

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

S.A No. 2588 / 2023

Muhammad Nawaz S/O Ameer Baig
(Assistant Settlement Office of Deputy Commissioner Chitral Lower)
....Appellants

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary Peshawar
2. Senior Member Board of Revenue (SMBR) Khyber Pakhtunkhwa.
3. Director of Land Records Revenue & Estate Department, Board of Revenue, Khyber Pakhtunkhwa Pakistan

.....Respondents

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(Signature)

21505-2959654-3

Deponent

24-04-2024
Peshawar
6-B

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2588 of 2023

1. Mr. Muhammad Nawaz,
Assistant Settlement Office Deputy Commissioner Lower Chitral office **Appellant**

VERSUS

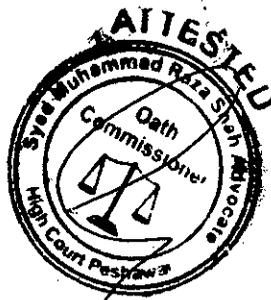
1. Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa
2. Senior Member, Board of Revenue, Khyber Pakhtunkhwa
3. Director Land Records/
Chief Settlement Officer, Khyber Pakhtunkhwa, **Respondents**

AFFIDAVIT

I, Tariq Ali Khan, Director Land Records, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm on oath that the contents of the attached reply to the Service Appeal No. 2588 of 2023 are true and correct to the best of knowledge and belief that nothing therein has been concealed or withheld from this Honorable Tribunal.

It is further stated on oath that in the instant appeal the respondents have neither been placed ex-parte nor their defense is struck off.

Identified by



27 MAR 2024

Signature
Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 2588 of 2023

1. Mr. Muhammad Nawaz,
Assistant Settlement Office Deputy Commissioner Lower Chitral office **Appellant**

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa
2. Senior Member, Board of Revenue, Khyber Pakhtunkhwa
3. Director Land Records/
Chief Settlement Officer, Khyber Pakhtunkhwa, Peshawar **Respondents**

AUTHORITY LETTER

Mr. Mohsin Ali, Assistant Director Land Records, Revenue & Estate Department is hereby authorized to appear before the Service Tribunal in the Service Appeal No. 2588 of 2023 on behalf of the respondents. He is also authorized to submit all required documents and replies etc as representative of the respondents through the Advocate General, Khyber Pakhtunkhwa Peshawar.


Director Land Records
Khyber Pakhtunkhwa

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2588 /2023

Muhammad Nawaz S/o Ameer Baig

Assistant Settlement Office of Deputy Commissioner,
Chitral Lower Appellant

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 11986

Dated 28-03-2024

VERSUS

- 1. Government of Khyber Pakhtunkhwa through Chief Secretary,**
Peshawar..... Respondent
- 2. Senior Member Board of Revenue (SMBR)**
Khyber Pakhtunkhwa..... Respondent
- 3. Director Land Records**
Revenue & Estate Department, Board of Revenue,
Khyber Pakhtunkhwa, Peshawar..... Respondent

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 01 & 03

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS.

1. That the appellant has got no cause of action..
2. That the appeal is not maintainable in its present form:
3. That the Supreme Court of Pakistan has already set aside vide civil appeal No. 239, 274 & 283 of 2020 dated 14/07/2021 (Against the judgement dated 27/09/2016, 17/07/2018 and 14/11/2018 passed by the Peshawar High Court, Peshawar in Writ Petitions No. 767-P, 1674-P of 2016 and 3108-P of 2018) the impugned judgement of Peshawar High Court vide writ Petition No 3108-P/2018 dated 14/11/2018.
4. That appellant has not come to this Honourable Tribunal with clean hands.
5. That the appellant is estopped by his own conduct.
6. That the appeal is barred by law and limitation.
7. That the appeal of the appellant is hit by Resjudicata.

FACTS:

1. Pertain to record.
2. Pertain to record.
3. Incorrect, as Settlement is in project mode and their employees have been recruited on contract basis, therefore cannot be considered for promotion as Tehsildar. Furthermore, there is no provision in the Service Rules of Settlement Employees for promotion of Assistant of the office of Settlement Operation to the post of Tehsildar. Besides, none of the officials of the Settlement Operations Chitral have so far been promoted as Tehsildar (BPS-16).
4. Incorrect. His illegal promotion was rightly withdrawn. As stated in para-3.
5. Incorrect. Perusal of all relevant records it is crystal clear that the Settlement Officer has misinterpreted / misused the Judgement dated 18/09/2014 passed by the Peshawar High Court & order dated 19/03/2011 passed by the Senior Member Board of Revenue, as well as Notification dated 15/10/2020. There is still no provision in the rules in field to promote Settlement Assistant to the post of Tehsildar further, Settlement Officer should have consulted previous record of that Departmental Promotion Committee chaired by Senior

- 4
- Member Board of Revenue on 11/08/2015 where the appellant case was discussed but due to no provision in Rules. His case was referred to Establishment Department & then to Law Department for advice. Even in the presence of Rules, Promotion of an Assistant to the post of Tehsildar is not the mandate of a Settlement Officer, rather it is the sole competency of Senior Member, Board of Revenue, to promote an official to the post of Tehsildar / Naib Tehsildar through proper Departmental Promotion Committee.
6. Incorrect. The appellant was assigned the Additional charge of Tehsildar only for the exigency of Settlement Operation ^{which} while could confer him no right for the adjustment on Revenue side. His assignment of the work of Tehsildar was only for the exigency of Settlement Operation like a project activities. As far as the notification 15/10/2015 concerned it was for the purpose of making Appointment / Selection and promotion to the post BPS-01 to BPS-15 including the upgradation posts of Assistant & Computer Operators Board of Revenue, at the cadre strength of Settlement Officers in Khyber Pakhtunkhwa and the Settlement Officer, nominated as a chairman of the Committee.
 7. Incorrect. The appellant was not validly appointment on regular basis, but purely on contract basis as Assistant in the Settlement Operation (Chitral) and temporarily assigned the additional work of Tehsildar only for the exigency of Settlement Operation it is further submitted that the appellant time & again approached the Competent forum & existed his remedy last judgement of the apex Supreme Court of Pakistan dated 14/07/2021 **(Annex-A)**.
 8. Incorrect. The appellant was initially appointed as Assistant purely on contract basis & only for the exigency of Settlement Operation & temporary assigned the charge of Settlement Tehsildar. Which could confer him no right for adjustment on revenue side his appointment was purely on contract basis in the Settlement Operation like other Settlement officials.
 9. Incorrect. The appellant time & again existed his remedy last judgement of apex Supreme Court of Pakistan dated 14/07/2021 **(Annex-A)**.
 10. Incorrect. As explained in para 5.
 11. Incorrect. The appellant has already existed his remedy in the Supreme Court of Pakistan vide Judgement dated 14/07/2021.

GROUND:

- A. Incorrect. The appellant rightly treated in accordance with the provision of rules / law.
- B. Incorrect. The appellant was basically appointed as Assistant & temporary assigned the charge of Tehsildar only for the exigency of Settlement Operation. Furthermore, the record reveals that the Establishment / Law Departments also opined that in case of non-provision of rules a Departmental Promotion Committee meeting cannot be convened for the promotion, because a provision providing even for promotion an official if any office of Settlement Officer, is to be made in the rules first and thereafter the Departmental Promotion Committee meeting is to be convened accordingly.
- C. Incorrect. The Settlement Officer, has misinterpreted / misused the judgement dated 18/09/2014 passed by the Peshawar High Court & order dated 19/03/2011 passed by Senior Member, Board of Revenue as well as notice dated 15/10/2020 there is still no provision

in the existing rules in field to promote Settlement Assistant to the post of Settlement Tehsildar.

D. Incorrect. A fact-finding inquiry was carried out through Secretary-I. Board of Revenue, and recommended that: -

1. Departmental Promotion Committee on 03/02/2022 and promotion notification of Muhammad Nawaz as Settlement Tehsildar Chitral has no legal standing as the Settlement Officer Chitral has no authority of heading DPC for promotion of Settlement Assistant to Settlement Tehsildar, hence may be considered as NULL and VOID.
2. Notification of Board of Revenue dated 15/10/2022 which Settlement Officer Chitral has based for chairing this DPC is very much clear which states that the following Departmental Promotion / Selection Committee for the purpose of making appointments, selection and promotion to the posts from BPS-1 to BPS-15 including the upgraded post of Assistants and Computer Operators at the cadre strength of Settlement Officers in Khyber Pakhtunkhwa. In light of the above-mentioned notification, Settlement Officer Chitral cannot promote Mr. Muhammad Nawaz Assistant (BPS-16) in Settlement Operation Chitral to the post of Tehsildar (Settlement).
3. Hence the charge of illegal promotion of Mr. Muhammad Nawaz Assistant to the post of Settlement Tehsildar order dated 04/02/2020 is proved. Therefore, Settlement Officer Chitral Mr. Fida-ul-Karim may be immediately transferred from the post of Settlement Officer, Chitral.
4. Proper formal inquiry may be initiated to probe the matter in details.

By now the formal inquiry is being carried out by the Additional Secretary Home & Tribal Departmental Khyber Pakhtunkhwa against the officer / official involved in the instant case.

E. As stated in Para-D

F. As explained in Paras-5 & 6.

G. As state in Paras-5 & 6.

H. As state in Paras-7 & 8.

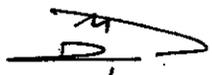
I. As state in Paras-5, 6, 7 & 8.

J. As state in Paras-5, 6, 7 & 8.

K. Respondents will also seek permission to advance additional grounds at the time of arguments.

It is therefore requested that on acceptance of the instant Parawise comments, the appeal of the appellant may kindly be dismissed with cost.




Senior Member Board of Revenue
Khyber Pakhtunkhwa
(Respondent No. 02)

(Ikram Ullah)


Director Land Records,
Khyber Pakhtunkhwa
(Respondent No. 03)

(Tariq Ali)

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IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

MR. JUSTICE GULZAR AHMED, HCJ
MR. JUSTICE IJAZ UL AHSAN
MR. JUSTICE MUNIB AKHTAR

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CIVIL APPEALS NO. 239, 274 AND 283 OF 2020.
(Against the judgment dated 27.09.2016, 17.07.2018 and
14.11.2018 passed by the Peshawar High Court, Peshawar in Writ
Petitions No. 767-P, 1674-P of 2016 and 3108-P of 2018).

Government of Khyber Pakhtunkhwa through Secretary
Public Health Engineering, Peshawar and others.
(in CA.239/2020)

Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat, Peshawar and others.
(in CA.274/2020)

Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat, Peshawar and others.
(in CA.283/2020)

...Appellant(s)

Versus

Abdul Manan and others.
(in CA.239/2020)

Ijaz Ali Shah and others.
(in CA.274/2020)

Muhammad Nawaz and others.
(in CA.283/2020)

...Respondent(s)

For the Appellant(s):

Mr. Shumail Ahmad Butt,
A.G. KP.
Mr. Atif Ali Khan, Addl. A.G. KP.
Barrister Qasim Wadood,
Addl. A.G. KP.
Mr. Irum Shaheen, DD. HED.
Mr. Asif Khan, Litigation Officer,
HED.
Mr. Amin Jan, AD, Fisheries, KP.
Mr. Gulzar Mahmood, A.D.
Fisheries, KP.
Engr. Falak Niaz, AD (Dost).
Rajbar Khan, SDO, PHE, KP.
Mr. Saadullah, Asstt. Secretary,
BOR, KP.

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Mr. Faheem Ullah Khan, Sr. Law Officer, KPPSC.
Mr. Assad Ullah Khan, SO, P&D, Department.
Mr. Amanatullah Qureshi, Deputy Secretary, Finance Department, KP.

For the Respondent(s): Mr. Khaled Rahman, ASC.
(in CA.274/2020)
Mr. M. Ijaz Khan Sabi, ASC.
(in CA.283/2020)
N.R.
(in CA.239/2020)

Date of Hearing: 25.11.2020 (Judgment Reserved)

JUDGMENT

IJAZ UL AHSAN, J.- Through this single judgment, we intend to decide Civil Appeals No. 239, 274 and 283 of 2020 (hereinafter referred to as "CA") as they involve a common question of law.

2. Through the instant appeals, the Appellants have sought to challenge the judgments of the Peshawar High Court, Peshawar dated 14.11.18 passed in Writ Petition No. 3108-P/2018, 17.07.18 passed in Writ Petition No. 1674-P/2016 and 27.09.2016 passed in Writ Petition No. 767-P/2016 (hereinafter referred to as "Impugned Judgments"). Through the impugned judgments, the Respondents had challenged the action of the Appellants to not regularize them. Their respective petitions were allowed, and, the Appellants were ordered to regularize the Respondents in their respective posts.

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Senior Court Associate
Supreme Court of Pakistan
Islamabad

3. The brief facts giving rise to this *lis* are that the Respondents in CA 239 of 2020 were appointed against different posts on a contract basis. They were subsequently regularized with effect from 2008 and not from the dates of their respective initial appointments. The Respondents in CA 283 of 2020 were appointed as Office Assistant, Typist, and Naib Qasid. Respondent No. 01 in CA 283 of 2020 was later promoted out of turn as Settlement Tehsilidar in 2009 and later on, was demoted, because the correct mechanism to appoint him as provided in Section 7 of the Civil Servant Promotion and Transfer Rules, 1989, was not followed. The Respondents in CA 274 of 2020 were appointed in the project known as "Capacity Building Phase-II" and, after the expiry of the said project, were relieved. All of the Respondents filed their respective writ petitions before the learned High Court, which were allowed. The Appellants are aggrieved and have approached this Court.

4. Leave to appeal was granted by this Court vide order dated 09.03.2020 which is reproduced below for ease of reference:

"The learned Additional Advocate General, Khyber Pakhtunkhwa contends that all the Respondents in these petitions were employed either on project posts or on contract basis or were employees under Section 42 of the Companies Act, 2017 and in no circumstances their services were to be regularized. He further contends that in all impugned judgments, the learned High Court has merely allowed writ petitions on basis of similarly placed persons, but without at all advertent to the facts and circumstances of each and every case separately and without applying its mind to the same. He adds that even the laws under which their appointments were made

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were not adverted to. He submits that the Respondents who are employees on projects or contract employees or Section 42 employees were not liable to be regularized and thus their regularization by the learned High Court through the impugned judgment in these petitions was altogether illegal. In support of the contentions, the learned law officer has referred to a three-member judgment of this Court dated 24.06.2014 passed in Civil Appeal No. 687 of 2014 (Government of Khyber, Agriculture, Livestock and Cooperative Department through its Secretary and others v Ahmad Din and another).

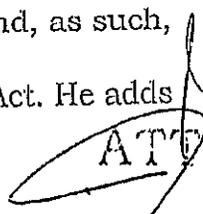
2. We note that some of the petitions are time barred and in one of the petitions even no condonation of delay has been filed. The learned Law Officer states that such will be done by the petitioners.

3. The contentions raised by the learned Additional Advocate General, Khyber Pakhtunkhwa need consideration. Therefore, subject to limitation, leave to appeal is granted in these petitions to consider inter alia the same. The appeal stage paper books shall be filed within a period of one month with permission to the parties to file additional documents if any. As the matter relates to service, the office is directed to fix the same expeditiously preferably after three months.

4. In the meantime, operation of impugned judgment(s) shall remain suspended."

5. The Learned Additional Advocate General, Khyber Pakhtunkhwa (hereinafter referred to as "KP") contends that the Respondents in CA's 283 and 274 were project employees with no right to regularization. He has further argued that the Respondents being project employees are not covered under the KP Civil Servants (Amendment) Act, 2005 (hereinafter referred to as the "2005 Act") because the 2005 Act specifically excludes project employees from its purview. Further, that the KP (Regularization of Services) Act, 2009 (hereinafter referred to as the "2009 Act") also specifically excludes project employees from its application, and, as such, the Respondents are not covered under the 2009 Act. He adds

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that the Respondent in CA 239 of 2020 was appointed on a stop-gap arrangement which is not covered for regularization under Section 19 of the 2005 Act. As such, the High Court erroneously held that the judgment rendered in W.P 854/2000 applied to the said Respondent's case because the said judgment applied to employees of District Swat only. He further submits that, whenever a position is advertised, it has to be filled after following correct procedure and formalities. As such, the Respondents could not have been arbitrarily appointed against their respective posts without following the procedure of transparent appointment or, the procedure provided by the KP Public Service Commission (hereinafter referred to as "KPPSC").

6. The learned ASC appearing on behalf of the Respondents argued that other similarly placed employees were regularized whereas the Respondents were not, as such, this amounts to discrimination on part of the Appellants which is impermissible under the law. He further argued that all Respondents were validly appointed and, the Appellants could not relieve them from their positions arbitrarily when they have regularized other similarly placed employees. He further submits that the Respondents in CA 239 of 2020 should have been regularized from the date of their initial appointment as opposed to 2008. Since the Respondents had been working against their respective posts before the promulgation of the 2005 Act, they ought to have been treated as civil servants and thus, regularized from before

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04.11.92. He adds that not extending benefits to the Respondents in CA 239 of 2020 from 04.11.92 amounts to an illegality when the same benefits have been extended to other employees who stood on the same footing.

7. We have heard the learned AAG and also the learned Counsel for the Respondents. The questions which fall before this Court for determination are as follows:-

(i) Could the Respondents be regularized under the 2009 and 2005 Acts;

(ii) Could the Respondents in CA 239 of 2020 be regularized with effect from an earlier date as opposed to 2008.

COULD THE RESPONDENTS BE REGULARIZED UNDER THE 2009 AND 2005 ACTS?

8. The learned AAG submits that the 2009 Act was inapplicable to all of the Respondents because they were project employees. To examine this issue, Section 3 of the 2009 Act is reproduced as under for ease of convenience:-

“Regularization of services of certain employees.--
All employees including recommendees of the High Court appointed on contract or ad-hoc basis and holding that post on 31st December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.”

The word employee has been defined in Section 3 of the 2009 Act *supra* which is produced as under:-

“employee” means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge

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Senior Court Associate

basis or who are paid out of contingencies," (Underlining is ours)

A bare perusal of the aforementioned provision of the 2009 Act reveals that, to be regularized under the 2009 Act the employee in question may be an *ad hoc* or a contract employee who must be appointed by the Government. There are three categories of employees who cannot take benefit of Section 3 *supra* and claim regularization. First, project employees, that is, employees who are appointed against a project post. Whenever the said project comes to an end unless otherwise provided, the posts in the said project too come to an end and all appointees stand relieved. Second, employees appointed on a work charge basis. Third, those employees who are paid out of contingencies. The last proviso is perhaps there because funds for contingencies are limited and mostly time-bound. As such, whenever the contingent funds run out, employees may be relieved, by following the proper procedure.

9. It is an admitted fact that the Respondents in CA 274 of 2020 were project employees. Section 2(b) of the 2009 Act specifically excludes project employees from its purview, therefore, by no stretch of the imagination could the learned High Court have read into the 2009 Act what it does not specifically provide. When the intent of the legislature is manifestly clear from the wording of the statute, the rules of interpretation require that such law be interpreted as it is by assigning the ordinary English language and usage to the words used, unless it causes grave injustice which may be

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irremediable or leads to absurd situations which could not have been intended by the legislature. Only then, the Court may see the mischief which the legislature sought to remedy and interpret the law in a manner that meets the intent of the legislature. We are therefore of the view that the conclusion to this effect reached by the High Court is quite erroneous and unsustainable in law.

10. The learned High Court has held that the Respondents were fully covered by Section 19(2) of the 2005 Act. For ease of reference, the relevant portion of Section 19(2) is reproduced as under: -

"A person though selected for appointment in the prescribed manner to a service or post on or after the 1st day of July 2001, till the commencement of the said Act, but appointed on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on regular basis." (Underlining is ours)

It has been argued by the learned AAG that the posts against which the Respondents were appointed are specifically excluded from the application of Section 19 and consequently, they could not have been regularized. A bare perusal of the aforementioned provision shows that anyone who wishes to avail the benefit of Section 19 has to be appointed in the prescribed manner. What this effectively means is that an incumbent has to go through the process of selection and appointment which consists of advertisement, open competition, a level playing field for all, and transparency and other processes followed by the Federal or Provincial Public Service Commission. Admittedly, none of the Respondents

*Attorneys
Gulshan*

A 10/10/2020

were appointed through the said Commission or the aforesaid processes as is evident from their appointment orders, and, were initially appointed on contract. As such, the Respondents cannot claim that they were covered under the said provision of the law unless they prove that they went through the process of the KP Public Service Commission or equivalent or had come through the processes alluded to above and, were then appointed against their respective posts.

11. Even otherwise, the class of employees to which the Respondents belong has been specifically excluded from the definition of a civil servant as provided in Section 2(b) of the KP Civil Servants Act, 1973 which is reproduced as under: -

"(b) —civil servant means a person who is member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include-

- (i) a person who is on deputation to the Province from the Federation or any other Province or other authority;*
- (ii) a person who is employed on contract, or on work charge basis or who is paid from contingences; or*
- (iii) a person who is —worker or —workman as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);*

The Respondents in CA 283 were appointed in the Settlement Operation, which, according to the learned AAG, was to be run as a project. As such, upon expiry of the Settlement Operation, the Respondents were to be relieved and no regular appointments thereto were to be made. The

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learned AAG further submits that the matter of regularization of the Respondents relates to the terms and conditions of their appointments, which squarely falls within the jurisdiction of the Service Tribunal in light of Article 212 of the Constitution of the Islamic Republic of Pakistan. When confronted with this argument, the learned ASC for the Respondents merely stated that since others were regularized, therefore, the Respondents should have been regularized as well. We note that the Respondents have conceded that they were working in a Project as evident from their Writ Petition before the High Court where they have stated the following:-

*"That the services of the petitioners are retained by the respondents in the Settlement Project Chitral till date"
(Underlining is ours)*

11. When the Respondents themselves are conceding that they were project employees, they cannot change their stance at this stage and claim that they ought to have been regularized under Section 19 of the 2005 Act which specifically excludes project employees from its purview. As such, the High Court without examining this position taken by the Respondents held that they were entitled to regularization. This amounts to reading into the 2005 Act so also the KP Civil Servants Act, 1973, something which has not been provided in the said Acts. This is, in our view, a transgression of the mandate of Article 199 of the Constitution of the Islamic Republic of Pakistan which is impermissible and constitutes an excessive exercise of jurisdiction. Section 19 has to be read with the rest of the KP

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Civil Servants Act, 1973. Though Section 19 of the 2005 Act provides the regularization of certain employees subject to the fulfilment of certain conditions and deems all those appointed while following the prescribed procedure as civil servants, nevertheless, the ambit of Section 19 cannot be stretched to include a separate class of employees into the definition of civil servant provided in Section 2(b) of the KP Civil Servants Act, 1973. When the definition is unambiguous, the High Court cannot stretch it to include the Respondents in its purview. This amounts to a usurpation of the powers of the Legislature and the Executive as envisaged in Article 7 of the Constitution of the Islamic Republic of Pakistan.

COULD THE RESPONDENTS IN CA 239 OF 2020 BE REGULARIZED WITH EFFECT FROM AN EARLIER DATE AS OPPOSED TO 2008?

12. The learned AAG argued that the services of the Respondents in CA 239 were regularized according to the law i.e. Section 19(2) of the 2005 Act read with the First Proviso of Section 19 of the KP Civil Servants (Amendment) Act, 2003. Further, that the judgment in W.P No. 854/2000 is specific to the employees of District Swat only and has no bearing on the present Respondent's case. As such, the Respondents in CA 239 could not have been regularized from the date of their appointments, and, were properly regularized with effect from 2008. As noted above, Section 19(2) of the 2005 Act provides that all those employed on contract on or before 01.07.01 till the commencement of the 2005 Act shall be deemed to be appointed on regular basis. The 2005 Act was published in

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the official gazette on 23.07.05. By no means can the Respondents mentioned above claim that they ought to have been regularized with effect from their respective dates of appointments which predate the cut-off dates of the 2005 Act. As such, the learned High Court erred in concluding that they should have been regularized from the dates of their appointments. When the law itself provides a date of its application, the learned High Court cannot, on any ground, amend the said date and extend the application of the 2005 Act to the extent that those who are not covered under it, gain its benefit.

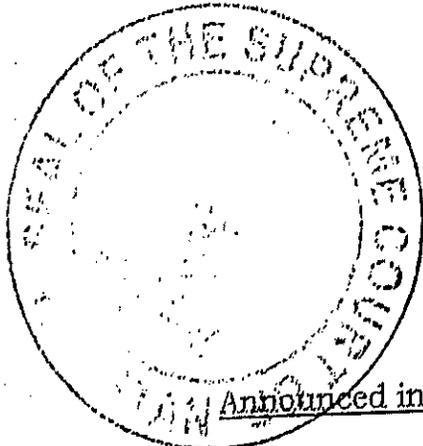
13. The learned High Court has based reliance on the judgment in W.P No. 854/2000 to hold that the Respondents should have been regularized from the date of their initial appointments. We find this reliance to be misplaced for the reason that the said judgment pertains to employees of a different department and, only relates to the regularization of the petitioners therein. It does not talk about pre-dating the regularization of the petitioners therein. As such, placing reliance on the said judgment is erroneous and is distinguishable from the circumstances. When the competent authority has regularized the Respondents per the law, merely by stating that since others were regularized in a different set of facts and circumstances from an earlier date, the High Court has erred in law and its findings to this effect are unsustainable.

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14. The Impugned Judgments of the learned High Court proceed on an incorrect factual and legal premise and have incorrectly applied the relevant law, rules, and regulations to the facts and circumstances of the cases before it. We are therefore in no manner of doubt that the impugned judgments are unsustainable in law as well as facts and are liable to be set aside.

15. For reasons recorded above, we allow these appeals and set aside the Impugned Judgments of the Peshawar High Court dated 27.09.2016, 17.07.2018 and

14.11.2018.



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 Certified to be True Copy
 Senior Associate
 Supreme Court of Pakistan
 Islamabad

Announced in open Court at Islamabad on 14.07.2021

Haris, L.C.
 Not Approved For Reporting

11968/21

Case No.	11968/21
Date of Presentation	14.7.21
No of Witnesses	3800
No of Pages	38
Registry Fee	5.00
Copy Fee	24.18
Court Fee Stamp	28.18
Date of Completion	14/7/21
Date of Delivery of Copy	15/7/21
Compared by/Prepared by	<i>Handwritten signature</i>
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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

WP No. 3108-P/2018



JUDGMENT.

Date of hearing: 14.11.2018

Petitioner (s): Muhammad Nawaz & Jehanzeb Mehsood - Plaintiffs

Respondent (s): Govt of NWFP & District Officer Chitral

WAQAR AHMAD SETH, CJ:- Through the

instant Writ Petition, petitioners have prayed for issuance of an appropriate writ directing the respondents to regularize their services forthwith in light of the North West Frontier Province Civil Servant (Amendment) Act, 2005 (NWFP Act No. IX of 2005) along with all back benefits.

2. Brief facts of the case are that the petitioners applied for the posts of Assistant, Typist & Naib Qasid respectively and after going through written test and interview, they were declared successful and were appointed against the said posts on contract basis vide office orders dated 17.01.2002 & 12.08.2002. It is pertinent to mention here that in the year, 2009, on the recommendation of Settlement Officer Chitral, petitioner No.1 was promoted as Settlement

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ATTESTED
EXAMINER
Peshawar High Court
15 JAN 2019

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Tehsildar, Chitral. Claim of the petitioners is that Government of Khyber Pakhtunkhwa promulgated Civil Servant (Amendment) Act, 2005 whereby section 19 of the Act ibid for regularization of all contract employees, who were holding posts in various Govt. Departments, but the respondents are not extending them benefits of said Act and delaying the matter on one pretext or the other. The petitioners requested the respondents several times to regularize their service but to no avail and finally, they filed Writ Petition No. 1476-P/2017 before this Court, which was disposed of vide order dated 07.03.2018 with direction to the respondents to decide the matter within two months in light of judgment of this Court rendered in Writ Petition No. 64/2005 decided on 19.04.2006. The petitioners, after passing of judgment, appeared before respondent No.2 and moved written representation along with complete record of the previous case, other supportive documents and especially judgment of this Court dated 07.03.2018 but till date, no positive step has been taken; hence, the instant Writ Petition.

*Attested
Shumaila*

ATTESTED
EXAMINER
Peshawar High Court
15 JAN 2019

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3. Respondents No.1 to 6 have furnished their comments and opposed the writ of petitioners.
 4. Arguments heard and record perused.
 5. Perusal of the record would reveal that the petitioners were appointed on the recommendation of selection/recruitment committee on contract basis vide orders dated 17.01.2002 & 12.08.2002. Subsequently, Government of Khyber Pakhtunkhwa promulgated Civil Servant (Amendment) Act, 2005 whereby services of all contract employees in various government departments have been regularized in view of section 19 of the Act *ibid*. However, the petitioners filed Writ Petition No. 1476-P/2017 before this Court for regularization of their service, which was disposed of vide order dated 07.03.2018 with direction to the respondents to decide the matter of regularization within two months in light of judgment rendered by this Court in Writ Petition No. 64/2005 decided on 19.04.2006 but no positive step has been taken, which resulted into filing of instant Writ Petition.

ATTESTED
EXAMINER
Peshawar High Court
15 JAN 2019

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Signature

6. Admittedly, the petitioners are performing their duties, since appointment, as evident from their pay slips, available on file. It is also an admitted fact on record that services of other colleagues of the petitioners were regularized by the respondents vide order dated 05.07.2006 on the direction of this Court's judgment rendered in Writ Petition No. 64/2005 decided on 19.04.2006 and the petitioners being at par are also entitled for the same benefit.

7. Thus, in view of the above, this Writ Petition is allowed and the respondents are directed to regularize the services of the petitioners forthwith in light of NWFP Civil Servant (Amendment) Act, 2005 with all back benefits.

ANNOUNCED.
Dated: 14.11.2018

[Signature]
Chief Justice

[Signature]
Judge

[Handwritten signature]

[Signature] Nawab Shah SCS (DR) Justice Waqar Ahmad Soth CJ & Justice Iftikhar Ibrahim J

CHECKED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
The Qanun-e-Shahadat Order 1994
15 JAN 2019

No. 1558
Date of Presentation of Application 14/11/18
No of Pages 14
Copying Fee
Urgent Fee
Total 40
Date of Preparation of Copy 15/11/18
Date of Delivery of Copy 15/11/18
Received By

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JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT,
MINGORA BENCH (DAR-UL-QAZA), SWAT
(Judicial Department)

W.P. No.29-M/2011.

JUDGMENT

Date of hearing: 18.9.2014.

Appellant-Petitioner (Muhammad Nawaz) by
Mr. Amir Gulab Khan Advocate.

Respondent (Senior Member Board of
Revenue etc) by Mr. Sabir Shah A.A.

LAL JAN KHATTAK, J.- Petitioner, through the

instant writ petition under Article 199 of the

Constitution of Islamic Republic of Pakistan, 1973, has

prayed this Court for issuance of a writ to the

following effect:-

- i. Declaring the impugned order of respondent No.1 dated 19.3.2011 and that of respondent No.3 dated 21.4.2011 to be void *ab initio*, without lawful authority, illegal and unconstitutional and ineffective upon the rights of petitioner and consequently the order of promotion of petitioner dated 26.10.2010 be restored OR
- ii. Directing respondent No.1 and 2 to convene meeting of DPC as early as possible and to consider the petitioner for promotion

ATTORNEY
General
13/11/2014

against the post of Tehsildar settlement (BPS 16) against his quota as provided under the Rules.

iii. Any other order this honourable Court may deem just and proper.

2. After arguing the petitioner's case at some length, learned counsel ultimately submitted at the bar that he would be satisfied if directions are given to the respondents to act upon the order dated 19.3.2011 of the Senior Member, Board of Revenue, Khyber Pakhtunkhwa. Learned Additional Advocate General, while appearing for the official respondents, agreed to above submission of learned counsel for the petitioner.

3. For the purpose of convenience and better understanding the issue in hand, operative part of the order dated 19.3.2011 is reproduced hereunder:-

"As no promotion can be made without the holding of departmental promotion committee (DPC) as mandated in Rule 7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. The administrative order promoting Muhammad Nawaz Assistant is withdrawn. As a consequence he is reverted to his substantive post of Assistant with the direction to the

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Director Land Record to convene DPC meeting and consider the applicants and other eligible officials on merit and in accordance with law. (emphasis supplied)

4. In view of the above concurrence of the learned counsel for the petitioner and that of the learned A.A.G., this writ petition is disposed of with direction to the concerned respondents to give effect the above-referred order of Senior Member, Board of Revenue dated 19.3.2011. Petition disposed of accordingly.

Announced
Dt: 18.9.2014.

[Signature]
JUDGE

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No. of Petition	165
Name of Applicant	Mohd Nawaz
Date of Presentation of Application	13/4/23
Date of Disposition of Copies	13/4/23
No. of Copies	13
No. of Copies	65
Date of Disposition	13/4/23

[Signature]
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13/11/2023

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GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Twitter ID: @RevenueBoardkp

Facebook: <https://www.facebook.com/ber.kpk92>

No. Secy-1/Inquiry/SO/Chitral/186-90
Dated Peshawar the 11/12/2022

The Director Land Records,
Khyber Pakhtunkhwa

31
15-12-22

**FACT FINDING INQUIRY AGAINST ILLEGAL PROMOTION IN
SETTLEMENT OPERATION CHITRAL.**

Please refer to your office letter No. LR-V/SO/Chitral/186-90 dated 11-10-2022
subject and to submit herewith the requisite Fact Finding Inquiry report (in original)
of five (05) pages alongwith annexures (A-K) for your kind persual and further
action as deemed appropriate.

Hafiz Ata Ul Munim
Secretary-1/Inquiry Officer

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Handwritten notes and signatures in the center of the page, including a signature that appears to be "Hafiz Ata Ul Munim" and some illegible scribbles.

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GOVERNMENT OF KHYBER PAKHTUNKHWA,
BOARD OF REVENUE,
REVENUE AND ESTATE DEPARTMENT
PS/Secy-I/BOR/Inquiry/Fida-ul-Karim

FACT FINDING INQUIRY AGAINST MR. FIDA-UL-KARIM SETTLEMENT OFFICER CHITRAL.

FACT REPORT

The instant fact finding inquiry was entrusted to the undersigned and to the approval of the Senior Member Board of Revenue vide letter No.LR-136/2022/Chitral/136-90 dated 11-10-2022 (Annexure-A).

FACTS OF THE CASE.

One Mr. Muhammad Nawaz was appointed as Assistant in the office of Settlement Operations Chitral in the year 2002. In the year 2010 he was promoted to the post of Settlement Tehsildar through an administrative vide order dated 24.10.2009 (Annexure-B). His promotion order was issued on 19.10.2010. At that time there was no provision in Service Rules for promotion of Assistant of the office of Settlement Operations Chitral to the post of Settlement Tehsildar. Therefore, Mr. Muhammad Nawaz was reverted back to the post of Assistant vide order by then SMBR dated 19/03/2011 which states that "no promotion can be made without holding of DPC as mandated in Rule 7 of Service Rules 1989, hence administrative order of promotion of Mohammad Nawaz is withdrawn (Annexure-C). Aggrieved with the said order, Mr. Muhammad Nawaz filed a Writ Petition before the Peshawar High Court whereby his writ Petition was disposed off with direction to the concerned respondents; to give effect the above referred order of Senior Member, Board of Revenue dated 19.03.2011. Petition disposed of accordingly". (Annexure-D)

In light of judgment of Peshawar High Court DPC meeting was held on 11.08.2015. but due to no provision in Rules for promotion of Assistant of the office of Settlement Operation Chitral to the post of Settlement Tehsildar it was decided by the committee to refer the case to the Establishment Department for advice (Annexure-E). The Establishment Department vide letter dated 09.09.2015 informed that the case may be taken up with the Law Department for their interpretation of court judgment (Annexure-F). Thereafter the case was referred to Law Department and the Law Department informed that "in order to implement the judgment of Peshawar High Court, a provision providing for promotion for Assistant, office of Settlement Tehsildar is to be inserted in the rules first and thereafter the DPC meeting is to be convened for the purpose of promotion". Moreover, being a service matter, Establishment Department may also be consulted". Thereafter no further action seems to be taken but on 04.02.2022 the Settlement Officer Chitral has issued promotion order to Mr. Muhammad Nawaz Assistant office of the Settlement Operation Chitral to

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the post of Settlement Tehsildar (BPS-16) (Annexure-G) without considering the Service Rules in field.

STATEMENT OF MR. FIDA-UL-KARIM SETTLEMENT OFFICER CHITRAL.

The officer stated in his written statement (Annexure-II) stated that the undersigned took a case for promotion of Mr. Muhammad Nawaz, on upgraded post of Assistant BPS-16, with Director Land Records. In this regard, a meeting was held on 3rd February, 2022, as per Notification No. Estt/II/DPC/Committee/26806-10 dated 15.10.2022, under the Chairmanship of undersigned. The Committee, represented by two members from the Board of Revenue, recommended promotion / reinstatement of Mr. Muhammad Nawaz for the post of Settlement Tehsildar as already promoted vide order dated 26.10.2010, through the order of the then Senior Member, Board of Revenue. **As at that time there were no independent rule for settlement operation, so service rules on revenue side were applicable to settlement operation.** In 2011 some Tehsildars were repatriated to Settlement Operation Chitral vide order No. Estt/II/1627-39 dated 27.01.2011. In order to adjust the repatriated Tehsildars, Mr. Muhammad Nawaz was reverted to the post of Assistant citing no law/rules for the said order. Aggrieved from the order, Mr. Muhammad Nawaz filed a Writ Petition in Peshawar High Court, Darul Qaza Mingora Bench Swat which disposed of the petition with direction to the respondents to give effect to the Order of Senior Member, Board of Revenue dated 19.03.2011. In 2015 a Departmental Promotion Committee was constituted which relied on new Service Rules that was financially not attractable in his case, especially in the presence of august High Court Order dated 18.09.2014. Furthermore, there were no vacant post when Departmental Promotion was considering his case.

It merits attention here that vide order No. 1995/LR-1177/(Chitral) dated 08.01.2019 Mr. Muhammad Nawaz was already posted as Settlement Tehsildar (OPS)(Annexure-I) while his promotional / reinstatement order was issued on dated 04.02.2022. It is further stated that promotion / reinstatement committee in the said case was represented by two members of Board of Revenue which means it was done in good faith, transparently and **with the approval of the Director Land Records**, as explained above. No member of the committee gave any dissenting note in the Departmental Promotion Committee meeting.

It is pertinent to mention here that Mr. Muhammad Nawaz was promoted/reinstated against the post of Settlement Tehsildar Upper Chitral clearly in the exigency of settlement operation which would confer him no right for adjustment on revenue side. His promotion / adjustment was purely on contract basis in Settlement Operation like other settlement officials

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PROCEEDINGS

1. Mr. Fida-Ul-Karim Settlement Officer Chitral was called on 20.10.2020 who submitted his written statements and was also cross examined. Record shows that in light of judgment of Peshawar High Court dated 18/09/2014, DPC meeting was called on 11.08.2015, but due to no provision in Rules for promotion of Assistant of the office of Settlement Operation Chitral to the post of Settlement Tehsildar it was decided by the Departmental Promotion Committee headed by SMBR to refer the case to the Establishment Department for advice. The Establishment Department vide letter dated 22.09.2015 informed that the case may be taken up with the Law Department for better interpretation of court judgment. Thereafter the case was referred to Law Department vide letter dated 14.09.2015. In response the Law Department informed that *"in order to implement the judgment of Peshawar High Court, a provision providing avenue for promotion for Assistant, office of Settlement Tehsildar is to be made in the rules first and thereafter the DPC meeting is to be convened for the purpose of promotion. Moreover, being a service matter, Establishment Department may also be consulted"*. Thereafter no further action seems to be taken.

PROCEEDINGS

It is to mention here that no promotion can be made without holding of DPC meeting as mandated in Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules, 1989. Therefore, the Administrative order promoting Mr. Muhammad Nawaz Assistant was illegal and hence withdrawn and he was reverted to his original post of Assistant.

The Rules notified on 23.01.2015 pertaining to the office of Directorate of Lands Records have no avenue for promotion of Settlement Assistant to the post of Settlement Tehsildar (**Annexure-J**). Mr. Fida-Ul-Karim Settlement Officer Chitral promoted Mr. Muhammad Nawaz Settlement Assistant to the post of Settlement Tehsildar on the strength of Peshawar High Court judgment dated 18.09.2014 and Notification dated 15.10.2020 issued by the Board of Revenue. The operating part of the Peshawar High Court Peshawar is as under:-

"In view of the above concurrence of the learned counsel for the petitioner and that of the learned AAG, the Writ Petition is disposed of with direction to the concerned respondents to give effect the above referred order of Senior Member, Board of Revenue dated 19.03.2011. Petition disposed of accordingly".

4. The order dated 19.03.2011 was passed by the Senior Member Board of Revenue and the operating para of the said order is as under:-

Att. Gen.
S. Ahmad

As no promotion can be made without holding of DPC meeting as mandated in Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules, 1989. The Administrative order promoting Muhammad Nawaz Assistant is withdrawn. As a consequence he is reverted to his substantive post of Assistant with the direction to the Director Land Record to convene DPC meeting and consider the applicants and other eligible officials on merit and in accordance with law".

As far as the notification dated 15.10.2020 is concerned it was for the purpose of making appointment, selection and promotion to the post in BS-1 to BS-15 including the upgraded posts of Assistants and Computer operators found at the cadre strength of Settlement Officers in Khyber Pakhtunkhwa, and the settlement officer concerned was nominated a chairman of the committee (Annexure-K).

Importantly, in light of order dated 19.03.2011 passed by the Senior Member Board of Revenue a DPC meeting was convened under the chairmanship of Senior Member Board of Revenue to consider the promotion of the said Tehsildar, but it was decided in the meeting to refer the case to Establishment department for advice as to whether the petitioner (Muhammad Nawaz) can be promoted as Tehsildar BS-16 when there is no provision in the existing rules nor in the previous rules.

Record further reveals that The Establishment Department vide letter dated 22.09.2015 informed that the case may be taken up with the Law Department for better interpretation of court judgment. Thereafter the case was referred to Law Department vide letter dated 14.09.2015 Annexure. In response the Law Department informed that "in order to implement the judgment of Peshawar High Court, a provision providing avenue for promotion for Assistant, office of Settlement Tehsildar is to be made in the rules first and thereafter the DPC meeting is to be convened for the purpose of promotion.

From perusal of all relevant record it is crystal clear that the Fida-Ul-Karim Settlement Officer Chitral has misinterpreted / misused the judgment dated 18/09/2014 passed by the Peshawar High Court Peshawar and order dated 19.03.2011 passed by the Senior Member Board of Revenue as well as Notification dated 15.10.2020. There is still no provision in the Rules in field to promote Settlement Assistant to the post of Settlement Tehsildar.

Further, Settlement officer should have consulted previous record that if DPC chaired by then SMBR on 11/08/2015 where Mohammad Nawaz case was discussed but due to no provision in Rules, his case was referred to Establishment Department and then to Law Department for advice. Even in the presence of Rules, promotion of an Assistant to the post of Tehsildar is not the mandate of a Settlement Officer, rather it is the sole competency of Senior Member, Board of Revenue to promote an official to the post of Tehsildar/Naib Tehsildar through DPC meeting.

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RECOMMENDATIONS:

- (1) DPC meeting held on 3/2/2022 and promotion notification of Muhammad Nawaz as Settlement Tehsildar Chitral has no legal standings as the Settlement Officer Chitral has no authority of heading DPC for promotion of Settlement Assistant to Settlement Tehsildar, hence may be considered as NULL and VOID
- (2) Notification of BOR dated 15/10/2022 which Settlement Officer Chitral has based for chairing this DPC is very much clear which states that the following Departmental promotion/selection committee for the purpose of making appointments, selection and promotion to the posts from BPS-1 to BPS-15 including the upgraded post of Assistants and Computer Operators at the cadre strength of Settlement Officers in Khyber Pakhtunkhwa. In light of the above mentioned notification, Settlement Officer Chitral cannot promote Mr. Muhammad Nawaz Assistant (BPS-16) in Settlement operation Chitral to the post of Tehsildar (Settlement).
- (3) Hence the charge of illegal promotion of Mr. Muhammad Nawaz Assistant to the post of Settlement Tehsildar order dated 04/02/2020 is proved. Therefore Settlement Officer Chitral Mr. Fida ul Karim may be immediately transferred from the post of Settlement Officer, Chitral.
- (4) Proper formal inquiry may be initiated to probe the matter in details.

Report Submitted

(ATTAL MUNIM)

Secretary-I/Inquiry Officer

Attest
Q. Muhammad



GOVERNMENT OF KHYBER PAKHTUNKHWA
INSPECTOR GENERAL REGISTRATION
REVENUE & ESTATE DEPARTMENT

Phone No. 091- 9210057 FAX No. 0919213989
 Facebook ID: www.facebook.com/landrecord.kpk Twitter ID: @Landrecord.kpk

Email: landrecord.kpk@gmail.com

Peshawar dated the 3 /04/2019.

OFFICE ORDER.

No.LR-V/W.P-3108-P/Muhd: Nawaz/ 4530. In pursuance to the Judgment of Peshawar High Court Peshawar dated 14.11.2018, passed in Writ Petition No.3108-P/2018 in case titled "Muhammad Nawaz Assistant Settlement Operation Chitral & others versus Chief Secretary, Khyber Pakhtunkhwa & others" and summary duly approved by the Competent Authority, the services of the following settlement employees are hereby regularized in the Settlement Operation Chitral in the light of promulgated North-West Frontier Province Civil Servants (Amendment) Act, 2005, conditionally subject to any contrary decision in pending CPLA No.23-P/2018, before the Supreme Court of Pakistan:-

S.No.	Name of officials/Settlement Employees.
01	Mr. Muhammad Nawaz s/o Ameer Baig. Assistant office of the Settlement Officer, Chitral.
02	Mr. Saeed-ur-Rehman s/o AbiRehmat, Steno Grapher office of the Settlement Officer, Chitral.
03	Mubashir Hussain s/o Abdul, Typist office of the Settlement Officer, Chitral.
04	Ayat-ur-Rehman s/o Hazrat Yousaf Typist office of the Settlement Officer, Chitral.

Approved by
Secretary

Endst: No.LR-V/W.P-3108-P/Muhd: Nawaz/ 4531-45

Copy forwarded to the :-

- 1) Registrar, Peshawar High Court, Peshawar.
- 2) Advocate General, Khyber Pakhtunkhwa, Peshawar.
- 3) Secretary to Govt: of Khyber Pakhtunkhwa, Establishment Department.
- 4) Secretary to Govt: of Khyber Pakhtunkhwa, Finance Department.
- 5) Secretary to Govt: of Khyber Pakhtunkhwa, Law Department.
- 6) Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
- 7) Commissioner, Malakand Division, Saidusharif.
- 8) PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 9) Deputy Commissioner, Chitral.
- 10) Settlement Officer, Chitral.
- 11) District Accounts Officer, Chitral.
- 12) Officials concerned.
- 13) Office order file.

Attest

Director Land Records/
 Chief Settlement Officer.

Chief Settlement Officer



GOVERNMENT OF KHYBER PAKHTUNKHWA
REVENUE AND ESTATE DEPARTMENT

E-Mail: landrecord.kpk@gmail.com

Phone: 091-9210057

@LandrecordKP
fb.com/landrecord.kpk

Peshawar dated the 28/10/2021.

OFFICE ORDER:

No.LR-V/W.P:3108-P/2018/SO/Chitral/ 16-4-81 WHEREAS, the following officials were appointed in Settlement Operation Chitral vide order mentioned against each contractual post in Settlement Operation Chitral. Their services were later on regularized vide this office order No.LR-V/W.P-3108-P/Nawaz/4530 dated 03.04.2019 in light of Peshawar High Court judgment dated 14.11.2018 in W.P No.3108-P/2018 subject to any contrary decision of the Supreme Court of Pakistan in CPLA No.23-P/2018.

S.No	Name of Officials	Designation	Appointment Order & Dated
1.	Mr. Muhammad Nawaz S/o Ameer Baig	Assistant	No.3088/DCO/Settlement dated 17.01.2002
2.	Mr. Saeed ur Rehman S/o Abi Rehmat	Stenographer	No.3088/DCO/Settlement dated 17.01.2002
3.	Mr. Mubashir Hussain S/o Abdul	Typist	No.3088/DCO/Settlement dated 17.01.2002
4.	Mr. Ayat ur Rehman S/o Hazrat Yousaf	Typist	No.752-58/DCO/Settlement dated 12.08.2002

WHEREAS, the apex Supreme Court of Pakistan in its judgment 14.07.2021 has set aside the impugned judgment of Peshawar High Court Peshawar dated 14.11.2018.

NOW, therefore, the conditional regularization of the ibid officials vide No.LR-V/W.P:3108-P/Nawaz/4530 dated 03.04.2019 is hereby withdrawn from the date of its issuance in light of the apex court decision.

Approved by
Secretary to Government;
of Khyber Pakhtunkhwa,
Revenue & Estate Deptt.

Endst: No. & date even.

Copy forwarded for information to the:-

- 1) Registrar, Supreme Court of Pakistan, Islamabad.
- 2) Advocate General, Peshawar High Court, Peshawar.
- 3) Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
- 4) Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
- 5) Secretary to Government of Khyber Pakhtunkhwa, Law Department.
- 6) Secretary – I, Board of Revenue, Khyber Pakhtunkhwa.
- 7) Commissioner Malakand Division, Saidu Sharif Swat.
- 8) PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 9) Deputy Commissioners, Chitral Lower & Upper.
- 10) Settlement Officer, Chitral.
- 11) District Accounts Officers, Chitral Lower & Upper.
- 12) PS to Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
- 13) Officials Concerned, Settlement Operation, Chitral.

Director Land Records/
Chief Settlement Officer



Amir H. 21

GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE OF LAND RECORDS
REVENUE AND ESTATE DEPARTMENT

34

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Peshawar dated the 30/12/2022

NOTIFICATION:

No. LR-V/SO/Reg/Chitral/ 8215-23 In pursuance of the Khyber Pakhtunkhwa Regularization of Services of Employees of Settlement Operation and Revenue Academy Act, 2022 vide No: PA/Khyber Pakhtunkhwa/Bills-238-2022/11631 dated 12-06-2022 and decisions taken in the meeting of scrutiny committee in the meeting dated 01-12-2022, the services of the following Employees of Settlement Operation District Chitral (Upper & Lower) are hereby regularized against the post and w.e.f the date of their initial recruitment, noted against each till the commencement of Act ibid on the terms & conditions given below:

S.No	Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
1.	Muhammad Nawaz S/o Amir Baig	Assistant (BPS-16)	17.01.2002	Settlement Chitral	Promotion Order as Tehsildar withdrawn/null & void with recovery of financial benefits etc. received in this regards.
2.	Said Ur Rehman S/o Abi Rehmat	Stenographer (BPS-14)	17.01.2002	Settlement Chitral	Promotion Order as Assistant withdrawn/null & void with recovery of financial benefits etc. received in this regards.
3.	Inayat Ullah S/o Gul Zareen	Settlement Naib Tehsildar (BPS-14)	08.03.2004	Settlement Chitral	Approved
4.	Muhammad Fateh Alam S/o Maqsood Alam Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
5.	Muhammad Shabir Khan S/o Abdul Haq	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
6.	Mir Alam Khan S/o Abdul Haq	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
7.	Abid ur Rehman S/o Abdur Rehman	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
8.	Abdur Razaq S/o Abdur Rabi	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
9.	Fazal Jalil S/o Rahmat Jalil	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
10.	Syed Ahmed S/o Sarwar Ali Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
11.	Sami Ullah S/o Abdul Hamid	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
12.	Zia ud Din S/o Quran Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
13.	Ghafar ud Din S/o Abdul Ghafar Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
14.	Muhammad Alam S/o Muhabat Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved

ATERS
S. J. J. J.

No	Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
15.	Riaz Ahmed S/o Muhammad Ghazi Shah	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
16.	Muhammad Habib Shah S/o Muhammad Sahib Shah	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
17.	Siraj Khan S/o Buzurg Shah	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
18.	Mehmood Khan S/o Muhammad Zaman	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
	Shabir ud Din S/o Abdul Aziz	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
20.	Abdur Rahim S/o Mukaram Shah	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
21.	Javid Akhtar S/o Abdul Baqi	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved subject to production of Kgo passed Certificate.
22.	Najum ud Din S/o Gulab Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
23.	Akhtar Murad S/o Abdul Murad Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
24.	Khair Shah S/o Shakoor Man Shah	Settlement Kgo: (BPS-11)	05.08.2002	Settlement Chitral	Approved
25.	Ashraf Hussain S/o Amir Baig	Settlement Kgo: (BPS-11)	13.07.2006	Settlement Chitral	Approved
26.	Syed Ali Shah S/o Syed Murad Shah	Settlement Kgo: (BPS-11)	08.03.2004	Settlement Chitral	Approved
27.	Sharif ud Din S/o Jalal ud Din	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
28.	Sher Afzal Khan S/o Bul Bul Wali Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
29.	Abdul Ghafoor S/o Mir Wazir Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
30.	Sher Aziz Khan S/o Ahmad Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
31.	Abdul Nasir S/o Mulaim Shah	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
32.	Mumtaz Karim S/o Dinar Khan	Settlement Kgo: (BPS-11)	31.05.2005	Settlement Chitral	Approved
33.	Nisar Ahmed S/o Khair Muhammad	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
34.	Asif Iqbal S/o Zarwali Khan	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
35.	Masroor Ahmed S/o Bashir Ahmed	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
36.	Fatah ul Anam S/o Saeed ul Anam	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
37.	Hidayat Wali S/o Hidayat Ullah	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
38.	Sultan Murad Khan S/o Abdul Murad Khan	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
39.	Riaz ud Din S/o Muhammad Wali Khan	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
40.	Shakir Ahmed S/o Rehmat Faqir	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved

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Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
Manzoor Ahmed Baig S/o Abdul Qayum Baig	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
Safi ur Rehman S/o Aziz ur Rehman	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
Imtiaz S/o Mehrab Wali	Settlement Patwari (BPS-09)	27.08.2002	Settlement Chitral	Approved
Iltaf Hussain S/o Nazim ud Din	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
Aziz Ahmed S/o Ghulam Dastagir	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
Iqbal ud Din S/o Muhammad Zafar	Settlement Patwari (BPS-09)	11.02.2006	Settlement Chitral	Approved
Abid Ahmed Baig S/o Ghulam Awlia	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Riaz Ahmed S/o Hakim Muhammad	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Nisar Muhammad S/o Adina Muhammad	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Shakil Ahmed S/o Muhammad Nazir Khan	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Tamiz ud Din S/o Barat Shah	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Mehboob ur Rehman S/o Inayat ur Rehman	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Murtaza Ali S/o Muhammad Ali	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
Nazir ur Rehman S/o Safi ur Rehman	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
Waqar Ahmed S/o Rahmat Ullah	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
Haji Murad S/o Mirzaman Shah	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
Imran Khar S/o Hajeab Ullah Khan	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
Ghulam Ullah S/o Ghulam Hazrat	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
Issa Wali S/o Badshah Wali	Settlement Patwari (BPS-09)	03.01.2005	Settlement Chitral	Approved
Muhammad Ayaz S/o Gul Afsar Khan	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
Sajeed ur Rehman S/o Abdul Jamil	Settlement Patwari (BPS-09)	20.07.2007	Settlement Chitral	Approved
Aziz Ahmed S/o Sher Muhammad	Settlement Patwari (BPS-09)	03.01.2005	Settlement Chitral	Approved
Mujeb ur Rehman S/o Muhammad Sabir	Settlement Patwari (BPS-09)	27.05.2008	Settlement Chitral	Approved
Maqsood Azad S/o Nusrat Azad	Settlement Patwari (BPS-09)	27.05.2008	Settlement Chitral	Approved
Muhammad Shaukat Ali Khan S/o Muhammad Nadir Khan	Settlement Patwari (BPS-09)	27.05.2008	Settlement Chitral	Approved
Saud Ahmed Azad S/o Nusrat Azad	Settlement Patwari (BPS-09)	13.06.2008	Settlement Chitral	Approved
Wahid Ahmed Khan S/o Haji Akbar Khan	Settlement Patwari (BPS-09)	16.03.2010	Settlement Chitral	Approved
Zahir Abbas S/o Amir Nawaz	Settlement Patwari (BPS-09)	01.12.2010	Settlement Chitral	Approved

M. A. Khan
S. Ahmad

No	Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
69.	Muhammad Aftab Younas S/o Muhammad Younas	Settlement Patwari (BPS-09)	31.08.2012	Settlement Chitral	Approved
70.	Muhammad Umar S/o Dinar Khan	Settlement Patwari (BPS-09)	31.08.2012	Settlement Chitral	Approved
71.	Ihtesham ul-Haq S/o Abdul Wali	Settlement Patwari (BPS-09)	31.08.2012	Settlement Chitral	Approved
72.	Asad ur Rehman S/o Salaar Khan	Settlement Patwari (BPS-09)	31.08.2012	Settlement Chitral	Approved
73.	Muhammad Kaleem Ullah S/o Muhammad Yousaf Khan	Settlement Patwari (BPS-09)	03.09.2012	Settlement Chitral	Approved
74.	Zahid Hussain S/o Abdul Jabbar	Settlement Patwari (BPS-09)	14.09.2012	Settlement Chitral	Approved
75.	Akram Ullah S/o Kirayat Ullah	Settlement Patwari (BPS-09)	14.09.2012	Settlement Chitral	Approved
76.	Mujeeb Ullah S/o Muhammad Sher Man	Settlement Patwari (BPS-09)	11.11.2014	Settlement Chitral	Approved
77.	Khalil Ahmed S/o Nazir Muhammad	Settlement Patwari (BPS-09)	11.11.2014	Settlement Chitral	Approved
78.	Inam ur Rehman S/o Abd ur Rehman	Settlement Patwari (BPS-09)	03.08.2015	Settlement Chitral	Approved
79.	Shams Ahmed S/o Hilal Ahmed	Settlement Patwari (BPS-09)	10.11.2015	Settlement Chitral	Approved
80.	Sher Jahar Khan S/o Shukri Man Khan	Settlement Patwari (BPS-09)	06.04.2016	Settlement Chitral	Approved
81.	Sajid Jan S/o Gul Yousaf	Settlement Patwari (BPS-09)	06.04.2016	Settlement Chitral	Approved
82.	Muhammad Ishfaq S/o Ali Yar Khan	Settlement Patwari (BPS-09)	01.07.2013	Settlement Chitral	Approved
83.	Hamid Ullah S/o Aman Khan	Settlement Patwari (BPS-09)	17.01.2002	Settlement Chitral	Approved
84.	Muhammad Rashid ud Din S/o Shuja Noor	Settlement Patwari (BPS-09)	05.08.2002	Settlement Chitral	Approved
85.	Sami ud Din S/o Ghazi ud Din	Settlement Patwari (BPS-09)	27.08.2019	Settlement Chitral	Approved
86.	Sadiq Akbar S/o Sher Akbar	Settlement Patwari (BPS-09)	27.08.2019	Settlement Chitral	Approved
87.	Sikandar Khan S/o Karim Khan	Settlement Patwari (BPS-09)	03.01.2005	Settlement Chitral	Approved
88.	Nawab Khan S/o Faqeer Khan	Settlement Patwari (BPS-09)	01.03.2022	Settlement Chitral	Approved
89.	Iqbal Hussain S/o Inayat Ullah	Settlement Patwari (BPS-09)	01.03.2022	Settlement Chitral	Over Aged, not approved, but subject to Age relaxation.
90.	Naeem ud Din S/o Aziz Ud Din	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
91.	Abdul Ahad S/o Abdul Samad	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
92.	Javed Iqbal S/o Noor Muhammad Khan	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
93.	Nasir Ali Shah S/o Noor Wali Shah	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
94.	Zafar Ullah Khan S/o Ghulam Sarwar	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
95.	Shahzad Ahmad S/o Jambiro Khan	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
96.	Khalid Pervez S/o Muhammad Musa Khan	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved

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Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
97. Sher Aziz Khan S/o Sher Alam Khan	Settlement Patwari (BPS-09)	31.05.2005	Settlement Chitral	Approved
98. Syed Hasssan Nabi Shah S/o Mirza Hassan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
99. Ihsan ul Haq S/o Moula Negah	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
100. Miraj ud Din S/o Bulan Khan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
101. Anwar Khan S/o Zan Khan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
102. Mujeb Ali Khan S/o Shubarak Khan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
103. Asghar Ali Juma S/o Juma Khan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
104. Ali Hazoor S/o Sulieman Shah	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
105. Habib ur Rehmani S/o Sher Khan	Settlement Patwari (BPS-09)	31.12.2005	Settlement Chitral	Approved
106. Muieeb ur Rehman S/o Muhammad Khan	Settlement Patwari (BPS-09)	02.01.2006	Settlement Chitral	Approved
107. Syed Abbas Ali Shah S/o Sulta Wali Shah	Settlement Patwari (BPS-09)	11.02.2006	Settlement Chitral	Approved
108. Tanveer Hayat S/o Sher Zaman	Settlement Patwari (BPS-09)	13.07.2006	Settlement Chitral	Approved
109. Muhammad Alam S/o Jamal Pana	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
110. Aftab Rahim S/o Sher Rahim	Settlement Patwari (BPS-09)	06.11.2003	Settlement Chitral	Approved
111. Abdul Majeed S/o Abdullah Jan	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
112. Abdul Majeed S/o Wori Muhammad Khan	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
113. Imtiaz ud Din S/o Miftah ud Din	Settlement Patwari (BPS-09)	01.03.2007	Settlement Chitral	Approved
114. Amin Ullah S/o Tamim Khan	Settlement Patwari (BPS-09)	02.03.2007	Settlement Chitral	Approved
115. Amir Ali Khan S/o Ali Nawaz Khan	Settlement Patwari (BPS-09)	25.04.2007	Settlement Chitral	Approved
116. Jafar Ali S/o Muzafar Khan	Settlement Patwari (BPS-09)	13.06.2007	Settlement Chitral	Approved
117. Muhammad Miraj ud Din S/o Mir Quwat khan.	Settlement Patwari (BPS-09)	20.07.2007	Settlement Chitral	Approved
118. Sardar Nawaz S/o Fazli Madad	Settlement Patwari (BPS-09)	20.07.2007	Settlement Chitral	Approved
119. Muhammad Ibrahim S/o Wori Mast Khan	Settlement Patwari (BPS-09)	06.11.2003	Settlement Chitral	Approved
120. Abdul Wali Shah S/o Rahmat Shah	Settlement Patwari (BPS-09)	03.01.2005	Settlement Chitral	Approved
121. Abdul Wasi S/o Abdul Wakil	Settlement Patwari (BPS-09)	03.01.2005	Settlement Chitral	Approved
122. Shafi ud Din S/o Nohran ud Din	Settlement Patwari (BPS-09)	06.11.2003	Settlement Chitral	Approved
123. Imran Khan S/o Dashman Daq	Settlement Patwari (BPS-09)	30.06.2005	Settlement Chitral	Approved
124. Shuja ur Rehman S/o Latif ur Rehman.	Settlement Patwari (BPS-09)	31.08.2012	Settlement Chitral	Approved

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Name of Employee with Parentage	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
Muhammad Monawar S/o Dawgi Khan	Settlement Patwari (BPS-09)	16.11.2012	Settlement Chitral	Approved
26. Abdullah Jan S/o Gulsambar Khan	Settlement Patwari (BPS-09)	30.06.2005	Settlement Chitral	Approved
127. Ali Akbar Ta' S/o Meluri Ali Khan	Settlement Patwari (BPS-09)	14.01.2013	Settlement Chitral	Approved
128. Bashir Ahmad S/o Faiz Muhammad	Settlement Patwari (BPS-09)	31.03.2007	Settlement Chitral	Approved
129. Noor Akbar Shah S/o Faiz Akbar Shah	Settlement Patwari (BPS-09)	13.08.2007	Settlement Chitral	Approved
130. Akram Ullah S/o Eid Ghazi	Settlement Patwari (BPS-09)	13.08.2007	Settlement Chitral	Approved
131. Ayat ur Rehman S/o Hazrat Yousaf	Typist (BPS-07)	12.08.2002	Settlement Chitral	Approved
132. Mubashir Hassan S/o Abdul	Typist (BPS-07)	17.01.2002	Settlement Chitral	Approved
133. Ali Nawaz Khan S/o Sher Nawaz Khan	Typist (BPS-07)	17.01.2002	Settlement Chitral	Approved
134. Amir Abbas S/o Haji Khan	Driver (BPS-07)	04.01.2005	Settlement Chitral	Approved
135. Muhammad S/o Abdul Wadood	Jareeb Kash (BPS-03)	17.01.2002	Settlement Chitral	Approved
136. Sikandar Khan S/o Samandar Khan	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
137. Muhammad Dawood S/o Sulieman Shah	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
138. Umar Farooq S/o Muhammad Ayub Khan	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
139. Muhammad Idrees S/o Balintas	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
140. Juma Khan S/o Wali	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
141. Shams ul Bari S/o Abdur Rabi	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
142. Hamid ur Rehman S/o Abdur Rehman	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
143. Muhammad Ishaq S/o Mansoor Ali Khan	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
144. Habib-Ullah S/o Jannat Gul	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
145. Muhammad Ali Khan S/o Haji Jamaladar Khan	Jareeb Kash (BPS-03)	05.08.2002	Settlement Chitral	Approved
146. Ghazi Aman Ullah S/o Ghazi Hakim	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
147. Fazal Haq S/o Rahmat Jalil	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
148. Shafr Ullah S/o Muhammad Wazir	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
149. Atta ur Rehman S/o Khalil ur Rehman	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
150. Sikandar Hayat S/o Sikandar Wali	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
151. Noor Elahi S/o Syed Muhammad Shah	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
152. Hamid ur Rehman S/o Abdul Murad	Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved

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Name of Employee	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
153. Amir Rehman S/o Mir Rehman	Jareeb Kash (BPS-03)	11.01.2005	Settlement Chitral	Approved
154. Rashid Hussain S/o Hazrat Hussain	Jareeb Kash (BPS-03)	30.06.2005	Settlement Chitral	Approved
155. Mehmood Riaz S/o Amin ul Haq	Jareeb Kash (BPS-03)	31.12.2005	Settlement Chitral	Approved
156. Ansar Elahi S/o Fazal ur Rehman	Jareeb Kash (BPS-03)	31.05.2006	Settlement Chitral	Approved
157. Shams ud Din S/o Durjama Khan	Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
158. Fazal Wadood S/o Zar Muhammad	Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
159. Muhammad Naeem S/o Mir Zaman Khan	Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
160. Mumtaz S/o Muhammad Anwar Shah	Jareeb Kash (BPS-03)	12.06.2007	Settlement Chitral	Approved
161. Muhammad Ilyas Baig S/o Muhammad Salar Khan	Jareeb Kash (BPS-03)	23.07.2007	Settlement Chitral	Approved
162. Hidayat Ullah S/o Muhammad Wali Khan	Jareeb Kash (BPS-03)	20.02.2008	Settlement Chitral	Approved
163. Yousaf Wali Shah S/o Muhammad Khan	Jareeb Kash (BPS-03)	24.07.2008	Settlement Chitral	Approved
164. Muhammad Hussain S/o Mehrab Ghulam	Jareeb Kash (BPS-03)	13.03.2009	Settlement Chitral	Approved
165. Noor ur Rehman S/o Hazrat Yousaf	Jareeb Kash (BPS-03)	20.08.2020	Settlement Chitral	Approved
166. Jehan Shah S/o Amir Wali Shah	Jareeb Kash (BPS-03)	20.08.2020	Settlement Chitral	Approved
167. Qadir Wali Shah S/o Bumbak	Naib Qasid/ Jareeb Kash (BPS-03)	06.11.2003	Settlement Chitral	Approved
168. Nizar Ali Khan S/c Qurban Khan	Naib Qasid/ Jareeb Kash (BPS-03)	06.11.2003	Settlement Chitral	Approved
169. Sartaj Alam S/o Mir Alam	Naib Qasid/ Jareeb Kash (BPS-03)	06.11.2003	Settlement Chitral	Approved
170. Shams ul Bashir S/o Bul Khan	Naib Qasid/ Jareeb Kash (BPS-03)	06.11.2003	Settlement Chitral	Approved
171. Nadir Muhammad Khan S/o Mir Murad	Naib Qasid/ Jareeb Kash (BPS-03)	03.01.2005	Settlement Chitral	Approved
172. Atta ur Rehman S/o Muhammad Sharif Khan	Naib Qasid/ Jareeb Kash (BPS-03)	31.05.2006	Settlement Chitral	Approved
173. Fazal Akbar S/o Ali Akbar	Naib Qasid/ Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
174. Najum Ullah S/o Habib ur Rehman	Naib Qasid/ Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
175. Anwar ud Din S/o Muhammad Kozi Shah	Naib Qasid/ Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
176. Sana Ullah S/o Abdur Rehman Khan	Naib Qasid/ Jareeb Kash (BPS-03)	31.03.2007	Settlement Chitral	Approved
177. Niazam ud Din S/o Iqbal Nageen	Naib Qasid/ Jareeb Kash (BPS-03)	13.08.2007	Settlement Chitral	Approved
178. Hafeez Ahmad S/c Muhammad Suban	Naib Qasid/ Jareeb Kash (BPS-03)	13.08.2007	Settlement Chitral	Approved
179. Sharif Ullah S/o Hakim Ullah	Naib Qasid/ Jareeb Kash (BPS-03)	20.08.2007	Settlement Chitral	Approved

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Sl. No.	Name	Post (BPS)	Date of 1 st Appointment	Place of Posting	Remarks
181	Muhammad Hussain S/o Muhammad Ghulora Khan	Naib Qasid/ Jareeb Kash (BPS-03)	15.11.2007	Settlement Chitral	Approved
182	Saif Ullah Shah S/o Jabal Shah	Naib Qasid/ Jareeb Kash (BPS-03)	05.12.2009	Settlement Chitral	Approved
183	Muhammad Manzoor S/o Muhammad Sharif Khan	Naib Qasid/ Jareeb Kash (BPS-03)	21.03.2014	Settlement Chitral	Approved
184	Fida Muhammad Khan S/o Ali Muhammad	Naib Qasid/ Jareeb Kash (BPS-03)	04.02.2015	Settlement Chitral	Approved
185	Hashim Ullah S/o Ibrahim	Naib Qasid/ Jareeb Kash (BPS-03)	02.01.2017	Settlement Chitral	Approved
	Sher Nawaz Khan S/o Bulbul Khan	Naib Qasid/ Jareeb Kash (BPS-03)	22.11.2018	Settlement Chitral	Approved

TERMS & CONDITIONS:

- Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa Regularization of Services of the Employees of Settlement Operations and Revenue Academy Act, 2022, and such other laws and rules which may be framed, from time to time by the Government.
- Their services will be considered regularly and they will be eligible for pensionary benefits/deduction of GP/CP Funds etc. in terms of Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended from time to time and rules framed thereunder.
- Their services are liable to termination on one month notice from either side. In case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
- They shall possess the same qualification and experience required for the subject post on regular basis as specified in Section-3 (2) of the Act.
- Their regularization shall not affect the service promotion quota of any other service or cadre as specified in Section-3 (2) of the Act.
- They shall be entitled for seniority and pay from the date of initial appointment on Adhoc/Contract basis as specified in Section-5 of the Act.
- They will be on Probation for a period of one year extendable for another year on any ground before confirmation of their services.
- The employees who were not in service on the date of commencement of Khyber Pakhtunkhwa Regularization of Services of the Employees of Settlement Operations and Revenue Academy Act, 2022, will not be regularized.
- They will possess the qualification and will qualify any training/course or departmental examination required for the post against which they are regularised.
- Settlement Officers/Deputy Commissioners are directed to check/verify the educational documents/credentials of all the employees under regularization.

Approved by
Senior Member, Board of Revenue
Khyber Pakhtunkhwa

Encl: No. & date even.

Copy for information & necessary action is forwarded to the:-

1. Commissioner Malakand Division.
2. PSO to Chief Minister, Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Secretary-I, Board of Revenue, Khyber Pakhtunkhwa.
5. Deputy Commissioner, Chitral Upper.
6. Deputy Commissioner Chitral Lower.
7. Settlement Officer, Chitral.
8. Senior PS to Senior Member Board of Revenue, Khyber Pakhtunkhwa.
9. District Account Officer, Chitral Upper.
10. District Account Officer, Chitral Lower.
11. PA to Director Land Records, Khyber Pakhtunkhwa.

Director Land Records
Khyber Pakhtunkhwa