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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EXECUTION NO _____

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Rahim shah vs Police

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Muharrir
Muharrir/Compilation

Incharge
Incharge Judicial Branch 12/7/24

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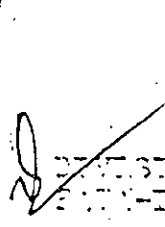
OFFICE ORDER NO: 90 DATED 30/06/1999, ISSUED BY MUHAMMAD SAADI
DIVISIONAL FOREST OFFICER, BATA-I FOREST DIVISION, PESHAWAR.

The period of Developmental Scheme Water Shed Mang; in
Bajaur Agency stand expired on 30.06.1999, therefore the services
of Mr. Kifayat ullah F/gd: is hereby terminated w.e.f 30.06.1999
this is with reference to notice No. 2097/E dated 07-05-1999
already served upon him.

sd/-
(MUHAMMAD SAADI)
DIVISIONAL FOREST OFFICER
BATA-I FOREST DIVISION,
PESHAWAR.

No. 2781-⁴⁵ /E,

- Copy in continuation of this order No. 2098-2100/E
dated 7-6-99. forwarded for information and necessary action to:-
1. The Conservator of Forests BATA/Forest Forestry Circle Peshawar.
 2. Range Forest Officer Bajaur at khar.
 3. Mr. kifayat ullah Forest Guard.
 4. Divisional Accountant.
 5. Personal File.


DIVISIONAL FOREST OFFICER,
BATA-I FOREST DIVISION,
PESHAWAR.

THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT, SWAT.

Service Appeal No. 7712/2021

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)
MISS FAREEHA PAUL ... MEMBER(E)

Rahim Shah S/O Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Lines at Kabal), Tehsil Kabal, District Swat.
.....(Appellant)

Versus

1. Assistant Director NADRA at Rahim Abad, Swat.
2. Director NADRA, at Rahim Abad, District Swat.
3. Chairman NADRA at NADRA Headquarter, Sector G-5/2 State Bank Building, Islamabad.
4. Deputy Registrar, NADRA at Peshawar.
5. District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat.
6. Regional Police Officer, Malakand Division Saidu Sharif, Swat.
7. Inspector General of Police, Khyber Pakhtunkhwa at Peshawar.
8. District Accounts Officer, Swat.

.....(Respondents)

S. Ishtiaq Alam Mazhar,
Advocate

... For appellant

Mr. Muhammad Jan,
Deputy District Attorney

... For respondents

Date of Institution	01.11.2021
Date of Hearing	07.05.2024
Date of Decision	07.05.2024

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KPST
Peshawar

JUDGEMENT

FAREEHA PAUL, MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 for the correction of date of birth of the appellant in computerized national identity card as well as in service record. It has been prayed that on acceptance of the instant service appeal, the incorrect date of birth of the appellant mentioned as 01.01.1966 in the CNIC and in service record might be



corrected as 20.03.1970 and the same be inserted in the CNIC and entire service record of the appellant, alongwith any other just and appropriate remedy not specifically prayed for.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was appointed as Special Force Constable who was later on regularized by the competent authority. He came to know that in his CNIC his date of birth was wrongly/inadvertently mentioned as 01.01.1966 due to which the wrong date of birth was entered in the entire service record while his correct date of birth was 20.03.1970 as per his school leaving certificate. He filed a civil suit for the correction of his date of birth mentioned in the CNIC as 1966 before the civil court which was dismissed by the said court. The appellant filed an application to respondent No. 5 and then to respondent No. 6 but in vain; hence the instant service appeal.

3. Respondents were put on notice. Respondents No. 1 to 4 submitted written reply through their Law Officer, while respondents No. 5, 6 and 7 submitted their joint parawise comments on the appeal. Respondent No. 8 was placed ex-parte vide order sheet dated 08.02.2023. We heard the learned counsel for the appellant as well as learned District Attorney for the respondents and perused the case file with connected documents in detail.

4. Learned counsel for the appellant, after presenting the case in detail, argued that inaction of the respondents was illegal. The application of the appellant was genuine and based on admitted and proved facts and was within time but the respondents illegally and unlawfully ignored the applications by not deciding the same in accordance with law and rules. He argued that actual



date of birth of the appellant was 20.03.1970, which was clear from the school record which was not considered by the competent court of law. Respondents entered wrong date of birth of the appellant as 01.01.1966 in the CNIC & service record of the appellant which was illegal and against the real facts and circumstances. He further argued that the appellant served the Police Department for 11 years and because of wrong entry of date of birth, he would suffer irreparable loss in future without any fault on his part. He requested that the appeal might be accepted as prayed for.

5. Learned District Attorney, while rebutting the arguments of learned counsel for the appellant, argued that the appellant was enlisted as Constable in the year 2009. According to his CNIC No. 15602-7269206-3, his date of birth was 01.01.1966 which was issued to him on 22.05.2006 and was valid up to 30.04.2016. On the basis of the same CNIC, he was enlisted in Police Department and his date of birth was correctly recorded in his service book as per the CNIC provided by him at the time of enlistment. He argued that the date of birth once entered in service book could only be rectified or modified within two years of enlistment but the appellant failed to do so and the same could not be rectified at any belated stage. He requested that the appeal might be dismissed.

06. The instant appeal has been preferred before this Tribunal for correction of date of birth of the appellant in his CNIC and service record. Arguments and record presented before us transpire that the appellant was appointed in the respondent department as Constable on contract basis, initially for a period of two years, in 2009. His contract was extended and later on, he was regularized



on 09.12.2019. At the time of his appointment, he was in possession of CNIC on which his date of birth was mentioned as 01.01.1966. That CNIC was issued to him on 22.05.2006 and was valid up to 30.04.2016. After expiry of that card, a fresh card was issued to him on 07.10.2017, which was valid upto 07.10.2027. On the second CNIC, his date of birth was the same as in the previous one, i.e 01.01.1966. One fails to understand that if the date of birth was recorded wrong in the CNIC, why did the appellant not get it corrected in 2006, when the first CNIC was issued to him? Even while applying for the fresh CNIC, after expiry of the old one, he did not bother to get the date of birth corrected. Service appeal shows that he filed a civil suit, for correction of his date of birth, before the Civil Judge VII Swat, but the same was returned on his own request that he wanted to pursue the matter before the competent forum. Perusal of the judgment dated 28.07.2021 of Hon'ble Civil Judge VII, Swat shows that one part of the prayer of the appellant was to the extent of correction of date of birth in his CNIC, which was purely in the domain of the civil court but on his own request, the court returned his suit to him to pursue before the Service Tribunal, being the competent forum, as he was a civil servant. That act on the part of the appellant was wrong as this Tribunal does not have the authority to alter the date of birth in the CNIC. The appellant is, therefore, debarred from his own conduct. As far as the date of birth in the service record is concerned, it depends on the date of birth as mentioned in the CNIC.


7. While coming to the change in the date of birth in the service record, the directions of the provincial government are extremely clear that any request by a government servant to change his date of birth would be entertained, after




special inquiry, only if he applies for it within two years from the date of his entry into government service. In case of the appellant, he entered into government service in 2009 and therefore he was bound to get his date of birth corrected within two years, which he failed to do. Now, his request cannot be entertained at such a belated stage.

8. In view of the above discussion, the appeal in hand is dismissed being groundless. Cost shall follow the event. Consign.

9. *Pronounced in open court in Camp Court, Swat and given under our hands and seal of the Tribunal this 07th day of May, 2024.*


(FAREEHA PAUL)
Member (E)
Camp Court, Swat.


(RASHIDA BANO)
Member(J)
Camp Court, Swat.


FazleSubhan P.S


SA 7712/2021

07th May, 2024 01. S. Ishtiaq Alam Mazhar, Advocate for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present. Arguments heard and record perused.

02. Vide our detailed judgment consisting of 05 pages, the appeal in hand is dismissed being groundless. Cost shall follow the event. Consign.

03. *Pronounced in open court at camp court, Swat and given under our hands and seal of the Tribunal on this 07th day of May, 2024.*


(FAREEHA PAUL)
Member(E)
Camp Court, Swat


(RASHIDA BANO)
Member(J)
Camp Court, Swat

Fazal Subhan PS

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Peshawar

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06th March, 2024

1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant seeks adjournment being not prepared for arguments today. Adjourned. To come up for arguments on 06.05.2024 before the D.B at Camp Court Swat.

Parcha Peshi given to the parties.



(Salah-ud-Din)
Member (J)
Camp Court Swat



(Kalim Arshad Khan)
Chairman
Camp Court Swat

Naeem Amin

06.05.2024 01. Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

02. Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Absolute last chance is given to the parties for arguments, failing which no other opportunity will be granted and the case will be decided without the arguments. To come up for arguments on 07.05.2024 before the D.B at camp court, Swat. PP given to the parties.



(Fareeha Paul)
Member(E)
Camp Court, Swat.



(Rashida Bano)
Member(E)
Camp Court Swat


Fazle Subhan, P.S

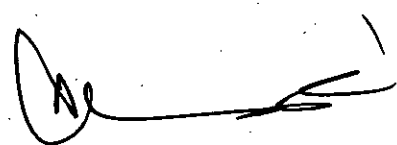
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04th April, 2023

1. None present on behalf of the appellant. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.
2. Today nobody put appearance on behalf of the appellant despite repeated calls at different intervals till rising of the court, therefore, the instant appeal is dismissed in default. Consign.
3. *Pronounced in open court in Swat and given under our hands and seal of the Tribunal on this 04th day of April, 2023.*

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(Salah-ud-Din)
Member (J)
Camp Court Swat



(Kalim Arshad Khan)
Chairman
Camp Court Swat

04.01.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Respondents are directed to submit entire record of the appellant within ten days. Adjourned. To come up for arguments on 06.03.2024 before D.B at camp court swat. P.P given to the parties.

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(Salah-ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman
Camp Court, Swat

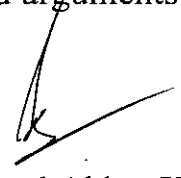
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08.02 2023

Appellant in person present. Mr. Asif Masood Ali Shah, alongwith Mr. Fawad, Law Officer on behalf of respondents present.

Reply/comments on behalf of respondents No. 5 to 7 have already been submitted. Reply/comments on behalf of respondents No. 1 to 4 submitted today which are placed on file. Copy of the same handed over to the appellant. Today there is nobody present on behalf of respondent No. 8 nor submitted reply/comments. The time provided in Rule-12 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 for filling reply is seven days before the date fixed but despite providing opportunity, respondent No. 8 has not filed the comments, therefore, respondent No. 8 placed ex-parte and right to file reply/comments stands struck of. To come up for rejoinder, if any, and arguments on 04.04.2023 before D.B at camp court Swat.

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(Muhammad Akbar Khan)
Member (E)
Camp Court Swat




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04th Jan. 2023

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the official respondents present.

Reply/comments on behalf of the official respondents still not submitted. Learned AAG requested for further time. Last opportunity is granted. To come up for written reply/comment on 08.02.2023 before the S.B at camp court Swat.

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(Fareena Paul)
Member(E)
(Camp Court, Swat)

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04.10.2022

Appellant with counsel present.

Mr. Riaz Khan Painsdakhel, learned Assistant Advocate General present. Ali Rehman Inspector for respondents No.5 to 7 present. Nemo for respondents No.1 to 4 and 8.

Reply on behalf of respondents No.5 to 7 already submitted. On the previous date office was directed to issue notice to respondents No.1 to 4 & 8 but due to non-availability of envelopes and tickets, the same were not served. Appellant is directed to submit envelopes and tickets for notice to the said respondents. To come up for reply/comments on 09.11.2022 before S.B at Camp Court, Swat.

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(Rozina Rehman)
Member (J)
Camp Court Swat

10th Nov, 2022

Due to public holiday on account of Allama Iqbal Day, the case is adjourned to 07.12.2022 for the same as before.

**SCANNED
KPST
Peshawar**

Reader

07.12.2022

Tour is hereby cancelled, therefore, the case is adjourned to 04.01.2023 for the same as before.

Reader

05.04.2022

Nemo for the appellant. Mr. Ali Rehman, Inspector (Legal) alongwith Mr. Riaz Ahmed Painsdakhel, Assistant Advocate General for the respondents present and sought further time for submission of written reply/comments. Adjourned. To come up for submission of written reply/comments on 12.05.2022 before the S.B at Camp Court Swat.

Notice also be issued to appellant/counsel for the appellant for the date fixed.




(Salah-Ud-Din)
Member (J)
Camp Court Swat

12.05.2022

Appellant in person present. Mr. Ali Rehman, S.I (Legal) on behalf of respondents No. 5 to 7 alongwith Mr. Noor Zaman Khattak, District Attorney present. None present on behalf of respondents No. 1 to 4 & 8.

Para-wise reply on behalf of respondents No. 5 to 7 submitted, which is placed on file.

Notices be issued to respondents No. 1 to 4 & 8 through registered post with the directions to submit written reply/comments on the next date positively. Adjourned. To come up for submission of written reply/comments on behalf of respondents No. 1 to 4 & 8 on 04.07.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)
Member (J)
Camp Court Swat

04.07.2022

Appellant alongwith counsel person. Mr. Noor Zaman, District Attorney present.

Written reply/comments on behalf of respondents No. 5 to 7 has already been submitted.

On previous date notices were not issued due to lack of funds. Therefore, fresh notices be issued to respondents No. 1 to 4 & 8 for submission of written reply/comments on the next date positively. To come up for reply/comments on 02.08.2022 before D.B at camp court, Swat.

(Fareeha Paul)
Member (E)
Camp Court, Swat

2.8.22

Due to summer vacation the case is adjourned to 6-9-22 for the court.

06.09.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Pindakhel, Assistant Advocate General alongwith Mr. Muhammad Mousa, H.C for respondents No. 5 to 7 present. None present on behalf of respondent No. 1 to 4 & 8.

Reply/comments on behalf of respondents No. 5 to 7 have already been submitted. Reply/comments on behalf of respondents No. 1 to 4 & 8 are still awaited. Previous date was changed on the strength of Reader's Note, therefore, notice be issued to respondents No. 1 to 4 & 8 for submission of reply/comments. Last opportunity is granted. Adjourned. To come up for reply/comments of respondents No. 1 to 4 & 8 before the S.B on 04.10.2022 before S.B.

(Mian Muhammad)
Member (E)
Camp Court Swat


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05.01.2022

Appellant alongwith his counsel present. Preliminary arguments heard.

Points raised need consideration, therefore, the appeal in hand is admitted to regular hearing subject to all just and legal objections including the question of limitation. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 08.02.2022 before the S.B at Camp Court Swat.


Appellant Deposited
Security & Process Fee
10/1/22



(Salah-Ud-Din)
Member (J)
Camp Court Swat

08.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 05.04.2022 for the same as before at Camp Court Swat.



Reader

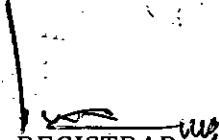
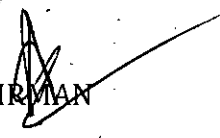
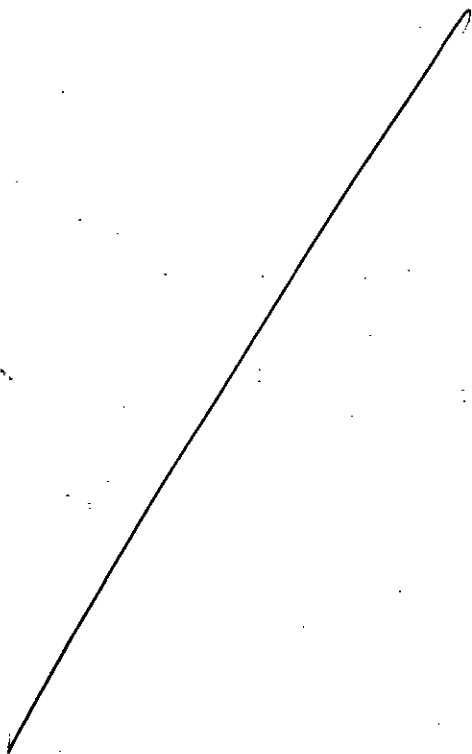
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Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 7712 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/11/2021	<p>The appeal of Mr. Rahim Shah presented today by Mr. Syed Ishtiaq Alam Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Swat for preliminary hearing to be put up there on <u>05/01/22</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 

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BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST

Case Title: Rahim Shah vs DPO Swat

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Syed Ishtiaq Khan Adv.</u>		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?		✓
16.	Whether appeal contains cuttings/overwriting?		✓
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Syed Ishtiaq Alam

Signature: JSIAM

Dated: 1/11/2021

17

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 7712 of 2018

Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

VERSUS

SCANNED
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District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat

.....Respondents

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4.	Addresses of the parties	-	6
5.	Application for condonation of delay	-	7
6.	Copy of appointment order	"A"	8
7.	Copies of CNIC Service record & School certificate	"B, C & D"	9-13
8.	Copies of plaint and order/ judgment	"E & F"	14-19
9.	Copies of application	"G & H"	20, 21
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Appellant

Through Counsel

Syed Ishtiaq Alam Mazhar
Advocate,

Office: - Room #: 6,
Sultan Tower, Makanbagh,
Mingora, Swat.

Cell No: 0342-0919002

SEARCHED
SERIALIZED
INDEXED

10-1-2009
6-5-2020
22-3-1970
1-1-1966

10-1-2009 - Initial - Contract - 2yrs -
6-5-2020 - Renew - till 2020 -
Regular - P-11
22-3-1970 -
1-1-1966 - Service record -

0301010-2250

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①

SCANNED
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BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Khyber Pakhtukhwa
Service Tribunal

Service Appeal No. 7712 of 2021

Diary No. 7845

Date 01-11-2021

Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

VERSUS

1. Assistant Director NADRA, at Rahim Abad, Swat
2. Director NADRA, at Rahim Abad, District Swat
3. Chairman NADRA, at NADRA Headquarter, Sector G-5/2 Sharah Dastoor Road, State Bank Building, Islambad.
4. Depurt Registrar, NADRA at Peshawar
5. District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat
6. Regional Police Officer (RPO) Makaland Divisionat Saidu Sharif, Swat
7. Inspector General of Police, Khyber Pakhtoon Khwa at Peshawar
8. District Accounts Officer, Swat.....(Respondents)

Appeal U/s 4 of K.P Service Tribunal Act, 1974,
for the correction of date of birth of the appellant in
computerized national identity card aw well as in
service record.

PRAYER:

On acceptance of the instant service appeal
the incorrect date of birth of the appellant
mentioned as 01-01-1966 in the CNIC and in
service record may kindly be corrected as 20-03-
1970 and the same may be inserted in the CNIC
and entire service record of the appellant.

Filed to-day

Registrar

01/11/2021

Respectfully Sheweth:

Brief facts of the case give rise for filing the instant service appeal are as under;

- That the appellant is the permanent resident of Mashri Kheail, Aala Abad, Tehsil Charbadgh District Swat.
- 2) That the appellant was appointed as Special Force Constable who was later on regularized by the competent authority. Copy of appointment order is attached as "A".
 - 3) That the appellant came to know that in his CNIC his date of birth was wrongly / inadvertently mentioned as 01-01-1968~~1~~ due to which the wrong date of birth was entered in the entire service record of the appellant, while the correct date of birth of the appellant is 20-03-1970, which is correctly written in his school certificate. (Copies of CNIC, Service record and school certificate are attached as Annexure "B, C & D")
 - 4) That the appellant filed a civil suit for the correction of his wrong date of birth mentioned in the CINC as 1981 before civil court which was dismissed by the civil court. (Copies of Plaint & Judgment & dated are attached as Annexure "E" & "F" P-18
 - 5) That after the above mentioned proceeding the appellant filed an application to respondent # 5 and then to respondent # 6 but in vain. (Copies of applications are attached as Annexure "G" & "H")
 - 6) That the applications of the appellant are still pending before respondent No. 6 and no decision whatsoever has been made till now. Therefore the appellant has no option remain but to file the instant service appeal before this honorable tribunal on the following amongst other grounds.

GROUNDS:-

- a) That actions / inactions of the respondents are illegal, against the law and facts and fundamental rights of the appellant.
- b) That the application of the appellant is genuine and based on admitted and proved facts and is within time, but the

respondents illegally and unlawfully ignored the application of the appellant by not deciding the same in accordance with law and rules.

- c) That the actual date of birth of the appellant is 20-03-1970 which is crystal clear from the School record which was consider correct by a competent court of jurisdiction.
- d) That the date of birth of the appellant is 20-03-1970 and the respondents entered wrong date of birth of the appellant as 01-01-1966 in the CNIC & service record of the appellant which is illegal against the real facts and circumstance. The respondents have no right to deny from the correction of the date of birth of the petitioner in the service record of the appellant.
- e) That by not giving consideration and disposing of the applications of the appellant causes miscarriage of justice and just to deprive the appellant from his legal, vested and constitutional right without any plausible cause.
- f) That the inaction of respondents upon the applications of appellant shows malafide on the part of respondents. So their conduct is against the norms of Justice and liable to be condemned.
- g) That the appellant was deprived of his legal vested right till now to dispose the application of the appellant which is against the norm of justice.
- h) That the appellant served the police department for the period of 41 years very honestly and no complaint whatsoever in any shape against the appellant is available.
- i) That the appellant belongs to a poor family and if his date of birth in CNIC and service record is not corrected, the

(21) (4)

appellant will suffer irreparable loss in future without any fault on the part of the appellant.

- j) That some other grounds will be advanced at the time of arguments with the permission of this honorable court.

It is, therefore, humbly prayed that, On acceptance of the instant service appeal the incorrect date of birth of the appellant mentioned as 01-01-1966 in the CNIC and service record may kindly be corrected as 20-03-1970 and the same may be inserted in the entire service record and CNIC of the appellant.

Any other remedy which is just & appropriate in the circumstances of the case may also be awarded though not specifically prayed for.

Appellant



Rahim Shah son of Asil Zada

Dated : 20-10-2021

Certificate:-

It is certified that no such like service appeal is filed by the appellant before this honorable court or pending or decided by this honorable court.

Appellant



Rahim Shah son of Asil Zada

Through Concal

J S I A M

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____ of 2021

Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

VERSUS

District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat
.....Respondents

AFFIDAVIT

I, Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat (Appellant), do hereby solemnly affirm and declare on oath that all the contents of this Service appeal are true and correct to the best of my knowledge and nothing has been kept Concealed before this Honorable Court.

DEPONENT Rahim Shah

Rahim Shah S/o Asil Zada

ATTESTED
KHALIDA RAHMAN ADVOCATE
PESHAWAR
11/2/21

(23) (6)

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____ of 2021

Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

VERSUS

District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat etc
.....Respondents

ADDRESSES OF PARTIES

PETITIONERS:

Rahim Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

CNIC No: 15602-7269206-3 Cell No: 03449815814

RESPONDENTS:

1. Assistant Director NADRA, at Rahim Abad, Swat
2. Director NADRA, at Rahim Abad, District Swat
3. Chairman NADRA, at NADRA Headquarter, Sector G-5/2 Sharah Dastoor Road, State Bank Building, Islambad.
4. Deputy Registrar, NADRA at Peshawar
5. District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat
6. Regional Police Officer (RPO) Makaland Division at Saidu Sharif, Swat
7. Inspector General of Police, Khyber Pakhtoon Khwa at Peshawar
8. District Accounts Officer, Swat

Appellant



Rahim Shah son of Asil Zada

24 (7)

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____ of 2023

Rahin Shah S/o Asil Zada resident of Charbagh, Tehsil Charbagh, District Swat (Constable Police Line at Kabal), Tehsil kabal, District Swat.....Appellant

VERSUS

District Police Officer, Swat at Gul Kada, Saidu Sharif, Swat
.....Respondents

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth:

- 1) That the petitioner is going to file the above Service appeal under section 4 of the Service Tribunal Act, 1974 in this honourable tribunal.
- 2) That the appeal is within time under the relevant law but if any delay is occurred, therefore, it is submitted for the condonation of delay:
 - i) That the petitioner filed a civil suit for correction of his date of birth on the CNIC and Service Record which was dismissed due lack of jurisdiction.
 - ii) That the delay in filling the instant appeal is not intentional but due to the above circumstances.

It is, therefore, humbly prayed that on the acceptance of this condonation application, the above mentioned delay (if any) in filing this appeal may kindly be condoned.

AFFIDAVIT

It is made on oath as per instructions of my client the contents of this application are correct and true to the best of my knowledge and nothing has been kept concealed from this honorable court.


**Petitioner
Through**

Petitioner


Rahim Shah

25

8



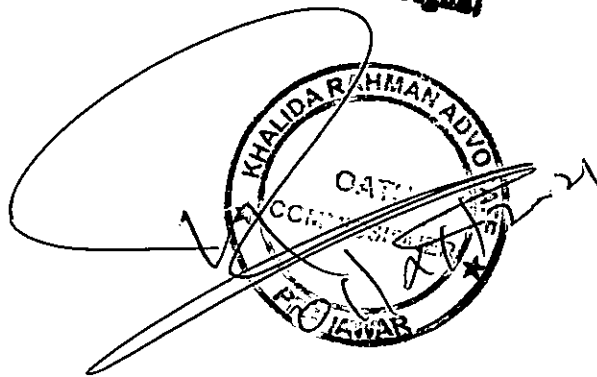
Khyber Pakhtunkhwa Police District Swat



Belt No:	5119	Rank:	FC	Cell No:	0344-9815814
Name:	Rahim Shah	Post:	Light Duty	Father Name:	Asil Zada
Education:	-	Date Of Birth:	1/1/1966	Date Of Enlistment:	10/1/2009
Village:	Ala Abad	Police Station:	PS Charbagh	Home District:	Swat
Current Posting:	PS Charbagh	Order Book:	170	Date Of Posting:	17-10-2021
Location:	Charbagh	Good: --	Bad: --	CNIC:	1560272692063

S.No	Posting Details	Post held	From	To	Years	Months
1	PS Charbagh		10-01-2009	06-05-2020	11	3
2	Adjusted in regular Police from SPO and Posted to PS Charbagh		06-05-2020	07-09-2020	0	4
3	PS Kalakot		07-09-2020	26-05-2021	0	8
4	PS Matta		26-05-2021	28-05-2021	0	0
5	light duty Line	Light Duty	28-05-2021	17-10-2021	0	4
6	PS Charbagh	Light Duty	17-10-2021			

ATTI STED
to be true copy
of the Original



26



PAKISTAN
ISLAMIC REPUBLIC OF PAKISTAN

National Identity Card



Name
Rahim Shah

Father Name
Asif Zada

Gender: Male
Country of Stay: Pakistan

Identity Number
15602-7269206-3

Date of Birth
01.01.1966

Date of Issue
07.10.2017

Date of Expiry
07.10.2027



Holder's Signature

0302



مستند شناختی قومی پاکستان، ضلع سوات

15602-7269206-3

مستند شناختی قومی پاکستان، ضلع سوات



500741018650

Usman Y. Memon
Registrar General of Pakistan

گمشدہ کارڈ ملنے پر قریبی لیو بکس میں ڈال دیں

ATTESTED

Deputy Superintendent of Police Legal
Swat.

6. CHARACTER ROLL OF APPOINTMENTS, PROMOTIONS, DISCHARGES, ETC (CONTINUED)

IONS, DISCHARGES, ETC (CONTINUED)

1 appointments, promoted, suspended, reduced, discharged, resigned or died	2 To What grade and pay appointed, promoted or reduced	Date	4 No. of District Order	5 Full Signature of Superintendent of Police
	<p>Order:- Enlisted as Constable in Special Police Force on Contract Basis vide this office OB No. <u>1441</u> dated <u>9-10-2009</u>.</p> <p><i>[Signature]</i> District Police Officer, Swat.</p> <p>Notification: As per approval of Provincial Cabinet Home & Tribal Affairs Department No.SO(Budget)/HD/15-29/2016 Vol. III, dated <u>04-04-2020</u>, Services of the SPOs are regularized as Constable EPS-07 w.e.f 01-03-2020. And allotted Constabulary No. <u>5119</u>. Pay fixed at Rs. 10900/-</p> <p>OB No. 63 dated. 29/04/2020</p> <p><i>[Signature]</i> District Police Officer Swat</p> <p>TNR 52 dated 02-03-2020 Pay & Allowance w.e.f 01-03-2020 Arrear w.e.f 01-03-2020 G. Ta Loss Net Pay Rs. 51999/-</p>			

7. Transfers beyond the district

[Signature]
District Accounts Officer
Swat.

1 Date	2 From From	3 To	4 Authority for transfer
	<p><i>[Large Handwritten Signature]</i></p>		

(29) (12)

GRAND SERVICE ROLL OF

LARY NO () IN
 LARY NO () IN
 LARY NO () IN

DISTRICT
 DISTRICT
 DISTRICT

Name	Father's Name	Tribe or caste	Village or town	Post and telegraph office	Police station	District	Province	Date of birth	height	Chest measurement	Date of enrolment	Age on enrolment	Distinctive marks
Rahim Shah	Asid Rada	Afghan	Ala Abed	-	Charbagh	Swat	K. P. K	01-01-1966	6'-00"	34 X 35"	9-10-09	44 Years	

Registration roll no _____ Dated _____ Received back and attached to the Fauji Misal.

Government service prior to present employment, which is approved for pension service

Service of department	Rank or grade	Pay of last appointment	From	To	Period		
					Years	Month	Days
Cause of and character on charge from previous service			Reference to orders approving above service for pension service in the police department				

I understand that I have been appointed under section 7 of the Police Act (V of 1861), and the purport of that section and the provisionals of the Act issued under it and now in force, by which my discipline and conduct are governed have been explained to me. I agree to serve faithfully under the said Police Act and to obey all lawful orders issued to me by my Superior Officers and undertake not to resign my appointment within three months of the date of my enrolment. I have received a certificate of appointment issued under section 8 of the Police Act (V to 1861).

ATTESTED
 I to be true
 of the

ATTESTED

[Signature]

Impression of fingers and thumb of left hand. **District Police Officer,**

Little	Left Ring	Left Middle	Left Index	Left Thumb
	<i>[Impression]</i>			

30 (13)

Education No. 28.

APPENDIX XX (Chapter VII 28).

be issued duplicate.

Govt. primary School, No. 1 Charbagh Swat DISTRICT.

LEAVING CERTIFICATE.

Pupil's Name Raheem Shah (29.3.1970) File No. 27
Date of Birth Twenty Second March N.H. 88 Seventy Grad. off No. C.No-17
No. in Admission Register 5630 Agr., Non-Agr., or Zamindar Agri-

CERTIFIED that Rahim Shah son of Asil Zada attended this School upto the 23/9/80 has paid all sums due to the School and was allowed on the above date to withdraw his name. He was reading in the 3rd Class, min. Department and PASSED/FAILED in the Examination for promotion to the Class.

The following particulars are certified to be correct, according to the registers of this School and the certificate produced from previous Schools attended during the School year.

Table with columns: No., School, Date of Admission, Date of Withdrawal, Period of attendance during the current school year (From/To), Possible attendances during the current school year, Actual attendances during the current school year, Leave taken during the current school year. Includes handwritten entries for school and dates.

Date of issue 20/8/79

HE (Principal/Head Master) 18/8/79
GOVT. PRIMARY SCHOOL, No. 1
CHARBAGH Distt: Swat

FOR SCHOLARSHIP HOLDERS ONLY.

Kind of scholarship Value
Year of award Date upto which drawn
By whom payable Leave taken at each School

Prepared by
Checked by
20/8/79

CERTIFIED that , son of and a student of the Class, who left the School District with Transfer Certificate No. dated has joined the Class of School District on His date of birth as entered in the Transfer Certificate is

Official stamp and signature of the Principal/Head Master.

ATTESTED to be true copy of the Original

Principal/Head Master.

بعدالت جناب سینئر سول جج صاحب / اعلیٰ علاقہ قاضی صاحب سوات

رحیم شاہ ولد اصیل زادہ ساکن مشوڑی خیل، آلہ آباد، چارباغ ضلع سوات۔۔۔۔۔ مدعی

- بند نام
- ۱۔ اسٹنٹ ڈائریکٹر نادرا، بمقام چارباغ ضلع سوات
 - ۲۔ ڈائریکٹر نادرا، بمقام رحیم آباد، ضلع سوات
 - ۳۔ چیئرمین نیشنل ڈیٹا بیس اینڈ رجسٹریشن اتھارٹی (نادرا) بمقام نادرا ایڈکواٹریٹیکٹر

G-5/2 شاہراہ جموزیت روڈ سٹیٹ بینک بلڈنگ اسلام آباد۔

۴۔ ڈپٹی رجسٹرار جنرل نیشنل ڈیٹا بیس اینڈ رجسٹریشن اتھارٹی (نادرا) بمقام پشاور۔

۵۔ ڈسٹرک پولیس آفیسر ضلع سوات

۶۔ RPO مالاکنڈ ڈویژن بمقام سیدو شریف، ضلع سوات

آئی جی پی صوبہ خیبر پختونخواہ بمقام پشاور

ڈسٹرکٹ اکاؤنٹ آفیسر، ضلع سوات



دعویٰ بمراد صدور ڈگری استقرار حق بدیں میرا کہ من مدعی کی درست، اصل اور صحیح تاریخ پیدائش 20-03-1970 ہے۔ مدعا علیہم نمبر 1 تا 4 ہرگز مجاز نہ ہیں کہ وہ من مدعی کے قومی شناختی کارڈ نمبر: 3-15602-7269206 میں اور اسی طرح مدعا علیہم نمبر 5 تا 8 مجاز نہیں کہ وہ من مدعی کے سروس ریکارڈ میں اصل، درست اور صحیح تاریخ پیدائش 20-03-1970 کے بجائے غیر قانونی، بلا اختیار، بلا جواز

اور خود ساختہ طور پر تاریخ پیدائش 01-01-1966 درج کی ہے (جس سے کہ انکار ہے) جو کہ جعلی، فرضی، سازشی، غیر قانونی، غیر شرعی اور خود ساختہ ہے۔ حقوق مدعی پر کالعدم اور غیر موثر ہو کر قابل منسوخی ہے اور مدعا علیہم کے ریکارڈ میں قابل درستی ہے۔

صدر وڈگری حکم امتناعی تاکیدی بدیں مراد کہ مدعا علیہم کو ہدایت کی جائے کہ وہ جملہ ریکارڈ/شناختی کارڈ میں تصحیح/درستی کر کے مدعی کی اصل، درست اور صحیح تاریخ پیدائش 20-03-1970 درج/تحریر کر کے بحق مدعی جازی کریں۔ ہر وہ دادری جس کا ذکر من مدعی کے دعویٰ میں موجود نہ ہو اور بعد از حالات واقعات مقدمہ کی رو سے من مدعی کو میسر ہو جائے بحق من مدعی اس دادری کا ڈگری صادر کرنے کا حکم صادر فرمایا جائے۔



بغرض کورٹ فیس مبلغ دو صد روپے فرض کیا گیا۔ چسپانگی کورٹ فیس بوجہ معافی چسپان شدہ نہ ہے حسب الحکم عدالت حضور چسپان کی جائیگی۔ بنائے دعویٰ بعد از صریحاً انکار مدعا علیہم عرصہ چند یوم قبل اندر حدودات عدالت حضور پیدا شد۔



جناب عالی! مدعی حسب ذیل عرض کرتا ہے۔

یہ کہ من مدعی آلہ آباد، چارباغ، ضلع سوات کارہائشی باشندہ ہوں۔ اور محکمہ پولیس میں بطور سپیشل فورس کنشیل تعینات ہو کر جو کہ اب ریگولر ہوا ہو، نقل سروس کارڈ لف ہے۔

۲ یہ کہ من مدعی کی درست تاریخ پیدائش 20-03-1970 ہے جبکہ مدعا علیہم نے اپنے زیر قبضہ ریکارڈ میں غلط تاریخ پیدائش 01-01-1966 کا اندراج کیا ہے۔

۳ یہ کہ مدعی اگرچہ تعلیم یافتہ نہ ہے لیکن مدعی پرائمری سکول تیسری جماعت تک گیا ہوں اور سکول ریکارڈ میں من مدعی کی تاریخ پیدائش درست طور 20-03-1970 درج و تحریر ہے۔ اس نسبت متعلقہ سکول ریکارڈ موجود ہے۔ جو کہ لف دعویٰ ہذا ہے۔

یہ کہ یہ کہ مدعا علیہم نمبر 1 تا 4 نے من مدعی کے شناختی کارڈ نمبر: 3-15602-7269206 میں اصل، درست اور صحیح تاریخ پیدائش 20-03-1970 کے بجائے غیر قانونی، بلا اختیار، بلا جواز اور خود ساختہ طور پر سال 01-01-1966 درج کی ہے۔ حالانکہ من مدعی نے بوقت



شناختی کارڈ بناتے وقت اپنے تعلیمی اسناد مدعا علیہم کو پیش کئے تھے لیکن مدعا علیہم نے من مدعی کے کارڈ میں تاریخ پیدائش 01-01-1966 درج کی ہے۔ جو کہ غلط ہے اور مدعی کے (نقل شناختی کارڈ لف ہے)۔



شناختی کارڈ میں غلط تاریخ پیدائش درج ہونے کی وجہ سے مدعا علیہم نمبر 5 تا 8 / محکمہ پولیس نے بھی من مدعی کے جملہ ریکارڈ میں درست اور صحیح تاریخ پیدائش 20-03-1970 کے بجائے غلط، خود ساختہ تاریخ پیدائش صرف 01-01-1966 درج کی ہے جو بھی غلط ہے اور قابل تصحیح ہے۔

۶ یہ کہ اگر مذکورہ غلط تاریخ پیدائش کا موازنہ مدعی کی بڑے بھائی کی تاریخ پیدائش 01-04-1968 سے کیا جائے جو کہ مدعی سے بڑا ہے تو غلط اندراجات سے وجہ سے

وہ مدعی سے چھوٹا بنایا گیا ہے، اندراج غلط اور بے بنیاد طور پر عمل میں لایا گیا ہے۔ نقل شناختی کارڈ برادر مدعی لف ہے۔

۷ یہ کہ مدعی کے شناختی کارڈ و دیگر ریکارڈ میں غلط تاریخ پیدائش کی درستگی اور تصحیح سے مدعا علیہم یاد دیگر شخص و اشخاص کو کوئی نقصان نہیں پہنچ سکتا ہے بلکہ ریکارڈ میں درستگی کے

وجہ سے تمام پیچیدگیاں ختم ہو سکتی ہے۔

۷۔ یہ کہ مدعا علیہم کو بار بار کہا گیا کہ وہ من مدعی کے جملہ ریکارڈ شناختی کارڈوں اور دستاویزوں کے نمبر 6،5 / محکمہ پولیس کے ریکارڈ میں مدعی کی درست اور صحیح تاریخ پیدائش 20-03-1970 درج کریں لیکن وہ انکاری ہے۔ اس لئے دعویٰ ہذا کی ضرورت لاحق ہوئی۔

۸۔ یہ کہ مالیت بغرض کورٹ فیس و اختیار سماعت و جائے رہائش فریقین مندرجہ عنوان عرضی دعویٰ ہے۔

۹۔ یہ کہ دعویٰ دائرگی سے قبل جملہ امور کی تکمیل کی گئی ہے۔ (نقولات لفت ہیں)

لہذا استدعا ہے کہ بمنظوری دعویٰ ہذا دعویٰ مستردینہ
حسب عنوان عرضی دعویٰ بحق مدعی برخلاف مدعا علیہم بمعہ خرچہ
وجہ ڈگری فرمائی جائے نیز دیگر اداری جو قرین انصاف ہو اور
طلب نہ بھی کی گئی ہو بھی مرحمت فرمائی جائے۔



علی رضا

رجیم شاہ مدعی

تصدیق

صالح تصدیق کرتا ہوں کہ جملہ مراتب
بمعہ استدعا دعویٰ ہذا اتاحد میرے علم و یقین
سے درست و صحیح ہے۔

علی رضا

رجیم شاہ مدعی

The prayer to the extent of correctness of
D.O.B. in CRIC ~~and~~ was in the
domain of the civil court. & the
the appl. & request for return of
back to him to pursue the case
before ST was wrong/malafide -
request was malafide -

بعدالت جناب سدرہ اسلم سول جج / علاقہ قاضی ہفتم سوات

عنوان: رحیم شاہ بنام اسسٹنٹ ناڈرا وغیرہ

مقدمہ نمبر: 104/1 رجوعہ: 23.04.2021

Or.....10
28.07.2021

- مدعی اصالتاً، مدعا علیہم بذریعہ نمائندہ حاضر۔

- امر و درخواست بمراد واپسی مقدمہ بوجہ دائرگی جدید مقدمہ بوجہ عدم اختیار سماعت منجانب مدعی مسی رحیم شاہ پیش کی گئی، شامل مسل شد۔

- بنیادی طور پر مدعی نے دعویٰ ہذا بمراد صدور ڈگری استتقرار حق بدیں مراد کی مدعی کی درست، اصل اور

صحیح تاریخ پیدائش 20.03.1970 ہے۔ مدعا علیہم نمبر 1 تا 4 ہرگز مجاز نہ ہیں کہ وہ مدعی کے قومی شناختی کارڈ

نمبر 3-7269206-15602 میں اور اسی طرح مدعا علیہم نمبر 5 تا 8 مجاز نہیں کہ وہ مدعی کے سروس ریکارڈ

میں اصل، درست اور صحیح تاریخ پیدائش 20.03.1970 کے بجائے غیر قانونی، بلا اختیار، بلا جواز اور خود

ساختہ طور پر تاریخ پیدائش 01.01.1996 درج کرے جو کہ جعلی، فرضی، سازشی، غیر قانونی، غیر شرعی

اور خود ساختہ ہے حقوق مدعی پر کالعدم اور غیر موثر ہو کر قابل منسوخی ہے اور مدعا علیہم کے ریکارڈ میں قابل

درستگی ہے۔ دعویٰ کے جز "ب" میں مدعی نے صدور ڈگری حکم اتناعی تاکیدی کی استدعا بدیں طور کی ہے کہ

مدعا علیہم کو ہدایت کی جائے کہ وہ جملہ ریکارڈ / شناختی کارڈ میں تصحیح / درستگی کر کے مدعی کی اصل، درست

اور صحیح تاریخ پیدائش 20.03.1970 درج / تحریر کر کے بحق مدعی جاری کرے۔

- امر و مسائل / مدعی بیانی ہے کہ وہ مقدمہ ہذا کو واپس کر کے جدید دعویٰ سروس ٹریبونل میں دائر کرنا چاہتا

ہے کیونکہ مقدمہ بالا میں عدالت حضور کو اختیار سماعت حاصل نہ ہے کیونکہ مدعی مقدمہ سرکاری ملازم ہے

اور محکمہ پولیس میں تعینات ہے لہذا استدعا ہے کہ منظوری درخواست ہذا مقدمہ ہذا کو واپس کر کے جدید

دعویٰ دائر کرنے کے احکامات صادر فرمائے جائے۔ اس نسبت مسی رحیم شاہ کا تحریری بیان قلمبند ہو کر شامل

مسل شد، درخواست بطور EX PA، نقل شناختی کارڈ EX PB، نقل سروس کارڈ EX PC مظرہ کی گئی۔



SIDRA ASLAM
Civil Judge VII/
Iliqa Qazi Swat

36 (19)

ع

بعدالت جناب سدرہ اسلم سول جج / علاقہ قاضی ہفتم سوات

عنوان: رحیم شاہ بنام اسٹنٹ نادرا وغیرہ

مقدمہ نمبر: 104/1 رجوعہ: 23.04.2021

مدعی مقدمہ خود کو سرکاری ملازم محکمہ پولیس میں تعینات ہونا بتاتا ہے اور دعویٰ ہذا کو بوجہ عدم اختیار سماعت واپس لے کر کے مجاز فورم میں دائر سی چاہتا ہے۔ درخواست سائل معقول وجوہات پر مبنی ہے۔ مذکورہ بالا حالات سے واضح ہے کہ عدالت ہذا کے پاس اختیار سماعت نہ ہے بدین وجہ عدم اختیار سماعت عدالت ہونے دعویٰ مدعی بہ منظوری درخواست مدعی / سائل واپس کیے جانے کا حسب ضابطہ حکم صادر کیا جاتا ہے۔ مدعی مقدمہ اگر چاہے تو مجاز فورم کو رجوع کر سکتا ہے۔ خرچہ بذمہ فریقین رکھا جاتا ہے۔ محرر کو ہدایت شد کو مسل بعد از ترتیب و تکمیل داخل دفتر کرے۔

Or.....10

28.07.2021

جاری

صہ حکیم جون دسر
مدعی کو جوابہ کیا جا
رستخیز درون

سول جج / علاقہ قاضی ہفتم سوات

SIDRA ASLAM
Civil Judge VII /
Illaqa Qazi Swat.

حکم سنایا گیا۔

28.07.2021



No. 10361
Date of Presentation of Application 05/10/21
Date on which Copy Prepared 06/10/21
No of Words 29 P
Urgent Fee
Name of Copyist Rahmat ali
Signature
Copying Fee Free
Date of Delivery 06/10/21

ATTESTED TO BE TRUE COPY

EXAMINED

District & Sessions Judge
Zilla Qazi, Swat

06-10-21

37 20

BEFORE THE HONORABLE DISTRICT POLICE OFFICER
AT GULKADA DISTRICT SWAT.

Application for alteration/correction of date of birth from 1-01-1966 to 20-03-1970

Venerated Sir:-

- 1) That I have been part and parcel of special police Force (SPF) for last ten year.
- 2) That I have trained very hard and all the difficulties I have confronted boldly and courageously.
- 3) That the very SPF has regularizes very now on dated 01-03-2020 have not elapsed.
- 4) That my correct date of birth is 20-03-1970 and incorrectly taken down is 1-1-1966.

PRAYER:

It is very humbly prayed the instant application may very kindly be accepted with correction of my date of birth.

Name: Rahim shah S/o Asil Zada

R/o Charbagh District Swat.

Belt No: 5119

Dated 30-07-2021

Post: Constable Kabal Police Line.

Signature:-



38 (21)

BEFORE THE HONORABLE REGIONAL POLICE
OFFICER AT SAIDU SHARIF DISTRICT SWAT.

Application for alteration/correction of date of birth from 1-
01-1966 to 20-03-1970

Venerated Sir:-

- 1) That I have been part and parcel of special police Force (SPF) for last ten year.
- 2) That I have trained very hard and all the difficulties I have confronted boldly and courageously.
- 3) That the very SPF has regularizes very now on dated 01-03-2020 have not elapsed.
- 4) That my correct date of birth is 20-03-1970 and incorrectly taken down is 1-1-1966.
- 5) That the petitioner/applicant filed an application before to DPO for correction of date of birth but unfortunately he did not take any cognizance regarding this issue. (Copy of application is attached as annexure ("A"))

PRAYER:

It is very humbly prayed the instant application may very kindly be accepted with correction of my date of birth.

Name: Rahim shah S/o Asil Zada


R/o Charbagh District Swat.

Belt No: 5119

Dated 02-08-2021

Post: Constable Kabal Police Line.

Signature:-



39 22

**BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR AT APESHAWAR**

WAKALAT NAMA

Service appeal No. _____ of 2021

RAHIM SHAH VERSUS DISTRICT POLICE OFFICER etc.

I/We do hereby appoint **SYED ISHTIAQ ALAM MAZHAR**
ADVOCATE HIGH COURT in the above mentioned case, to do all or
any of the following acts, deed and things:

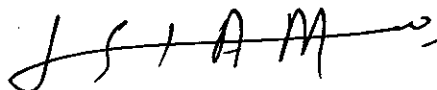
- 1) To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file; petition appeals, affidavits and application as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at all its stages.
- 3) To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of the proceedings.
- 4) To do any act necessary or ancillary to the above acts, deed and things.
- 5) To appoint any other counsel to do any/all of the acts, deeds and things.
- 6) I/We shall appear in the Court/tribunal on every date of hearing for assistance and if due to my/our non appearance, any adverse judgment/order/decree is passed, they will not be held responsible.

IN WITNESS whereof I/We have signed this *Wakalanama* hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this.



Rahim shah S/o Asil Zada
Signature of Executant

ATTESTED & ACCEPTED BY:



SYED ISHTIAQ ALAM MAZHAR
Advocate, High Court
Cell No. 0342-0919002

B.C No. 19-1012

(20)

BEFORE THE KHYBERPUKHTOONKHWA SERVICE TRIBUNAL, PESHWAR

Rahim Shah

(Appellants)

VS

District Police officer & others

(Respondents)

Written reply on Behalf of Respondent No 1 to 4

Respectfully sheweth:

Preliminary Objections:

- The appellant has got no cause of action to file instant appeal.
- The appeal of the appellant is based on malafide.
- That the suit is barred by time.
- That the plaintiff is estopped by his own conduct.
- That appellant himself entered his date of Birth as 01-01- 1966 while applying for CNIC in his CNIC Form and that has been correctly recorded in his CNIC. The appellant himself marked thumb/signature impressions and attested the form and all these particulars have been correctly entered in his CNIC. It is pertinent to mention here that appellant has also the same date of birth in his service record, hence instant appeal is not maintainable
- That this honorable Court has got no jurisdiction to entertain the present suit.

Facts:

1. That Para No.1 needs no reply.
2. That Para No.2 of the plaint is correct as per attached record.
3. That Para No.3 of the plaint is incorrect. That appellant himself entered his date of Birth as 01-01-1966 while applying for CNIC in his CNIC Form and that has been correctly recorded in his CNIC. The appellant himself marked thumb/signature impressions and attested the form and all these particulars have been correctly entered in his CNIC. It is pertinent to mention here that appellant has also the same date of birth in his service record; hence instant appeal is not maintainable
4. That Para No.4 is correct.
5. That Para No.5 is not related to replying respondents 1 to 4.
6. That Para No.6 is not related to replying respondents.

Grounds

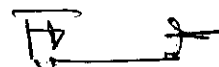
- a) That Ground "a" of the petition is incorrect.
- b) That Ground "b" of the petition is incorrect.
- c) That Ground "c" of the petition is incorrect. Detail reply given in preliminary objection
- d) That Ground "d" of the petition is incorrect. Detail reply given in preliminary objection

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- e) That Ground "e" of the petition is incorrect.
- f) That Ground "f" of the petition is incorrect. Hence denied
- g) That Ground "g" of the petition incorrect.
- h) That Ground "h" needs no reply.
- i) That Ground "i" needs no reply.

Prayer

In view of the above facts, it is humbly prayed that the instant Appeal may kindly be dismissed in the interest of justice.



Fawad Ahmad

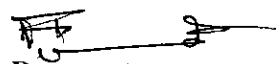
Law Officer NADRA

For Respondents # 1 to 4

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Date: / /2022

Verification: It is verified that the contents of the written reply are true and correct and nothing have been concealed from this honorable court.

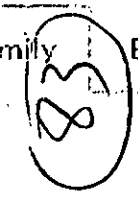

Deponents

Family Tree












How is the family tree of given citizen number:

Approved

Alpha Family Beta Family Gamma Family



Search:

Relation	Photograph	Citizen Number	Type	Name	Father Name	Mother Name	Date of Birth	Status	Action
Other	Photo	15602-*****-4	CNIC	بخت راجه	شیرین (مرخوم)		0/0/1942	Processed	  
Other	Photo	15602-*****-3	CNIC	محمدسالار	اصیل زاده	بخت راجه	14/2/1965	Processed	  
f	Photo	15602-*****-3	Smart ID	رحیم شاه	اصیل زاده	بخت راجه	1/1/1966	Processed	 
Other	Photo	15602-*****-1	CNIC	شایدعلی	اصیل زاده	بخت راجه	13/3/1983	Processed	  

/SRC

SN No	N/A
NSRC	N/A
CNIC No	N/A
Book/Token	N/A
Deposit	N/A
Station Type	N/A
Issue Date	N/A

DE/SRC

Status	Date
DE/SRC Data Not Available	

Data Warehouse

DW Loading Date	16-09-2017
Batch No	500741018650
NIC No	N/A
NIC Processing Status	Processed for CNIC
NIC Processing Date	16-09-2017
CNIC No	15602-7269205-3
Expiry Date	2027-10-07
Export Batch	20171007120n
Export Status	Er
Export Date	07-10-2017

ing Department

Status	Date
ing Data Not Available	

Distribution

Status	Date
Distribution Data Not Available	

Personal Information

Name	رحيم شاه
Father Name	اصيل زاده
Mother Name	بخت راجه
Date of Birth	01-01-1966
Spouse Name	شازيه
House/Flat No	null
Mohallah/Street	null
Sector	null
Neighborhood	null
Further Details	محلہ مشوڑی خیل، آلہ آباد
City/Village	چارباغ
Tehsil/Sub-Division	چارباغ
Post Office	چارباغ
Postal Code	null
District/Country	سوات

Attended

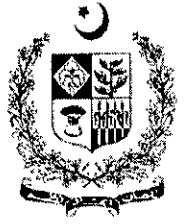
25

**GOVERNMENT OF PAKISTAN
MINISTRY OF INTERIOR**



NATIONAL DATABASE & REGISTRATION AUTHORITY
Swift Registration Center Swat-100103

Near PSO Filling Station G T Road Rahimabad Swat
Tel No. 0946-9240102



AUTHORITY LETTER

Reference to PHQ Letter no: 01/01/2005NADRA (p)
Regn See Dated 14/12/2005

I ASSISTANT DIRECTOR (NADRA) ZHQ SWAT do hereby authorize Mr.Fawad Ahmad (LAW OFFICER NADRA) to file Appeal/Revision, appear pursue and do all acts on behalf of National Database & Registration Authority (NADRA) in case title " Rahim shah vs. NADRA & OTHERS" in KHYBER PUKHTOON KHWA SERVICE TRIBUNAL Swat.

Assistant Director (NADRA)
ZHQ Swat

Assistant Director (NADRA)
ZHQ Swat