

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 719/2016

Date of Institution ... 27.05.2016

Date of Decision ... 31.01.2018

Qasam Khan, Chowkidar, Government Primary School Mian Killay, District Swabi.
... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary (E&SE) Department, Civil
Secretariat, Peshawar and three others. ... (Respondents)

Mr. Mukhtar Ahmad Maneri,
Advocate

--- For appellant.

Mr. Kabirullah Khattak,
Additional Advocate General

--- For respondents.

MR. AHMAD HASSAN,
MR. MUHAMMAD HAMID MUGHAL

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

JUDGMENT

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

ARGUMENTS

2. Learned counsel for the appellant argued that he was appointed as
Chowkidar on GPS Mian Killay, District Swabi on 01.08.1998. That the appellant
got knowledge that his date of birth recorded in the school record was 12.12.1961
but inadvertently 1955 was recorded as his year of birth in the old CNIC. The
appellant filed a Civil Suit and got a decree in his favour. He approached NADRA
and got his date of birth corrected in his CNIC. He approached the respondents
through an application for correction of date of birth on 28.03.2015 and thereafter
filed service appeal no.1332/15 in this Tribunal which was dismissed vide

judgment dated 28.01.2016. The appellant was directed to first approach the respondents through departmental appeal for redressal of his grievances. The appellant submitted departmental appeal on 02.02.2016, which remained unanswered, hence, the present service appeal.

3. On the other hand learned Deputy District Attorney argued that as per service book 1955 was recorded as his year of birth instead of 12.12.1961. The same date of birth is also mentioned in the old CNIC. According to GFR-116 cases of correction of date of birth are entertained within two years of entry into government service. Reliance was also placed on case law reported as 1998 SCMR 801 AND 1998 SCMR 1302.

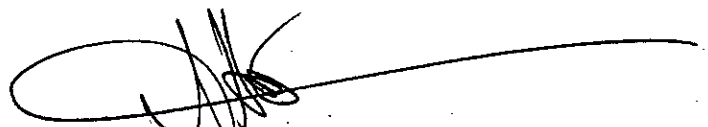
CONCLUSION

4. Attention of the learned counsel for the appellant was invited to para-116 of GFR wherein procedure for correction of date of birth is specified. He was also confronted on the point that why the appellant failed to agitate this issue in time? However, he was unable to convince this Tribunal with the help of arguments/documentary proof. Similarly as per report judgments referred to above he has not been above to make out a case for indulgence of this Tribunal.

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



(MUHAMMAD HAMID MUGHAL)
MEMBER



(AHMAD HASSAN)
MEMBER

ANNOUNCED
31.01.2019

29-10-18

Due to Retirement of Honorable
Chairman the Tribunal is non functional
therefore the case is adjourned to come up
for the same on 13-12-18

Hassan
Rebdu

13.12.2018

Counsel for the appellant present. Mr. Abdul Ghaffar, Superintendent for the respondents present. Written reply on behalf of respondents submitted. The appeal is assigned to D.B-II for rejoinder and arguments for 31.01.2019.

MA
Muhammad Amin Khan Kundi
Member

Order

31.01.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Arguments heard and record perused.

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

Announced:
31.01.2019

Hamid
(Muhammad Hamid Mughal)
Member

Hassan
(Ahmad Hassan)
Member

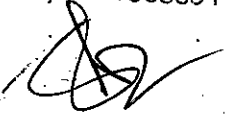
27.07.2018

Appellant Qasam Khan in person alongwith his counsel Mr. Mukhtar Ahmad Maneri, Advocate present and heard in limine.

Contends that despite of the correction made in his educational documents as well as CNIC in respect of his date of birth, the respondents neither corrected his date of birth in his service record nor passed any written order on his request as well as his appeal. Further contended that his correct date of birth is 12.12.1961 and he is still in service.


Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 05.09.2018 before S.B.

Appellant Deposited
Security & Process Fee >


Chairman

05.09.2018

Appellant in person presents. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Abdul Ghaffar, Superintendent for the official respondents present. Written reply not submitted by the respondents Requested for adjournment. Adjourned. To come up for written reply/comments on 29.10.2018 before S.B.


(Muhammad Amin Kundi)
Member

Service Appeal No. 719/2016

24.04.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 10.05.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

10.05.2018

The Tribunal is non-functional due to retirement of our Hon'ble Chairman. Therefore, the case is adjourned. To come up for same on 10.07.2018.


Reader

10.07.2018

None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance for 27.07.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

01.03.2018

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 16.03.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

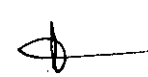
16.03.2018

Appellant present and submitted an application for placing on file some documents. Placed on file. He seeks adjournment. Granted. To come up for preliminary hearing on 06.4.2018 before S.B.


Chairman

06.04.2018

None for the appellant present. Notices be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing on 24.04.2018 before S.B.


(Ahmad Hassan)
Member

Service Appeal No. 719/2016

20.11.2017 Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 21.12.2017 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER


21.12.2017 Today has been declared holiday for Judicial Officers. Therefore the case is adjourned. To come up for the same on 15.01.2018.


READER

15.01.2018 Due to strike of the Bar learned counsel for the appellant is not in attendance today. Adjourned. To come up for preliminary hearing ^{on} 08.02.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

08.02.2018 Appellant in person present and seeks adjournment. Adjourned. Last opportunity granted for preliminary hearing. To come up for preliminary hearing on 01.03.2018 before S.B.


(Ahmad Hassan)
Member(E)

22/8/2017

Clerk of counsel for the appellant present and requested for adjournment as his counsel is not available due to strike of the bar. To come up preliminary hearing on 13/9/2017 before SB.


(GUL ZEB KHAN)
MEMBER


13.09.2017

Appellant seeks adjournment as his counsel is not in attendance. Granted. To come up for preliminary hearing on 11.10.2017 before S.B.


Chairman

11.10.2017

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary on 06.11.2017 before S.B.


(AHMAD HASSAN)
MEMBER

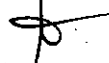
06.11.2017

Clerk to counsel for the appellant present and seeks adjournment. Adjourned. Last opportunity granted for preliminary hearing. To come up for preliminary hearing on 20.11.2017 before S.B.


(AHMAD HASSAN)
MEMBER

27.04.2017

Counsel for the appellant present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 06.06.2017 before S.B.



(Ahmad Hassan)

Member

06.06.2017

Clerk to counsel for the appellant present and requested for adjournment. Request accepted. To come up for preliminary hearing on 11.07.2017 before S.B.



(Ahmad Hassan)

Member

11.07.2017

None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance for 09.08.2017 before S.B.



(Muhammad Amin Khan Kundi)

Member

09.08.2017

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 22.08.2017 before S.B.




(Ahmad Hassan)

Member

06.03.2017

Clerk to counsel for the appellant present. Due to general strike of the bar learned counsel for appellant is not in attendance. To come up for preliminary hearing on 27.03.2017 before S.B.


(ASHFAQUE TAJ)
MEMBER

27.03.2017

Counsel for the appellant present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 27.04.2017 before S.B.


(AHMAD HASSAN)
MEMBER

24.11.2016

Counsel for the appellant present. Preliminary arguments partly heard. Since the matter required further clarification, therefore, pre-admission notice be issued to the learned AAG to assist the Tribunal. To come up for further preliminary hearing on 03.01.2017.


(PIR BAKHSH SHAH)
MEMBER

03.01.2017

Appellant in person and Additional AG for respondents present. Appellant requested for adjournment as his counsel is not available today. To come up for preliminary arguments on 08.02.2017 before S.B.


(ASHFAQUE TAJ)
MEMBER

08.02.2017

Clerk to counsel for the appellant present. Clerk to counsel for the appellant requested for adjournment. To come up for preliminary hearing on 06.03.2017 before S.B.


(MUHAMMAD AAMIR NAZIR)
MEMBER

16.08.2016

None present for the appellant. Notice issued for the appellant and his counsel to come up for preliminary hearing on 26.09.2016 before S.B. assist the court regarding the jurisdiction of the court. Request accepted. To come up for preliminary arguments on 23.8.2016 before S.B.

Member

Member

26.09.2016 Appellant in person present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 17.10.2016 before S.B.

Member

17.10.2016

Clerk to counsel for the appellant present. Clerk to counsel for the appellant requested for adjournment. To come up for preliminary hearing on 03.11.2016 before S.B.

Member

3.11.2016

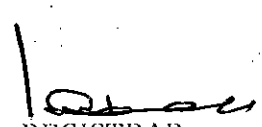


Counsel for the appellant seeks adjournment. Adjourned for preliminary hearing to 24.11.2016 before S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 719/2016

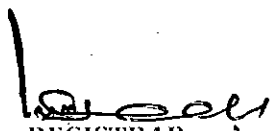
S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14/07/2016	<p>The appeal of Mr. Qasam Khan resubmitted today by Mr. Mukhtyar Ahmad Maneri Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14-7-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>15-7-16</u></p> <p style="text-align: right;"> MEMBER</p>
15.07.2016		<p>Counsel for the appellant present. Learned counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 16.8.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Qasam Khan Chowkidar GPS Mian Killy Distt. Swabi received to-day i.e. on 27.05.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.

No. 905 /S.T,

Dt. 27/5 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Mukhtyar Ahmad Maneri Adv. Pesh.

Respected Sir

1- Removed

2- Removed

Mi

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 719 of 2016.

Qasam Khan

Versus

The Secretary of (E&SE) Deptt;
Government of KPK & Others.


I N D E X

S.NO.	Documents	Annexure	Page No.
1.	Memo of Appeal		1-3
2.	Memo of Addresses of parties		4
3.	Affidavit		5
4.	Copy of appointment order.	"A"	6
5.	Copy of Judgment and decree.	"B"	7-10
6.	Copy of the CNIC of the appellant.	"C"	11
7.	Copy of the application dated 28-3-2015.	"D"	12
8.	Copy of the order of KPK Service Tribunal dated 28-1-2016	"E"	13-14
9.	Copy of the Departmental Appeal dated 2-2-2016.	"F"	15-16
10.	Copy of the letter of the Respdt; No. 4	"G"	17

Dated _____


APPELLANT

Through


Mukhtar Ahmad Maneri

Advocate High Court
Office # 24-A, Nasir
Mansion,
2-Railway Road, Shoba
Bazar,
Peshawar.
Off; 091-2214385
Mobile: 0333-215-6006.

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No. 719 /2016.

Qasam Khan Chowkidar,
Government Primary School Mian Killy,
District Swabi.....Appellant.

A.W.F. Province
Service Tribunal
Diary No. 545
dated 27-5-2016

VERSUS

1. Government of KPK,
Through Secretary (E&S) Department,
Civil Secretariat, Peshawar.
2. The Director of Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer,
(Female) District Swabi.
4. The Sub; Divisional Education Officer,
(Female) Tehsil Swabi.....Respondents.

SERVICE APPEAL UNDER SECTION 4 OF THE
SERVICE TRIBUNAL ACT, 1974.

Respectfully Sheweth,

- 1) That the appellant named above was appointed as Chowkidar at Government Primary School Mian Killy, District Swabi on 01-08-1998. (Copy of appointment order is attached as Annexure-A)
- 2) That the appellant came to know that his real date of birth as per school record is 12-12-1961 but inadvertently the then NADRA has entered the year 1955 as his date of birth in his National Identity Card.
- 3) That the moment the appellant came to know about his real date of birth, he then and there informed the NADRA to get his date of birth correct and in the same manner duly intimate his department in respect of the above mentioned fact.
- 4) That the appellant then instituted a civil suit before the competent court of law in respect of correct of his date of birth, and after recording evidence and hearing arguments, his suit was decreed vide judgment and decree in

ATTESTED

re-submitted
to-day 14/7/16.

- civil suit No. 27/1 of,2014. (Copy of judgment and decree is attached as Annexure-B)
- 5) That the appellant approached the department of NADRA to make necessary correction in his CNIC and accordingly he was given new CNIC with date of birth as per his school record. (Copy of CNIC of appellant is attached as Annexure-C)
 - 6) That thereafter the appellant filed an application on 28-03-2015 to the concerned quarter for making necessary corrections in his date of birth in his service record. (Copy of application of appellant is attached as Annexure-D)
 - 7) That thereafter the appellant submitted Service Appeal No. 1332 of 2015 on the basis of application mentioned above before this Tribunal which was dismissed on 28-1-2016 with the observation that the appellant would first seek redressal of his grievances through departmental appeal and might thereafter prefer service appeal, if so advised. (Copy of the order dated 28-01-2016 of this Tribunal is attached as Annexure-E)
 - 8) That the appellant submitted the Departmental appeal dated 02-02-2016 addressed to the respondent No. 2 in the office of the respondent No. 4 for onward submission to the respondent No. 2. (Copy of the Departmental Appeal dated 02-02-2016 is attached as Annexure-F)
 - 9) That on 5-5-2016, the appellant received a letter from the office of the respondent No. 4 in which the appellant was to submit the application for retirement and the local Accountant Mr. Shabir Khan was directed to stop the salary of the appellant from July 2015. (Copy of the letter is attached as Annexure-G)
 - 10) That on 7-5-2016, the appellant attended the office of the respondent No. 4 along with Mr. Rafiqullah Khan, Chairman Union Council Mian Killy and Mr. Manzoor Ahmad, pupil of the appellant's counsel and found from the file that the appellant's departmental appeal had not been sent to the quarter concerned by the respondent No. 4.
 - 11) That the Respondent No. 4 became an impediment between the appellant and the Respondent No. 2 and 3 by not forwarding the Departmental appeal of the appellant to the Respondent No. 2 through the Respondent 3.
 - 12) That the respondent No. 4 did not enable the appellate authority to peruse the Departmental Appeal and the judgment of the Civil Court for the correction of the date of birth and thus kept the departmental appeal of the appellant in the dark for 3 Months.
 - 13) That the respondent No. 4 has deprived the appellant from pursuing the remedy of the grievance through the departmental appeal. The respondent No. 1, 2 & 3 are duty bound to take action against her for violating the departmental procedure and also the appealing right of the appellant.

ATTESTED

GROUNDS:

- a) That the appellant is entitled for the direction from this Tribunal to the respondents in the presence of the Judgment of competent court regarding exact date of birth and new CNIC having correct entry of date of birth.
- b) That the appellant has time and again requested the respondents but all his efforts gone in vain and as such the appellant has been deprived of his valuable right.
- c) That the appellant urges other grounds at the time of hearing of this appeal with kind permission of this honourable Tribunal, hence this appeal with the following prayer;

Prayer:-

It is, therefore prayed that this honourable Tribunal may be pleased and allow the appeal of the appellant named above and direct the respondents to make necessary corrections in his service record and get his date of birth corrected as per his new CNIC.


Any other relief/s which this honourable Tribunal may deem fit and proper in the circumstances of the case may also be granted in the best interest of justice.

Peshawar.

Dated: _____/_____/_____

Though


Appellant


Mukhtar Ahmad Maneri.
Advocate High Court:
Peshawar.

ATTESTED

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR
Service Appeal No. of 2015.

Qasam Khan.....Appellant.

Versus

Government of Khyber Pakhtunkhwa & Others.....Respondents.

ADDRESSES OF PARTIES:

A): ADDRESS OF APPELLANT

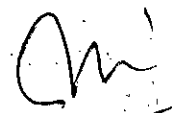
Qasam Khan Chowkidar
Government Girls Primary School Mian Killy
District Swabi.

B) ADDRESS OF RESPONDENTS

1. Government of Khyber Pakhtunkhwa, Department of Elementary & Secondary Education, Through its Secretary.
2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. Accountant General, Khyber Pakhtunkhwa, Peshawar.


Appellant.

Through


Counsel

ATTESTED

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR
Service Appeal No. / of 2016.

Qasam Khan.....Appellant.

Versus

Government of Khyber Pakhtunkhwa & Others.....Respondents.

AFFIDAVIT IN SUPPORT OF SERVICE APPEAL.

I, Qasam Khan son of Namdar resident of Village Mian Killy, District Swabi do hereby state on oath that the contents of the accompanying Service Appeal are correct to the best of my knowledge and belief and nothing has been concealed from this honourable Tribunal.

Peshawar.


DEPONENT.

(Qasam Khan)

CNIC # 16202-0915887-5

Dated: _____/./

ATTESTED


(6) "A"

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) SWABI.

APPOINTMENT.

OFFICE ORDER.

Mr. Rasim Ullah S/O Muhammad Ullah of village and P.O. Mila - Kelli is hereby appointed against the Chowkidar post at the Rate of Rs.1500/-PM fixed on CONTRACT BASIS at Govt. Girls Primary School Mila Kelli ^{with effect from 1-8-98} ~~from the date of~~ taking over charge in the interest of public service on the following terms & conditions.

TERMS & CONDITIONS.

1. His appointment has been made on contract basis for one year.
2. Agreements for the appointment prescribed by the deptt. are attached.
3. He will govern with the term & conditions mentioned in the agreement as under:-
 - i. His appointment is purely made on temporary basis & liable to termination at any time without assigning any reasons or notice.
 - ii. In case of resignation he will give to submit one month prior notice to the department & forfeit one month pay in lieu thereof. the Govt.:
 - iii. He is required to produce Health and age certificate from the DHC, Swabi before the taking over charge.
 - iv. Charge report should be submitted to all concerned.
4. He should not be allowed to take over charge if their age is less than 18 years or not more than 45 years at the time of appointment.

SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) SWABI

Endst: No. 964-67 /E-B-28/C-IV's: Apptt: /Dated Swabi the 3/8/1998

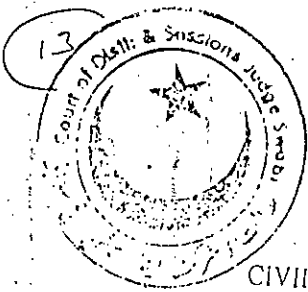
Copy of the above is forwarded for information and necessary action to the:-

1. District Education Officer (F) Primary Swabi.
2. DISTRICT ACCOUNTS OFFICER SWABI.
3. A.S.D.E.O (A) LOCAL OFFICE.
4. A.S.D.E.O.(F) Concerned.
5. Headmistress Concerned School.
6. Candidate Concerned.


SUB DIVISIONAL EDUCATION
OFFICER (FEMALE) SWABI

Said Rahman/@
25027998.

AT DTC



Assessed

7 B

IN THE COURT OF SYED ZAHID SHAH
CIVIL JUDGE-VI, SWABI

CIVIL SUIT NO.....127/1 of 2014
DATE OF INSTITUTION.....24.09.2014
DATE OF DECISION.....14.03.2015

QASIM KHAN S/O NAMDAR R/O MIAN KILAY, TEHSIL
RAZAR DISTRICT SWABI.....(PLAINTIFF)

VERSUS

1. ASSISTANT MANAGER NADRA, SWABI.
2. GENERAL MANAGER, NADRA PESHAWAR.
3. CHAIRMAN NADRA ISLAMABAD.....(DEFENDANTS)

SUIT FOR DECLARATION/MANDATORY INJUNCTION

JUDGMENT

Plaintiff Qasim Khan has instituted the present suit for declaration against defendants alleging that his correct date of birth is 12.12.1961; while the same is inadvertently entered in the record of the defendants as 1955 which is wrong and in effective on his rights and is liable to be corrected. Defendants were asked to correct his date of birth in their record, but they denied, hence the present suit.

Defendants were summoned wherein defendants through Representative appeared and contested the suit by filing written statement on 17.11.2014. The pleadings gave rise to the following issues.

ISSUES:

1. Whether plaintiff has got cause of action? OPP
2. Whether the correct date of birth of plaintiff is 12.12.1961, but the same is in advertently entered in the record of defendants as 1955? OPP
3. Whether in the record of Nadra, date of birth of plaintiff is entered as 1955? OPP

ATTEST
Examined & found correct
Sessions Judge Swabi

14.3.2015
(Syed Zahid Shah)
Civil Judge-VI
Judicial Magistrate Swabi

T.C

- 4. Whether plaintiff is entitled to decree as prayed for? OPP
- 5. Relief.

Plaintiff in order to prove his case produced and examined Khan Badshah Record Keeper Government Primary School Mian Kilay as PW-1, Muhammad Iqbal Secretary Union Council Tarkai as PW-2, Sarzamin as PW-4, plaintiff himself appeared as PW-3 and closed evidence.

In rebuttal Naveed Iqbal record Keeper/Representative of defendants/NADRA, Swabi appeared as DW-1 and closed evidence.

Arguments of the counsel for the plaintiff as well, counsel for defendants heard, record perused, where after my issues wise findings are as under:

ISSUE NO: 2 & 3:

As these issues are interconnected so I discussed them jointly.

As discussed above plaintiff is alleging that his correct date of birth is 12.12.1961, while in the record of the defendants the same is inadvertently entered as 1955. As per the statement of Record Keeper Government Primary School Mian Kilay, this witness has produced the Admission and withdrawal register of plaintiff which is Ex PW.1/1. This document reveals that the name of the plaintiff Qasim Khan is entered on serial No 325 dated 17.04.1967 and in front of his name in the next column his date of birth is entered as 12.12.1961. Similarly, as per School Leaving Certificate EX.PW.3/2, the date of birth of plaintiff is also entered as 12.12.1961. Perusal of the Computerized National Identity Card of the plaintiff which is Ex PW.4 issued by the defendants/Nadra on 29.12.2001, it reveals that the plaintiff's date of birth is entered as 1955. In rebuttal defendants/Nadra has failed to produce any evidence that the correct date of birth of the plaintiff is 1955. Plaintiff has proved his case by producing the school record, being authentic and genuine and on which reliance can be placed. Therefore, issue No 2 & 3 are decided in favor of the plaintiff.

14.3.2015
 (Syed Zahid Shah)
 Civil Judge-VI
 Judicial Magistrate Swabi

EX-143/15

T.C. Ad.

ATTESTED

15

9

decided in favour of the plaintiff, issue No 3 is decided against defendants/Nadra.

ISSUES NO 1 & 4:

Plaintiff has proved his case; he has got a cause of action and is entitled to the decree as prayed for. Issues are decided in favour of the plaintiff.

RELIEF:

As per my foregoing discussion, the suit of the plaintiff succeeds which is hereby decreed as prayed for. With no order as to costs. Order announced. Consign.

Announced
14.03.2015

[Signature]
Syed Zahid Shah
Civil Judge-VI, Swabi
(Syed Zahid S
Civil Judge

CERTIFICATE

Certified that this judgment consist of three (3) pages. Each page has been read over, checked and signed after making necessary correction therein.

[Signature]
Syed Zahid Shah
Civil Judge-VI, Swabi
(Syed Zahid S
Civil Judge
Judicial Magistrate

T C
[Signature]

ATTESTED
Examined
Signed 24/3/15

ATTESTED

[Signature]

بعد از جناح سید زید شاہ ۵ جون ۱۹۵۵ء کو

ضمیمہ
14-03-015

رجسٹرڈ
24-9-074

نمبر مقدمہ

127
1
قاسم خٹک و لکھنؤ اور سوات ممالک کی تحصیل دروازہ پنجم الہ آبادی

(معدوم)

نام

1- ایشیہ منیجر نادر تحصیل درانہ الہ آبادی

2- جنرل منیجر نادر احصیات ۲۴ مارچ ۱۹۵۵ء

3- جنرل منیجر نادر اسلام آباد

(معدوم)

BYED ZAHID SHAH
Civil Judge / Judicial
Magistrate VI Swabi

Urshad
Senior District
Swabi

I- دفتری استماریہ میں ملازم محمد علی نادر سے فارغ ہونے پر پیش کردہ تعلق

استاد و پرنسپل کے درمیان 12/12/1961ء کی جگہ پر واقعہ کے ریکارڈ

درج ذیل مشاہدہ نادر کی عینے اور علی نادر کی پیدائش کے تعلق سے

میراثہ 1955ء میں کوہاٹ میں - ریکارڈ کے تحت محمد علی نادر کے تعلق سے

مشاہدہ کے متعلقہ وراثت کے لیے محمد علی نادر کی اس غلطی کے بارے میں

تعمیراتی ہے اور سرکار سے فارغ ہونے پر علی نادر کی خدمات کے تعلق سے

محمد علی نادر

II- دفتری استماریہ میں ملازم محمد علی نادر سے فارغ ہونے پر پیش کردہ تعلق

پیدائش کے بارے میں 1955ء میں کوہاٹ میں علی نادر کی پیدائش کے

RECORDED
15/12/1961
Examined by Sessions Court Swabi
24/3/63

P.T.O

ATTESTED

TCA



حکومت پاکستان
قومی شناختی کارڈ
16202-0915887-5



Handwritten signature or mark.

شناختی نمبر: 16202-0915887-5
نام: محمد
موجودہ پتہ: سماں گے، ڈاکخانہ، مارہا، تحصیل و ضلع صوابی



مسئلہ پتہ: ایضاً

نام: قاسم خان
جنس: مرد
والد کا نام: نامدار
شناختی طاقت: نکلے ہوئے پرس
تاریخ پیدائش: 12/12/1961
عمران یوسف مین
دستور سسران خیرل

تاریخ: 12/08/2025
تاریخ اجراء: 12/08/2015
گمشدہ کارڈ کے پر قریبی کیڑکس میں ڈال دیں



ATTESTED

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جناب ڈی او - Female / 3rd Floor / DEO / در خواست برائے ڈی ایچ ایف کے لئے درخواستیں

(12)

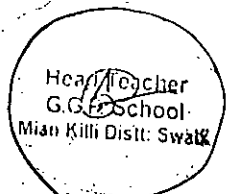
جناب ڈی او،

مجوزہ گنڈاپور میں ہے کہ فرد (مرد) فورسٹ گریڈ میں ڈی ایچ ایف کے لئے درخواستیں مہیا کر کے
 میں بطور چوکیدار اپنے فرائض سرانجام دے رہے ہیں جو کہ
 فردی تاریخ پیدائش ۱۱/۱۱/۱۹۵۵ میں خلیلی سے ۱۹۵۵ء اور
 اور دیگر تاریخ مندرجہ ذیل میں ہے۔
 فردی تاریخ پیدائش ۱۱/۱۱/۱۹۵۵ اور تاریخ پیدائش ۱۲-۱۲-۱۹۶۱
 ہے اس تاریخ پیدائش کے لئے فردی ۲۰۱۴-۹-۲۴ کو ڈی ایچ ایف کے لئے
 دفتر میں درخواستیں جمع کرائی گئیں۔ اور ۲۰۱۵-۳-۱۴ کو منظور
 کیے گئے۔ فردی کے حقوق میں ترمیم دینا،
 ایف او، گنڈاپور، سندھ میں ڈی ایچ ایف کے لئے درخواستیں
 خرابی کی وجہ سے کوئی بھی نظام رکھ کر فردی کے لئے درخواستیں
 تاریخ پیدائش ۱۲-۱۲-۱۹۶۱ کے اندراج کی معلومات ملانے کے لئے
 درخواستیں جمع کرائی گئیں۔

الاعوان
 اے ایف او، گنڈاپور، سندھ قاسم خان ولد نامہ ۱۱/۱۱/۱۹۵۵ کے لئے

Submitted to SDEO (Female) for further necessary action please.

No date



~~This is appeal Submitted to authority. The SOO either to return the same for submission before Dir. Edu. or to forward the same to D.E. for appropriate order.~~

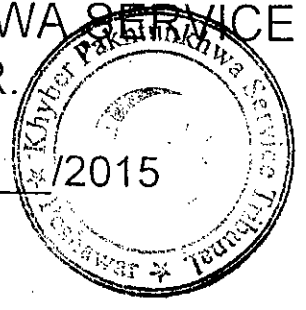
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ATTESTED

(Signature)

E 13

BEFORE THE KHYBE PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.



Service Appeal No 1332

Qasam Khan, Son of Namdar, Resident of Village Mian Kallay, P.O Charbagh, Tehsil Razar, District Swabi.....Petitioner

VERSUS

- 1. District Education Officer (Female), (E&S) District Swabi.
- 2. Director Education, (E&S) Government of KPK, Peshawar.
- 3. Government of KPK, Through Secretary Education (E&S), Civil Secretariat, Peshawar..... Respondents

Q. No. 17. Peshawar Service Tribunal Diary No 1393 Dated 30-11-2015

SERVICE APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974.

Respectfully Sheweth;

ATTESTED

EXAMINER Khyber Pakhtunkhwa Service Tribunal, Peshawar

30/11/15

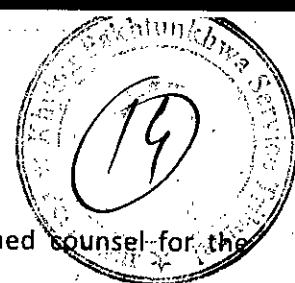
- 1. That the appellant named above was appointed as Chowkidar at Government Primary School Mian Killy, District Swabi on 01-08-1998.
- 2. That the appellant came to know that his real date of birth as per school record is 12-12-1961 but inadvertently the then NADRA has entered his date of birth in his National Identity Card 1955.
- 3. That the moment the appellant came to know about his real date of birth, he then and there informed the NADRA to get his date of birth correct and in the same manner duly intimated his department in respect of the above mentioned fact.
- 4. That the appellant then instituted a civil suit before the competent court of law in respect of correction of his date of birth, and after recording of

Copy of appointment order is attached as Annexure A

ATTESTED

Handwritten signature/initials

Appeal No. 1332/2015
Dasam Khan vs Edu



28.1.2016

Counsel for the appellant present. Learned counsel for the appellant when confronted with the record argued that the appellant has submitted departmental appeal to the competent authority vide application dated 28.3.2015.

Record perused. The said application was addressed to the competent authority for correction of the date of birth and the same cannot be treated as a departmental appeal to the appellate authority.

The instant appeal is, therefore, not found competent. The same is dismissed with the observations that the appellant shall first seek redressal of his grievances through departmental appeal and may there-after prefer service appeal, if so advised. File be consigned to the record room.

Self
Chairman

ANNOUNCED

28.1.2016

Certified to be true copy

[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 17-02-2016
Number of Words 800
Copying Fee 6-00
Urgent 8-2-00
Total 8-2-00
Name of Copyist [Signature]
Date of Completion 17-02-2016
Date of Delivery of Copy 17-02-2016

ATTESTED

[Signature]

F (15)

To

The Director of (EYS) Education,
~~The District Education Department~~
~~Female District Swabi.~~ *K.A.K., Peshawar.*

Subject:

Departmental Appeal for the Correction of the Date of Birth in the Service Book on the basis of the Judgment of the Civil Judge -VI, Swabi and making new entry of correct Date of Birth which is 12-12-1961.

Through Proper Channel,

Respected Sir,

I have the honour to submit Departmental Appeal for the correct entry of my date of birth in the Service Book which 12-12-1961, on following the facts and grounds.

ON FACTS:

- 1) That the appellant is serving in the Education Department as Class-IV at Government Primary School Mian Killy, District Swabi since 1-8-1998 vide Endst: No. 964-67/E-B28/C-IV's Apptt./Dated Swabi the 3-8-1998 of the Sub-Divisional Education Officer (Female) Tehsil Swabi.
- 2) That the Date of Birth of the appellant had been wrongly entered in the Computerised National Identity Card as 1955 and also the same had been entered wrongly in the Service Book.
- 3) That the correct date of birth of the appellant is 12-12-1961 according to the School Record.
- 4) That for the correct entry in the Computerised National Identity Card, the appellant instituted a civil Suit in the Civil Court against the NADRA on 24-9-2014 which was decreed by the Civil Judge-VI, Swabi in the favour of the Appellant. (Copy of the Judgment is attached).
- 5) That the NADRA has implemented the Judgment dated 14-3-2015 of the Civil Court and has issued the new CNIC in which the Date of Birth of the appellant is 12-12-1961. (Copy of CNIC is attached).

ON GROUNDS:

- 1) That the appellant is entitled to the new entry in the Service Book on the basis of the Judgment of the Civil Court Swabi and to serve the department till superannuation in the year 12-12-2021.

ATTESTED
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- 2) That the appellant is entitled for a fresh order from your office to the concerned authorities for the correction of date of birth and updation of his Service Book as he is continuously working in the School.

Prayer:-

It is, therefore, prayed that the concerned officials may kindly be directed to make new entry of date of birth in the Service book in light of the Judgment of the Civil Court Swabi.

Dated: 2-2-2016

Yours Obediently,

Qasim Khan
Qasim Khan Class-IV

Government Girls Primary School
Mian Killi District Swabi.



Manzoor Ahmad
M.A. (Pol. Sc.) B.Sc. B.Ed; L.L.B. (Pesh.)
Ex-Litigation Officer for
The DEO (F) District Swabi
Mobile: 0345-9503142.
Email: manzooralahmadjalalimallik@gmail.com.

School Code No. 30290

For the necessary action please

Sh
Head Teacher
G.G.P. School
Mian Killi Distt: Swabi

at
D

سلسلہ نمبر / SOS-1 مورخہ جولائی 2015ء / 5/6

از: سب ڈویژنل ایجوکیشن آفیسر (زنانہ) سوواں
نام: - قاسم خان فیکلٹی ڈیپارٹمنٹ گورنمنٹ کالج برائیں سکول میان گل

مہموں: - ریٹائرمنٹ

یادداشت: - آپ کو مطلع کیا جاتا ہے کہ دفتر عدالت کے ریکارڈز کے
مکالمہ آپ کے حکم جولائی 2015ء سے ریٹائرمنٹ ہونے والا ہے۔ لہذا
آپ ریٹائرمنٹ کے لیے درخواست بوقت حکم دیں تاکہ آپسے اپنا مال
کو ضروری کارروائی کے لیے بھیجا جائے۔ پس لیکٹ ہونے کے بعد
میان نام کے ذمہ داری آپ پر ٹرانسفر ہوگی۔

سب ڈویژنل ایجوکیشن آفیسر

Sub Divisional Education
Officer (Female) Swabi



تعمیراتی

- 1- گائیڈ لائن ایجوکیشن اور ایجوکیشن ڈیپارٹمنٹ
- 2- ڈسٹرکٹ ایجوکیشن آفیسر (زنانہ) سوواں
- 3- شہید خان کوئل اکاؤنٹ منسٹر قاسم خان فیکلٹی ڈیپارٹمنٹ
- 4- متحور حکم جولائی 2015ء سے بند کر دیں۔ فرسٹ ٹائم کے لیے۔

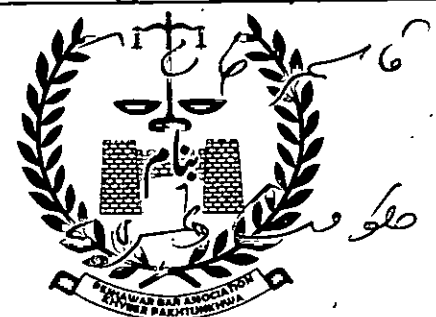
سب ڈویژنل ایجوکیشن آفیسر (زنانہ)

Sub Divisional Education
Officer (Female) Swabi

ATTESTED

		
10 ایڈوکیٹ/دستخط بار کونسل ابار ایسوسی ایشن رابطہ نمبر: ۰۳۳۳-۲۱۵۶۵۵۵	54404 پشاور بار ایسوسی ایشن، خیبر پختونخواہ	

بعدالت جناب: سر سید بیٹون سنگھ پختونخواہ

پنجاب: <u>دائیں منشی</u> 	دعویٰ: <u>سید محمد علی</u> علت نمبر: <u>۱۱۱</u> مورثہ: <u>۱۱۱</u> جرم: <u>۱۱۱</u> تھانہ: <u>۱۱۱</u>
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بابت تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 ان مقام کو مکمل مقرر محمد علی 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 جملہ فیصلہ برعلت دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں مدد مختل کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا تاخیر یا غیر فوری یا تاخیر یا تاخیر یا تاخیر اور منسوخی، نیز
 دائر کرنے اہل نگرانی و نظارتی 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 ہو گا اور صاحب
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا مابقیہ ہر ذمہ منظور و قبول ہوگا دوران مقدمہ
 میں جو خرچہ ہر جانہ التوائے مقدمہ کے نسبت سے ہوگا وہ وکیل موصوف و موکل کے لئے کا مختار ہوگا کوئی تاریخ پیشی مقام
 دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیراوی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: ۲۶/۵/۱۶

واہ شد

مقام کدر کے لئے منظور ہے۔

Accepted
Mi

BEFORE THE SERVICE TRIBUNAL K.P.K, PESHAWAR

Service Appeal No. 719/2016

Mr Qasam Khan Ex-Chowkidar GGPS Mian Kili Appellant

VERSUS

1. Government of KPK
Through Secretary (E&SE) Department, Civil Secretariat Peshawar.
2. The Director Education E&SE Peshawar.
3. The District Education Officer(Female) Swabi.
4. The Sub Divisional Education Officer, (Female) Swabi.....

Respondents.

SERVICE APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1974.

Respectfully Sheweth,

PRELIMINARY OBECTIONS:

- 1) That, as per registration NADRA DOB (up to 5 Years) Applicant having age 45 and above will not be entertained for age change. Hence, the instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
- 2) That, the appellant is retired on superannuation from service on 01-07-15, while he is claiming belatedly correction in DOB for extension of his service. Hence, not maintainable.
- 3) That, the retired person change in DOB is beyond the scope of human's mind, hence not maintainable.
- 4) That, the appellant conceals the fact, he has already been retired on superannuation from service, hence not maintainable.
- 5) That, the instant appeal is badly time-barred and hit by the principle of laches, hence not maintainable and is liable to be dismissed.
- 6) That, the appellant has no locus standi or cause of action to file the instant appeal.
- 7) That, the appellant has not come to the tribunal with clean hands.
- 8) That, the appellant is estopped by his own conduct to file the instant appeal.
- 9) That, the instant appeal is against the prevailing laws and rules.

ON FACTS:

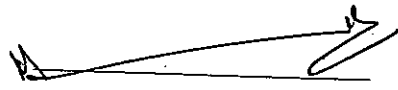
1. That, the appellant was appointed as chowkidar on contract basis in BPS-1 @ Rs 1500/- PM Fixed at GGPS Mian Kili wef 01-08-1998 as per Govt of KPK Peshawar at that time recruitment policy without any pensionary benefits. He accepted all the terms and conditions of his appointment without any agitation till his retirement on superannuation.
2. Incorrect, hence denied the DOB of the appellant in service record i.e service book etc. is 1955 and not 12-12-1961. The DOB mentioned in his service book record according to his old CNIC is 1955 "seeking amendment in DOB by civil servant when nearing superannuation deprecated" same is reported in 1999 SCMR 861. Hence, the case at the present stage is time barred and also hit by Principle of laches and is liable to be dismissed.
3. Incorrect hence denied the appellant did not inform the department about his correction of DOB in stipulated time accordingly. It is pertinent to say that" Service Rules regarding correction of age within 02 years from entry into Government Service are apparently sound and logical. Civil Servant cannot be normally permitted to awoke from deep slumber and dramatically in his DOB, when about to retire Development of tendency whereby unwarranted claims, attempting to show error in "DOB" being asserted toward retiring age by fabricating or manipulating documents in that behalf deprecated Grievance agitated by civil servant does not make out any substantial question of law having public importance. Same is reported in 1998 SCMR 801. "Service book of civil servant being the most authentic record with regard to entries regarding DOB".
Same in reported in 1998 SCMR 1302., His DOB recorded in his service book is 1955 which is authentic correct with his signature as well as sign of the competent authority. Hence the instant appeal is not maintainable and liable to be dismissed.
4. That the change is DOB of the appellant relates to terms & conditions of his service. Hence, the jurisdiction for such like appeals is service Tribunal and not Civil Court.
5. Incorrect hence denied. The stance/ plea of the applicant is totally against the procedure and will of the parent department. As a civil servant the appellant is bound to initiate any request/ appeal through proper channel under intimation to the local office concerned. In the instant case no departmental procedure has been followed, thus the outcome has no weightage. Furthermore, the CNIC was issued to him after his retirement revealed by CNIC assurance date as 12-08-2015 while his Date of Retirement is 01-07-158 which malicious intension on his part.
6. Incorrect hence denied, the application date 28-03-2015 shows it was against NADRA Office and was not against the parent department the department by the time was deprived from the right of defence. In his appeal, he made NADRA as respondent ignoring his parent department E & S E Department which is quite astonishing the parent department had no chance to put the facts of the case before the honourable court.
7. That the appellant himself admits that his service appeal No 1332 of 2015 was dismissed by the service tribunal dated 28-01-16 it is pertinent to say before the announcement of this judgement, he has already been retired on superannuation without any pensionary benefits due to less qualifying service.
8. Incorrect hence denied departmental appeal date 02-02-2016 was addressed to respondent No 3 i.e DEO (F) Swabi which has manipulated by black marker the respondent No 2 Director E & SE dept. KPK Peshawar in which he says that the appellant is continuously working in the school which is incorrect because he has been retired on superannuation dated 01-07-2015 this manipulated and doubtfully addressed appeal has no legal as the applicant is concealing facts as he states his in service status before the authority the appeal lacks clarity and the proof to whom it has been submitted. This is just to shoot arrows in the dark.

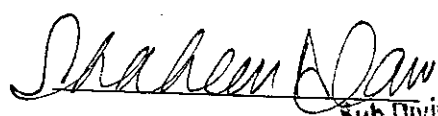
- 9. That it is crystal clear one DOB in the record at the time of joining service was mentioned the same should be final and no alternation is possible. Thus the department has acted accordingly to retire him from service on superannuation on 01-07-15.
- 10. Incorrect hence denied. The appellate authority in this particular cases was director E & SE Department the appellant is not on the strength of E & SE Dept. so how could his department be sent to the appellant authority through proper channel. Normally, in such like cases the departmental appeal directly to the appellant authority. The departmental appeal he claims is doubtful, incomplete, manipulated and consist of concealment of facts.
- 11. Incorrect hence denied as the appellant has already been retired and was not at that time at the strength of the department such like allegations/ remarks against respondent No 4 by the appellant is totally against the code of professional ethics.
- 12. Incorrect hence denied as discussed in length in the above, the appellant is diverting and imposing his own mistakes over the shoulders of respondents No 4 which is against logic.
- 13. Incorrect hence denied the appeal of the appellant is doubtful, incomplete, manipulated and consists of concealment of fact having so much drew back in the appeal its acceptance is far beyond the realities.


GROUND

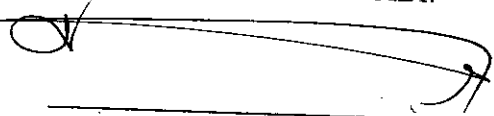
- a. Incorrect hence denied according to 2016 PLC (CS) 92, Once DOB in the record at the time of going service was mentioned, the same should be final and no alteration was permissible. The appellant has already been retired on superannuation without any pensionary benefits due to lack of qualifying service change in DOB relates to terms and condition hence service tribunal is competent jurisdiction to entertain such like cases hence appellant is not entitled for grant of relief he sought.
- b. Incorrect hence denied No proper and valid request has been made for any right he is seeking the departmental appeal he claims is doubtful, incomplete, manipulated and consists of concealment of facts.
- c. That the respondents seek permission to raise / argue other grounds at the time of hearing of this appeal.

In view of the above submissions it is earnestly requested that the instant appeal may very graciously be dismissed with cost.


 DISTRICT EDUCATION OFFICER
 (FEMALE) DISTRICT SWABI


 SUB DIVISIONAL EDUCATION OFFICER (F) Swabi
 (FEMALE) DISTRICT SWABI.


 DIRECTOR
 (ELE. & SEC) EDUCATION
 GOVT. K.P.K PESHAWAR
 Director
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar


 SECRETARY
 (ELE. & SEC) EDUCATION
 GOVT. K.P.K PESHAWAR

(4)

BEFORE THE SERVICE TRIBUNAL K.P.K, PESHAWAR

Service Appeal No. 719/2016

Mr Qasam Khan Ex-Chowkidar GGPS Mian Kili Appellant

VERSUS

1. Government of KPK
Through Secretary (E&SE) Department, Civil Secretariat Peshawar.
2. The Director Education E&SE Peshawar.
3. The District Education Officer (Female) Swabi.
4. The Sub Divisional Education Officer, (Female) Swabi.....

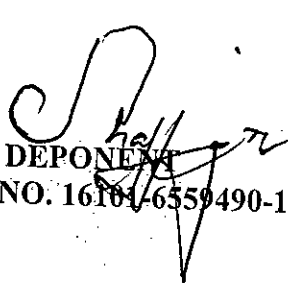
Respondents.

AFFIDAVIT

I, Mr. Abdul Ghaffar (Litigation Officer) office of the District Education Officer (F) Swabi on the instruction of DEO (F) Elementary & Secondary Education Swabi, do hereby solemnly affirm & declare that the content of the para-wise comments submitted by respondents No.3 to 4 is true and correct to the best of my knowledge and belief that nothing has been concealed from this Honourable Court.

IDENTIFIED BY

**ADVOCATE GENERAL
OF KHYBER PAKHTUNKHWA**


DEPONENT
CNIC NO. 16104-6559490-1

BEFORE THE SERVICE TRIBUNAL K.P.K, PESHAWAR

Service Appeal No. 719/2016

Mr Qasam Khan Ex-Chowkidar GGPS Mian Kili Appellant

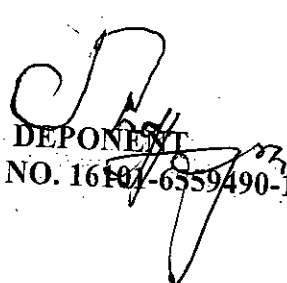
VERSUS

1. Government of KPK
Through Secretary (E&SE) Department, Civil Secretariat Peshawar.
2. The Director Education E&SE Peshawar.
3. The District Education Officer(Female) Swabi.
4. The Sub Divisional Education Officer, (Female) Swabi.....

Respondents.

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DEPONENT
CNIC NO. 16101-6559490-1



حکومت پاکستان
قومی شناختی کارڈ
16202-0915887-5

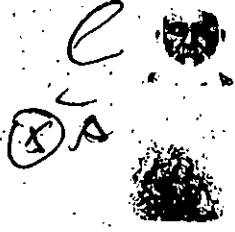


نام: قاسم خان
جنس: مرد
والد کا نام: نامدار
شناختی طاقت: گلے جوٹ پر تل
عثمان یوسف حسین
تاریخ پیدائش: 12/12/1961

رشتہ دار کا درجہ

دستخط دستبردار پرنٹل

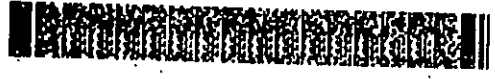
شناختی نمبر: 16202-0915887-5
قائدان نمبر: V5B04Q
موجودہ پتہ: سال کے ڈاکا نامہ پاران، جھیل و سطح صوابی



11

سنگل پتہ: ایضاً

تاریخ اجراء: 12/08/2015
تاریخ ترمیم: 12/08/2025
گھر کا کارڈ لے کر قریبی کیڑنکس میں ڈال دیں



Amir (A)

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) SWABI

No. 1425 /dated Swabi the 9/5 /2016

To,

The District Education Officer
(Female) swabi

Subject: - RETIREMNT FROM SERVICE.

Memo:-

It is stated for your kind information that according to the available record in this office ie Service Book, Medical Certificate and CNIC (Photo Copies) in Respect of Mr. Qasim Khan Ex. Chowkidar GGPS. Mian Kille his date of Birth is 1955 and has already been retired on Superannuation on 30.6.2015. The concerned official has been informed vide this office memo. No. 505-G dated 5.6.2015 to apply for retirement from service wef. 1.7.2015 but has not been submitted any application up till now.

The concerned chowkidar in instated a suit in the civil court for correction of his date of birth against Assistant Manager NADRA Swabi General Manager NADRA Peshawar and Chairman NADRA Islam Abad (defendants) without the Education Department The civil Judge -iv. Swabi decided the case announced on 14.3.2015 in favour of plan tiff and the NADRA Swabi implemented the judgment dated 14.3.2015 and issued new CNIC showing the date of birth of the plan tiff ie. 12.12.1961 (copy of Department appeal and court decision attached).

Therefore it is requested that in this regard necessary order may very kindly issued please.

DM
SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) SWABI
of

Endst .No _____/

Copy forwarded to Mr. Qasim Khan S/o Namdar Khan Ex. Chowkidar GGPS Mian Kili resident of village Mian Kili Tehsil Razar Distt; Swabi for necessary action.

DM
SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) SWABI
of

سلسلہ: 505-9 / مورچہ حوالہ: 2015 / 3/6

از: سب ڈویژنل ایجوکیشن آفیسر (زمانہ) حوالہ:
 نام: قاسم خان پوکھرا ڈیپارٹمنٹ گورنمنٹ پرائمری سکول میان کھن

مہلوان: ریٹائرمنٹ

یادداشت: آپ کو مطلع کیا جاتا ہے کہ دفتر مذکورہ اہلکار کے
 مخالف آپ کے مورچہ حوالہ 2015 سے ریٹائرمنٹ دینے والا ہے۔ لہذا
 آپ ریٹائرمنٹ کے لیے درخواست بوقتیکہ میں بتانے آفسر ان چارج
 کو ضروری کارروائی کے لیے بھیجا جائے۔ اس لیے صحت سے
 میں نام نہ زبردستی آپ پر لائے ہوئے

سب ڈویژنل ایجوکیشن آفیسر
 Sub Divisional Education
 Officer (Female) Swabi

سلسلہ: 505-9

کامی لہرائے اظہارِ وفور درسی کارروائی
 ڈسٹرکٹ ایجوکیشن آفیسر (زمانہ) حوالہ
 شہید خان کوئل افسانہ صاحب قاسم خان پوکھرا
 منجرا ناظم حوالہ 2015 سے مندرجہ میں - ضروری تاکہ

سب ڈویژنل ایجوکیشن آفیسر (زمانہ)
 Sub Divisional Education
 Officer (Female) Swabi

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MEDICAL CERTIFICATE

Name of patient Rasim Khan
 Date of issue 15 Jan
 Father's name Naim Khan
 Residence 1111 Main Hill Rd Firdosabad
Distt. Swabi
 Date of birth 1955
 Height by measurement 5-6
 Personal marks or disabilities A mole on below lip
 Signature of the official V. G. F. V.

Seal of Office

I do hereby certify that I have examined Mr. Rasim Khan a candidate for employment in the office of the Education Department and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except.....

I do not consider this as disqualification for employment in the office of the above Class IV with age according to his own statement 43 years and his experience about 10 years

OFFICE OF THE COMMISSIONER OF HEALTH AND HOSPITALS

Medical Superintendent
 Civil Hospital Swabi
 17/1/58

9) صورت حال - DEO M Female
درخواست برائے درستی ٹر سٹرو

282

حیات حال

خود دانہ ٹر سٹرو میں ہے کہ فرد (نورین) ٹر سٹرو ٹر سٹرو میاں میں
میں بطور جوگیار ایک خرائض میں رجسٹرڈ ہے جسے میں خود
فردی کے تاریخ پیدائش 1955 میں غلطی سے 1955 متعلقہ تھا
اور جسے تاریخ سٹرو میں یہ میں بھی تھی ہے۔

فردی کی صحیح تاریخ پیدائش سٹرو ویجلا کے مطابق 12-12-1961
ہے اس تاریخ پیدائش کے لئے فردی نے 24-9-2014 کو نامہ سٹرو
مقدمہ سٹرو کی صاحب ڈال کر لیا اور 14-3-2015 کو معزز
جج نے فردی کے حقوق میں فیصلہ دیدیا۔

لہذا اب صاحبان کی صورت / قدر میں خود دانہ التماس ہے کہ
خردلی فیصلہ تو نہیں ظلم رکھ کر فردی کے سٹرو میں اصل
تاریخ پیدائش 12-12-1961 کی اندراج کی احکامات صادر فرمائیں
مقدمہ فرماویں۔ عین نواز میں

العارضہ
انور حکیم 2015-03-08
مقامی حکم قاسم خان ولد ناصر BAPS میاں علی

Submitted to SDEO (Female) for further
necessary action please.

No 262 dated 30/3/2015

Head Teacher
G.G. School
Mian Kili Distt: Sindh

Forwarded in original along with
Photo Copy of Court decision for
of necessary sanction regarding
Correction in D.O.B as depicted by
the applicant please.

Secretary & Secretary M.T. Sindh

فائل نمبر: 31

مدیر سہ چھوڑنے کا سرٹیفکیٹ

نام: قیاسم خان ولدیت: 12 نا صدر
 تاریخ پیدائش: بارہ دسمبر سن 1961 سو اگاسٹ 1961 - 12 داخلہ نمبر: 325
 تصدیق کی جاتی ہے کہ مندرجہ بالا طالب علم اعلیٰ درجہ مدرسہ میں 1971-05-06 تک پڑھتی پڑھتا رہا ہے۔ مدرسہ ہذا کی کُل فیس اس کے ذمہ واجب الادا تھیں ادا کر دی ہیں اور اسے تاریخ مندرجہ بالا پر اپنا

نام خارج کرانے کی اجازت دے دی گئی ہے۔
 یہ جماعت پہلی حصہ پہلی میں پڑھتا پڑھتی تھی جس میں یہ پاس اٹھل ہوا ہوئی۔
 اس کا امتحان پہلی حصہ پہلی کے مطابق ترقی دینے کے لیے گیا، جو اسے دی گئی اجازت کا وعدہ کیا گیا۔ طالب علم مجاہد رحیم میں زیر تعلیم تھا۔

مدرسہ ہذا میں داخل ہونے کی تاریخ	خارج ہونے کی تاریخ	مدت حاضری		ممكن حاضریاں	فی الواقع حاضریاں	رضیت جو دوران سال حاصل کی گئی
		از	تا			
17-04-1967	06-05-1971	14	65	1	1	1
		1971	1971			

تاریخ اجراء: 08-05-22 انچارج داخل خارج: پہلی (10)

صرف سکالر شپ پانے والوں کی صورت میں

قسم کار شپ: 1 کار شپ کی مقدار: 1000
 جس تاریخ تک لیا گیا: 1971 کون دیتا ہے: 1
 تصدیق کیا جاتا ہے: 2 طالب علم: 3 جماعت: جو
 سکول: ضلع سے مدرسہ چھوڑنے کا سرٹیفکیٹ نمبر: 1
 لے کر چلا گیا: سکول ضلع: کی جماعت میں داخل ہو گیا ہے
 اس کی تاریخ پیدائش: پہلی ہے۔

Director of Education
 District Office
 District Mianki
 District Mianki
 District Mianki

(71)

The entries in this page should be renewed or re-attested at
should be dated.

ive years and the Signature to lines 9 and 10

Name: Mr. Qasim Khan

Race: Afghan

Residence: vill: & P.O: Mian Wali

Teh: & Distt: Paktia

Father's name and residence: Mr. Namdar Khan
As above



Date of birth by Christian era as
nearly as can be ascertained: 1955
(A.H. fifty five)


Exact height by measurement: 5-6

Personal marks for identification: A mole on the blue lip

Left hand thumb and Finger impression
of (Non-Gazetted) officer:

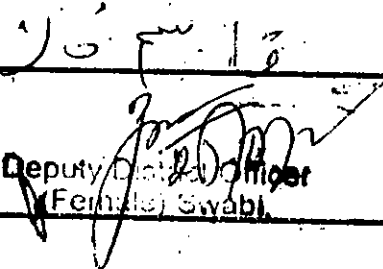
Little Finger:  Ring Finger: 

Middle Finger:  Fore Finger: 

Thumb: 

Signature of Government Servant:

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


Deputy District Officer
(Female) Swabi

1	2	3	4	5	6	7	8	9
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, 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant	and Desig- nd of the attesting c estation c ms 1 to
Fixed Chaw BPS. Manjale Dist: Swat Fixed			R. 1500/- pm			4/8/98	[Signature]	DP
do	Regular							
BPS NO:1	Rs. 1245-35-1770							
	Pay fixed in BPS NO:1 on 4/8/1998 R. 1245/-							
	Annual Increment on 1/12/1999 R. 1280/-							
	- do - - do - on 1/12/2000 R. 1315/-							
	- do - - do - on 1/12/2001 R. 1350/-							
BPS NO:1 R. 1870-55-3520 (w.f. 1/12/01)								
	Pay fixed in BPS NO:1 on 1/12/2001 R. 2035/-							
	Annual Increment on 1-12-2002 R. 2090/-							
	- do - - do - on 1-12-2003 R. 2145/-							
	- do - - do - on 1-12-2004 R. 2200/-							
BPS NO:1 R. 2150-65-4100 (w.f. 1-7-05)								
	Pay fixed in BPS NO:1 on 1/7/2005 R. 2560/-							
	Annual Increment on 1-12-2005 R. 2605/-							
	- do - - do - on 1-12-2006 R. 2670/-							
BPS NO:1 R. 2475-75-4725 (w.f. 1-7-07)								
	Pay fixed in BPS NO:1 on 1-7-2007 R. 3075/-							
	Annual Increment on 1-12-2007 R. 3150/-							
do	do		R. 3150/-			1/12/07	[Signature]	
BPS NO:1	R. 2970-90-5670							
do	do		R. 3780/-			1/7/08	[Signature]	
do	do		R. 3870/-			1/12/08	[Signature]	
do	do		R. 3960/-				[Signature]	

By: Dist. Officer
Elementary & Secy. Edu
(Female) Swabi

Dr. D
Elem.
Ven.



Registration Policy

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Version 1.0

2016

Issue Date: 20 Aug 2016

Revision: 1.0

Product	Document Requirement
Modification of National Identity Card (S/CNIC/S/NICOP/CRC)	
Name: Definition: Change mean name is being transferred from "A" to "B". The need for a name change may result from change of religion or simply a desire to have another different name. Anything which doesn't affect applicant's given name should not be considered name change and no document(s) will be required.	a. Original S/CNIC/S/NICOP/CRC of applicant AND b. Affidavit as per format attested by Oath commissioner /Certificate from Dar-Ul-Afta (due to religion change only) AND c. Attestation of CNICF from any blood/immediate relative.
Exceptions /Remarks:	Above mentioned document(s) are for modification only, for correction in name no document(s) is required and every possible measure shall be used to facilitate applicant. i. Applicant neither can revert back to his/her previous name nor can modify name for 2 nd time except female applicant (modified name with husband's/father's). ii. Once applicant modifies his/her name, all dependents shall also modify their registration document (if required).
For correction in parent name only, whether parent are alive or deceased	
Parent(s) info: Definition: Change mean parent's name is being transferred from "A" to "B". Anything which doesn't affect applicant's parent's given name should not be considered name change and no document(s) will be required.	a. Original S/CNIC/S/NICOP/CRC of applicant AND b. Original S/CNIC/S/NICOP/CPC of parent & presence of parent.
Exceptions /Remarks:	i. If parent are CNIC holder but physically not available, applicant has to ensure presence of any sibling(s). ii. If sibling(s) are CNIC holder but physically not available, applicant has to ensure presence of any immediate relative(s). iii. Case shall not be entertained for modification of parent info whether parent are alive or deceased.
D.O.B: (Upto 5 Years) Imp notes: 1: Applicant having age 45 and above will not be entertained for age change. 2: Downward domain (CNIC to CRC) change is not allowed. 3: 2 nd time change in D.O.B is not allowed.	a. Original S/CNIC/S/NICOP/CRC AND b. Matric/Equivalent Certificate or Mark sheet or Passport or Medical Certificate or Physical appearance (for minors only)
Exceptions /Remarks:	i. Applicant is allowed to change D.O.B upto one year (366 days) without any documents, if he/she has un-natural age with other sibling(s). ii. OIC to ensure that Family composition may not be affected. iii. No document is required for addition of day and month only in D.O.B. iv. No document is required, when applicant wants to modify D.O.B. on S/CNIC/CRC as per D.O.B. on S/NICOP & vice versa. v. No document is required for unrealistic age change e.g. (difference between appearance and D.O.B. on ID is more/less than 25 years). vi. Mark sheet is valid for 3 years only from date of issuance. vii. Regional DCS to evaluate and forward the case of applicants having age 45 and above to HQ for approval from DGI (Ops) before processing through NIS.