before the Peshawar High Court, Peshawar.

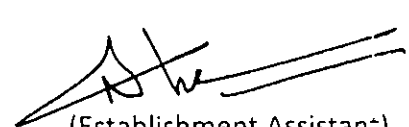
After detailed discussion and scrutiny of record, the Departmental Promotion Committee recommended the promotion of the following officials to the post of Senior Clerk (BPS-14) and Junior Clerk (BPS-11): -


S. No.	Name of Official	Remarks
01	Mr. Muhammad Nazir, Junior Clerk (BPS-11).	His case was considered and found suitable for promotion as Senior Clerk (BPS-14) on regular basis.
02	Mr. Muhammad Zahid, Junior Clerk (BPS-11).	His case was considered and found suitable for promotion as Senior Clerk (BPS-14) on regular basis.
03	Mr. Mobeen Ahmad, Naib Qasid (BPS-04).	His case was considered and found suitable for promotion as Junior Clerk (BPS-11) on regular basis.
04	Mr. Muhammad Ikram, Chowkidar (BPS-04).	His case was considered and found suitable for promotion as Junior Clerk (BPS-11) on regular basis, subject to the taking-over charge of newly promoted Senior Clerk vide S.No.1 i.e. Mr. Muhammad Nazir

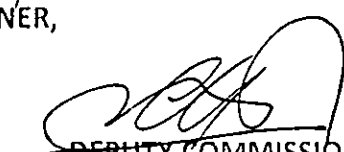
The officials recommended for promotion will be on probation for a period of one year as provided under Section-6 (2) of the Khyber Pakhtunkhwa Civil Servants Act 1973, read with Rule-15 (1) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules 1989. Moreover, the Secondary School Certificates of S.No.3 & 4 are required to be verified from the concerned educational board(s).

The meeting ended with a vote of confidence.


ADDITIONAL DEPUTY COMMISSIONER,
MALAKAND.
(MEMBER)


(Establishment Assistant)
COMMISSIONER'S OFFICE,
MALAKAND DIVISION.
(MEMBER)


AMJAD ALI
ADVOCATE
SUPREME COURT


DEPUTY COMMISSIONER,
MALAKAND.
(CHAIRMAN)

(B)

OFFICE OF THE
DEPUTY COMMISSIONER,
MALAKAND.

Aux - C

WORKING PAPER:-

PROMOTION OF SENIOR CLERKS (BPS-14) TO THE POST OF
ASSISTANT (BPS-16) IN DEPUTY COMMISSIONER OFFICE MALAKAND.

(8)

In terms of the provision contained in Notification No.2074/Estt: I/II/135/SSRC, dated 15.01.2015 (Annexure-A), the following method of promotion has been prescribed for the post of Assistant (BPS-16):-

"a" Seventy-five (75 %) percent by promotion, on the basis of seniority-cum-fitness from amongst the Senior Clerks with at least five years' service as Junior and Senior Clerk in the office of Deputy Commissioners and Political Agents of District concerned. And

"b" Twenty-five (25 %) percent by initial recruitment from amongst the candidates of the District concerned.

2. There are twenty (21) sanctioned posts of Assistants (BPS-16) in the office of Deputy Commissioner, Malakand for the current FY: 2018-19, out of which, two (02) posts of Assistant (BPS-16) have become vacant, One post of Assistant (BPS-16) fallen vacant due to creation of the newly established Tehsil Baizai of District Malakand vide sanctioning Order bearing No.5041/SNE/DC/MALAKAND, dated 31-01-2018, issued by the Board of Revenue, Revenue and Estate Department, Govt: of Khyber Pakhtunkhwa, Peshawar, while one post of Assistant (BPS-16) became vacant due to the promotion of one Assistant (BPS16) to the post of Superintendent (BPS-17) vide Endst No.Estt:II/DPC/32977-82, dated 24-09-2018 the same notification also issued by the Board of Revenue, Revenue and Estate Department Pesahwar.

3. The current strength of Assistants (BPS-16) working in the office of Deputy Commissioner, Malakand is as under:

Sanctioned Strength	Existing Working Strength	Working under Direct Recruitment Quota	Working under Promotion Quota	Vacancy
21	19	06	13	02

4. The said vacant positions of Assistant (BPS-16) is required to be filled-in by the way of promotion as enunciated in the provision of Khyber-Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules-1989. Hence, a panel of five (05) Senior Clerks (BPS-14) in order of seniority (Annexure-B) is presented as under, besides an FIR dated 15.05.2015 was lodged against S.No.02 (Mr. Muhammad Nazir) by the Anti-Corruption Establishment, Circle Office, Malakand (Annexure-C) which was subsequently challenged by the afore-named official alongwith other accused ones before the Peshawar High Court (Darul Qaza, Swat Bench). Resultantly, the apex court ordered for maintenance of status-quo with next date of hearing in office by relying upon the previous judgment passed in the same nature of case, wherein, non-extension of Anti-Corruption Act in District Malakand was cited as point of benefit in favour of Petitioner(s)(Annexure-D). However, further proceedings to this effect are unknown to this office / section. whereby, the afore-named officials have furnished certain documents / particulars which support their claim to be promoted despite of having departmental / disciplinary proceedings pending their-against (Annexure-E): -

Amjad Ali
ADVOCATE
SUPREME COURT

Attested
Reader to
Deputy Commissioner,
Malakand
26/10/18

(C)

(9)

S#	Name of Official	Seniority Position	Date of Appointment as Junior Clerk	Date of Promotion as Senior Clerk	Whether or not five (05) years length of Services as Junior Clerk/ Senior Clerk has been completed	Whether or not already appointed on ACB	Present Posting	Remarks
1.	Muhammad Nazir	1 st	01.07.2003	24-04-2017	Yes	No	AG-1, DC-Office, MKD.	
2.	Shah Faisal	2 nd	23.07.2005	06-10-2015	Yes	No	Budget Section, DC-Office, MKD.	
3.	M. Zahid Khan	3 rd	12-10-2006	24-04-2017	Yes	No	P&D Section.	
4.	Muhammad Naeem	4 th	02.03.2009	21.11.2017	Yes	No	AAC' Office, Batkhela	The stipulated probationary period as Senior Clerk is still effective.
5.	Muhammad Arif	5 th	14.12.2009	25.05.2018	Yes	No.	Tehsil Office, Baizai (Thana)	-do-

Further, it is certified that: -

- i. The said officials are regular members of Service Cadre and presently working in their respective Service Cadre;
 - ii. The final seniority list of Senior Clerks (BPS-14) in the office of Deputy Commissioner, Malakand as stood on 31.12.2017 is final and not under any kind of dispute (Annexure-F).
5. As per instructions contained in the ESTACODE (Revised Edition: 2011) vide Page No.56, 57 & 58 regarding promotion of officer / official to the higher post during the pendency of disciplinary proceedings / any kind of investigation on account of alleged corruption even in the shape of FIR registered by Police or Anti-corruption Establishment (Annexure-G), the individual involved should be promoted to a higher rank during the pendency if he is otherwise suitable and his turn or chance for promotion has come, subject to the observance of following procedure:-
- When a case is registered by the Police or Anti-Corruption Establishment against a Government servant, a copy of the FIR should invariably be sent to the Appointing Authority of the Government servant concerned; and

Amjad Ali
ADVOCATE
SUPREME COURT

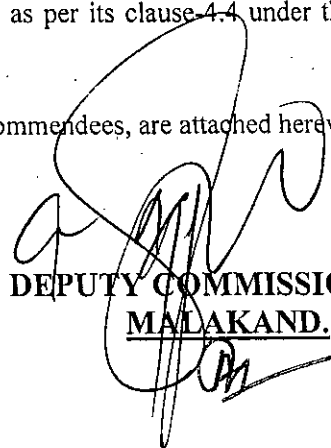
Attested
Reader to
Deputy Commissioner,
Malakand

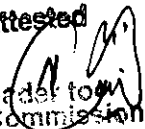
26/10/18

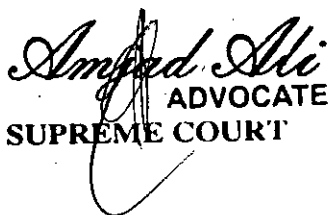
- When a Government servant against whom a case is under investigation by the Police or Anti-Corruption Establishment, is considered for promotion to the higher rank, a copy of the FIR & other relevant documents should invariably be placed before the Selection Board, the Public Service Commissioner or any other authority competent to make selection or promotion, as the case may be. It will then be for that authority to take cognizance of the case and ask for a progress report, postpone consideration of the case or ignore it.

Moreover, in the same context, the Law, Parliamentary Affairs & Human Rights Department, Government of Khyber Pakhtunkhwa is of the opinion that Promotion Policy is required to be updated in line with the Supreme Court of Pakistan's judgement – 2000 SCMR 645, whereby it has been declared that *"Mere fact that some disciplinary proceedings were pending against the respondent was not a sufficient ground to stop the promotion of Civil Servant. However, it would no debar the authorities to continue with disciplinary proceeding against the civil servant, if any, justly, fairly and accordance with law."* (Annexure-I). Beside this, the instructions issued by the Establishment & Administration Department, Government of NWFP (Civil Secretariat, Peshawar) are of the same view as per its clause-4.4 under the title of un-finalized departmental proceedings (Annexure-J).

- 6. Synopsis of ACRs, duly attested in respect of the recommendees, are attached herewith.


 DEPUTY COMMISSIONER,
MALAKAND.

Attested

 Reader to
 Deputy Commissioner,
 Malakand
 26/10/18


 ADVOCATE
 SUPREME COURT



INSTRUCTIONS ON

PERFORMANCE EVALUATION REPORT

Compiled by
Establishment & Administration Department
Government of N.W.F.P.
CIVIL SECRETARIAT, PESHAWAR.

Corrected
upto March, 2006



Amjad Ali
ADVOCATE
SUPREME COURT

24

be considered as adverse in the case of an officer who fulfills the condition of length of service for promotion to the next higher grade and should be communicated to him.

(iii) It has been decided that if an officer is adjudged unfit for continued retention in service such an entry should be treated as adverse and should be communicated to the officer concerned.

4.4 *Un-finalized Departmental Proceedings*:—In the case of an officer against whom departmental proceedings are in progress, no mention whatsoever should be made about it in his Performance Evaluation Report. Only when such proceedings have been finalized, and the punishment, if any, has been awarded/exonerated should be mentioned in his Evaluation Report. In such a case complete copy of the final order may be placed, as is usually done, on his Character Roll.

4.5. According to the instructions (vide Para 4.4) no mention should be made in the Evaluation Report of a Government Servant, of the departmental proceedings which may be in progress against him, unless such proceedings have been finalized, and the punishment, if any, has been awarded. There is no bar to a Government servant being considered for promotion during the pendency of departmental proceedings against him. However, in such cases, a copy each of the charge sheet and the statement of allegations should be placed before the Provincial Selection Board or the Departmental Promotion Committee, as the case may be vide Establishment Division's O.M. No. 2/20/67-D.I., dated the 13th November, 1967 (printed at S. No. 118 of chapter V of the Establishment Manual, Volume-I, Reprint, 1968 and page 615 of, ESTACODE).

4.6. According to the instructions contained in the Establishment Division's letter No. 9(1)/58-SE.III, dated the 8th May, 1958 (Para 4.4) no mention whatsoever can be made about a departmental inquiry pending against an officer in the Evaluation Report. However, there should be no harm in making as mention about a criminal case pending against an officer in his C.R.

4.7 *Evaluation Report*:—If there are any adverse remarks in the Evaluation Reports prepared by NIPA and Administrative

Amjad Ali
ADVOCATE
SUPREME COURT

imp beam
Recommendation of
DPC

GOVERNMENT OF KHYBER PAKHTUNKHWA
PARLIAMENTARY AFFAIRS &
HUMAN RIGHTS DEPARTMENT

Ps1 Secy (E) P. A. D.
Diary No. 5215
Date: 21-7-2016

No. SO(OP-II)/LD/5-6/2012-VOL-II 99514-16
DATED: PESH: THE 21 JULY, 2016

To

The Secretary to Govt of Khyber Pakhtunkhwa,
Public Health Engineering Department.

Subject: ADVICE REGARDING IMPLEMENTATION OF
RECOMMENDATIONS OF THE DEPARTMENTAL
PROMOTION COMMITTEE IN VIEW OF PENDING INQUIRY.


14

Dear Sir,

I am directed to refer to your Department's letter No.SO(Estt)/PHED/1-1/2016/I.R Karak dated 18-07-2016 on the subject noted above and to state that in accordance with para-V of Promotion Policy, 2009 promotion of a civil servant will be deferred in addition to para-IV of the said policy if disciplinary or Departmental proceedings are pending against him. Whereas, the Supreme Court of Pakistan in its Judgement, 2000 SCMR 645, declared that " Mere fact that some disciplinary proceedings were pending against the respondent was not a sufficient ground to stop the promotion of Civil servant. However, it would not debar the Authorities to continue with disciplinary proceeding against the Civil servant, if any, justly, fairly and accordance with law." Similarly in other decisions as cited, 2008 PLC (CS) 551, 2007 PLC (CS) 716, 2007 PLC (CS) P-4, which allows the promotion of civil servant even some disciplinary proceedings are pending against the civil servant. Hence, the promotion case/ notification of civil servant cannot be deferred due to an anticipated formal inquiry which is tantamount to punishment in advance.

Secretary to
Government of
Khyber Pakhtunkhwa
21/7
SOR-V

2. So, in light of Judgement of the Supreme Court it seems that the Promotion Policy is deficient on the point and needs to be updated in line with the Supreme Court Judgement as the decision of the superior Court always have over-riding effect on sub-ordinate legislation and policies.

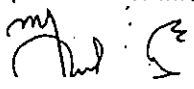
Yours Faithfully,


Section Officer (Opinion-II)

Endst: of even No. & date.

Copy forwarded for information to :-

1. The P.S to Secretary Law, Department.
2. The P.S to Secretary Establishment Department for information.




ADVOCATE
SUPREME COURT



GOVERNMENT OF PAKISTAN
 NATIONAL ACCOUNTABILITY BUREAU
 ATA TURK AVENUE G-5/2
 ISLAMABAD

(15)

No. 3 (20) Gen-COS-2006 (NAB)
 17 April 2006

To: Chairman
 Federal Public Service Commission (FPSC)
 Government of Pakistan
 Islamabad

Subject: Pending Cases of Civil Servants

1. It has been experienced that whenever a NAB inquiry is initiated against a Govt official his career progression is stopped by the concerned department. It must be appreciated that the inquiry/ investigation by NAB is a process in which it is determined whether the allegations against the concerned person are substantiated by the evidence or otherwise. Due to peculiar nature of white collar crime investigations, the process invariably takes considerable time before it is finalized.
2. It has come to the notice of NAB that all civil servants under investigations by NAB are not considered for postings/promotions which adversely affects their career progression. It is therefore recommended that all civil servants whose cases are pending with NAB may be considered for postings/promotions on merit in order to give them fair and just chance for their progression.

Nasir Mahmood
 Brig
 For Chairman
 (Nasir Mahmood)

Copies to: Secretary Establishment Division
 Chief Secretaries (All Provinces)

Amyad Ali
 ADVOCATE
 SUPREME COURT

supad
 For record
 as directed by
 et A Q
 ASTDC



OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

Annex D

Tel# 0946-9240458
Email: secretarytocmd@gmail.com

No. 6038 /2/34/Estt;
Dated 05/10/2018

(16)

To

The Secretary Board of Revenue,
Khyber Pakhtunkhwa, Peshawar.

Subject: - PROMOTION TO THE POST OF ASSISTANT (BS-16).

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of the Deputy Commissioner, Malakand letter No. 13985/1/2/Estt, dated 02.10.2018 along with working paper, original ACRs & connected documents of the following Senior Clerks (BPS-14) to the post of Assistant (BPS-16) for further necessary action, please:-

S#	Name of Senior Clerk	Remarks
1.	Mr. Muhammad Nazir	ACRs from 7/2013 to 9/2018 are enclosed herewith.
2.	Mr. Shah Faisal	ACRs from 23.07.2005 to 09/2018 are enclosed herewith.
3.	Mr. Muhammad Zahid Khan	ACRs from 12.10.2006 to 09/2018 are enclosed herewith.
4.	Mr. Muhammad Naeem	ACRs from 06/2009 to 09/2018 are enclosed herewith.
5.	Mr. Muhammad Arif	ACRs from 01/2009 to 09/2018 are enclosed herewith.

Encl: As above.

Yours faithfully,

Saidu Sharif
ASSISTANT TO COMMISSIONER (REV/GEN)
MALAKAND DIVISION

No. 6039 /2/34/Estt;

✓ Copy forwarded to the Deputy Commissioner, Malakand with reference to his letter quoted above, for information, please.

Amjad Ali
ADVOCATE
SUPREME COURT

Saidu Sharif
ASSISTANT TO COMMISSIONER (REV/GEN)
MALAKAND DIVISION



GOVERNMENT OF KHYBER PAKHTUNKHWA
**BOARD OF REVENUE
 REVENUE AND ESTATE DEPARTMENT**

Peshawar dated the 23/11/2018

(17) Annex E

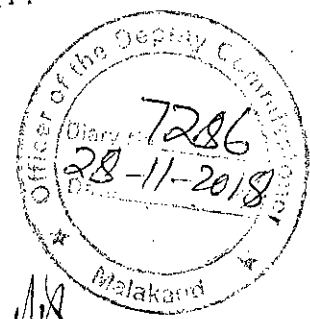
NOTIFICATION

No.Estt:II/DPC/_____ On the recommendation of Departmental Promotion Committee, the following Senior Clerks (BS-14) of the offices mentioned against their names are promoted as Assistants (BS-16) on regular basis with immediate effect.

S. No.	Name/ Designation	Office	Promoted
1.	Mr. Nasir Khan, Senior Clerk.	Deputy Commissioner office Kohat	Assistant (BS-16)
2.	Mr. Haroon Shah, Senior Clerk.	Deputy Commissioner office Kohat	Assistant (BS-16)
3.	Mr. Tariq Mubarik, Senior Clerk.	Deputy Commissioner office Kohat	Assistant (BS-16)
4.	Mr. Fakhri Alam, Senior Clerk.	Deputy Commissioner office Dir Lower	Assistant (BS-16)
5.	Mr. Muhammad Uzair, Senior Clerk.	Deputy Commissioner office Dir Lower	Assistant (BS-16)
6.	Mr. Murad Ali Shah, Senior Clerk.	Deputy Commissioner office Dir Upper.	Assistant (BS-16)
7.	Mr. Muhammad Alam, Senior Clerk.	Deputy Commissioner office Shangla.	Assistant (BS-16)
8.	Mr. Amir Alam, Senior Clerk.	Deputy Commissioner office Shangla.	Assistant (BS-16)
9.	Mr. Izat Ali, Senior Clerk	Deputy Commissioner office Swat	Assistant (BS-16)
10.	Mr. Zafar Ali, Senior Clerk	Deputy Commissioner office Swat	Assistant (BS-16)
11.	Mr. Iftikhar Nasir, Senior Clerk	Deputy Commissioner office Swat	Assistant (BS-16)
12.	Mr. Khalid Khan, Senior Clerk	Deputy Commissioner office Swat	Assistant (BS-16)
13.	Mr. Shah Faisal, Senior Clerk	Deputy Commissioner office Malakand	Assistant (BS-16)
14.	Mr. Muhammad Habib, Senior Clerk	Deputy Commissioner office Bajaur	Assistant (BS-16)
15.	Mr. Ghulam Muhammad, Senior Clerk	Deputy Commissioner office Bajaur	Assistant (BS-16)

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

E. A. / Accd
 Advocate
 SUPREME COURT
 1224



By order of
 Senior Member


No. Estt: II/DPC/ 37605-08

(18)

Copy forwarded to the:-

1. Commissioners of the respective Divisions.
2. Deputy Commissioner of the respective Districts.
3. District Accounts Officers of the respective Districts.
4. Officials concerned.

~~Assistant Secretary (Es)~~

*Amr
AC* *Hussain*


11/10/2008

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

SUBJECT: MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24/10/2018 AT 02:00 PM UNDER THE CHAIRMANSHIP OF SENIOR MEMBER BOARD OF REVENUE KHYBER PAKHTUNKHWA

A meeting of Departmental Promotion Committee was held on 24/10/2018 at 02:00 PM in the office of Senior Member Board of Revenue under his Chairmanship for consideration of the promotion cases of Assistants BS-16 to the post of Superintendents BS-17, Promotion of Senior Clerks BS-14 to the post of Assistant BS-16 and Promotion of Junior Scale Stenographer to the post of Senior Scale Stenographer BS-16 in Commissioner and Deputy Commissioner's offices in the province.

The following attended the meeting:-

1. Mr. Saadullah, Member, Deputy Secretary (Reg-III), Establishment Department.
2. Mr. Farhat Khan, Member, Section Officer (R-I), Finance Department.
3. Mr. Qasim Khan, Secretary-I, Board of Revenue.

The following items were discussed:-

Item No 1. Promotion of Assistant BS-16 to the post of Superintendent BS-17 in the office of Commissioner Peshawar Division.

There is only one sanctioned post of Superintendent BS-17 in the office of Commissioner, Peshawar Division. For the purpose of promotion to the post of Superintendent BS-17, the Committee examined the record of the recommendees and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Khalid Hameed, Assistant (BS-16).	Being the senior most he was considered and found suitable for promotion to the post of Superintendent BS-17 on regular basis.

Amjad Ali
ADVOCATE
SUPREME COURT

Item No. 2.
Deputy Commissioner Kohat.
For the purpose of promotion to the post of Superintendent BS-17, the Committee examined the record of the recommenders and made the following recommendations:

Promotion of Assistant BS-16 to the post of Superintendent BS-17 in the Office of Deputy Commissioner Kohat.
There is only one sanctioned post of Superintendent BS-17 in the office of Deputy Commissioner Kohat. For the purpose of promotion to the post of Superintendent BS-17, the Committee examined the record of the recommenders and made the following recommendations:

S. No.	Name of official	Recommendations
1.	Mr. Zafarullah, Assistant (BS-16).	His case was discussed in terms of Rule 7 of Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 as amend vide Notification No. (SOR-VI&AD) 1-3/2009/Vol-VII dated 22.10.2011 issued by Establishment Department and it was decided that he will not be considered for such promotion for the next 04 years till 24.10.2022.
2.	Mr. Khalid Rashid, Assistant (BS-16).	His case was discussed in terms of Rule 7 of Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 as amend vide Notification No. (SOR-VI&AD) 1-3/2009/Vol-VII dated 22.10.2011 issued by Establishment Department and it was decided that he will not be considered for such promotion for the next 04 years till 24.10.2022.
3.	Mr. Munir Khokar, Assistant (BS-16).	His case was discussed in terms of Rule 7 of Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 as amend vide Notification No. (SOR-VI&AD) 1-3/2009/Vol-VII dated 22.10.2011 issued by Establishment Department and it was decided that he will not be considered for such promotion for the next 04 years till 24.10.2022.
4.	Mr. Zakir Hussain, Assistant (BS-16).	Being the next senior most he was considered and found suitable for promotion to the post of Superintendent BS-17 on regular basis.

Item No. 3. Promotion of Assistant BS-16 to the post of Superintendent BS-17 in the Office of Deputy Commissioner Dir Upper.

There is only one sanctioned post of Superintendent BS-17 in the office of Deputy Commissioner Dir Upper. For the purpose of promotion to the post of Superintendent BS-17, the Committee examined the record of the recommenders and made the following recommendations:

S. No.	Name of official	Recommendations
1.	Mr. Ghulam Mustafa, Assistant (BS-16).	Being the senior most he was considered and found suitable for promotion to the post of Superintendent BS-17 on regular basis.

Amjad Ali
ADVOCATE
SUPREME COURT

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Item No. 4. Promotion of Assistant to the post of Superintendent in the office of Deputy Commissioner Orakzai Tribal District.

There are only one sanctioned post of Superintendent in the office of Deputy Commissioner Orakzai Tribal District. For the purpose of promotion to the post of Superintendent, the Committee examined the records of the recommendees and made the following recommendations:

S. No.	Name of Official	Recommendations
1.	Mr. Hussain Shah, Assistant.	Being the senior most he was considered and found suitable for promotion to the post of Superintendent on regular basis.

Item No. 5. Promotion of Senior Clerk to the post of Assistant BS-16 in the office of Deputy Commissioner Kohat.

There are 16 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Kohat out of which 03 posts under promotion quota are lying vacant. For the purpose of promotion to the post of Assistant BS-16, the Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Kohat and made the following recommendations:

S. No.	Name of official	Recommendations
1.	Mr. Nash Khan, Senior Clerk (BS-14).	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
2.	Mr. Haroon Shah, Senior Clerk (BS-14).	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
3.	Mr. Faris Mubarik, Senior Clerk (BS-14).	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Item No. 6. Promotion of Senior Clerk to the post of Assistant BS-16 in Deputy Commissioner Dir Lower.

There are 28 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Dir Lower out of which 02 posts under promotion quota are lying vacant. For the purpose of promotion to the post of Assistant BS-16, the Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Dir Lower and made the following recommendations:

S. No.	Name of official	Recommendations
1.	Mr. Fakhri Alam, Senior Clerk (BS-14).	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
2.	Muhammad Uzair, Senior Clerk (BS-14).	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Amjad Ali
 ADVOCATE
 SUPREME COURT

(22)

Item No. 7. Promotion of Senior Clerk to the post of Assistant BS-16 in Deputy Commissioner Office Dir Upper.

There are 23 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Dir Upper out of which 01 post under promotion quota is lying vacant. For the purpose of promotion to the post of Assistant BS-16, the Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Dir Upper and made the following recommendations:

S. No.	Name of official	Recommendations
1	Mr. Murad Ali Shah Senior Clerk (BS-14)	Being the senior most he was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Item No. 8. Promotion of Senior Clerk to the post of Assistant BS-16 in Deputy Commissioner Shangla.

There are 23 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Shangla out of which 02 posts under promotion quota are lying vacant. For the purpose of promotion to the post of Assistant BS-16, the Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Shangla and made the following recommendations:

S. No.	Name of official	Recommendations
1	Mr. Muhammad Alam Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
2	Mr. Amir Alam Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Item No. 9. Promotion of Senior Clerk to the post of Assistant BS-16 in Deputy Commissioner Office Swat.

There are 27 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Swat out of which 05 posts under promotion quota are lying vacant. For the purpose of promotion to the post of Assistant BS-16, the Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Swat and made the following recommendations:

S. No.	Name of official	Recommendations
1.	Mr. Izat Ali Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
2.	Mr. Zafar Ali Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
3.	Mr. Iftikhar Nasir Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.
4.	Mr. Khalid Khan Senior Clerk (BS-14)	He was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Amjad Ali
ADVOCATE
SUPREME COURT

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Item No. 10: Deputy Commissioner Office Malakand

Promotion of Senior Clerk to the post of Assistant BS-16 in the office of Deputy Commissioner Malakand. There are 21 sanctioned posts of Assistant BS-16 in the office of Deputy Commissioner Malakand out of which 02 posts under promotion quota are lying vacant for the purpose of promotion to the post of Assistant BS-16. The Committee examined the Seniority list of Senior Clerk BS-14 of Deputy Commissioner Office Malakand and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Muhammad Nazeer, Senior Clerk (BS-14).	Deferred due to pending enquiry.
2.	Mr. Shah Faisal, Senior Clerk (BS-14).	Being the next senior most he was considered and found suitable for promotion to the post of Assistant BS-16 on regular basis.

Item No. 11: Promotion of Senior Clerk to the post of Assistant in the Office of Deputy Commissioner Bajaur.

There are 02 sanctioned posts of Assistant in the office of Deputy Commissioner Bajaur which are lying vacant. For the purpose of promotion to the post of Assistant, the Committee examined the Seniority list of Senior Clerk of the office of Deputy Commissioner Bajaur and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Muhammad Habib, Senior Clerk.	He was considered and found suitable for promotion to the post of Assistant on regular basis.
2.	Mr. Ghulam Muhammad, Senior Clerk.	He was considered and found suitable for promotion to the post of Assistant on regular basis.

Item No. 12: Promotion of Junior Scale Stenographer to the post of Senior Scale Stenographer in the office of Deputy Commissioner Dir Lower.

There is one sanctioned post of Senior Scale Stenographer in Deputy Commissioner office Dir Lower, which is lying vacant since its creation. For the purpose of promotion to the post of Senior Scale Stenographer BS-16, the Committee examined the record of the recommendee and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Inayat Khan, Junior Scale Stenographer (BS-14).	Being the senior most he was considered and found suitable for promotion to the post of Senior Scale Stenographer BS-16 on regular basis.

Amjad Ali
ADVOCATE
SUPREME COURT.

(6)

(24)

Item No.13. Promotion of Junior Scale Stenographer in the office of Deputy Commissioner Charsadda.

There is one sanctioned post of Senior Scale Stenographer in Deputy Commissioner of Charsadda, which is lying vacant since its creation. For the purpose of promotion to the post of Senior Scale Stenographer BS-16, the Committee examined the record of the recommendees and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Fazl-e-Rabbi Junior Scale Stenographer (BS-14).	His case was discussed in terms of Rule 70 of Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 as amended vide Notification Nos (SOR-VI&AD), 13/2009/Vol.VII dated 22.10.2011, issued by Establishment Department and it was decided that he will not be considered for such promotion for the next 04 years till 24.10.2022.
2.	Mr. Muhammad Wisai, Junior Scale Stenographer (BS-14).	Being the next senior most, he was considered and found suitable for promotion to the post of Senior Scale Stenographer BS-16 on regular basis.

Item No.14. Promotion of Junior Scale Stenographer to the post of Senior Scale Stenographer in the office of Deputy Commissioner Swat.

There is one sanctioned post of Senior Scale Stenographer in Deputy Commissioner of Swat, which is lying vacant since its creation. For the purpose of promotion to the post of Senior Scale Stenographer BS-16, the Committee examined the record of the recommendees and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Muhammad Hassain, Junior Scale Stenographer (BS-14).	Being the senior most, he was considered and found suitable for promotion to the post of Senior Scale Stenographer BS-16 on regular basis.

Item No.15. Promotion of Junior Scale Stenographer to the post of Senior Scale Stenographer in the office of Deputy Commissioner Chitral.

There is one sanctioned post of Senior Scale Stenographer in Deputy Commissioner office Chitral, which is lying vacant since its creation. For the purpose of promotion to the post of Senior Scale Stenographer BS-16, the Committee examined the record of the recommendees and made the following recommendations:-

S. No.	Name of official	Recommendations
1.	Mr. Fazluddin, Junior Scale Stenographer (BS-14).	Being the senior most, he was considered and found suitable for promotion to the post of Senior Scale Stenographer BS-16 on regular basis.

Amjad Ali
ADVOCATE
SUPREME COURT

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Item No. 16
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Promotion of Junior Scale Stenographer to the post of Senior Scale Stenographer in the office of Deputy Commissioner Shargla.
There is one sanctioned post of Senior Scale Stenographer in Deputy office Shargla which is lying vacant since its creation. For the purpose of post of Senior Scale Stenographer, BS-16, the Committee examined the records of candidates and made the following recommendations.

S. No.	Name of official	Recommendations
1.	Mr. Fazal Ahmad Junior Scale Stenographer (BS-14)	Being the senior most he was considered and found suitable for promotion to the post of Senior Scale Stenographer BS-16 on regular basis.

Qaiser Khan
(Qaiser Khan)
Secretary - I
Board of Revenue
(Secretary)

Saeeduliah
(Saeeduliah)
Deputy Secretary (Reg-III)
Establishment Department
(Member)

Barakat Khan
(Barakat Khan)
Section Officer (R-1)
Finance Department
(Member)

Dr. Fakhre Alam
(Dr. Fakhre Alam)
Senior Member
Board of Revenue
(Chairman)

Amjad Ali
ADVOCATE
SUPREME COURT

To,

The Honorable Chief Secretary,
Government of Khyber Pakhtunkhwa, Peshawar.

Ann - F
(26)

Subject: DEPARTMENTAL APPEAL.
R/Sir,

With high esteem and regards I beg to submit my imploration which is as follows: -

1. That I was appointed/ adjusted as Junior Clerk in the office of Deputy Commissioner, Malakand vide order dated 01/07/2003 (Annex: "A").
2. That I was promoted to the post of Senior Clerk (BPS-14) vide order dated 24/04/2017 (Annex: "B").
3. That my turn for promotion to the post of Assistant (BPS-16) came on 24/10/2018, but I was deprived from my due promotion to the post of Assistant (BPS-16) due to the light of the minutes of Departmental Promotion Committee meeting which was held on 24/10/2018 that " I was deferred due to pending enquiry" (Annex: "C"). And a junior official was promoted to the post of Assistant (BPS-16) vide promotion order dated 23/11/2018 (Annex: "D").
4. That no enquiry is pending against me and I have been deprived maliciously from my due promotion to the post of Assistant (BPS-16)

It is, therefore, requested that promotion order dated 23/11/2018, which was issued in light of the Departmental Promotion Committee meeting may kindly be considered null and void and I may kindly be promoted to the post of Assistant (BPS-16) on regular basis with all back benefits, please.

I shall be very grateful to you for this act of kindness.

Dated 18/12/2018.

Yours faithful servant

Muhammad Nazir Senior Clerk
Office of the Deputy Commissioner, Malakand.

18/12/18

ADVOCATE
SUPREME COURT

(F)

۲۰۱۹ء منجانب ایسلام آباد

۱۵/۹/۲۰۱۹

مورخہ:

مقدمہ:

دعویٰ:

جرم:

بنام:

حکومت

محمد نذیر

باجت تحریر آئندہ

مقدمہ مندرجہ عنوان بالا اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آپ کے مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا مکمل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا مکمل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ

بر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زاریں پر

دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار

ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ و جانہ

التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھ دیا کہ سنڈ رہے۔

المرقوم:

15

گواہ

العبد

بمقام کے لیے منظور ہے۔

Accepted
Amjad Ali
ADVOCATE
SUPREME COURT

B-c 105506

امجد علی ایڈووکیٹ سپریم کورٹ آف پاکستان، ڈسٹرکٹ کورٹس، مردان

0321-9882434 0321-9870175



OFFICE OF THE DEPUTY COMMISSIONER
MALAKAND

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Dated the: 09/07/2019

ORDER: -

No. 1378/ /1/2/Estt: On the recommendations of Departmental Promotion Committee during its meeting held on 02.07.2019, Mr. Muhammad Nazir, Senior Clerk (BPS-14) of this office is hereby promoted as Assistant (BPS-16) with immediate effect.

On promotion, the afore-named official will be on probation for a period of one (01) year in terms of Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule-15 of Khyber Pakhtunkhwa's Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.

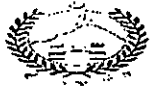
DEPUTY COMMISSIONER,
MALAKAND.

No. 13782-89 /1/2/Estt:

Copy for information is forwarded to: -

1. The Additional Deputy Commissioner, Malakand please.
2. The Assistant Secretary (Establishment), Government of Khyber Pakhtunkhwa, Board of Revenue (Revenue & Estate Department), Peshawar.
3. The Secretary to Commissioner, Malakand Division, Saidu Sharif, Swat.
4. The District Accounts Officer, Malakand.
5. The Accounts Officer, D.C. Office, Malakand.
6. The Accounts Assistant, D.C. Office, Malakand.
7. The Official concerned for necessary compliance.
8. Office order file.

DEPUTY COMMISSIONER,
MALAKAND.



REVISED SENIORITY LIST OF ASSISTANTS (BPS-16) IN THE OFFICE OF DEPUTY COMMISSIONER MALAKAND AS STOOD ON 15/07/2019.

NOTIFICATION: -

No. 14923 /1/3/Estt: In pursuance of Section 8 (1) & (5) of the Civil Servant Act, 1973, the revised seniority list of Assistants (BPS-16), working in the office of Deputy Commissioner, Malakand, as stood on 15.07.2019, is hereby notified for information of all the concerned: -

S#	Name	Qualification	Date of Birth	Date of 1 st entry into Govt. Service	Date of regular appointment / promotion as Assistant (BPS-16)	Office	District of Domicile	Method of Appointment (Direct/Promotion)	Remarks
1	Mr. Amani Gul	M.A	11/03/1961	23/08/1980	12/10/2004	Reader Section	Malakand	Adjusted against Direct Quota	
2	Mr. Badshah Iftikhar	M.A	03/04/1960 ✓	17/12/1980	12/10/2004	B Fund Section	-do-	-do-	
3	Mr. Maumber Khan	F.A	08/02/1963	17/12/1980	12/10/2004	ADC Office	-do-	-do-	
4	Mr. Daud Khan	MSc	18/02/1981	30/05/2008	30/05/2008	Developmental Section	-do-	Direct Appointment	
5	Mr. Hussain Khan	M.A	10/01/1981	12/07/2003	10/11/2009	AC Office Dargai	-do-	Direct Appointment	
6	Mr. Muhammad Rafique	M.A	04/03/1982	10/11/2009	10/11/2009	PS Section	-do-	Direct Appointment	
7	Mr. Ahmad Ali Khan	B.A	02-02-1960 ✓	29-09-1986	07/10/2013	-	-do-	Promotion	
8	Mr. Badshah Rahman	M.A	10-03-1963	29-09-1986	07/10/2013	Land acquisition section	-do-	-do-	
9	Mr. Salim Khan	Metric	07-01-1964	29-09-1986	21/11/2013	AAC Office Batkhela	-do-	-do-	
10	Mr. Muhammad Gul	Metric	15-03-1964	29-09-1986	21/11/2013	AG Section	-do-	-do-	
11	Mr. Zahid Hussain	Metric	12-03-1965	29-09-1986	25/11/2013	ADC Office	-do-	-do-	
12	Mr. Shah Wali Khan	D.com	04-04-1967	29-09-1986	13-08-2015	Tehsildar Office Dargai	-do-	-do-	
13	Mr. Attaullah Khan	Metric	18-01-1968	14-12-1986	13-08-2015	Establishment Section	-do-	-do-	
14	Mr. Fazal Wadan	Metric	11-12-1961	14-12-1986	13-08-2015	Complaint Cell	-do-	-do-	
15	Mr. Nisar Muhammad	F.A	11-12-1964	01-12-1987	13-08-2015	Tehsildar Office	-do-	-do-	
16	Mr. Noor-ul-Amin	FA	04-06-1967	02-07-1987	20.01.2017	P & D section	-do-	-do-	
17	Mr. Muhammad Riaz	MA	01-12-1969	01-02-1988	20.01.2017	Budget section	-do-	-do-	
18	Mr. Sajjad Hussain	BA	01-07-1971	01-07-1989	09.11.2017	Budget section	-do-	-do-	
19	Mr. Zafar Hayat	MA	04-03-1972	20-03-1991	19-04-2018	Account Section	-do-	-do-	
20	Mr. Muhammad Nazir	BSc	02-01-1967	12-07-1995	09-07-2019	AG Section	-do-	-do-	Previously, the promotion of incumbent as Assistant was deferred on 24.10.2018 which was subsequently considered fit for promotion as Assistant by the DPC in its meeting held on 02.07.2019.
21	Mr. Shah Faisal	Metric	21-03-1969	10-10-1984	23-11-2018	Budget Section	-do-	-do-	Promoted as Assistant on 23.11.2018 as per recommendation of DPC dated 24.10.2018.

Handwritten Signature
DEPUTY COMMISSIONER,
MALAKAND.

: No. 14924-26 /1/3/Estt: dated 29 /07/2019.

Copy for information is forwarded to: -

1. The Commissioner Malakand Division, at Saidu Sharif Swat, Please
2. The Deputy Commissioner, Malakand, Please.
3. All the Sectional In-charges / Officers with the direction to circulate the seniority list amongst the concerned officials/officers. In case of any objection, this office may be informed accordingly within a period of seven days on receipt of this issuance. After the lapse of afore-stipulated time frame, the instant seniority list may be treated as final with no objection.

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باجا افتار
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DEPUTY COMMISSIONER,
MALAKAND.

