

The appeal of Mr. Abdul Jalal Khan received today i.e on 23.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days:

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondents no. 1 is un-necessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman, the above mentioned respondent number be deleted/struck out from the list of respondents.
- 2- Annexure-A of the appeal is illegible which be replaced by legible/better one.
- 3- Check list is blank be filled up.
- 4- Affidavit is not attested by the Oath Commissioner,
- 5- Copy of departmental appeal attached with the appeal is unsigned.
- ① Copy of CNIC mentioned in the para-1 of the memo of appeal (Annexure-A) is not attached with the appeal be placed on it.

No. 423 /S.T.

Dt. 26/2 /2024.

Re-submitted

In Response of objection

No 1 Respondent No 1

has been deleted

objection No 2 has been

Removed

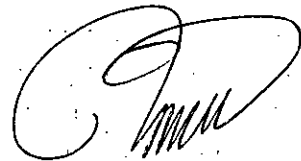
In Response of objection

No 3 Affidavit has been

attached and objection Removed

objection No 4 has been Removed

~~6-3-24~~



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

SCANNED
KPST
Peshawar

In Re S.A No. 347 /2024

Abdul Jalal Khan

VERSUS

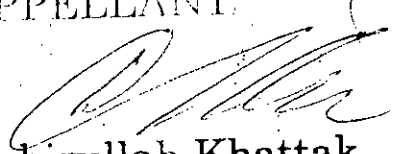
Regional Police Officer Kohat & others

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APPELLANT

Through


Kabirullah Khattak
Advocate, High Court
Peshawar.

Dated: 23/02/2024

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 347 /2024

Abdul Jalal Khan S/o Awal Jan Ex-HC District Police
Officer Orakzai

....Appellant

VERSUS

District Police Officer Orakzai

....Respondent

APPEAL UNDER SECTION-4 OF THE
KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED ORDER DATED 26/06/2023
WHEREBY THE APPELLANT HAS BEEN
PREMATURELY RETIRED FROM SERVICE
AGAINST WHICH THE APPELLANT FILED
DEPARTMENTAL APPEAL ON 25.10.2023
WHICH WAS NOT DECIDED WITHIN THE
STATUTORY PERIOD OF 90-DAYS.

Prayer:-

ON ACCEPTANCE OF THIS APPEAL
THE IMPUGNED PREMATURE
RETIREMENT ORDER DATED
26.06.2023 MAY KINDLY BE SET
ASIDE BY DECLARING THE SAME IS

(2)

ILLEGAL, UNCONSTITUTIONAL, VOID-AB
INITIO AND INEFFECTIVE UPON THE
RIGHTS OF THE APPELLANT BY TREATING
THE APPELLANT ACCORDING TO THE
RELEVANT LAW AND RULES FOR
RETIREMENT AND THE APPELLANT MAY
KINDLY BE CONSIDERED FOR
RETIREMENT AS PER DATE OF BIRTH I.E
1970 MENTIONED IN CNIC OF THE
APPELLANT ALONG WITH ALL BACK
BENEFITS.

Respectfully Sheweth,

Short facts giving rise to the present appeal are as under:-

1. That the appellant has been initially appointed in Khasadar force in 1989 at Orakzai Khasadar Force/Constable and as such the date of birth of the appellant is 1970 according to CNIC providing at the time of appointment to respondent department concerned. (Copy of CNIC is attached as annexure "A").
2. That after appointment the appellant performed his duty regularly with full devotion and hard work and no complaint whatsoever has been made against the appellant.

(3)

3. That the appellant performed his official duty with respondent department till July 2023, While the respondent department prematurely retire the appellant from service on 26.06.2023 and the appellant came to regarding the order dated 26.06.2023 on 11.08.2023 when the appellant visit to draw the salary of the month of July 2023. But the said premature retirement impugned order dated 26.06.2023 has not been communicated to the appellant it was handed over to the appellant on 27.09.2023 by the respondent department when the appellant visited to respondent department. (Copy of impugned order dated 26.06.2023 & service book are attached as annexure "B" & "C").
4. That the appellant submitted departmental appeal against the impugned premature order dated 26.06.2023 on 25.10.2023 which was not decided within the statutory period by the respondent department. (Copy of Departmental appeal is attached as annexure "D").
5. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

GROUNDS:-

- A. That the impugned premature retirement order dated 26.06.2023 is come under the definition of illegal order because it has not passed according to law and rules.
- B. That according to the relevant law and rules for retirement as per date of birth mentioned in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the respondents.
- C. That according to the date of birth mentioned in CNIC of the appellant the exit date of birth of the appellant is 1970 but due to the negligence of the respondent department in service book the date birth of the appellant wrong fully mentioned in 1963 while the appellant at the time of appointment as Khasadar submitted his CNIC in which the date of birth the appellant is 1970 instead of 1963. This fact is came to know the appellant on 11.08.2023 on the ground of issuing the impugned premature retirement order dated 26.06.2023.
- D. That the respondent department is legally bound to retired the appellant according to the date of birth mentioned in CNIC i.e 1970.
- E. That it is a well settle principal of law nobody should be penalized for the act of other. So due to mistake of department while enter is incorrect date of birth in service book is an illegality on part of respondents.
- F. That no opportunity of personal hearing and defence has been provided to the appellant.

(5)

G. It is a well settled maxim no one can be condemned unheard because it is against the natural justice of law in this respect the appellant relied upon a judgment reported on 2008 SCMR page:678.



H. That any other ground not raised here may graciously be allowed to be raised at the time of arguments on the instant service appeal.

It is therefore, most humbly prayed that on acceptance of this appeal the impugned premature retirement order dated 26.06.2023 may kindly be set aside by declaring the same is illegal, unconstitutional, void-ab initio and ineffective upon the rights of the appellant by treating the appellant according to the relevant law and rules for retirement and the appellant may kindly be considered for retirement as per date of birth i.e 1970 mentioned in CNIC of the appellant along with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.


APPELLANT

Through


Kabir Ullah Khattak
& 
Roeeda Khan
Advocates, High Court
Peshawar

Dated: 23.02.2024

(6)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal Khan

VERSUS

Regional Police Officer Kohat & others

AFFIDAVIT

I, Abdul Jalal Khan S/o Awal Jan Ex-HC District Police Officer Orakzai, do hereby solemnly affirm and declare that all the contents of the **instant appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.



DEPONENT

Identified by:



Roeeda Khan

Advocate High Court
Peshawar.

Dated:23.02.2024

7

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal

VERSUS

District Police Officer Orakzai

ADDRESSES OF PARTIES

PETITIONER.

Abdul Jalal Khan S/o Awal Jan Ex-HC District
Police Officer Orakzai

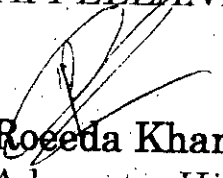
ADDRESSES OF RESPONDENTS

District Police Officer Orakzai.

Dated: 23.02.2024


APPELLANT

Through


Roeda Khan
Advocate, High
Court Peshawar.

(8)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal Khan

VERSUS

Regional Police Officer Kohat & others

APPLICATION FOR CONDONATION OF DELAY (if any)

Respectfully Sheweth,

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the impugned premature retirement order dated 26.06.2023 is come under the definition of illegal order because it has not passed according to law and rules.
3. That according to the relevant law and rules for retirement as per date of birth mentioned in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the respondents.
4. That the appellant performed his official duty with respondent department till July 2023, While the respondent department prematurely retire the appellant from service on 26.06.2023 and the

(9)

appellant came to regarding the order dated 26.06.2023 on 11.08.2023 when the appellant visit to drawn the salary of the month of July 2023. But the said premature retirement impugned order dated 26.06.2023 has not been communicated to the appellant it was handed over to the appellant on 27.09.2023 by the respondent department when the appellant visited to respondent department.


Grounds:

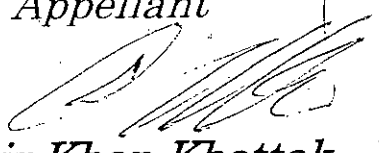
- A. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.
- B. That there are so many judgment of the supreme court as well as specific provision in service law that limitation has been counted from the date of communication /knowledge.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

Date : 23.02.2024

Through


Appellant

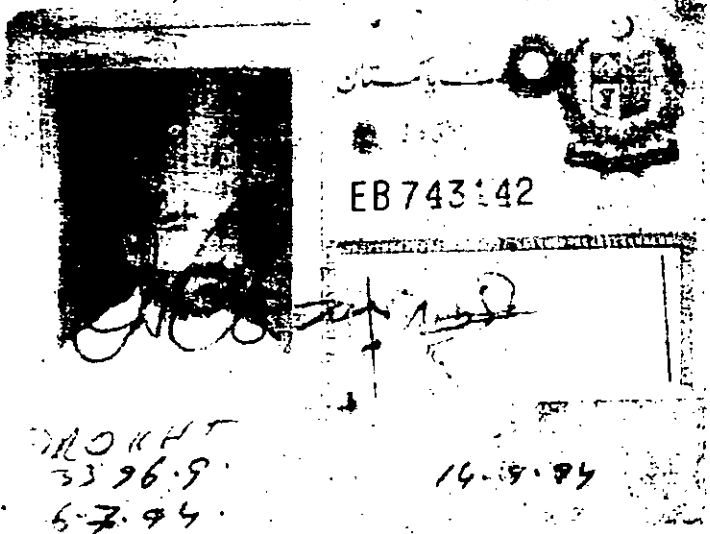

Kabir Khan Khattak

&


Roeeda Khan

Advocates, High Court
Peshawar

"A" (10)



EB 743142

100000
 3396.9
 6.7.94

14.9.94

1470-088273

100000
 3396.9
 6.7.94
 14.9.94
 100000
 3396.9
 6.7.94

18

(11)



OFFICE OF THE DISTRICT POLICE OFFICER
ORAKZAI

ORDER

The following officers/officials of this district police are hereby retired from service on attaining the age of superannuation i.e. 60 years with effect from a date noted against their name.

S/N	Name & F. Name	Roll No.	Tribal	D.O.B	D.O.A	D.O Superannuation
1	HC Maqbool Khan s/o Ghama	1812	Mullah Khel	1963	01.07.1981	30.06.2023
2	HC Masla Rehman s/o Fazal Rehman	1179	Mahli	1963	11.07.1987	30.06.2023
3	HC Abdul Latif Khan s/o Pao Khan	1292	ha Khel	1963	01.10.1975	30.06.2023
4	HC Mastan Akbar s/o Din Akbar	1305	Shekhan	1963	01.10.1995	30.06.2023
5	HC Abdul Shani s/o Muhammad Shani	1444	Bizal	1963	16.12.1983	30.06.2023
6	HC Jamal Hassan s/o Mir Roza	1512	Mari Khel	1963	31.01.1974	30.06.2023
7	HC Shahab Hussain s/o Ali Faqir	1653	Ali Khel	1963	01.10.1971	30.06.2023
8	HC Fa Asghar s/o Khosla Mir	1682	Ali Khel	1963	01.11.1987	30.06.2023
9	HC Abdul Jalil s/o Awal Jan	1911	Mamuzoi	1963	01.12.1987	30.06.2023
10	HC Fazal Rehman s/o Razim Shah	1940	Ali Khel	1963	01.02.1974	30.06.2023
11	HC Said Shah s/o Amir Nawaz	2070	Non-Ork	1963	01.04.1974	30.06.2023

OB No 372

Dated 26/06/2023

DISTRICT POLICE OFFICER
ORAKZAI

Copy to:-

1. District Accounts Officer, Orakzai.
2. Pay Officer, OASI for necessary action.
3. All concerned

DISTRICT POLICE OFFICER
ORAKZAI

15
1055 T. J. 1055 H. M. 11/1
MEDICAL CERTIFICATE

Surname Abdul Jadal
Name Abdul Jadal
Age 30
Occupation 1963
Qualification 5-4
Date of Issue Jan 1963
Remarks pass on the medical aspect of left hand

Seal of Office

I hereby certify that I have examined Mr. Abdul Jadal a candidate for
the Office of the U. P. Registrar (P. A.)
that he is free from any disease communicable or other constitutional office-
disqualifying except nil

This is as disqualification for employment in the office of the.....
His age according to his own statement... 26... year and by
me Abdul Jadal years.

LEFT THUMB AND FINGER

Abdul Jadal
Medical Superintendent
Civil Hospital

1 Name of Post درج ملازمت	2 Whether Substantive or officiating and whether permanent or temporary عارضی مستقل یا باقائم مقام	3 If officiating - state- i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II. اگر عارضی ہے تو رول کے مطابق پینشن کا مستحق ہے؟	4 Pay in substantive position تنخواہ بطور عارضی ملازمت		5 Additional pay for officiating زائد تنخواہ بطور قائم مقام		6 Other emoluments falling under the term pay باسوائے تنخواہ دیگر الاؤنس	7 Date of appointment تاریخ تقرری	Signature of Government servant دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
610-13-860	Temporary		600/-				12/89		
			613/-				12/90		
Revision of Scale Wep - 1-6-1991			446/-	1024			6/91		
490-26-1310			972/-	1050			12/91		
			998/-	1076			12/92		
			1024/-	1102			12/93		
Revision of Scale Wep - 1-6-94			1385/-	1990			6/94		
1245-35-1710			1050/-	1420/-	1525		12/94		
			1076/-	1458/-	1560		12/95		
				1535					
			1490/-				12/96		

(نسبت اور مذہب)

- 3- Residence Mamuzi Chaudhary
(مستقل رہائش)
- 4- Father's name and residence Awal Khan / Mamuzi
(والد کا نام اور پتہ)
- 5- Date of birth by christian era as 1863
nearly as can be ascertained
(تاریخ پیدائش مطابق سن عیسوی)
- 6- Exact height by measurement 5.7
(قد و قامت)
- 7- Personal mark of identification Nil
(نشان شناخت)

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger

Ring Finger

Middle Finger

Fore Finger

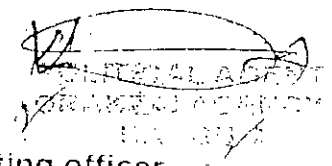
Thumb

(انگشت چھوٹا)

(انگوٹھا)

9. Signature of Govt. Servent

(سرکاری ملازم کے دستخط)



10. Signature and designation of the Head of the Office or other Attesting officer

(آفس کے سر کے دستخط اور مہر)

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need no be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔ انگلیوں کے نشانات کے لئے ہر پانچ سال سے بعد تصدیق کی ضرورت نہیں۔

10	11	12	13	14	15	
Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave net exceeding 120 days) to which leave salary is debitible to another Government چار ماہ تک رخصت کے لئے اوسط نواہ کا قین Period عرصہ Government to which debitible گورنمنٹ کے نام ادا ہوگی	Reference any record of punishment, censure, reprimand or praised of Government servants سزا یا اجزایا تیر مناسب کارکردگی کا ریکارڈ
POLITICAL AGENT BRANJAL AGENCY HANGU	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر مجاز	رخصت کی نوعیت ومعیانہ	Appointed as Khassadar Muz... 1-12-1981 w.e.f. office order NO. 6160-21/PAY/11 dt 25-11-	
POLITICAL AGENT BRANJAL AGENCY HANGU						
POLITICAL AGENT BRANJAL AGENCY HANGU						
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills				
POLITICAL AGENT BRANJAL AGENCY HANGU		1-11-80		30-11-80		
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills				
POLITICAL AGENT BRANJAL AGENCY HANGU		1-12-80		30-11-81		
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills/Acquittance				
POLITICAL AGENT BRANJAL AGENCY HANGU		1-12-81		30-11-82		
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills/Acquittance				
POLITICAL AGENT BRANJAL AGENCY HANGU		1-12-82		30-11-83		
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills/Acquittance				
POLITICAL AGENT BRANJAL AGENCY HANGU		1-12-83		30-11-84		
POLITICAL AGENT BRANJAL AGENCY HANGU		Service verified from the pay bills/Acquittance				
POLITICAL AGENT BRANJAL AGENCY HANGU						

1. Name of Post درجہ ملازمت	2. Whether Substantive or officiating and whether permanent or temporary عارضی مستقل یا یا قائم مقام	3. If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو رول کے مطابق پیش کیا گیا ہے؟	4. Pay in substantive position تنخواہ بطور عارضی ملازمت		5. Additional pay for officiating زائد تنخواہ بطور قائم مقام		6. Other emoluments falling under the term pay دیگر تنخواہ	7. Date of appointment تاریخ تقرری	8. Signature of Government servant دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Rs.			
1870-55-3520			2695/-		2860			12/1/2004	
Revision of scale									
Wef: 1-7-2005			332						
2150-65-4100			3125/-					12/1/2005	
Revision of scale									
Wef: 1-7-2005			3190/-					12/1/2005	
Revision of scale									
Wef: 1-7-2006			3255/-					12/1/2006	
Revision of scale									
Wef: 1-7-2007			3725						
2475-75-4725			3780/-					12/1/2007	
Revision of scale									
Wef: 1-7-2007			4050						
			3825/-					12/1/2007	
Revision of scale									
Wef: 1-7-2008			4020						
2470-90-5670			4590/-					12/1/2008	
Revision of scale									
Wef: 1-7-2008			4950						
			4680/-					12/1/2008	

Signature of the official in a column

2008

9 Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal)	12 Signature of the head of the office or other Attesting officer	13 Nature and duration of leave taken	13 Allocation of period of leave of average pay up to four months (or earned leave net exceeding 120 days) to which leave salary is debitable to another Government	14 Signature of the Head of the office or other attesting Officer	Reference any recorded punishment or censure, reward or praised of the Government servants
	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر مجاز	رخصت کی نوعیت ومعیار	سچا رہا نہ کی رخصت کے لئے اوسط واہ کا تین Period عرصہ Government to which debitable گورنمنٹ سے رہا یا نہ کی	دستخط افسر مجاز	سزا یا جزایا غیر مناسب کارکردگی کا ریکارڈ
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-2001 to 30-11-02		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-02 to 30-11-03		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-03 to 30-11-04		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-04 to 30-11-05		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-05 to 30-11-06		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-06 to 30-11-07		
POLITICAL AGENT ORAKZAI AGENCY HANGU					Service verified from the pay bills/Acquittance roll 1-12-07 to 30-11-2008		
POLITICAL AGENT ORAKZAI AGENCY HANGU							

Name of Post درجہ ملازمت	2 Whether Substantive or officiating and whether permanent or temporary غرضی مستقل یا یا قائم مقام	3 If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے رول کے مطابق پنشن کا مستحق ہے؟	4 Pay in substantive position تختیہ بطور غرضی ملازمت		5 Additional pay for officiating زیادہ تختیہ بطور قائم مقام		6 Other emoluments falling under the term pay اسوائے تختیہ دیگر الاؤنس	7 Date of appointment تاریخ تقرری	8 Signature of Government servant دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
2470-90	5670-temp	9/1/91	4570/-				12/2009	A (D)	
			5730				12/2010	A (D)	
Revision of Scale									
		Wef: 1-7-2011	7950/-				7/2011	A (D)	
		41800-1.50-93000	7950/-				7/2011	A (D)	
			8100/-				12/2011	A (D)	
			8250/-				12/2012	A (D)	
			8400/-				12/2013	A (D)	
Promoted on pay									
		Wef: 1-7-2014	8550/-				07/2014	A (D)	
			8700/-				12/2014	A (D)	

Signature of
Government
Agent

9 Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8.	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal)	12 Signature of the head of the office or other Attesting officer	13 Nature and duration of leave taken	13 Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government	14 Signature of the Head of the office or other attesting Officer	14 Refer any record punishment censure, or praised Government servant
	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر مجاز	رضعت کی نوعیت ومعیار	<p>چارہ ایک کی رضعت کے لیے اور دوسرا حکومت کا ہے</p> <p>Period عرصہ</p> <p>Government to which debitable حکومت سے رقم ادا ہوگی</p>	دستخط افسر مجاز	یا جزیایا رکورد کی یا ریکارڈ
					Service verified from the pay bills/Acquittance roll: 1-12-2008 to 30-11-2009 W.P.A.		
					Service verified from the pay bills/Acquittance roll: 1-12-2009 to 30-11-2010 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	
					Service verified from the pay bills/Acquittance roll: 1-12-2010 to 30-11-2011 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	
					Service verified from the pay bills/Acquittance roll: 1-12-2011 to 30-11-2012 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	
					Service verified from the pay bills/Acquittance roll: 1-12-2012 to 30-11-2013 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	
					Service verified from the pay bills/Acquittance roll: 1-12-2013 to 30-11-2014 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	
					Service verified from the pay bills/Acquittance roll: 1-12-2014 to 30-11-2015 W.P.A.	POLITICAL AGENT ORANZAI AGENCY	

POLITICAL AGENT
ORANZAI AGENCY

1	2	3	4	5	6	7	8	9
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Ph.) Volume II	Pay in substantive position	Additional pay (if officiating)	Other emoluments falling under the term pay	Date of appointment	Signature of Government servant	Signature of the officiating authority
	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو رول کے مطابق پیشہ کا مشق ہے	تختواہ بطور عارضی ملازمت	تختواہ بطور عارضی ملازمت	تختواہ بطور عارضی ملازمت	تاریخ تقرری	دستخط سرکاری ملازم	
			Rs. Ps.	Rs. Ps.				
Revision of scale								
Def. 1 - 7 - 2015				11285				
40493 - 12060				11280		12		
						2015		
				12060				
				11475		12		
						2015		
Revision of scale								
Def. 1 - 7 - 2016				14840				
1540 - 240 - 14840				14125		12		
						2016		
				14840				
				14360		12		
				240		2016		
Revision of scale								
Def. 1 - 7 - 2017				15080				
1730 - 240 - 17830				17250		12		
				240		2017		
				17830		12		
				580		2017		
				17830				
				270		12		
						2018		
				17700				

9 Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal)	12 Signature of the head of the office or other Attesting officer	13 Nature and duration of leave taken	13 Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government	14 Signature of the Head of the office or other attesting Officer	15 Reference to any recorded punishment censure, rewa or praised of the Government servants
	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی تبادلہ یا برطرفی	دستخط انصر مجاز	رخصت کی نوعیت وسعیات	ظاہر ہو سکے۔ رخصت کے لئے اوسط نامہ کا تین Period Government to which debtible گورنمنٹ رقم ادا ہوگی	دستخط انصر مجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ -
	1-12-2015				5-680		
	1-12-2016				Drum Rs: 97576/-		
	1-12-2016				less ROP (fine) Rs: 25000/-		
	1-12-2017				Net = 72576/- as		
	1-12-2017				of Pay & All w/ 12-31-17		
	1-12-2018				8911		
	1-12-2018				Drum Rs: 25498/- as		
	1-12-2018				as of Pay & All not		
	1-12-2018				Drum for the month of 9/2017		

Signature of Government servant
 دستخط سرکار
 ملازم

Signature and Designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitible to another Government یا دارالحکومت کے لیے اوسط آجروا کا تعلق Period Government to which debitible عرصہ حکومت کے لئے ادا ہوگی	Signature of the Head of the office or other attesting Officer	Reference any record punishment censure, re or praised or Government servant یا کسی بھی پابندی یا برصاف یا سرکاری کا ریکارڈ -
<i>[Signature]</i>	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت یا برطرفی	<i>[Signature]</i>	رضعتی نوعیت و معیار	Leave without Pay 01-07-2019 to 20-09-2019	<i>[Signature]</i>	
<i>[Signature]</i>			<i>[Signature]</i>		as leave without Pay		
	2018				Don B: 1156		
					wf 1/12 to 30/12/18		
					R.P. = 77822/8		
					S-67 61"		
					Don B: 122351 - wf 01/01/19		
					R.P. = 188054		
					S.Y.C. Service from 12-2010 to 30-11-2021 has been verified from the pay Bills & Accounts kept in this Office Record		
					District Police Officer Orakzai		

[Signature]
[Signature]
 18/11

1	2	3	4		5		6	7	8	9
Name of Post	Whether Substantive or Officiating and whether permanent or temporary	If officiating state - (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of G.S.R. (Pb.) Volume II	Pay in substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment	Signature of Government servant	Signature designated the Head office or attesting in attestation column
	باری سنٹنل یا قائم مقام	اگر باری ہے تو رول کے مطابق پیش کا کس قسم ہے؟	Rs.	Ps.	Rs.	Ps.	ماسوائے تخوات دیگر الوانس	تاریخ تقرری	دستخط سرکاری ملازم	
			order							
<p>His 143 days punishment without is converted by RPO Kohat to leave of kind vide RPO letter No 1371/LET D dated 1/9/2021.</p> <p style="text-align: center;">District Police Officer Kohat</p>										
	Pay Increment				20140/-			1-7 2021		
	Pay Scale 2021				29960/-			1-7 2022		
	Pay Scale 2022				30870/-			1-7 2022		

	2	3	4		5		6	7	8	9
Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment	Signature of Government servant	Signature designating the Head office or attesting in attesting column
	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو رول کے مطابق نہیں کا مستحق ہے؟	تتوا بطور	عارضی ماہرمت	زائد تتوا	بطور قائم مقام	ماسوائے تتوا دیگر الاؤنس	تاریخ تقرری	دستخط سرکاری ملازم	خط حجاز
			Rs.	Ps.	Rs.	Ps.				
	<p>order promoted as Head constable in Standing order No. 6/2014 BPS (03) 17478-190-50/70 pay fixed @ Rs. 21100/- p.m. w.e.f. from 30-08-2022 vide OB # 766 dated 30-8-2022 (copy attached)</p>									
	<p>information 30/8/2022</p>									

To

The Regional Police Officer Kohat

Subject: Departmental Appeal against the order dated 26.06.2023 issued by District Police Officer Orakzai whereby the appellant has been pre-maturely retired from service.

PRAYER

On acceptance of this Departmental appeal the impugned pre-mature retirement order dated 26.06.2023 may kindly be set aside by declaring the same as illegal, unconstitutional, void-ab-initio and ineffective upon the rights of the appellant and the Respondent may kindly be directed to retired the appellant as per date of birth 1970 mention in CNIC of the appellant.

Respected Sir

The appellant submit as under:-

1. That the appellant has been is initially appointed as Khasadar Force in 1989 at Orakzai Khasadar Force/Constable and as such the date of birth of the appellant is 1970 according to CNIC providing at the time of appointment to department concerned. (Copy of CNIC is attached).
2. That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
3. That the appellant performed his duty with Respondent department concerned till July, 2023 while the Respondent department pre-maturely retired the appellant from service on 26.06.2023 and the appellant came to know regarding the order dated 26.06.2023 on

11.08.2023 when the appellant visited to draw the salary of the month of July, 2023:

- 4. That according to the relevant law and rules for retirement as per date of birth mention in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the department.
- 5. That the pre-mature order dated 26.06.2023 may be liable for setting aside on the following grounds:-

GROUND

- A. That the impugned retirement is come under the definition of void and illegal order because it has not been passed according to law and rules.
- B. That according to the date of birth mention in CNIC of the appellant the exist date of birth of the appellant is 1970 but due to the mistake of the department in Service Book the date of birth of the appellant mention in 1963 while the appellant at the time of appointment as Khasadar submitted his CNIC in which the date of birth of the appellant was 1970 instead of 1963. This fact is came to know the appellant on 11.08.2023 on the ground of issuing the impugned retirement order dated 26.06.2023.
- C. That the department is legally bound to correct the date of birth of the appellant according to the CNIC of the appellant.

(23)

D. That it is a well settled principal of law that nobody should be penalized for the act of other. So due to mistake of department while enter is incorrect date of birth in service book is an illegality on part of department.

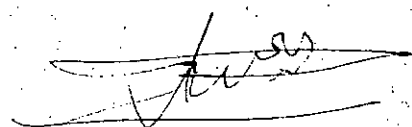
It is therefore, most humbly prayed that On acceptance of this Departmental appeal the impugned pre-mature retirement order dated 26.06.2023 may kindly be set aside by declaring the same as illegal, unconstitutional, void-ab-initio and ineffective upon the rights of the appellant and the Respondent may kindly be directed to retired the appellant as per date of birth 1970 mention in CNIC of the appellant.

Dated 25/10/2023

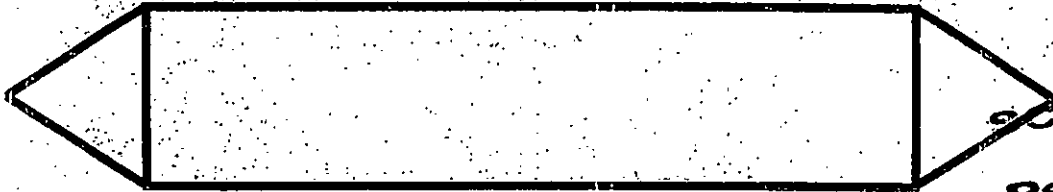
Your Sincerely

Appellant

Abdul Jalal Khan



بعدالت مناب سرویس کے اصول و ضوابط



SCANNED
KPST
Peshawar

2 ص 2 منجانب اللہ صاحب
محمد اقبال صاحب نام کے لئے

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

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

آن مقام کے لئے کیے گئے ہیں۔

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر خلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں 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 محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ 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 سند ہے۔

20 26

المرقوم

العبد محمد اقبال واہ العبد

محمد اقبال