


Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 2279/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	31/10/2024	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Mingora Bench and the Hon'ble High Court vide its order dated 17.10.2024 while treating the Writ Petition into an appeal and has sent the same to this Tribunal for decision in accordance with law. This case be entered in Institution Register and entrusted to touring Single Bench at Swat for preliminary hearing to be put up there on 02.12.2024. Counsel for the appellant has been informed telephonically.</p> <p style="text-align: right;">By Order of the Chairman  REGISTRAR</p>



PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN



Name
Muhammad Rasool Shah

Father Name
Muhammad Shah

Gender Country of Stay

M

Pakistan

Identity Number

15302-0991362-7

Date of Birth

25.12.1967

Date of Issue

28.01.2019

Date of Expiry

28.01.2029



Holder's Signature

24364

Q. 510-510

P A K I S T A N

مرکز خدمات ذراک خانہ پکدرہ، شاہی پکدرہ، تحصیل اون نئی،

15302-0991362



سٹیٹ بینک کو مگر ایم، تحصیل اون نئی، ضلع لوڑو

Lawan H. Memon

Registrar General of Pakistan

301621166058
109-89-079505

گمشدہ کارڈ ملنے پر قریبی لیڈ بکس میں ڈال دیں



THE
PESHAWAR HIGH COURT
MINGORA BENCH, SWAT.

All communication should be addressed to the Additional Registrar of this Bench and not to any official by name

No. 2852

Dated: 28-10-24

To

The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar

Khyber Pakhtunkhwa
Service Tribunal

Case No. 17471

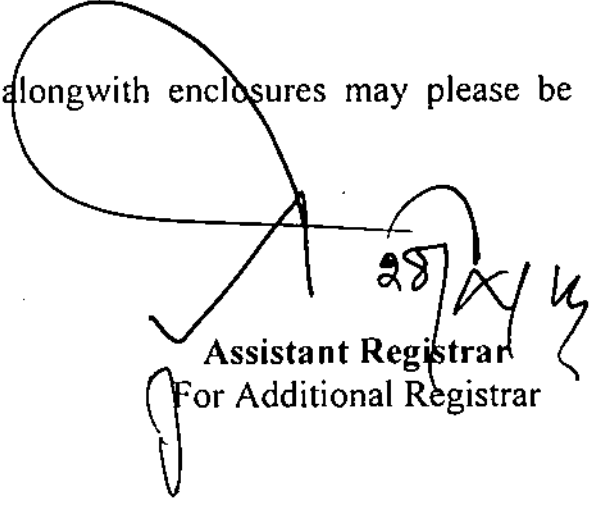
Dated: 31-10-24

Subject: WRIT PETITION 1361-M/2023 TITLED AS
"JAVID IQBAL VS COMMISSIONER
MALAKAND DIVISION AT SAIDU SHARIF
DISTRICT SWAT & OTHERS"

Dear Sir,

I am directed to send herewith the mentioned above case (in original), in compliance with the order/Judgment dated: 17.10.2024 passed by the Divisional Bench of this Hon'ble Court, for compliance of the directions contained therein.

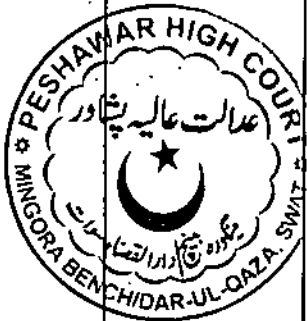
Receipt of this letter alongwith enclosures may please be acknowledged.


Assistant Registrar
For Additional Registrar

Encl:

1 W.P 1361-M/2023 alongwith enclosures

119 Sheets



larger Bench of this Court, the present petitioner is a civil servant and if so, then the reliefs sought by him through instant petition would fall within the sole domain of the Khyber Pakhtunkhwa Services Tribunal and in such circumstances, the jurisdiction of this Court in the matter pertaining to the terms and conditions of the civil servant would be barred by Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, who frankly conceded that "yes" the petitioner is a civil servant and requested that this petition may be treated as service appeal and may be sent to the Khyber Pakhtunkhwa Services Tribunal for redressal of the grievance of the petitioner, in accordance with law. Thus, in view of his request, this writ petition is treated as a service appeal, with directions to the office to transmit the file in original to the Khyber Pakhtunkhwa Service Tribunal for adjudication in accordance with law whereas, a copy thereof shall be retained for the purpose of the record of this Court.

Announced
17.10.2024

SENIOR PUISNE JUDGE

Certified to be True Copy

EXAMINER

Peshawar High Court, Mingora/Chidar-ul-Qaza, Swat
Authorized Under Article 07 of Qanoon-e-Shahadat Order 1934

JUDGE

Office
21/10/2024

Sabz Ali* (D.B)

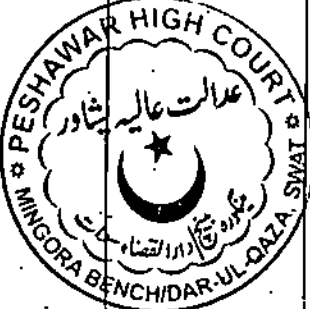
HON'BLE MR. JUSTICE HAZ ANWAR
HON'BLE MR. JUSTICE MUHAMMAD NAEEM ANWAR

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No..... of.....

Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2	3
	<p align="center">17.10.2024</p> 	<p><u>W.P No.1361-M/2023</u> <u>(Javid Iqbal Vs. Federation of Pakistan through Ministry of SAFRON Pak Secretariat Islamabad and others)</u></p> <p>Present: <u>Mr. Said Muhammad Durrani, Advocate for petitioner.</u> <u>M/S. Iftikhar Ahmad, D.A.G and Haq Nawaz Khan,</u> <u>A.A. G for official Respondents.</u> <u>Muhammad Ikram Khan, Advocate for Private Respondents.</u></p> <p align="center">***</p> <p><u>MUHAMMAD NAEEM ANWAR, J.-</u> Through instant petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, Javid Iqbal, the petitioner, who is currently serving as Naib Subedar in Dir Levies, is praying for the following relief:</p> <ol style="list-style-type: none"> (1) That the act of respondent department as well as order dated 18-05-2023 may kindly be declared illegal, void- ab-initio, against the rules, unlawful, illegal and be cancelled. (2) That the respondent department may kindly be directed to follow rules & notifications and consider the petitioner for promotion as Subedar with all back benefits salaries etc accordance with law & rules. (3) That the respondent department be directed not to retire the petitioner from his service as well as restrained from taking any adverse action against the petitioner. <p>2. At the very outset, when learned counsel for the petitioner was asked as to whether in view of the latest judgment of the</p>

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA SWAT.

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir UpperPetitioner.

VS

- i. Commissioner Malakand Division at Saidu Sharif Swat.
- ii. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
- iii. Secretary Law & Order, at Civil Secretariat Peshawar.
- iv. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
- v. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
- vi. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
- vii. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

Scanned
KPST Peshawar

SAVED

..... Respondents.

INDEX

S.No	Description of Documents	Annexure	Pages
01	Affidavit	--	1
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03	Comments of respondent No. 2 & 4	A	4-5
04	Notification dated 21-10-2021 of Home Department Khyber Pakhtunkhwa	B	6-7
05	Final seniority list of Dir Levies personnel	C	8-10
06	Minutes of DPC meeting	D	11-15
07	Authority Letter	--	16

Need for
AAG
Sign.....
Date...12.2.2024

Muhammad Rasool Shah

Finance Officer

Upper Dir

MOB# 03159048466

FILED TODAY

12 FEB 2024

Additional Registrar

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA SWAT.

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir Upper**Petitioner.**

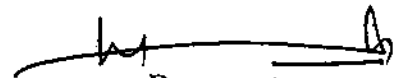
VS

- 1) Commissioner Malakand Division at Saidu Sharif Swat.
- 2) Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
- 3) Secretary Law & Order, at Civil Secretariat Peshawar.
- 4) Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
- 5) Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
- 6) Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
- 7) Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

.....**Respondents.**

AFFIDAVIT

I, Muhammad Rasool Shah Finance Officer Dir Upper, do hereby solemnly affirm and declare on oath that the contents of the accompanying joint para wise Comments on behalf of Respondent No. 01 are true and correct to the best of my knowledge and behalf that nothing has been concealed from this Honorable Court.



Deponent

CNIC

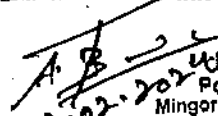
MOB# 03159048466

FILED TODAY

12 FEB 2024

Additional Registrar

S.No. 594
Certified that the above was verified on Solemn affirmation before me on this 12 day of Feb 2024 by Muhammad Rasool Shah S/o Muhammad Shah Dir (U) who was identified by Self who is personally known to me.


Notary Public
12.02.2024
With Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA
SWAT.

2

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir UpperPetitioner.

VS

1. Commissioner Malakand Division at Saidu Sharif Swat.
2. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
3. Secretary Law & Order, at Civil Secretariat Peshawar.
4. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

.....Respondents.

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN 1973.

In compliance with the honorable court order sheet dated 12/12/2023 para-wise reply on behalf of Respondent No. 2 & 4 has already been submitted before the honorable court (copy of same is enclosed as annexed A), while para-wise comments on behalf of Respondent No. 1 i.e. Commissioner Malakand Division is as below:

PARA -WISE COMMENTS ON BEHALF OF RESPONDENT NO.1.

PRELIMINARY OBJECTIONS:

1. That the petition is not maintainable in its present form.
2. That the petitioner has got no locus standi to file the instant petition.
3. That the petition is not maintainable due to Mis-Joinder and Non-Joinder of necessary parties.
4. That the petitioner does not come to the Court with clean hands.
5. That the petitioner concealed the material fact from the Honorable Court.

RESPECTFULLY SHEWETH:-

FILED TODAY

ON FACTS

1. Correct to the extent of appointment.
2. No comments.
3. No comments.
4. Correct to the extent that 03 number of posts of Subidar were became vacant in Dir Levies but the same have been filled in by the way of promotion from amongst the senior most Naib Subidars of Dir Levies as per the prescribed Rules and Seniority list of Dir Levies (copy of the Service Rules and Seniority List is attached at Annexure B & C respectively).

12 FEB 2024
ADDITIONAL REGISTRAR

5. **Incorrect.** In order to fill up the aforesaid 03 number of vacant posts of Subidars in Dir Levies a Departmental Promotion Committee meeting was held in the office of respondent No. 04/Commandant Dir Levies and after threat bared discussion and thoroughly examining the service record as well as physical condition of all the candidates, all the members of the committee unanimously recommended the promotion of the senior most Naib Subidars to the next rank (copy of the minutes of the meeting is attached at **Annexure D**).
6. **Incorrect.** As explained at para No. 05 above all the members of the DPC unanimously recommended the promotion of respondent No. 05 to 07 on the basis of seniority list and standing Levy Service Rules that is why the departmental appeal of the petitioner was filled.
7. **No comments.**

ON GROUNDS.

- a. **Incorrect.** As explained at para No. 04 and 05 above the promotion process of respondent 05 to 07 has been carried out as per standing Levy Service Rules and no discrimination has been made during the said process.
- b. **Incorrect** as explained at para A above.
- c. **Incorrect.** As explained at para No. 04, 05 and A above.
- d. **Incorrect.** As explained at 04 and 05 above.
- e. **Incorrect.** As explained at above paras.
- f. **Incorrect.** As explained at para No. 04, 05 and A above.
- g. **Incorrect.** As explained at para No. 04, 05 and A above that the promotion of respondent No. 05 to 07 has been carried out as per standing Levy Service Rules and seniority list.
- h. **Incorrect.** As explained at para No. 04 & 05 above.
- i. **No comments.**
- j. **Incorrect.** As explained above the DPC process has been carried out as per laid down procedure of the Home & Tribal Affairs Department Khyber Pakhtunkhwa.
- k. **Incorrect.** As explained earlier the DPC process have been conducted as per standing Levy Service Rules and no discrimination has made by any of the respondent.
- l. **Incorrect.** As explained at above paras.
- m. **No Comments.**

In light of the above, it is prayed that the petition is not based on facts and does not merit consideration, therefore may please be dismissed.

FILED TODAY

12 FEB 2024

Additional Registrar

Commissioner Malakand Division
Saidu Sharif Swat
Respondent No. 1
Commissioner, Malakand Division

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad-Islam r/o Sheringal District Dir Upper Petitioners.

VS

1. Federation of Pakistan through Ministry of SAFRON, Pak Secretariat Islamabad.
2. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
3. Secretary Law & Order, at Civil Secretariat Peshawar.
4. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

..... Respondents.

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN 1973.

JOINT PARA -WISE COMMENTS ON BEHALF OF RESPONDENT NO.2 AND 4

PRELIMINARY OBJECTIONS:

1. That the petition is not maintainable in its present form.
2. That the petitioner has got no locus standi to file the instant petition.
3. That the petition is not maintainable due to Mis-Joinder and Non-Joinder of necessary parties.
4. That the petitioner does not come to the Court with clean hands.
5. That the petitioner concealed the material fact from the Honorable Court.

RESPECTFULLY SHEWETH:-

ON FACTS

1. Correct to the extent of appointment.
2. No comments.
3. No comments.
4. Correct to the extent that 03 number of posts of Subidar were became vacant in Dir Levies but the same have been filled in by the way of promotion from amongst the senior most Naib Subidars of Dir Levies as per the prescribed Rules and Seniority list of Dir Levies (copy of the Service Rules and Seniority List is attached at Annexure A & B. respectively).
5. Incorrect. In order to fill up the aforesaid 03 number of vacant posts of Subidars in Dir Levies a Departmental Promotion Committee meeting was held in the office of respondent No. 04/Commandant Dir Levies and after threat bared discussion and thoroughly examining the service record as well as physical condition of all the candidates, all the members of the committee unanimously recommended the promotion of the senior most Naib Subidars to the next rank (copy of the minutes of the meeting is attached at Annexure C).

ATTESTED

Levy Record Room
Deputy Commissioner Office/
Commandant Dir Levies

Vetted
01/01/2024
MINGORA BENCH DAR-UL-QAZA, SWAT


6. Incorrect. As explained at para No. 05 above all the members of the DPC unanimously recommended the promotion of respondent No. 05 to 07 on the basis of seniority list and standing Levy Service Rules that is why the departmental appeal of the petitioner was filled.


7. No comments.

ON GROUNDS.


- A. Incorrect. As explained at para No. 04 and 05 above the promotion process of respondent 05 to 07 has been carried out as per standing Levy Service Rules and no discrimination has been made during the said process.
- B. Incorrect as explained A above.
- C. Incorrect. As explained at para No. 04, 05 and A above.
- D. Incorrect. As explained at 04 and 05 above.
- E. Incorrect. As explained at above paras.
- F. Incorrect. As explained at para No. 04, 05 and A above.
- G. Incorrect. As explained at para No. 04, 05 and A above that the promotion of respondent No. 05 to 07 has been carried out as per standing Levy Service Rules and seniority list.
- H. Incorrect. As explained at para No. 04 & 05 above.
- I. No comments.
- J. Incorrect. As explained above the DPC process has been carried out as per laid down procedure of the Home & Tribal Affairs Department Khyber Pakhtunkhwa.
- K. Incorrect. As explained earlier the DPC process have been conducted as per standing Levy Service Rules and no discrimination has made by any of the respondent.
- L. Incorrect. As explained at above paras.
- M. No Comments.

In light of the above, it is prayed that the petition is not based on facts and does not merit consideration, therefore may please be dismissed.


Deputy Commissioner/
Commandant Dir Levies
District Dir Upper
Respondent No. 04
DC/Commandant
Dir Levies


Additional Chief Secretary
Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department
Respondent No. 02
Additional Chief Secretary
Home & TAs Department
Khyber Pakhtunkhwa.

ATTESTED


Levy Section Room
Deputy Commissioner Office/
Commandant Dir Levies



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar, dated the 21-10-2021

NO. SO(POLICE-II)HD/1-3/FEDERAL LEVIES 2021:- In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, and in continuation of this department notification No. SO(Police-II)HD/MKD/levies/Misc/2020 dated 22-03-2021, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:-

SCHEDULE-III

S. No.	Name of the Post / Rank	Length of Service / Age
1	Subedar Major (BS-16)	Thirty Seven Years of service or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier.
2	Subedar (BS-14)	Thirty Five Years of service or Five Years' service as Subedar or Sixty years of age whichever is earlier.
3	Naib Subedar (BS-11)	Thirty Three Years of Service or Seven Years' service as Naib Subedar or Sixty Years of age whichever is earlier.
4	Hawaldar (BS-09)	Thirty one years of service or fifty one year of age whichever is earlier.
5	Naik (BS-08)	Twenty nine years of service or forty nine years age whichever is earlier.
6	L/Naik (BS-08)	Twenty seven years of service or forty seven years age whichever is earlier.
7	Sepoy (BS-07)	Twenty five years of service or forty five year of age whichever is earlier.

SCHEDULE-I

S.N	Post/ Rank	Eligibility for Promotion	Promotion Quota	Direct Quota	Qualification
1	Subedar Major (BS-16)	02 years' service as Subedar Or Total 21 years of service	100%		
2	Subedar (BS-14)	02 years' service as Naib Subedar Or Total 19 years of service	100%		
3	Naib Subedar (BS-11)	04 years' service as Hawaldar Or Total 17 years of service	100%		
4	Hawaldar (BS-09)	05 years' service as Naik Or Total 13 years of service	100%		
5	Naik (BS-08)	03 years' service as Lance Naik Or Total 08 years of service			
6	L/Naik (BS-08)	05 years' service as Sepoy			
7	Sepoy (BS-07)			100%	SSC
8	Head Armorer (BS-5)	05 years' service as Assistant Armorer	100%		SSC Qualification with certificate of Armorer
9	Assistant Armorer (BS-1)			100%	SSC Qualification with certificate of Armorer

ATTESTED

Levy Room
Deputy Commissioner Office
Dir. General Police Office
Dir. Upper.

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

Copy forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Police Officers, Khyber Pakhtunkhwa.
8. All Heads of Attached Department in Khyber Pakhtunkhwa.
9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Direction Information, Khyber Pakhtunkhwa.
12. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa. He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department.

Section Officer (Police-II)

21/10/2021

ATTESTED

Levy Record Room
 Deputy Commanding Officer
 Commandant Dir Levies
 Dir Coper.

7

FINAL SENORITY LIST									
ES DIR UPPER DECEMBER 2020									
#	P.NO	NAME	FATHER NAME	BELT NO.	DATE OF APPOINTMENT	DATE OF BIRTH	PRESENT RANK	BPS	DATE OF PROMOTION TO THE PRESENT RANK
SUBEDAR MAJOR/INSPECTOR (BPS-16)									
1	268074	SHAH YOUSAF KHAN	BAHADAR KHAN	1414	24.06.1989	07.10.1969	SUBEDAR MAJOR / INSPECTOR	16	14.11.2018
SUBEDAR/SUB INSPECTOR (BPS-14)									
1	258627	JEHAN ZEB KHAN	SHAH NAWAZ KHAN	1478	12.09.1993	1974	SUBEDAR / SUB INSPECTOR	14	09.11.2016
2	258437	KHAISTA SAID	SWAL FAQIR	1480	14.09.1993	01.01.1968	SUBEDAR / SUB INSPECTOR	14	09.11.2016
3	258220	RAHMAN UDDIN	SHEH ZADA	1483	16.03.1994	05.10.1974	SUBEDAR / SUB INSPECTOR	14	09.11.2016
4	258226	MUHAMMAD NAZIB	ANWAR ZEB	1490	28.09.1994	01.01.1975	SUBEDAR / SUB INSPECTOR	14	09.01.2019
5	258605	NOOR ISLAM	MUBARAK SAID KHAN	1493	01.12.1994	1974	SUBEDAR / SUB INSPECTOR	14	09.01.2019
6	258645	MANASIB KHAN	NAWSHER	1495	06.12.1994	1972	SUBEDAR / SUB INSPECTOR	14	09.01.2019
7	258035	FAIZ ULLAH HAKIM	BASHIR	1497	01.01.1995	01.01.1969	SUBEDAR / SUB INSPECTOR	14	09.01.2019
8	258534	MUHAMMAD ISRAR	NAQSHAY	1499	01.01.1995	01.01.1972	SUBEDAR / SUB INSPECTOR	14	09.01.2019
9	258657	IHSAN ULLAH KHAN	SHAH MUHAMMAD KHAN	1500	21.12.1994	1975	SUBEDAR / SUB INSPECTOR	14	09.01.2019
10	258469	GHOSHU RAHMAN	MUHAMMAD AMIN	1505	11.08.1996	19.01.1971	SUBEDAR / SUB INSPECTOR	14	09.01.2019
11	258214	ABDUR RASHID	FAIZ MUHAMMAD	1508	11.08.1996	11.10.1974	SUBEDAR / SUB INSPECTOR	14	09.01.2019
NAIB SUBEDAR/ASSISTANT SUB INSPECTOR (BPS-11)									
1	258240	RAZA ULLAH	AMIR MUHAMMAD KHAN	1509	11.08.1996	13.01.1975	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014
2	258187	GUL BADSHAH	KHAISTA MUHAMMAD	1515	11.08.1996	10.12.1972	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014
3	258470	JEHAN ZEB	BADSHAH SARDAR	1516	11.08.1996	01.01.1970	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014
4	258339	MUHAMMAD IQBAL	BAKHT ZAMIN	1518	11.08.1996	03.01.1979	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014
5	258164	NASIB ZADA	MUHAMMAD JAN	1522	11.08.1996	01.01.1970	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014
6	258604	RAHAMAT RAHMAN	FAZAL RAHMAN	1523	11.08.1996	26.05.1974	N SUBEDAR / ASSISTANT SUB INSPECTOR	11	11.11.2014

ATTESTED

Levy Room
Deputy Commandant Office/
D. Commandant Dir Levies
Dir Levies

7	258680	MUHAMMAD JAWAD KHAN	MUHAMMAD NAWSHAD	1524	13.08.1996	24.06.1975	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
8	264201	JAVEED IQBAL	MUHAMMAD ISLAM	1528	25.08.1996	04.03.1977	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
9	258583	FAZAL RAZIQ	HAKIM JAN	1533	16.10.1996	04.02.1973	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
10	258275	IZAT KHAN	SADAT KHAN	1537	22.10.1996	1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
11	258619	MAZHAR SHAH	ALI HAIDAR	1539	22.10.1996	06.02.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
12	258525	MUHTIB ULLAH	JAMROZ KHAN	1540	25.10.1996	26.04.1970	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
13	258263	GULAB ZADA	BADSHAH MULA	1559	16.04.1998	10.02.1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
14	258301	ALLAU DDIN KHAN	JAN BAKHT KHAN	1560	18.04.1998	01.04.1977	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
15	258498	GUL AKBAR KHAN	RAHIM KHAN	1561	18.04.1998	01.01.1965	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
16	258207	KHAISTA ZADA	KAMIN KHAN	1562	21.04.1998	1973	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
17	258221	SAHIB ZADA	GUL TA KHAN	1566	01.06.1998	06.04.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
18	258514	GUL IHSAN ULLAH	JEHAN ZEB	1568	01.06.1998	03.03.1970	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
19	258229	SHER NAWAZ KHAN	SHAH NAS KHAN	1570	01.06.1998	16.01.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
20	258287	MUHAMMAD TAMIN KHAN	JAN MUHAMMAD KHAN	1572	01.06.1998	1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
HAWALDAR/HEAD CONSTABLE (BPS-09)									
1	258188	AMIR BADSHAH	GHOUS ALAM	1577	11.06.1998	12.03.1979	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
2	258646	BADSHAH UDDIN	SHAHAB UDDIN	1588	01.03.1999	03.04.1975	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
3	258593	SHAH MUHAMMAD	YAR MUHAMMAD	1589	01.03.1999	03.12.1973	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
4	258358	ZAHOR UDDIN	MUHAMMAD ZAHIR KHAN	1600	17.08.1999	10.12.1980	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
5	258361	AMIR ZAIB KHAN	SHAH NAWAZ KHAN	1604	14.09.1999	01.06.1980	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
6	268086	MUHAMMAD TAHIR	ABDUL HAMID	1606	20.09.1999	25.03.1973	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
7	258647	JEHAN ZEB KHAN	ABDUL KAMAL KHAN	1618	05.05.2000	15.06.1975	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
8	258663	AYUB KHAN	SHAH	1619	08.05.2000	03.05.1976	HAWALDAR/HEAD CONSTABLE	09	11.11.2014

ATTESTED
 Deputy Commissioner/Office/
 D. Commandant Dir Levies
 District

9	258300	HAYAT ULLAH	RAHIM ULLAH	1632	16.11.2000	01.06.1977	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
10	258212	RAFI ULLAH	QARIB ULLAH	1638	09.01.2001	12.09.1973	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
11	258377	JAN FERAZ KHAN	MUHAMMAD ROZ KHA	1642	14.02.2001	09.01.1981	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
12	258388	HAZRAT SULTAN	FAZAL RAHMAN	1645	01.06.2001	05.02.1982	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
13	258163	HAZRAT MUHAMMAD	HAJI MUHAMMAD SHOAB	1699	31.12.2004	08.12.1970	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
14	277926	BAIDAR KHAN	TOOR BACHA	1716	08.04.2006	18.03.1976	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
15	508899	NASEEB ZADA	KHAN ZADA	01	01.02.2010	02.07.1991	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
16	508927	NAEEM ULLAH	FAZAL WAHID	02	01.02.2010	14.03.1991	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
17	508930	JAMAL SHAH	SHAH ZAMIN KHAN	03	01.02.2010	28.06.1988	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
18	508932	SABED UR RAHMAN	MUHAMMAD YAR	04	01.02.2010	02.04.1989	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
19	508933	SHOUKAT ALI	RAHMAN GUL	05	01.02.2010	21.06.1986	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
20	508934	SAJID ULLAH	MUHAMMAD IRSHAD	06	01.02.2010	01.01.1987	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
21	508935	RAFI ULLAH	NADAR SAID	07	01.02.2010	02.01.1988	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
22	508936	BAKHT RAWAN	AMIR RAHMAN	08	01.02.2010	03.07.1979	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
23	508937	NAVEED KHAN	KHALIL KHAN	09	01.02.2010	09.04.1990	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
24	508938	AMIN ULLAH	RANJA KHAN	10	01.02.2010	18.08.1989	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
25	508939	GUL HASSAN	RASOOLJAN	11	01.02.2010	20.08.1990	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
26	508940	GUL SAHIB ZADA	MUHAMMAD ARIF KHAN	12	01.02.2010	01.05.1987	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
27	508942	AFZAL KHAN	BAZER KHAN	13	01.02.2010	15.03.1989	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
28	508943	IKRAM UL HAQ	AMAN UL HAQ	14	01.02.2010	02.04.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
29	508945	MUHAMMAD BAZ KHAN	SAID AZEEM KHAN	15	01.02.2010	10.4.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
30	508946	IFTIKHAR ALI	DILAWAR KHAN	16	01.02.2010	10.03.1990	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
31	508954	ALIF KHAN	QADAR KAHN	17	01.02.2010	12.04.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
32	508959	MUHAMMAD MUNIR	AMIN ULLAH	18	01.02.2010	01.10.1988	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
33	508968	HANEEF UR RAHMAN	SAID REHMAN	19	01.02.2010	25.02.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
34	508971	MUHAMMAD ZUBAIR	UMAR YAR KHAN	20	01.02.2010	25.10.1986	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
ATTESTED NAIK/CONSTABLE (B-1) (BPS-07)									
1	508975	ANWAR ZAHED ROOM	HAMEEM ZADA	21	01.02.2010	01.01.990	NAIK / CONSTABLE (B-1)	07	14.11.2016

ANWAR ZAHED ROOM
Deputy Commandant
Deputy Commandant Dir Levies
Dir Levies

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE HELD ON 16-05-2023 FOR THE PROMOTION OF NAIB SUBIDARS BPS-11, HAWALDAR BPS-09, NAIK BPS-08, LANCE NAIK BPS-08 AND SEPOY BPS-07 TO THE NEXT RANKS.

A meeting of the Departmental Promotion Committee was held on 16-05-2023 at 11:00 AM under the chairmanship of the Deputy Commissioner/Commandant Dir Levies District Dir Upper to consider the promotion cases of subject cited categories of levy personnel as per their ranks in compliance of the judgment of the honorable Peshawar High Court Mingora Bench Dar-ul-Qaza Swat vide Writ Petition No. 1240-M/2021 followed by COC No. 91-M/2022 in WP No. 1240-M/2021 and COC No. 94-M/2023 in WP No. 95-M/2022 and as per laid down criteria in the prevailing Service Rules notified vide Notification No. SO(Police-ID)HD/1-3/Federal Levies 2021 dated 21-10-2021, and clarified by Home Department vide letter No. SO(L&K/DPC/2023) dated 15-05-2023 regarding "Qualification for Promotion". The following attended the meeting:-

1. Deputy Commissioner/Commandant Levies, District Dir Upper.....In Chair.
2. Mr. Sultan Muhammad Superintendent, Rep: of Home & TAs Deptt.....Member.
3. Mr. Shahid Khan Assistant Rep: of Office of Commissioner Malakand Division.....Member.
4. District Account Officer Dir Upper.....(Invited by the Chair for Assistance).

The Chair welcomed the participants. The committee thoroughly scrutinized the documents i.e seniority list, ACRs, synopsis, service book, physical fitness of the levy personnel included in the panel of various ranks and after detailed discussion the committee recommended promotions of the senior most Naib Subidar BPS-11, Hawaldars BPS-09, Naik BPS-08, Lance Naik BPS-08 and Sepoy BPS-07 to their respective higher ranks already lying vacant and to the posts that became vacant due to promotion of Levy personnel to the next higher ranks.

AGENDA ITEM NO. 01

PROMOTION OF NAIB SUBIDAR BPS-11 TO SUBIDAR BPS-14.

During the course of discussion it was pointed out that there are 03 posts of Subidar BPS-14 lying vacant due to the retirement of senior subidars on 09-11-2021. The following Naib Subidar BPS-11 were recommended for promotion to the rank of Subidar BPS-14 on the basis of seniority cum fitness from amongst the panel of Naib Subidar as per the aforementioned court orders w.e.f from 10-11-2021:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Raza Ullah	Amir Muhammad Khan	11-08-1996	11-11-2014	Subidar BPS-14	
02	Gul Badshah	Khaista Muhammad	11-08-1996	11-11-2014	Subidar BPS-14	
03	Jehan Zeb	Badshah Sardar	11-08-1996	11-11-2014	Subidar BPS-14	His promotion will be subject to the provision of Medical Fitness Certificate from MS/DHO Hospital Dir Upper.

ATTESTED

Levy Record Room
Deputy Commissioner Office
Dir Levies
Dir Upper.

AGENDA ITEM NO. 02

PROMOTION OF HAWALDARS BPS-09 TO NAIB SUBIDAR BPS-11

During the course of discussion it was pointed out that there are 02 posts of Naib Subidar BPS-11 lying vacant due to the retirement of senior subidars on 11-11-2021 and 03 posts which became vacant due to promotion of Naib Subidars to the next higher ranks. The following Hawaldar BPS-09 were recommended for promotion to the rank of Naib Subidar BPS-11 on the basis of seniority cum fitness from amongst the panel of Hawaldars with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Amir Badshah	Ghaus ul Alam	11-06-1998	19-11-2013	Naib Subidar BPS-11	
02	Badshah ud Din	Shahab ud Din	01-03-1999	19-11-2013	Naib Subidar BPS-11	
03	Shah Muhammad	Yar Muhammad	01-03-1999	19-11-2013	Naib Subidar BPS-11	
04	Zahoor ud Din	Muhammad Zahir Khan	17-08-1999	11-11-2014	Naib Subidar BPS-11	
05	Amir Zeb Khan	Shah Nawaz Khan	14-09-1999	11-11-2014	Naib Subidar BPS-11	

AGENDA ITEM NO. 03

PROMOTION OF NAIK BPS-08 TO HAWALDAR BPS-09

During discussion it was pointed out that there is 01 post of Hawaldar BPS-09 lying vacant due to the retirement of senior Hawaldar on 08-12-2021 and 05 number of posts became vacant due to promotion of Hawaldars to the next higher ranks. The following Naiks BPS-08 were recommended for promotion to the rank of Hawaldar BPS-09 on the basis of seniority cum fitness from amongst the panel of Naiks with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Anwar Zeb	Hamim Zada	01-02-2010	14-11-2016	Hawaldar BPS-09	
02	Nasir Ullah	Asaf Khan	01-02-2010	14-11-2016	Hawaldar BPS-09	
03	Umar Zada	Muhammad Sherin	01-02-2010	14-11-2016	Hawaldar BPS-09	
04	Nasrullah	Badshah Zada	01-02-2010	14-11-2016	Hawaldar BPS-09	
05	Khaista Rahman	Ghulam Hazrat	01-02-2010	14-11-2016	Hawaldar BPS-09	
06	Alam Zeb	Sultan Muhammad	01-02-2010	14-11-2016	Hawaldar BPS-09	

ATTESTED

Levy Record Room
Deputy Commandant Office/
Deputy Commandant Dir. Levys Office
Dir Upper.

AGENDA ITEM NO. 04

PROMOTION OF LANCE NAIK TO NAIK BPS-08

The following Lance Naiks BPS-08 were recommended for promotion to the rank of Naik BPS-08 on the basis of seniority cum fitness from amongst the panel of Lance Naiks to 06 number of posts which became vacant due to promotion of Naik to the next higher ranks with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Khyal Zada	Shahzul	01-02-2010	14-11-2016	Naik BPS-08	
02	Karim Ullah	Nasib Gul	01-02-2010	14-11-2016	Naik BPS-08	
03	Shahab ud Din	Nasar ud Din	01-02-2010	14-11-2016	Naik BPS-08	
04	Sami Ullah	Masal Khan	01-02-2010	14-11-2016	Naik BPS-08	
05	Zahid Rahman	Habib ur Rahman	01-02-2010	14-11-2016	Naik BPS-08	
06	Wahid Ullah	Shezöl Khan	01-02-2010	14-11-2016	Naik BPS-08	

AGENDA ITEM NO. 05

PROMOTION OF SEPOY BPS-07 TO LANCE NAIK BPS-08

The following Sepoy BPS-07 were recommended for promotion to the rank of Lance Naik BPS-08 on the basis of seniority cum fitness from amongst the panel of Sepoys to 06 number of posts which became vacant due to promotion of lance Naiks to the next higher ranks with immediate effect :-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Tariq Ahmad	Asfandyar	01-02-2010	--	Lance Naik BPS-08	
02	Sajad Ali	Muhamamad Islam	01-02-2010	--	Lance Naik BPS-08	
03	Imran Ali	Yaqoob Khan	01-02-2010	--	Lance Naik BPS-08	
04	Muhammad Aziz Khan	Muhammad Akbar Khan	01-02-2010	--	Lance Naik BPS-08	
05	Farman Ullah	Muhammad Zahir	01-02-2010	--	Lance Naik BPS-08	
06	Nadeem Khan	Hashtamand Khan	01-02-2010	--	Lance Naik BPS-08	

After detailed deliberation the committee unanimously decided to grant conditional promotion to the above personnel, however if the response/outcome of Home Department with reference to this office letter No. 6617/DC/LHC/Misc dated 03-05-2023, pending CPLAs before the apex Supreme Court of Pakistan and cases pending in Service Tribunal Khyber Pakhtunkhwa in adverse manner then their promotion orders will be withdrawn and they will be reverted to their present status.

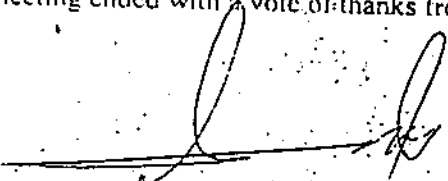
ATTESTED

Levy Record Room
Deputy Commissioner Office/
Dy. Commandant Dir. Levys Office
Dir. Upper.


14

On the basis of an application submitted by 95 numbers of Naiks and Lance Naiks who are getting salaries in BPS-08 which is less than the salary of constable BPS-07, whereas the Finance Department is releasing salaries in BPS-09 and also reflected in budget book for financial year 2019-20 and onward. Therefore the committee and District Account Officer Dir Upper agreed unanimously that in order to curtail/abolish the disparity amongst Naiks and Lance Naiks the BPS of Naiks and Lance Naik may be considered in BPS-09 as there is no BPS-08 in SAP System of Finance Department, subject to endorsement by Home & Tribal Affairs Department Khyber Pakhtunkhwa.

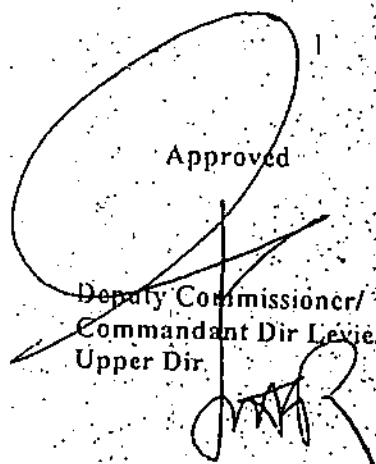
The meeting ended with a vote of thanks from and to the chair.

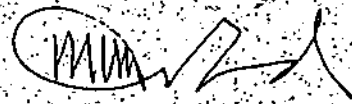

Representative of Home & TAs Department
Khyber Pakhtunkhwa Peshawar.


16-5-2023


Representative of
Commissioner Malakand Division.

Approved


Deputy Commissioner/
Commandant Dir Levies
Upper Dir.


District Account Officer
Dir Upper

ATTESTED

Deputy Commissioner/
Commandant Dir Levies
Dir Upper.

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA
SWAT.

16

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir Upper.....Petitioner.

VS

Commissioner Malakand Division at Saidu Sharif Swat & others.....Respondents.

AUTHORITY LETTER

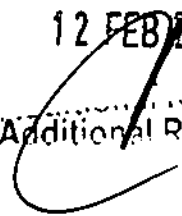
Mr. Muhammad Rasool Shah Finance Officer Dir Upper is hereby authorized to submit parawise comments in the subject case in the honorable Peshawar High Court Mingora Bench Dar-ul-Qaza Swat on behalf of the undersigned.


Commissioner Malakand Division.
Saidu Sharif Swat
Respondent No. 1
Commissioner, Malakand Division.

FILED TODAY

12 FEB 2024

Additional Registrar



BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-OAZA SWAT.

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir UpperPetitioners.

VS

1. Federation of Pakistan through Ministry of SAFRON, Pak Secretariat Islamabad.
2. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
3. Secretary Law & Order, at Civil Secretariat Peshawar.
4. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

.....**Respondents.**

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S.No	Description of Documents	Annexure	Pages
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03	Notification dated 21-10-2021 of Home Department Khyber Pakhtunkhwa	A	5-6
04	Seniority list of Dir Levies	B	7-9
05	Minutes of the DPC meeting	C	10-17

FILED TODAY

18 JAN 2024

Additional Registrar

R. Rasool Shah
AG
Sign *[Signature]*
Date 18-01-2024

Muhammad Rasool Shah

[Signature]
Finance Officer

Upper Dir

MOB# 03159048466

SCANNED

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA SWAT.

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir Upper **Petitioners.**

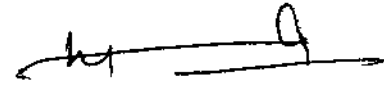
VS

1. Federation of Pakistan through Ministry of SAFRON, Pak Secretariat Islamabad.
2. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
3. Secretary Law & Order, at Civil Secretariat Peshawar.
4. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

..... **Respondents.**

AFFIDAVIT

I, Muhammad Rasool Shah Finance Officer Dir Upper, do hereby solemnly affirm and declare on oath that the contents of the accompanying joint para wise Comments on behalf of Respondent No. 02 & 04 are true and correct to the best of my knowledge and behalf that nothing has been concealed from this Honorable Court.



Deponent

**CNIC 15302-09913627-
MOB# 03159048466**

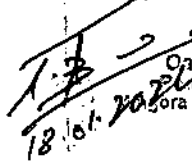
FILED TODAY

18 JAN 2024

Additional Registrar

S.No- 301
Certified that the above was verified on Solemn
affirmation before me on this 18 day of Jan 2024
by Muhammad Rasool Shah
S/o Muhammad Shah R/o Dir Upper
who was identified by myself

who is personally known to me.


Oath Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.
18 Jan 2024

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir Upper Petitioners.

VS

1. Federation of Pakistan through Ministry of SAFRON, Pak Secretariat Islamabad.
2. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs at Civil Secretariat Peshawar.
3. Secretary Law & Order, at Civil Secretariat Peshawar.
4. Deputy Commissioner/Commandant Dir Upper Levies, District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar r/o Jughabanj Tehsil Wari District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan r/o Panakaot Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad r/o village & Tehsil Wari District Dir Upper.

..... Respondents.

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN 1973.

JOINT PARA -WISE COMMENTS ON BEHALF OF RESPONDENT NO.2 AND 4

PRELIMINARY OBJECTIONS:

1. That the petition is not maintainable in its present form.
2. That the petitioner has got no locus standi to file the instant petition.
3. That the petition is not maintainable due to Mis-Joinder and Non-Joinder of necessary parties.
4. That the petitioner does not come to the Court with clean hands.
5. That the petitioner concealed the material fact from the Honorable Court.

RESPECTFULLY SHEWETH:-

ON FACTS

1. Correct to the extent of appointment.
2. No comments.
3. No comments.
4. Correct to the extent that 03 number of posts of Subidar were became vacant in Dir Levies but the same have been filled in by the way of promotion from amongst the senior most Naib Subidars of Dir Levies as per the prescribed Rules and Seniority list of Dir Levies (copy of the Service Rules and Seniority List is attached at Annexure A & B respectively).
5. **Incorrect.** In order to fill up the aforesaid 03 number of vacant posts of Subidars in Dir Levies a Departmental Promotion Committee meeting was held in the office of respondent No. 04/Commandant Dir Levies and after threat bared discussion and thoroughly examining the service record as well as physical condition of all the candidates, all the members of the committee unanimously recommended the promotion of the senior most Naib Subidars to the next rank (copy of the minutes of the meeting is attached at Annexure C).

FILED TODAY

18 JAN 2024

Additional Registrar

Vetted
10/01/2024
Additional Registrar
Peshawar High Court
Mingora Bench
Dar-ul-Qaza, Swat

6. **Incorrect.** As explained at para No. 05 above all the members of the DPC unanimously recommended the promotion of respondent No. 05 to 07 on the basis of seniority list and standing Levy Service Rules that is why the departmental appeal of the petitioner was filled.

7. **No comments.**

ON GROUNDS.

A. **Incorrect.** As explained at para No. 04 and 05 above the promotion process of respondent 05 to 07 has been carried out as per standing Levy Service Rules and no discrimination has been made during the said process.

B. **Incorrect** as explained A above.

C. **Incorrect.** As explained at para No. 04, 05 and A above.

D. **Incorrect.** As explained at 04 and 05 above.

E. **Incorrect.** As explained at above paras.

F. **Incorrect.** As explained at para No. 04, 05 and A above.

G. **Incorrect.** As explained at para No. 04, 05 and A above that the promotion of respondent No. 05 to 07 has been carried out as per standing Levy Service Rules and seniority list.

H. **Incorrect.** As explained at para No. 04 & 05 above.

I. **No comments.**

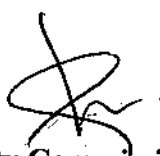
J. **Incorrect.** As explained above the DPC process has been carried out as per laid down procedure of the Home & Tribal Affairs Department Khyber Pakhtunkhwa.


K. **Incorrect.** As explained earlier the DPC process have been conducted as per standing Levy Service Rules and no discrimination has made by any of the respondent.

L. **Incorrect.** As explained at above paras.

M. **No Comments.**

In light of the above, it is prayed that the petition is not based on facts and does not merit consideration, therefore may please be dismissed.


**Deputy Commissioner/
Commandant Dir Levies
District Dir Upper
Respondent No. 04
DC/Commandant
Dir Levies**


**Additional Chief Secretary
Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department
Respondent No. 02
Additional Chief Secretary
Home & T.As Department
Khyber Pakhtunkhwa.**

FILED TODAY

18 JAN 2024


Additional Registrar

Writ Petition No. 1361-M of 2023

Javid Iqbal s/o Muhammad Islam r/o Sheringal District Dir UpperPetitioners.

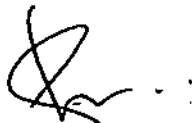
VS

Federation of Pakistan through Ministry of SAFRON, Pak Secretariat Islamabad & others.

.....Respondents.

AUTHORITY LETTER

Mr. Muhammad Rasool Shah, Finance Officer Dir Upper is hereby authorized to submit joint para-wise comments in the subject case in the Honorable Peshawar High Court Mingora Bench Darul-Qaza Swat on behalf of the undersigned.



Deputy Commissioner/
Commandant Dir Levies
District Dir Upper
Respondent No. 04
DC/Commandant
Dir Levies



Additional Chief Secretary
Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department
Respondent No. 02
Additional Chief Secretary
Home & T.As Department
Khyber Pakhtunkhwa.

FILED TODAY

18 JAN 2024

Additional Registrar



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

NOTIFICATION

Peshawar, dated the 21-10-2021

NO. SO(POLICE-II)HD/1-3/FEDERAL LEVIES 2021: In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, and in continuation of this department notification No. SO(Police-II)HD/MKD/levies/Misc/2020 dated 22-03-2021, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:-

SCHEDULE-III

S. No.	Name of the Post / Rank	Length of Service / Age
1	Subedar Major (BS-16)	Thirty Seven Years of service or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier.
2	Subedar (BS-14)	Thirty Five Years of service or Five Years' service as Subedar or Sixty years of age whichever is earlier.
3	Naib Subedar (BS-11)	Thirty Three Years of Service or Seven Years' service as Naib Subedar or Sixty Years of age whichever is earlier.
4	Hawaldar (BS-09)	Thirty one years of service or fifty one year of age whichever is earlier.
5	Naik (BS-08)	Twenty nine years of service or forty nine years age whichever is earlier.
6	L/Naik (BS-08)	Twenty seven years of service or forty seven years age whichever is earlier.
7	Sepoy (BS-07)	Twenty five years of service or forty five year of age whichever is earlier.

SCHEDULE-I

S.No	Post/ Rank	Eligibility for Promotion	Promotion Quota	Direct Quota	Qualification
1	Subedar Major (BS-16)	02 years' service as Subedar Or Total 21 years of service	100%		
2	Subedar (BS-14)	02 years' service as Naib Subedar Or Total 19 years of service	100%		
3	Naib Subedar (BS-11)	04 years' service as Hawaldar Or Total 17 years of service	100%		
4	Hawaldar (BS-09)	05 years' service as Naik Or Total 13 years of service	100%		
5	Naik (BS-08)	03 years' service as Lance Naik Or Total 08 years of service			
6	L/Naik (BS-08)	03 years' service as Sepoy			
7	Sepoy (BS-07)			100%	SSC
8	Head Armorer (BS-5)	05 years' service as Assistant Armorer	100%		SSC Qualification with certificate of Armorer
9	Assistant Armorer (BS-1)			100%	SSC Qualification with certificate of Armorer

ATTESTED

[Signature]
Distt. Control Room
Deputy Commissioner Office
Dir. Upper.

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HOME & TRIBAL AFFAIRS DEPARTMENT

6

Copy forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Police Officers, Khyber Pakhtunkhwa.
8. All Heads of Attached Department in Khyber Pakhtunkhwa.
9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Direction Information, Khyber Pakhtunkhwa.
12. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa: He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department.

Section Officer (Police-II)

21/10/2021

ATTESTED

District Council
Deputy Chairman
Dir Upper

FINAL SENORITY LIST OF DIR LEVIES DIR UPPER DECEMBER 2020

#	P.NO	NAME	FATHER NAME	BELT NO	DATE OF APPOINTMENT	DATE OF BIRTH	PRESENT RANK	BPS	DATE OF PROMOTION TO THE PRESENT RANK
SUBEDAR MAJOR/INSPECTOR (BPS-16)									
1	268074	SHAH YOUSAF KHAN	BAHADAR KHAN	1414	24.06.1989	07.10.1969	SUBEDAR MAJOR / INSPECTOR	16	14.11.2018
SUBEDAR/SUB INSPECTOR (BPS-14)									
1	258627	JEHAN ZEB KHAN	SHAH NAWAZ KHAN	1478	12.09.1993	1974	SUBEDAR / SUB INSPECTOR	14	09.11.2016
2	258437	KHAISTA SAID	SWAL FAQIR	1480	14.09.1993	01.01.1968	SUBEDAR / SUB INSPECTOR	14	09.11.2016
3	258220	RAHMAN UDDIN	SHEH ZADA	1483	16.03.1994	05.10.1974	SUBEDAR / SUB INSPECTOR	14	09.11.2016
4	258226	MUHAMMAD NAZIB	ANWAR ZEB	1490	28.09.1994	01.01.1975	SUBEDAR / SUB INSPECTOR	14	09.01.2019
5	258605	NOOR ISLAM	MUBARAK SAID KHAN	1493	01.12.1994	1974	SUBEDAR / SUB INSPECTOR	14	09.01.2019
6	258645	MANASIB KHAN	NAWSHER	1495	06.12.1994	1972	SUBEDAR / SUB INSPECTOR	14	09.01.2019
7	258035	FAIZ UL HAKIM	BASHIR	1497	01.01.1995	01.01.1969	SUBEDAR / SUB INSPECTOR	14	09.01.2019
8	258534	MUHAMMAD ISRAR	NAQSHAY	1499	01.01.1995	01.01.1972	SUBEDAR / SUB INSPECTOR	14	09.01.2019
9	258657	IHSAN ULLAH KHAN	SHAH MUHAMMAD KHAN	1500	21.12.1994	1975	SUBEDAR / SUB INSPECTOR	14	09.01.2019
10	258469	GHOUSU RAHMAN	MUHAMMAD AMIN	1505	11.08.1996	19.01.1971	SUBEDAR / SUB INSPECTOR	14	09.01.2019
11	258214	ABDUR RASHID	FAIZ MUHAMMAD	1508	11.08.1996	11.10.1974	SUBEDAR / SUB INSPECTOR	14	09.01.2019
NAIB SUBEDAR/ASSISTANT SUB INSPECTOR (BPS-11)									
1	258240	RAZA ULLAH	AMIR MUHAMMAD KHAN	1509	11.08.1996	13.01.1975	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
2	258187	GUL BADSHSAH	KHAISTA MUHAMMAD	1515	11.08.1996	10.12.1972	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
3	258470	JEHAN ZEB	BADSHAH SARDAR	1516	11.08.1996	01.01.1970	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
4	258339	MUHAMMAD IQBAL	BAKHT ZAMIN	1518	11.08.1996	03.01.1979	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
5	258164	NASIB ZADA	MUHAMMAD JAN	1522	11.08.1996	01.01.1970	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
6	258604	RAHAMAT RAHMAN	FAZAL RAHMAN	1523	11.08.1996	26.05.1974	N SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014

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Deputy Commissioner's Office
Dir Upper

7	258680	MUHAMMAD JAWAD KHAN	MUHAMMAD NAWSHAD	1524	13.08.1996	24.06.1975	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
8	264201	JAVEED IQBAL	MUHAMMAD ISLAM	1528	25.08.1996	04.03.1977	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
9	258583	FAZAL RAZIQ	HAKIM JAN	1533	16.10.1996	04.02.1973	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	11.11.2014
10	258275	IZAT KHAN	SADAT KHAN	1537	22.10.1996	1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
11	258619	MAZHAR SHAH	ALI HAIDAR	1539	22.10.1996	06.02.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
12	258525	MUHHB ULLAH	JAMROZ KHAN	1540	25.10.1996	26.04.1970	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	14.11.2016
13	258263	GULAB ZADA	BADSHAH MULA	1559	16.04.1998	10.02.1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
14	258301	ALLAU DDIN KHAN	JAN BAKHT KHAN	1560	18.04.1998	01.04.1977	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
15	258498	GUL AKBAR KHAN	RAHIM KHAN	1561	18.04.1998	01.01.1965	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
16	258207	KHAISTA ZADA	KAMIN KHAN	1562	21.04.1998	1973	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
17	258221	SAHIB ZADA	GUL TA KHAN	1566	01.06.1998	06.04.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
18	258514	GUL IHSAN ULLAH	JEHAN ZEB	1568	01.06.1998	03.03.1970	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
19	258229	SHER NAWAZ KHAN	SHAH NAS KHAN	1570	01.06.1998	16.01.1974	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
20	258287	MUHAMMAD TAMIN KHAN	JAN MUHAMMAD KHAN	1572	01.06.1998	1976	N.SUBEDAR/ ASSISTANT SUB INSPECTOR	11	09.01.2019
HAWALDAR/HEAD CONSTABLE (BPS-09)									
1	258188	AMIR BADSHAH	GHOUS ALAM	1577	11.06.1998	12.03.1979	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
2	258646	BADSHAH UDDIN	SHAHAB UDDIN	1588	01.03.1999	03.04.1975	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
3	258593	SHAH MUHAMMAD	YAR MUHAMMAD	1589	01.03.1999	03.12.1973	HAWALDAR/HEAD CONSTABLE	09	19.11.2013
4	258358	ZAHOR UDDIN	MUHAMMAD ZAHIR KHAN	1600	17.08.1999	10.12.1980	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
5	258361	AMIR ZAIB KHAN	SHAH NAWAZ KHAN	1604	14.09.1999	01.06.1980	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
6	268086	MUHAMMAD TAHIR	ABDUL HAMID	1606	20.09.1999	25.03.1973	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
7	258647	JEHAN ZEB KHAN	FAQIR KHAN	1618	05.05.2000	15.06.1975	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
8	258663	AYUB KHAN	RASOOL SHAH	1619	08.05.2000	03.05.1976	HAWALDAR/HEAD CONSTABLE	09	11.11.2014

Deputy Dir Upper

9	258300	HAYAT ULLAH	RAHIM ULLAH	1632	16.11.2000	01.06.1977	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
10	258212	RAFI ULLAH	QARIB ULLAH	1638	09.01.2001	12.03.1973	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
11	258377	JAN FERAZ KHAN	MUHAMMAD ROZ KHA	1642	14.02.2001	09.01.1981	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
12	258388	HAZRAT SULTAN	FAZAL RAHMAN	1645	01.06.2001	05.02.1982	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
13	258163	HAZRAT MUHAMMAD	HAJI MUHAMMAD SHOAB	1699	31.12.2004	08.12.1970	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
14	277926	BAIDAR KHAN	TOOR BACHA	1716	08.04.2006	18.03.1976	HAWALDAR/HEAD CONSTABLE	09	11.11.2014
15	508899	NASEEB ZADA	KHAN ZADA	01	01.02.2010	02.07.1991	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
16	508927	NAEEM ULLAH	FAZAL WAHID	02	01.02.2010	14.03.1991	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
17	508930	JAMAL SHAH	SHAH ZAMIN KHAN	03	01.02.2010	28.06.1988	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
18	508932	SABED UR RAHMAN	MUHAMMAD YAR	04	01.02.2010	02.04.1989	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
19	508933	SHOUKAT ALI	RAHMAN GUL	05	01.02.2010	21.06.1986	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
20	508934	SAJID ULLAH	MUHAMMAD IRSHAD	06	01.02.2010	01.01.1987	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
21	508935	RAFI ULLAH	NADAR SAID	07	01.02.2010	02.01.1988	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
22	508936	BAKHT RAWAN	AMIR RAHMAN	08	01.02.2010	03.07.1979	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
23	508937	NAVEED KHAN	KHALIL KHAN	09	01.02.2010	09.04.1990	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
24	508938	AMIN ULLAH	RANJA KHAN	10	01.02.2010	18.08.1989	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
25	508939	GUL HASSAN	RASOOL JAN	11	01.02.2010	20.08.1990	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
26	508940	GUL SAHIB ZADA	MUHAMMAD ARIF KHAN	12	01.02.2010	01.05.1987	HAWALDAR/HEAD CONSTABLE	09	23.01.2018
27	508942	AFZAL KHAN	BAZER KHAN	13	01.02.2010	15.03.1989	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
28	508943	IKRAM UL HAQ	AMAN UL HAQ	14	01.02.2010	02.04.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
29	508945	MUHAMMAD BAZ KHAN	SAID AZEEM KHAN	15	01.02.2010	10.4.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
30	508946	IFTIKHAR ALI	DILAWAR KHAN	16	01.02.2010	10.03.1990	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
31	508954	ALIF KHAN	QADAR KAHN	17	01.02.2010	12.04.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
32	508959	MUHAMMAD MUNIR	AMIN ULLAH	18	01.02.2010	01.10.1988	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
33	508968	HANEF UR RAHMAN	SAID REHMAN	19	01.02.2010	25.02.1991	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
34	508971	MUHAMMAD ZUBAIR	UMAR YAR KHAN	20	01.02.2010	25.10.1986	HAWALDAR/HEAD CONSTABLE	09	09.01.2019
NAIK/CONSTABLE (B-1) (BPS-07)									
1	508975	ANWAR ZEB	HAMEEM ZADA	21	01.02.2010	01.01.1990	NAIK / CONSTABLE (B-1)	07	14.11.2016

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 16-05-2023 FOR THE PROMOTION OF NAIB SUBIDARS BPS-11, HAWALDAR BPS-09, NAIK BPS-08, LANCE NAIK BPS-08 AND SEPOY BPS-07 TO THE NEXT RANKS.

A meeting of the Departmental Promotion Committee was held on 16-05-2023 at 11:00 AM under the chairmanship of the Deputy Commissioner/Commandant Dir Levies District Dir Upper to consider the promotion cases of subject cited categories of levy personnel as per their ranks in compliance of the judgment of the honorable Peshawar High Court Mingora Bench Dar-ul-Qaza Swat vide Writ Petition No. 1240-M/2021 followed by COC No. 91-M/2022 in WP No. 1240-M/2021 and COC No. 94-M/2023 in WP No. 95-M/2022 and as per laid down criteria in the prevailing Service Rules notified vide Notification No. SO(Police-II)HD/1-3/Federal Levies 2021 dated 21-10-2021, and clarified by Home Department vide letter No. SO(L&K/DPC/2023) dated 15-05-2023 regarding "Qualification for Promotion". The following attended the meeting:-

1. Deputy Commissioner/Commandant Levies, District Dir Upper.....In Chair.
2. Mr. Sultan Muhammad Superintendent, Rep: of Home & TA& Deptt:.....Member.
3. Mr. Shahid Khan Assistant Rep: of Office of Commissioner Malakand DivisionMember.
4. District Account Officer Dir Upper.....(Invited by the Chair for Assistance)

The Chair welcomed the participants. The committee thoroughly scrutinized the documents i.e seniority list, ACRs, synopsis, service book, physical fitness of the levy personnel included in the panel of various ranks and after detailed discussion the committee recommended promotions of the senior most Naib Subidar BPS-11, Hawaldars BPS-09, Naik BPS-08, Lance Naik BPS-08 and Sepoy BPS-07 to their respective higher ranks already lying vacant and to the posts that became vacant due to promotion of Levy personnel to the next higher ranks.

AGENDA ITEM NO. 01
PROMOTION OF NAIB SUBIDAR BPS-11 TO SUBIDAR BPS-14.

During the course of discussion it was pointed out that there are 03 posts of Subidar BPS-14 lying vacant due to the retirement of senior subidars on 09-11-2021. The following Naib Subidar BPS-11 were recommended for promotion to the rank of Subidar BPS-14 on the basis of seniority cum fitness from amongst the panel of Naib Subidar as per the aforementioned court orders w.e.f from 10-11-2021:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Raza Ullah	Amir Muhammad Khan	11-08-1996	11-11-2014	Subidar BPS-14	
02	Gul Badshah	Khaista Muhammad	11-08-1996	11-11-2014	Subidar BPS-14	
	Jehan Zeb	Badshah Sardar	11-08-1996	11-11-2014	Subidar BPS-14	His promotion will be subject to the provision of Medical Fitness Certificate from MS DHQ Hospital Dir Upper

ATTESTED
Distt: Khyber Pakhtunkhwa
Deputy Commissioner Office
Dir Upper

AGENDA ITEM NO. 02

PROMOTION OF HAWALDARS BPS-09 TO NAIB SUBIDAR BPS-11

During the course of discussion it was pointed out that there are 02 posts of Naib Subidar BPS-11 lying vacant due to the retirement of senior subidars on 11-11-2021 and 03 posts which became vacant due to promotion of Naib Subidars to the next higher ranks. The following Hawaldar BPS-09 were recommended for promotion to the rank of Naib Subidar BPS-11 on the basis of seniority cum fitness from amongst the panel of Hawaldars with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Amir Badshah	Ghaus ul Alam	11-06-1998	19-11-2013	Naib Subidar BPS-11	--
02	Badshah ud Din	Shahab ud Din	01-03-1999	19-11-2013	Naib Subidar BPS-11	--
03	Shah Muhammad	Yar Muhammad	01-03-1999	19-11-2013	Naib Subidar BPS-11	--
04	Zahoor ud Din	Muhammad Zahir Khan	17-08-1999	11-11-2014	Naib Subidar BPS-11	--
05	Amir Zeb Khan	Shah Nawaz Khan	14-09-1999	11-11-2014	Naib Subidar BPS-11	--

AGENDA ITEM NO. 03

PROMOTION OF NAIK BPS-08 TO HAWALDAR BPS-09

During discussion it was pointed out that there is 01 post of Hawaldar BPS-09 lying vacant due to the retirement of senior Hawaldar on 08-12-2021 and 05 number of posts became vacant due to promotion of Hawaldars to the next higher ranks. The following Naiks BPS-08 were recommended for promotion to the rank of Hawaldar BPS-09 on the basis of seniority cum fitness from amongst the panel of Naiks with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Anwar Zeb	Hamim Zada	01-02-2010	14-11-2016	Hawaldar BPS-09	--
02	Nasir Ullah	Asaf Khan	01-02-2010	14-11-2016	Hawaldar BPS-09	--
03	Umar Zada	Muhammad Sherin	01-02-2010	14-11-2016	Hawaldar BPS-09	--
04	Nasrullah	Badshah Zada	01-02-2010	14-11-2016	Hawaldar BPS-09	--
05	Khaista Rahman	Ghulam Hazrat	01-02-2010	14-11-2016	Hawaldar BPS-09	--
06	Alam Zeb	Sultan Muhammad	01-02-2010	14-11-2016	Hawaldar BPS-09	--

ATTESTED

Distt. Room
Deputy Commissioner Office
Dir Bpper.

AGENDA ITEM NO. 04

PROMOTION OF LANCE NAIK TO NAIK BPS-08

The following Lance Naiks BPS-08 were recommended for promotion to the rank of Naik BPS-08 on the basis of seniority cum fitness from amongst the panel of Lance Naiks to 06 number of posts which became vacant due to promotion of Naik to the next higher ranks with immediate effect:-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Khyal Zada	Shahzul	01-02-2010	14-11-2016	Naik BPS-08	--
02	Karim Ullah	Nasib Gul	01-02-2010	14-11-2016	Naik BPS-08	--
03	Shahab ud Din	Nasar ud Din	01-02-2010	14-11-2016	Naik BPS-08	---
04	Sami Ullah	Masal Khan	01-02-2010	14-11-2016	Naik BPS-08	---
05	Zahid Rahman	Habib Rahman	01-02-2010	14-11-2016	Naik BPS-08	---
06	Wahid Ullah	Shezol Khan	01-02-2010	14-11-2016	Naik BPS-08	--

AGENDA ITEM NO. 05

PROMOTION OF SEPOY BPS-07 TO LANCE NAIK BPS-08

The following Sepoy BPS-07 were recommended for promotion to the rank of Lance Naik BPS-08 on the basis of seniority cum fitness from amongst the panel of Sepoys to 06 number of posts which became vacant due to promotion of lance Naiks to the next higher ranks with immediate effect :-

S. No	Name	Father Name	DOA	Date of last promotion	Rank to be promoted to	Remarks
01	Tariq Ahmad	Asfandyar	01-02-2010	--	Lance Naik BPS-08	--
02	Sajad Ali	Muhammad Islam	01-02-2010	--	Lance Naik BPS-08	--
03	Imran Ali	Yaqoob Khan	01-02-2010	--	Lance Naik BPS-08	--
04	Muhammad Aziz Khan	Muhammad Akbar Khan	01-02-2010	--	Lance Naik BPS-08	--
05	Farman Ullah	Muhammad Zahir	01-02-2010	--	Lance Naik BPS-08	--
06	Nadeem Khan	Hashtamand Khan	01-02-2010	--	Lance Naik BPS-08	--

After detailed deliberation the committee unanimously decided to grant conditional promotion to the above personnel, however if the response/outcome of Home Department with reference to this office letter No. 6617/DC/LHC/Misc dated 03-05-2023, pending CPLAs before the apex Supreme Court of Pakistan and cases pending in Service Tribunal Khyber Pakhtunkhwa is in adverse manner then their promotion orders will be withdrawn and they will be reverted to their present status.

ATTESTED

[Signature]
Dist. Room
Deputy Commissioner Office
Dir. Upper.

On the basis of an application submitted by 95 numbers of Naiks and Lance Naiks who are getting salaries in BPS-08 which is less than the salary of constable BPS-07, whereas the Finance Department is releasing salaries in BPS-09 and also reflected in budget book for financial year 2019-20 and onward. Therefore the committee and District Account Officer Dir Upper agreed unanimously that in order to curtail/abolish the disparity amongst Naiks and Lance Naiks the BPS of Naiks and Lance Naik may be considered in BPS-09 as there is no BPS-08 in SAP System of Finance Department, subject to endorsement by Home & Tribal Affairs Department Khyber Pakhtunkhwa.

The meeting ended with a vote of thanks from and to the chair.

Representative of Home & TAs Department
Khyber Pakhtunkhwa Peshawar.

16-5-2023

Representative of
Commissioner Malakand Division.

Approved

Deputy Commissioner/
Commandant Dir Levies
Upper Dir.

District Account Officer
Dir Upper

ATTESTED

Distr: K...
Deputy Comm...
Dir Upper.

15

No 1205

N.W.F.P MED NO 2

gh&PD-NWFP-27FS-2000 P of 100-29-7-98-(6)

MEDICAL CERTIFICATE

Name of Official Jehan Zeb
 Cast of face Mohammad Zai
 Father's Name Kacha Suidar
 Residence Jugabang Teh wari Dist Dir (H)
 Date of Birth 01-01-1970
 Exact height by measurement 6-5"
 Personal marks of identification None
 Signature of the official Jehan Zeb
 Signature of head of office

Seal of Officer

I do hereby certify that I have examined Mr. Jehan Zeb a
 Candidate for employment in office of the Deputy Commissioner and
 cannot discover that he may have any disease communicable of other constitutional affection or bodily infirmity
 except Nil / one eye

I do not consider this as disqualification for employment in the office of the
Deputy Commissioner. His age according to own statement 53 years.
 And by appearance about 53 year.

LEFT HAND THUMB AND FINGER IMPRESSION

ATTESTED

[Signature]
 District Deputy Commissioner
 Dir. Hous.

Medical Superintendent
 Civil Hospital

[Signature]
 70

19.5.2023





GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

any of the promisees ineligible for promotion.

38

It is therefore proposed that the application of Mr Javed Iqbal can not be entertained here the instant case may please be filed.

AS (P/L)

FL
03/08/2023

39

Pl. ask DC concerned for report

~~DC (P/L)~~

1036

4

Follow the directions of AS (P/L) at para 39/1 please.

Solhan

FL
04/08/2023

ATTESTED

District Deputy Commissioner
Office
Dir Upper

(17)

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

FUC-1 & 7

Subject:- APPLICATION FOR PROMOTION.

2 A meeting of Departmental Promotion Committee was held in Office of the Deputy Commissioner/Commandant Levy Force Dir Upper Dir 16-5-2023 wherein promotion of various Ranks were carried out including promotion of three Naib Subedars (BS-11) to the Rank of Subedar (BS-14). The same was done in order of Seniority Cum-Fitness on the basis of promotion criteria prescribed in Home Department Notification dated 21-10-2021.

3 The applicants Muhammad Iqbal and Javid Iqbal Naib Subedars have raised objection to the promotion rules mentioned in Notification dated 21-10-2021 stating that the promotion criteria given in the Notification dated 22-3-2021 enables them for promotion on the basis of Seniority Cum-Fitness with the following shares of posts with educational qualification for the purpose of promotion :-

CRITERIA GIVEN IN RULES DATED 22-3-2021

1. By Promotion on the basis of Seniority Cum-Fitness with 50% from amongst the Naib Subedars having Intermediate qualification and
2. 50% from amongst Naib Subedars having Secondary School Certificate

4 The above rules dated 22-3-2021 (F/A) have further been amended vide Notification dated 21-10-2021 wherein eligibility for promotion and promotion quota has been mentioned (F/D) however there is no mention of qualification in the Qualification Column inserted in the said notification.

5 The applicant Muhammad Iqbal who is at S.No.4 of the Seniority List requests for promotion against one of the three posts which have already been filled by way of promotion in the aforesaid meeting, whereas Mr. Javid Iqbal Naib Subedar being at S.No.8 of the Seniority List has requested for promotion against one of the three posts on the basis of his academic qualification i.e BA Degree as well as the 50% promotion quota.

6 Submitted for order, please.

DS (L&K)

ATTESTED

Levy Record Room
Deputy Commissioner Office
Commandant Dir Levies

Next Page please

SO (L&K) 17/2

IN THE PESHAWAR HIGH COURT, MINGORA
BENCH, DAR-UL-QAZA, SWAT

W.P. No. 1361-M/2023

Javed Iqbal.....Petitioner

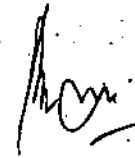
VERSUS

Federation of Pakistan through M/O SAFRON & other.....Respondents

REPORT ON BEHALF OF RESPONDENT NO.01
(SECRETARY SAFRON, ISLAMABAD)

INDEX

S#	DESCRIPTION OF DOCUMENTS	PAGES	ANNEX
1.	Report/Comment.	1	A
2.	25th Constitutional Amendment	2-5	B
3.	Affidavit	6	C
4.	Authorization Letter	7	D



(MUHAMMAD MUNIR)
Section Officer (BPS-17)
Ministry of SAFRON
Islamabad.

MUHAMMAD MUNIR
Section Officer
M/o States & Frontier Regions
Islamabad

Received
Noted for DAG
Dated 11/01/2024 Sign 

FILED TODAY

11 JAN 2024


Additional Registrar

(2)

IN THE PESHAWAR HIGH COURT, MINGORA BENCH,
DAR-UL-QAZA, SWAT

W.P. No. 1361-M/2023

Javed Iqbal.....Petitioner
VERSUS
Federation of Pakistan through M/O SAFRON & others.....Respondents

REPORT ON BEHALF OF RESPONDENT NO.01
(SECRETARY SAFRON, ISLAMABAD)

Respectfully Sheweth,

Preliminary Objection:

That the issue involved in the instant petition is substantially related to other Respondents and the impleadment of answering Respondent who has no legal authority in the matter, is unnecessary and unwarranted. Therefore, the petition is defective for mis-joinder of necessary parties.

Facts

That consequent to the 25th Constitutional Amendment passed by Parliament on 31st May, 2018 (Annex-I), Article-246 of the Constitution was amended to the extent that Federally Administered Tribal Areas (FATA) and Provincial Administrative Tribal Areas (PATA) were merged in the Provinces of Khyber Pakhtunkhwa & Balochistan and Article-247 in connection with their administration was omitted. Subsequently, after the amendment in the Rules of Business, 1973, to include Secretary, M/o States and Frontier Regions, Islamabad (Respondents No.01) among the respondents is unnecessary and unwarranted as this Ministry has no role in services matter of Levies Force.

PRAYER:-

In view of above submissions, it is humbly prayed that name of answering Respondent i.e. the Secretary, Ministry of States and Frontier Regions (SAFRON) may please be excluded from array of respondents and the instant petition may be decided in accordance with law.

MUHAMMAD MUNIR
Section Officer
M/o States & Frontier Regions
Islamabad



FILED TODAY

ON BEHALF OF RESPONDENT NO. 01

THROUGH COUNSEL

11 JAN 2024
Additional Registrar

DEPUTY ATTORNEY GENERAL

2

REGISTERED No. M - 302
L-7646

The Gazette of Pakistan



EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, TUESDAY, JUNE 5, 2018

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 4th June, 2018

No. F. 9 (30)/2018-Legis.—The following Act of *Majlis-e-Shoora* (Parliament) received the assent of the President on 31st May, 2018 and is hereby published for general information:—

ACT No. XXXVII OF 2018

An Act further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing:

It is hereby enacted as follows:—


1. Short title and commencement.—(1) This Act may be called the Constitution (Twenty-fifth Amendment) Act, 2018.

(2) Except as provided in this Act, it shall come into force at once.

(713)

Price: Rs. 3.00

[5996(2018) Ex.Gaz.]


MUHAMMAD MUNIR
Section Officer
M/o States & Frontier Regions
Islamabad

2. **Amendment of Article 1 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2),—

- (i) in paragraph (b), after semi-colon the word "and" shall be inserted;
- (ii) paragraph (c) shall be omitted; and
- (iii) paragraph (d) shall be renumbered as paragraph (c).

3. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,—

- (i) in clause (1), for the expression "three hundred and forty-two" the expression "three hundred and thirty-six" shall be substituted;
- (ii) for clause (3) and the Table thereunder, the following shall be substituted, namely:—


"(3) The seats in the National Assembly referred to in clause (1), except the seats mentioned in clause (4), shall be allocated to each Province and the Federal Capital as under:—

	General Seats	Women Seats	Total Seats
Balochistan	16	4	20
Khyber Pakhtunkhwa	45	10	55
Punjab	141	32	173
Sindh	61	14	75
Federal Capital	3	—	3
Total:	266	60	326

- (iii) after clause (3), substituted as aforesaid, the following new clause shall be inserted, namely:—

"(3A) Notwithstanding anything contained in clause (3) or any other law for the time being in force, the members of the National Assembly from the Federally Administered Tribal Areas to be elected in the general elections, 2018 shall continue till dissolution of the National Assembly and thereafter this clause shall stand omitted."; and

- (iv) in clause 5, the words, brackets; figure and comma "Save as provided in clause (3) in respect of the Federally Administered Tribal Areas," shall be omitted and for the word "the", occurring for the first time, the word "The" shall be substituted.


MUHAMMAD MUNIR
 Section Officer
 M/o States & Frontier Regions
 Islamabad

4. Amendment of Article 59 of the Constitution.—In the Constitution, in Article 59,—

- (1) in clause (1), —
 - (a) for the words “one hundred and four” the word “ninety-six” shall be substituted; and
 - (b) paragraph (b) shall be omitted;
- (2) in clause (3), paragraph (b) shall be omitted; and
- (3) after clause (3), amended as aforesaid, the following new clause shall be inserted, namely:—

“(3A) Notwithstanding the omission of paragraph (b) of clause (1) and the omission of paragraph (b) of clause (3), the existing members of the Senate from the Federally Administered Tribal Areas shall continue till expiry of their respective terms of office and on the expiry of the aforesaid terms this clause shall stand omitted.”

5. Amendment of Article 62 of the Constitution.—In the Constitution, in Article 62, in clause (1), in paragraph (c), the words “or the Federally Administered Tribal Areas” shall be omitted.

6. Amendment of Article 106 of the Constitution.—In the Constitution, in Article 106,—

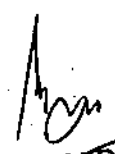
- (I) in clause (1), in the Table, for the expression “Khyber Pakhtunkhwa”, in the first column and the entries relating thereto in the second, third, fourth and fifth columns, the following shall be substituted, namely:—

“Khyber Pakhtunkhwa 115 26 4 145”; and

- (II) after clause (1), amended as aforesaid, the following new clauses shall be inserted, namely:—

“(1A) The seats for the Province of Khyber Pakhtunkhwa, referred to in clause (1), include sixteen general seats, four seats for women and one seat for non-Muslims in respect of the Federally Administered Tribal Areas:

Provided that elections to the aforesaid seats shall be held within one year after the general elections, 2018.


 MUHAMMAD MUNIR
 Section Officer
 M/o States & Frontier Regions
 Islamabad

(1B) After elections to seats referred to in clause (1A), both clause (1A) and this clause shall stand omitted."

7. **Amendment of Article 155 of the Constitution.**—In the Constitution, in Article 155, in clause (1), the words and comma "or the Federally Administered Tribal Areas," shall be omitted.

8. **Amendment of Article 246 of the Constitution.**—In the Constitution, in Article 246,—

- (i) in paragraph (b), the word "and" at the end, shall be omitted;
- (ii) in paragraph (c), for the full stop at the end, a semi colon and the word "and" shall be substituted; and
- (iii) after paragraph (c), as amended herein above, the following new paragraph shall be added, namely:—

"(d) On the commencement of the Constitution (Twenty-fifth Amendment) Act, 2018, the areas mentioned in—

- (i) paragraph (b),—
 - (a) in sub-paragraph (i), shall stand merged in the Province of Khyber Pakhtunkhwa; and
 - (b) in sub-paragraph (ii), shall stand merged in the Province of Balochistan; and
- (ii) paragraph (c), shall stand merged in the Province of Khyber Pakhtunkhwa."

9. **Omission of Article 247 of the Constitution.**—In the Constitution, Article 247 shall be omitted.

AMJED PERVEZ,
Secretary.


MUHAMMAD MUNIR
Section Officer
M/o States & Frontier Regions
Islamabad

6

IN THE PESHAWAR HIGH COURT, MINGORA
BENCH, DAR-UL-QAZA, SWAT

W.P. No. 1361-M/2023

Javed Iqbal.....Petitioner

VERSUS

Federation of Pakistan through M/O SAFRON & others.....Respondents

REPORT ON BEHALF OF RESPONDENT NO.01
(SECRETARY SAFRON, ISLAMABAD)

AFFIDAVIT

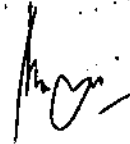
I, Muhammad Munir, Section Officer (BPS-17), Ministry of SAFRON,

Islamabad, do hereby the solemnly affirm and declares that the contents of this

"Report" are true and correct to the best of my knowledge and belief and nothing

has been kept concealed or withheld form this august Court.

DEPONENT



(MUHAMMAD MUNIR)
SECTION OFFICER (BPS-17)
MINISTRY OF SAFRON
ISLAMABAD

CNIC No.61101-1950080-9

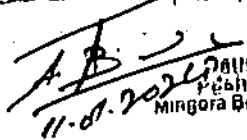
Cell # 0333-5522 174

MUHAMMAD MUNIR
Section Officer
M/o States & Frontier Regions
Islamabad

FILED TODAY

11 JAN 2024
Additional Registrar

S No. 182
Certified that the above was verified on Solemn
affirmation before me on this 11 day of Jan 2024
by Muhammad Munir
Raja Ahmad Khan P/o Haripur
who was identified by Self
who is personally known to me.


Additional Registrar
Peshawar High Court
Mingora Bench Dar-ul-Qaza, Swat.
11-01-2024

FLAG -D

No.F.2(15)-Devo/2023
GOVERNMENT OF PAKISTAN
STATES AND FRONTIER REGIONS DIVISION

Islamabad, the 09th January, 2024

SUBJECT: AUTHORIZATION LETTER.

Mr. Muhammad Munir, Section Officer (Devolution Section) having CNIC No.61101-1950080-9, Ministry of States and Frontier Regions, Government of Pakistan, Islamabad is hereby authorized to sign the Affidavit Writ Petition.No.1361-M/2023 filed by Javed Iqbal vs Federation of Pakistan through Ministry of SAFRON & others in the PHC, Mingora Bench, Dar-ul-Qaza, Swat.

2. This has been issued with the approval of the Secretary, SAFRON.



(AMINULLAH JAN)
Section Officer
Ministry of States & Frontier Regions
Government of Pakistan
Islamabad

**IN THE PESHAWAR HIGH COURT, MINGORA BENCH/
DAR-UL-QAZA, SWAT**

WRIT PETITION (W.P) No. 1361 -M OF 2023

**Javid Iqbal V/S Federation of Pakistan Through Ministry of SAFRON &
Others**

This Petition has been presented by **Said Muhammad Durrani**

Advocate on behalf of the Petitioner.

The petition is in proper form, copies of all the relevant documents have been attached.

(0) spare copies of writ petition have also been attached.

Petition be entered in the relevant register and placed before Hon'ble Court (D.B) for further orders on 12-12-23 the date fixed.


Inform Petitioner and his Counsel.



READER

Dated: 14-11-23

COUNTERSIGNED


Additional Registrar,
Peshawar High Court, Mingora
Bench / Dar-ul-Qaza, Swat

Dated: 14-11-23



"Mohammad Abrar"

IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR-UL-QAZA, SWAT
OBJECTION SLIP

Invid Iqbal VERSUS *Exclusion of Pakistan Through Ministry of SAFRON & Others*

Receipt No. 2023-12200

- 1 Certified copies of annexures/ page # 10 to 14, 31 to 64 have not been filed.
- 2 Copy of ^{wf} application not delivered to A.G.
- 3 Copy of W.P not delivered to D. A.G.
- 4 Second Copy flagged


Registrar

Returned with the objections mentioned above. Case be re-submitted on or before 14-11-2023


Additional Registrar
PHC, Mingora Bench
Dated: 02-11-2023

*Objection reviewed and put before the court.
along with objection.*



**BEFORE THE PESHAWAR HIGH COURT BENCH AT MINGORA
(DAR-UL-QAZA) SWAT**

CHECK LIST

1.	Case Title	Javid Iqbal V/S Federation of Pakistan etc	
2.	Case is duly signed		Yes
3.	The law under which the case is preferred has been mentioned		Yes
4.	Approved file cover is used		
5.	Affidavit is duly attested and appended		Yes
6.	Case and annexures are properly paged and numbered according to index		Yes
7.	Copies of annexures are legible and attested. If not, then better copies duly attested have been annexed.		Yes
8.	Certified copies of all the requisite documents have been filed		Yes
9.	Certificate specifying that no case on similar grounds was earlier submitted in this court, filed		Yes
10.	Case is within time		Yes
11.	The value for the purpose of court fee and jurisdiction has been mentioned in the relevant column.		
12.	Court fee in shape of stamp paper is affixed. (For writ Rs. 500. for other as required)		Yes
13.	Power of attorney is in proper form		
14.	Memo addresses filed.		Yes
15.	List of books mentioned in the petition.		Yes
16.	The requisite number of spare copies attached. (Writ Petition-3 Nos, Civil Appeal (SB-1, DB-2), Civil Revision (SB-1, DB-2)		Yes
17.	Case (Revision / Appeal / Petition etc) is filed on a prescribed form		Yes
18.	Power of attorney is attested by jail authority (For jail prisoners only)		

It is certified that for malities/documentation as required in column 2 to 18 above, have been fulfilled.

SAID MUHAMMAD DURRANI
Advocate, High Court

FOR OFFICE USE ONLY

Case No. _____

Case received on _____

Complete in all respect: Yes/No (if no. the grounds) _____

Date in Court _____

FILED TODAY

02 NOV 2023

Additional Registrar

Received
Noted for

Sign. *[Signature]*

Date: *14-11-2023*

Signature _____

[Signature]
(Reader)

Dated *02 Nov 2023*

Countersigned: *[Signature]*

(Additional Registrar)

BEFORE PESHAWAR HIGH COURT, MINGORA
BENCH / DAR-UL-QAZA SWAT

W.P No 1361 - M of 2023

Appeal No. 2279/2024
Javid IqbalPetitioner

VERSUS

Federation of Pakistan and others.....Respondents

INDEX

S #	Description	Annexur e	Pages #
1.	Writ petition, list of books & certificate	---	1-07
2.	Addresses of the parties & Affidavit	---	08-09
3.	Copy of appointment order	A	10
4.	Copies of letters	B	11-13
5.	Copies of relevant record & office order dated 18-05-2023	C & D	14-23
6.	Copies of departmental appeals & other relevant letter / notification etc	E	24-64
7.	Notice & court fee	***	65-66
8.	Wakalatnama		67

FILED TODAY

02 NOV 2023

Additional Registrar

Petitioner
Through Counsel

SAID MUHAMMAD DURRANI
Advocate, High Court

Re-Filed Today

14 NOV 2023

Additional Registrar

Noted for DAG

Dated 14/11/23 Sign

Office: Azim Khan Plaza,
Makanbagh, Mingora, Swat
Cell No: 0347-9098007

BEFORE PESHAWAR HIGH COURT, MINGORA
BENCH/ DAR-UL-QAZA SWAT

W.P No 1361- M of 2023

Javid IqbalPetitioner
VERSUS
Commissioner Malakand Division and others
.....Respondents

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Re-Filed Today

14 NOV 2023

Additional Registrar

Petitioner
Through Counsel

SAID MUHAMMAD DURRANI
Advocate, High Court

Office: Azim Khan Plaza,
Makanbagh, Mingora, Swat
Cell No: 0347-9098007

IN THE PESHAWAR HIGH COURT, PESHAWAR
OPENING SHEET FOR WRIT BRANCH

Date of Filing: 02-12-2023

District: Dir Upper

Case Type: Writ Petition Nature of Original Proceeding:

Category Code:

--	--	--	--	--	--

(Categories & Sub categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of:

--

Writ of:

	Heabus Corpus		Prohibition		Mandamus		Quo Warranto		Certiorari	
--	---------------	--	-------------	--	----------	--	--------------	--	------------	--

If Certiorari:

Forum which passed impugned order	Date	(Interlocutory/ Final Order)		Case Pertains to
			<input type="checkbox"/>	SB
			<input checked="" type="checkbox"/>	DB

Petitioners Name	Javid Iqbal son of Muhammad Islam resident of Sheringal, District Dir Upper CNIC No:1701-1232164-1 Cell No:0301-8155927
Email Address	Nil
Counsel for Petitioner (s)	Said Muhammad Durrani
Mobile No.	0347-9098007
Address office	Room No. B-8, Azim Khan Plaza, Makaanbagh, Mingora, Swat
CNIC No.	Nil
Email Address	Nil
Respondents	Federation of Pakistan & others
Address	In the heading of the writ petition

Original Order/Action/Inaction Complained of: That the respondent department ignored the petitioner for the matter of promotion and illegally & unlawfully promoted the respondents No. 5 to 7.

Prayer: It is therefore, humbly prayed that, on acceptance of this writ petition:- (1) That the act of respondent department as well as order dated 18-05-2023 may kindly be declared illegal, void-ab-initio, against the rules, unlawful, illegal and be cancelled. (2) That the respondent department may kindly be directed to follow rules & notifications and consider the petitioner for promotion as Subedar with all back benefits salaries etc accordance with law & rules. (3) That the respondent department be directed not to retire the petitioner from his service as well as restrained from taking any adverse action against the petitioner. (4) Any other remedy which this august court deems fit and proper in the circumstances may also be very kindly granted.

Law/Rules/governing the original proceedings/action/Inaction:- Constitution of Islamic Republic of Pakistan 1973.

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02 NOV 2023

Additional Registrar

Signature

BEFORE PESHAWAR HIGH COURT, MINGORA
BENCH / DAR-UL-QAZA SWAT

W.P No 1361 - M of 2023

Appeal No. 2279/2024

Javid Iqbal son of Muhammad Islam resident of
Sheringal, District Dir Upper

.....**Petitioner**

VERSUS

1. Commissioner Malakand Division at Saidu Sharif District Swat.
2. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs, at Civil Secretariat, Peshawar.
3. Secretary Law & Order, at Civil Secretariat, Peshawar.
4. Deputy Commissioner / Commandant Dir Upper Levies District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar resident of Jughabanj, Tehsil Wari, District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan resident of Panakot, Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad resident of Village & Tehsil Wari, District Dir Upper.

.....**Respondents**

Re-Filed Today

14 NOV 2023

Additional Registrar

WRIT PETITION UNDER ARTICLE 199

OF THE CONSTITUTION OF ISLAMIC

REPUBLIC OF PAKISTAN, 1973.

Respectfully Sheweth,

The brief facts of the instant writ petition are as under:-

- 1) That the petitioner was appointed as Sepoy on 05-08-1996 in the respondent department. (Copy of appointment order is attached as annexure "A")
- 2) That the petitioner performed his duties honestly vigilantly throughout his service in different police stations / levies post, different wings of levies department with unblemished service record.
- 3) That in the recent past during the days of insurgency in the Malakand Division, the petitioner performed his duties honestly, bravely and to the satisfaction of his officers.
- 4) That nowadays the petitioner performed duty as Naib Subedar and three numbers of posts as Subedar in Dir levies become vacant. (Copies of letters are attached as annexure "B")
- 5) That the petitioner is fit for the said promotion i.e., Subedar and after fulfillment of the promotions process, the respondent department ignored the petitioner and the respondents No. 5 to 7 promoted the same post vide impugned office order dated 18-05-2023. (Copies of relevant record & office order dated 18-05-2023 are attached as annexure "C" & "D" respectfully)

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02 NOV 2023

6) That the petitioner repeatedly knocked the door of Additional Registrar the respondent department, but they on the one

pretext or the other denying to promote the petitioner despite of the fact that the petitioner is eligible & meritorious then the respondents No. 5 to 7. (Copies of departmental appeals & other relevant letter are attached as annexure "E")

- 7) That the petitioner felling aggrieved of the acts & action of respondent department having no other adequate & efficacious remedy, except to file this writ petition inter alia, on the following grounds.

GROUND:-

- A) That the non-consideration of the duty of the petitioner and the discontinuation of the process of promotion being discrimination is against the fundamental rights of the petitioner, and hence liable to be rectified per rules and regulation and law.
- B) That the impugned action inaction of the respondent is illegal, unlawful, without of legal authority & no legal effect upon the petitioner so, the act of the respondents have highly discriminatory and liable to be set aside.
- C) That the act of the respondents is illegal, against law, facts and violative of the fundamental rights of the petitioner.

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02 NOV 2023

Additional Registrar

- D) That the respondent department ignored the petitioner rendering more than 27 years of service and not promoted the same post, which is against law and promotion rules etc, hence liable to be set aside.

- E) That as the petitioner was eligible for promotion, because the respondents informed verbally the petitioner regarding the promotion but later on respondents department not mentioned in the order dated 18-05-2023 and the respondents No. 5 to 7 promoted the same post, which was mala-fidely, unlawfully, hence is eligible to be given back benefits from the time of eligibility in the interest of justice.

- F) That the petitioner vested rights have been taken away by the Respondents without lawful authority and the same is against fundamental rights safeguarded under the constitution.

- G) That the departmental promotion committee illegally conducted the promotion process without adopting the proper procedure, because the DPC ignored the seniority cum qualification of the petitioner, hence the office order dated 18-05-2023 be declared void ab-

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02 NOV 2023

Additional Registrar

initio, illegal, unlawful & liable to be set aside.

- H) That the departmental promotion committee violated the rules & notifications in which the petitioner is liable for promotion in the department.
- I) That it is also worth mentioning here that the respondent No. 2 in his order dated 11-09-2023 in the favour of one Mr. Umar Wahid Subedar, in which the same criteria is followed and the petitioner is also liable for the same relief.
- J) That in the DPC of Malakand Levies dated 02-02-2022, the DPC of Dir Levies Dir Lower Levies dated 02-08-2022 and DPC of the Commandant Malakand Levies dated 23-06-2023 have been conducted and promotion have been given on the criteria of qualification / seniority cum fitness, but the respondent department were over looked the law, rules & procedure, hence liable to be set aside.
- K) That the petitioner has not been dealt with in accordance with law and rules regulating service of the petitioner.
- L) That the impugned treatment given by the Respondents to the petitioner is violation of the Articles 4, 9, 25 & 27 of the

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02 NOV 2023
Additional Registrar

constitution of the Islamic Republic of Pakistan, 1973.

- i) That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

PRAYER

It is therefore, humbly prayed that, on acceptance of this writ petition:-

- (1) That the act of respondent department as well as order dated 18-05-2023 may kindly be declared illegal, void-ab-initio, against the rules, unlawful, illegal and be cancelled.
- (2) That the respondent department may kindly be directed to follow rules & notifications and consider the petitioner for promotion as Subedar with all back benefits salaries etc accordance with law & rules.
- (3) That the respondent department be directed not to retire the petitioner from his service as well as restrained from taking any adverse action against the petitioner.
- (4) Any other remedy which this august court deems fit and proper in the circumstances may also be very kindly granted.

Petitioner

Through Counsel

SAID MUHAMMAD DURRANI
Advocate, High Court

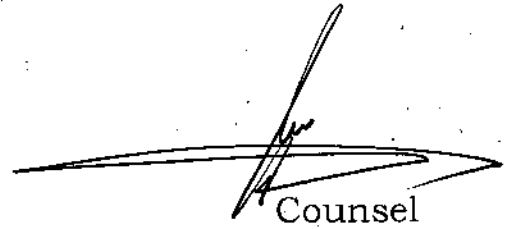
FILED TODAY

02 NOV 2023

Additional Registrar

CERTIFICATE:

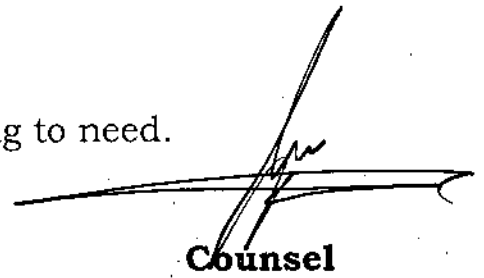
(As per directions of my client) No such like Writ petition has earlier been filed by the petitioner on the subject matter before this Honorable Court.



Counsel

LIST OF BOOKS

1. Constitution Islamic Republic of Pakistan, 1973.
2. Any other law book according to need.



Counsel

FILED TODAY

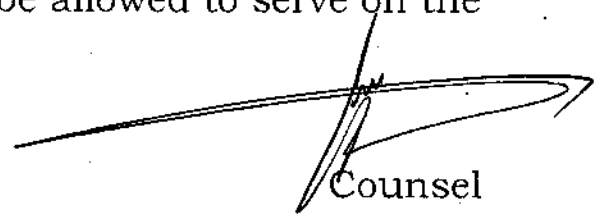
02 NOV 2023

Additional Registrar

(7A)

INTERIM RELIEF:-

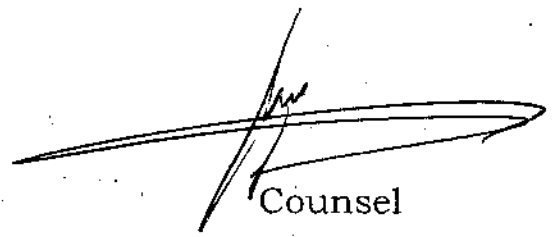
By way of interim relief it is humbly prayed that respondents may kindly be restrained not to retire the petitioner from his service as well as restrained from taking any adverse action against the petitioner till final decision of this writ petition and petitioners be allowed to serve on the said post.



Counsel

CERTIFICATE:

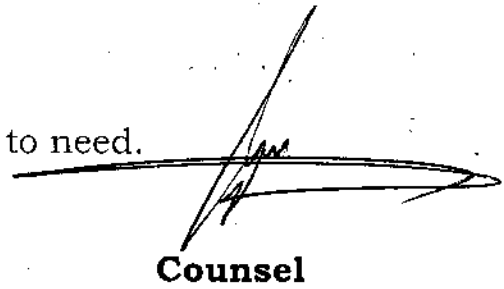
(As per directions of my client) No such like Writ petition has earlier been filed by the petitioner on the subject matter before this Honorable Court.



Counsel

LIST OF BOOKS

1. Constitution Islamic Republic of Pakistan, 1973.
2. Any other law book according to need.



Counsel

Re-Filed Today

14 NOV 2023

Additional Registrar

**BEFORE PESHAWAR HIGH COURT, MINGORA
BENCH/ DAR-UL-QAZA SWAT**

wf No 1361-m 2023

Javid IqbalPetitioner

VERSUS

Federation of Pakistan and others.....Respondents

ADDRESSES OF THE PARTIES

PETITIONER

Javid Iqbal son of Muhammad Islam resident of Sheringal, District Dir Upper

CNIC No:1701-1232164-1 Cell No:0301-8155927

RESPONDENTS

1. Federation of Pakistan through Ministry of SAFRON, Pak Secretariat, Islamabad.
2. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs, at Civil Secretariat, Peshawar.
3. Secretary Law & Order, at Civil Secretariat, Peshawar.
4. Deputy Commissioner / Commandant Dir Upper Levies District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar resident of Jughabanj, Tehsil Wari, District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan resident of Panakot, Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad resident of Village & Tehsil Wari, District Dir Upper.

FILED TODAY

02 NOV 2023

Additional Registrar

**Petitioner
Through Counsel**



**SAID MUHAMMAD DURRANI
Advocate, High Court**

807

BEFORE PESHAWAR HIGH COURT, MINGORA
BENCH/ DAR-UL-QAZA SWAT

w.p. No. 1361-M 2023

Javid IqbalPetitioner

VERSUS

Commissioner Malakand Division and others

.....Respondents

ADDRESSES OF THE PARTIES

PETITIONER

Javid Iqbal son of Muhammad Islam resident of
Sheringal, District Dir Upper

CNIC No:1701-1232164-1 Cell No:0301-8155927

RESPONDENTS

1. Commissioner Malakand Division at Saidu Sharif
District Swat.
2. Govt. of Khyber Pakhtunkhwa through Secretary
Home & Tribal Affairs, at Civil Secretariat,
Peshawar.
3. Secretary Law & Order, at Civil Secretariat,
Peshawar.
4. Deputy Commissioner / Commandant Dir Upper
Levies District Dir Upper.
5. Jehan Zeb s/o Badshah Sardar resident of
Jughabanj, Tehsil Wari, District Dir Upper.
6. Raza Ullah s/o Amir Muhammad Khan resident of
Panakot, Tehsil Dir, District Dir Upper.
7. Gul Badshah s/o Khaista Muhammad resident of
Village & Tehsil Wari, District Dir Upper.

Re-Filed Today

14 NOV 2023

Additional Registrar

Petitioner

Through Counsel

SAID MUHAMMAD DURRANI
Advocate, High Court

SCANNED
SENSORS



PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name
Javed Iqbal

Father's Name
Muhammad Iqbal

Gender Country of Birth
M Pakistan

Identity Number
15701-1232164-1-000000000000

Date of Issue
11.07.2017



پاکستان



Signature

**BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT**

W.P No 1361- M of 2023

Javid IqbalPetitioner

VERSUS

Federation of Pakistan and others.....Respondents

AFFIDAVIT

I, Javid Iqbal (petitioner), do hereby solemnly affirm and declare that the contents of the above titled ~~Writ~~ Writ Petition are true and correct to the best of my knowledge and belief.

DEPONENT

FILED TODAY

02 NOV 2023

Additional Registrar

S.No 4610
Certified that the above was verified on Solemn affirmation before me on this 02 day of Nov 2023
by Javid Iqbal
S/o Muhammad Iqbal R/o Upper Dir
who was identified by Surf

Who is personally known to me:
Surf
Oath Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.

No

1441
~~1374~~

/A/10(LHC), Dated Timergora the

3/8/1995.

Amul A' 11

OFFICE ORDER.

(10)

Mr. Javid Iqbal S/O Mohammad Islam of Village Sia Sheringal Tehsil, and District Dir is hereby appointed as Sepoy in Dir Levies against the vacant post in the time scale No. I (1245-35-1770) plus usual allowances as admissible under the rules subject to the production of Health and age Certificate from the Civil Surgeon, Dir at Timergora.

M. Muhammad
Deputy Commissioner,
Lower Dir, Timergora.

No 1445-44

Copy forwarded to the :-

- 1.
- 2.
- 3.

District Accounts Officer, Dir at Timergora.

Subedar Major, Dir Levies.

Mr. Javid Iqbal S/O Mohammad Islam of Village Sia Sheringal Tehsil and District Dir.

For information and Necessary action.

Attested to be true Copy

Said Muhammad Durrani
Advocate High Court

M. Muhammad
Deputy Commissioner,
Lower Dir, Timergora.

Attested
to be true copy

[Signature]



(11)

OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT DIR.
LEVIES UPPER DIR




No: 19615-20 /DC/LHC/OR

Dated Dir the 09/11/2021

OFFICE ORDER


In pursuance of Para No.17 (Retirement) of Levies Service Rules 2013 and amended Notification No.SO (Police-II) HD/1-3/Federal Levies 2021 dated 21.10.2021, Mr. Rahman Uddin s/o Shehzada, Subedar (BPS-14) Regimental No.1483 of Dir Levies Force is hereby retired from Service on completion of 05 years rank tenure as Subedar with effect from 09.11.2021, with full pension benefits as admissible under the Rules.


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR

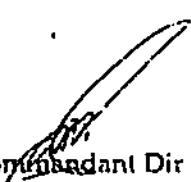
Even No, & Dated:-

Copy forwarded to the:-

1. Secretary Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
2. Commissioner Malakand Division at Saidu Sharif Swat.
3. Additional Deputy Commissioner (General) and F&P Dir Upper.
4. All Assistant Commissioners in Dir Upper.
For information.
5. District Accounts Officer Dir Upper for information and necessary action.
6. Official concerned for compliance.


Attested to be true Copy

Said Muhammad Durran
Advocate High Court


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR

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12

OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT DIR
LEVIES UPPER DIR



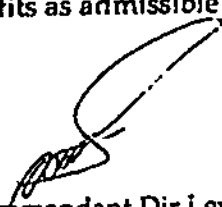
No: 19603-8

/DC/LHC/OR

Dated Dir the 09/11/2021

OFFICE ORDER

In pursuance of Para No.17 (Retirement) of Levies Service Rules 2013 and amended Notification No.SO (Police-II) HD/1-3/Federal Levies 2021 dated 21.10.2021, Mr. Khaista Said s/o Swal Faqir, Subedar (BPS-14) Regimental No.1480 of Dir Levies Force is hereby retired from Service on completion of 05 years rank tenure as Subedar with effect from 09.11.2021, with full pension benefits as admissible under the Rules.


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR


Even No, & Dated:-

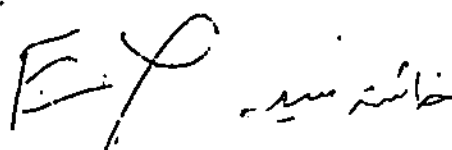
Copy forwarded to the:-

1. Secretary Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
2. Commissioner Malakand Division at Saidu Sharif Swat.
3. Additional Deputy Commissioner (General) and F&P Dir Upper.
4. All Assistant Commissioners in Dir Upper.
For information.
5. District Accounts Officer Dir Upper for information and necessary action.
6. Official concerned for compliance.

Attested to be true Copy


Said Muhammad Durrani
Advocate High Court


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR



13



OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT DIR
LEVIES UPPER DIR



No: 19609-14 /DC/LHC/OR

Dated Dir the 9 / 11 / 2021

OFFICE ORDER

In pursuance of Para No.17 (Retirement) of Levies Service Rules 2013 and amended Notification No.SO (Police-II) HD/1-3/Federal Levies 2021 dated 21.10.2021, Mr. Jehan Zaib Khan s/o Shah Nawaz Khan, Subedar (BPS-14) Regimental No.1478 of Dir Levies Force is hereby retired from Service on completion of 05 years rank tenure as Subedar with effect from 09.11.2021, with full pension benefits as admissible under the Rules.


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR

Even No. & Dated:-

Copy forwarded to the:-

1. Secretary Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
2. Commissioner Malakand Division at Saidu Sharif Swat.
3. Additional Deputy Commissioner (General) and F&P Dir Upper.
4. All Assistant Commissioners in Dir Upper.
For information.
5. District Accounts Officer Dir Upper for information and necessary action.
6. Official concerned for compliance.


Attested to be true copy

Said Muhammad Durrani
Advocate High Court


Commandant Dir Levies
DEPUTY COMMISSIONER/
UPPER DIR

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OFFICE OF THE
DEPUTY COMMISSIONER COMMANDANT DIR
REVISED UPPER DIR



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OFFICE ORDER

In the light of the provisions of the Service Rules
of the Government of India, it is hereby notified that
the revised upper dir will be applicable from the date
of the issue of this order. The revised upper dir
will be applicable to all officers who are entitled to
the benefit of the provisions of the Service Rules
of the Government of India.

DEPUTY COMMISSIONER
UPPER DIR

The provisions of the Service Rules of the Government of India
are hereby notified to all officers who are entitled to the benefit
of the provisions of the Service Rules of the Government of India.
The revised upper dir will be applicable from the date of the
issue of this order. The revised upper dir will be applicable
to all officers who are entitled to the benefit of the provisions
of the Service Rules of the Government of India.

DEPUTY COMMISSIONER
UPPER DIR

Directed to be the Govt
with Muhammad Husein
Advocate High Court



OFFICE OF THE
COMMANDANT DIR LEVIES/DEPUTY COMMISSIONER
DIR UPPER

14



No. 6073-74 /DC/Dir (U)/LHC/DPC

Dated: 8 /05/2023

1. The Secretary Home & Tribal Affairs Department,
Khyber Pakhtunkhwa Peshawar.
2. The Commissioner Malakand Division,
Saidu Sharif Swat.

Subject: MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE
FOR PROMOTION OF NAIB SUBIDARS, HAWALDAR, NAIKS,
LANCE NAIKS AND SEPOY TO THE NEXT RANK.

A meeting of the Departmental Promotion Committee for the promotion of Naib Subidar, Hawaldars, Naiks, Lance Naiks and Sepoys to the next ranks is scheduled to be held in the office of the undersigned on 16-05-2023 at 11:00 AM (copies of working paper and seniority list are enclosed).

It is therefore requested to nominate representative of your good office to attend the said meeting on date, time and venue fixed.

Attested to be true Copy

**Said Mohammad Durrani
Advocate High Court**

*Said m Durrani
Advocate*

**Commandant Dir Levies/
DEPUTY COMMISSIONER
DIR UPPER**

WORKING PAPER FOR PROMOTION OF EX FEDERAL DIR LEVIES.

As per budget book for financial year 2023-24 there are 11 sanctioned posts of Subidars BPS-14 at the strength of Dir Levies (Ex-Federal) out of which 03 posts are lying vacant due to the retirement of 03 senior Subidars on completion of 05 years service tenure as per amended Levy Service Rules 2013 (copies of budget book and relevant Section of the Rules ibid are attached at Annexure A and B respectively). These posts will be filled in by the way of promotion from amongst the senior most Naib Subidars BPS-11 of Dir Levies on the basis of qualification and seniority cum fitness.

Similarly there are 20 sanctioned posts of Naib Subidar BPS-11 as reflected in the budget book for financial year 2023-24 out of which two (02) posts of Naib Subidars BPS-11 are lying vacant due to the retirement of 02 Naib Subidars and 07 will become vacant due to the promotion/retirement of 07 Naib Subidars in DPC scheduled on 16-05-2023 which will be filled in by the way of promotion from amongst the senior most Hawaldars on the basis of qualification and seniority cum fitness.

There are 34 sanction posts of Hawaldars BPS-09 as reflected in the budget book for financial year 2023-24 at the strength of Dir Levies out of which 01 is already lying vacant due the retirement of Mr. Hazrat Ahmad on attaining the requisite 51 years of age whereas 09 posts of Hawaldar will become vacant due to the promotion of senior most Hawaldars to next rank in DPC scheduled on 16-05-2023. These posts will be filled in by the way of promotion from amongst the senior most Naiks on the basis of qualification and seniority cum fitness.

Similarly as reflected in the budget book for financial year 2023-24, there are 40 sanctioned posts of Naiks BPS-08 at the strength of Dir Levies out of which 10 posts of Naiks will become vacant due to the promotion of 10 senior most Naiks of Dir Levies to next rank in the DPC scheduled on 16-05-2023. These posts will be filled by the way of promotion from amongst the senior

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Said Muhammad Durrani
Advocate High Court
M Durrani

most Lance Naiks under Levy Service Rules 2013 (Amended). Consequently 10 posts of Constable/Sepoys BPS-07 will become vacant which will also be filled in by the way of promotion from amongst the senior most Sepoys-under Levy Service Rules 2013 (Amended).

As per Levy Rules 2013 (amended) Scheduled-III the criteria for the promotion of Subidar BPS-14, Naib Subidar BPS-11, Hawaldars BPS-09, Naik BPS-08 and Lance Naik BPS-08 is given as under:

S.No	NAME OF POST	PRESENT BPS	Eligibility for Promotion	Promotion Quota	Direct Quota	Qualification
01	Subidar	14	By promotion on the basis of seniority cum fitness in the following manner: 1. Fifty percent (50%) from amongst the Naib Subidars having intermediate qualification and 2. Fifty percent (50%) from amongst the Naib Subidars having secondary school qualification and			1. Fifty percent (50%) from amongst the Naib Subidars having intermediate qualification and 2. Fifty percent (50%) from amongst the Naib Subidars having secondary school qualification and
01	Naib Subidar	11	04 years service as Hawaldar or total 17 years of Service	100%		By promotion, on the basis of seniority cum fitness in the following manner, namely: 1. Fifty percent (50%) from amongst the Hawaldars having intermediate qualification. OR 2. If no intermediate qualified is available, then SSC qualified amongst the Hawaldars

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Said M Durrani
Advocate High Court

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 Said Muhammad Durran
 Advocate High Court

(17)

						on the basis of seniority cum fitness. 3. Fifty percent (50%) from amongst Hawaldars on seniority cum fitness basis.
02	Hawaldar	09	05 years service as Naik or total 13 years of service	100%		
4	Naik	08	03 years service as Lance Naik or total 08 years of service	100%		
5	Lance Naik	06	05 years service as sepoy	100%		

According to the Rules the above vacant posts are to be filled in from amongst the senior most officials. As per seniority list for Naib Subidars as stood on 31-12-2020:

S. No	Name	Father name	B. No	DOB	DOA	Qualification	Present Rank	Date of Promotion to the present rank	Rank to be promoted to	Remarks
01	Raza Ullah	Amir Muhammad Khan	1509	13-01-1975	11-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	Re-instated vide judgment of the Peshawar High Court Mingora Bench Dar-ul-Qaza Swat through WP No. 1240-M/2021
02	Gul Badshah	Khaista Muhammad	1515	10-12-1972	11-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	
03	Jehan Zeb	Badshah Sardar	1516	01-01-1970	11-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	
04	Muhammad Iqbal	Bakht Zamin	1518	03-01-1979	11-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	Re-instated vide judgment of the Peshawar High Court Mingora Bench Dar-ul-Qaza Swat through WP No. 1216-M/2022
05	Nasib Zada	Muhammad Jan	1522	01-01-1970	11-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	
06	Muhammad Jawad Khan	Muhammad Nawshad	1524	24-06-1975	13-08-1996	SSC	Naib Subidar	11-11-2014	Subidar	

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Said Muhammad Iqbal
Advocate High Court
Durrani

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07	Javid Iqbal	Khan Muhammad Islam	1528	04-03-1977	25-08-1996	BA	Naib Subidar	11-11-2014	Subidar	Re-instated vide judgment of the Peshawar High Court Mingora Bench Dar-ul-Qaza Swat through WP No. 95-M/2022
08	Izai Khan	Sadat Khan	1537	1976	22-10-1996	SSC	Naib Subidar	14-11-2016	Subidar	
09	Mazhar Shah	Ali Haidar	1539	06-02-1974	22-10-1996	SSC	Naib Subidar	14-11-2016	Subidar	

As per seniority list for Hawaldar, Naiks, Lance Naiks and Sepoys as stood on 31-12-2022, following are the senior most incumbents of Dir Levies:

Naiks

S. No	Name	Father name	B. No	DOB	DOA	Qualification	Present Rank	Date of Promotion to the present rank	Rank to be promoted
01	Amir Badshah	Ghaus Alam	1577	12-03-1979	11-06-1998	SSC	Hawaldar BPS-09	19-11-2013	Naib Subidar BPS-11
02	Badshah ud Din	Shahab ud Din	1588	03-04-1975	01-03-1999	SSC	-do-	-do-	-do-
03	Shah Muhammad	Yar Muhammad	1589	03-12-1973	-do-	HSSC	-do-	-do-	-do-
04	Zahoor ud Din	Muhammad Zahir Khan	1600	10-12-1980	17-08-1999	Nil	-do-	11-11-2014	-do-
05	Amir Zeb Khan	Shah Nawaz Khan	1604	01-06-1980	14-09-1999	Middle	-do-	-do-	-do-
06	Muhammad Tahir	Abdul Hamid	1606	25-03-1973	20-09-1999	SSC	-do-	-do-	-do-
07	Jehan Zeb Khan	Faqir Khan	1618	15-06-1975	05-05-2000	SSC	-do-	-do-	-do-

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 Sanj Muhammad Durran
 Advocate High Court
 Durran

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26	Zubair	Aman Ullah Khan	31	08-12-1984	-do-	SSC	-do-	-do-	-do-
27	Mushtaq Ahmad	Said Jan	32	06-03-1984	-do-	HSSC	-do-	-do-	-do-
28	Abdul Wahab	Amir Rahman	33	18-01-1985	-do-	SSC	-do-	-do-	-do-
29	Sultan'ud Din	Muhammad Said	34	01-01-1983	-do-	BA	-do-	-do-	-do-
30	Ibrar Khan	Amin Khan	35	06-04-1988	-do-	HSSC	-do-	-do-	-do-
31	Khyal Zada	Shahzul	61	12-06-1987	01-02-2010	SSC	Lance Naik BPS-08	14-11-2016	Naik BPS-08
32	Karim Ullah	Nasib Gul	62	06-04-1989	-do-	SSC	-do-	-do-	-do-
33	Shahab ud Din	Nasr ud Din	63	10-04-1988	-do-	MA	-do-	-do-	-do-
34	Sami Ullah	Masal Khan	64	09-02-1991	-do-		-do-	-do-	-do-
35	Zahid Rahman	Habib ur Rahman	65	20-04-1982	-do-	SSC	-do-	-do-	-do-
36	Wahid Ullah	Shezöl Khan	66	20-06-1983	-do-	BA	-do-	-do-	-do-
37	Kalim Ullah	Muhammad Anwar	67	20-03-1989	-do-	MA	-do-	-do-	-do-
38	Bakht Rawan	Amroz Khan	68	03-03-1990	-do-	BA	-do-	-do-	-do-
39	Navid Akhtar	Ghum Haidar Khan	69	06-12-1980	-do-	BA	-do-	-do-	-do-
40	Mubarak Bakht	Sultan Bakhsh	70	25-03-1986	-do-	HSSC	-do-	-do-	-do-
41	Irfan Ullah	Mutabat Khan	71	01-05-1991	-do-	SSC	-do-	-do-	-do-
42	Gauhar Jan	Gul Habib Jan	72	12-12-1988	-do-	HSSC	-do-	-do-	-do-
43	Nisar Ahmad	Khaista Khan	73	16-04-1991	-do-	HSSC	-do-	-do-	-do-

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Said Muhammad Idris
Advocate High Court

21

44	Sami ur-Rahman	Shazullah Khan	74	1981	-do-	MA	-do-	-do-	-do-
45	Faiz Rahman	Jan	75	03-11-1984	-do-	BA	-do-	-do-	-do-
46	Tariq Ahmad	Asfandyar	116	20-06-1985	01-02-2010	MA	Sepoy/Constable BPS-07	--	Lance Naik BPS-08
47	Sajad Ali	Muhammad Islam	117	20-02-1990	-do-	MA	-do-	--	-do-
48	Imran Ali	Yaqoob Khan	119	01-01-1985	-do-	HSSC	-do-	--	-do-
49	Muhammad Aziz Khan	Muhammad Akbar Khan	120	06-01-1982	-do-	MA	--	--	-do-
50	Farman Ullah	Muhammad Zahir	121	11-08-1993	-do-	SSC	-do-	--	-do-
51	Nadeem Khan	Hashtamand Khan	122	01-02-1991	-do-	SSC	-do-	--	-do-
52	Iftikhar ud Din	Khana Gul	123	06-01-1988	-do-	SSC	-do-	--	-do-
53	Anwar Khan	Jan Bahadar	124	05-05-1984	-do-	HSSC	-do-	--	-do-
54	Shamim Zada	Tilawat Khan	125	12-06-1990	-do-	MA	-do-	--	-do-
55	Hayat ul Mulk	Aman ul Mulk	126	10-02-1987	-do-	Nil	-do-	--	-do-
56	Badshah Rahman	Muhammad Said	127	25-05-1983	-do-	HSSC	-do-	--	-do-
57	Laiq Gul	Taza Gul	128	12-12-1988	-do-	HSSC	-do-	--	-do-
58	Rahman Ullah	Gul Amin	129	24-04-1989	-do-	HSSC	-do-	--	-do-
59	Najeeb Ullah	Karmali Khan	131	15-08-1991	-do-	SSC	-do-	--	-do-
60	Rahman Ullah	Amir Zaman	132	25-03-1990	-do-	HSSC	-do-	--	-do-

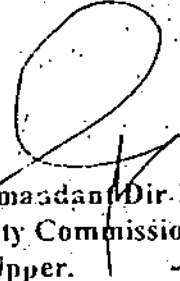
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Said Muhammad Durrani
Advocate High Court

22

In pursuance of Government of Khyber Pak 00-htunkhwa Home & Tribal Affairs Department Notification No. SO (Levies)/HD/1-1/2015 dated 24-03-2015 the following Departmental Selection/Promotion has been constituted for the promotion/Selection of Dir Levies:-

1. Commandant Levies/ Deputy Commissioner.....Chairman.
2. Representative of Home & TAs Department.....Member.
3. Representative of Commissioner (Malakand) Office.....Member.

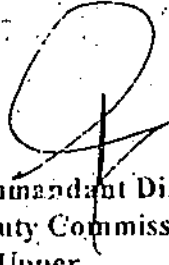
Service books and other service record of the officials concerned will be put before the committee on the date fixed.


Commandant Dir Levies/
Deputy Commissioner
Dir Upper.

Even No & date

Copy forwarded to:-

1. The Secretary Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
 2. The Commissioner Malakand Division Saidu Sharif Swat.
- For information & necessary action.


Commandant Dir Levies/
Deputy Commissioner
Dir Upper.



**OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT DIR LEVIES
DIR UPPER**



23

No 7510-18/DC, Dir(U)/LHC

Dated 16/05/2023

order

OFFICE ORDER

Consequent upon the recommendations of the Departmental Promotion Committee meeting held on 16-05-2023, in the office of the undersigned, the following Naib Subidar (BPS-11) of Dir Levies are hereby promoted to the rank of Subidar (BPS-14) on the basis of seniority cum fitness w.e.f 10-11-2021.

S. No	Name	Father Name	Belt No.	Present Rank	Rank to be promoted to	Remarks
01	Raza Ullah	Amir Muhammad Khan	1509	Naib Subidar BPS-11	Subidar BPS-14	--
02	Gul Badshah	Khanata Muhammad	1515	Naib Subidar BPS-11	Subidar BPS-14	--
03	Jehan Zeb	Budshah Sardar	1516	Naib Subidar BPS-11	Subidar BPS-14	--

Terms & Conditions:

1. The promotees will be on probation for a period of one year.
2. The confirmation on post will be subject to satisfactory performance during the probation period, otherwise, will be liable to reversion to the old post/rank.
3. Promotion of the above personnel to the next higher rank shall be strictly conditioned to their performance efficiency and will be dealt on case to case basis.
4. The subject promotions are conditional with reference to the outcome of this office letter No. 6617/DC/LHC/Misc dated 03-05-2023 forwarded to Home Department. If the outcome of the said letter is adverse then the subject promotions shall be reverted back to their original status and the promotion order will deem to be withdrawn.
5. The subject promotions are conditional to the pending CPLAs before the apex Supreme Court of Pakistan and/or pending cases in Service Tribunal Khyber Pakhtunkhwa. If the outcome in any of these cases is adverse the subject promotions shall be reverted back to their original status and the promotion order will deem to be withdrawn.

*Approved to be tried by
Said Muhammad Inayat
Advocate High Court*

**COMMANDANT DIR LEVIES
DEPUTY COMMISSIONER
DIR UPPER**

Even No & date

Copy forwarded to:-

1. The Secretary Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
 2. The Commissioner Malakand Division Saidu Sharif Swat.
 3. Additional Deputy Commissioner (General) & F&P Dir Upper.
 4. All Assistant Commissioner in Dir Upper.
 5. All Additional Assistant Commissioner in Dir Upper.
 6. The District Account Officer Dir Upper.
 7. Accountant Local Office.
 8. Subidar Major Dir Levies.
- For information necessary action.
9. Official concerned for compliance.

**COMMANDANT DIR LEVIES
DEPUTY COMMISSIONER
DIR UPPER**

17/05/2023

24

To

The Hon'ble Secretary,
Home and Tribal Affairs Department,
Khyber Pakhtunkhwa

SUBJECT: DEPARTMENT APPEAL REGARDING DPC HELD ON 165 2013 IN THE UPPER LEWIS FORCE

Respected sir,

With you respect I have the honour to submit the department tell appeal for kind consideration and favor able action on the following facts and ground.

- (a) that the appellatant is serving as Naib Subidar in upper Dir Levies force.
- (b) That the above cited DPC / promotion order is against Government of Khyber Pakhtunkhwa Home and Tribal Affairs Department Notification barring No. SO (police II) HD/MKD/ Levies/Misc./2020, dated 22-03-2021 and SO (PLICE II)HD/1-3/ FEDERAL LEVIES 2021, dated 21-10-2021. (Copies in closed as Annex A and B)
- (c) That in District Lower Dir and Malakand promotion / DPC to the rank of Subidars are granted according to the above mention Notification and rules framed by the Home and Tribal Affairs Department Khyber Pakhtunkhwa. Per Levies Rules 50% of the vacant post has been filled by promotion amongst the ~~naib~~ Subedar having intermediate qualification and 50% have been filled by promotion amongst the Naib Subidars having Intermediate qualification and 50% have been promoted having Secondary School Certificate as per Levies rules. (Copies attached are annexed c and d
In this 50% qualification my qualification is ignored against ~~said~~ rules BA certificate copy attached are Annexed C and D)
- (d) In these 50% qualification my qualification is ignored against said rules. (BA certificate copy attached Annex F)
- (e) Proposal of DPC of District Dir Upper and promotion order attached Annex G.

It is there for respectfully prayed that by acceptance of the instant appeal that unlawful DPC / promotion order passed by the Deputy Commissioner Upper Dir bearing No. 7510-18/DC/Dir Upper LHC dated 18-05-2023 may please be set aside / unlawful and the appellatant may be promoted to the rank of Subidar with all other relief, which this Honorable Department deems fit and appropriate, may also please be granted.

12855 No. 5/13

23-5-2023

~~Attended to be true Copy~~

Said Muhammad Durrani
Advocate High Court

Said M Durrani

J. Iqbal
Appellant

(Javid Iqbal)
Naib Subidar Regno. 1528
District Dir Upper Levies
Phone No. 0301-8155927
0348-9572277



GOVERNMENT OF KHYBER PAKHTUNKHWA
Home Affairs Department

Kachehri Gate # 3, Khyber Road, Peshawar, Phone: 091-9212147

25

No. SO(L&K) Dir Upper/ 443-44

Dated 15/6/2023

To

The Deputy Commissioner/Commandant,
Levy Force Dir Upper.

Subject:- APPLICATION FOR PROMOTION.

Dear Sir,

I am directed to enclose herewith a copy of application in respect of Muhammad Iqbal Naib Subedar and Mr. Javid Iqbal Naib Subedar of Levy Force requesting for promotion to the Rank of Subedar for consideration under the rules and report, please.

Yours sincerely,

Encl (Applications).

(Signature)
(Niaz Muhammad)
Section Officer (L&K)

Copy to

PS to Secretary Home & Tribal Affairs Department

(Signature)
Section Officer (L&K)

Office of 3378 Dir Upper
Date 4-7-23

Attested to be true Copy
(Signature)

Said Muhammad Durram
Advocate High Court

(Signature)
4/7/23

26



OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT DIR.
LEVIES UPPER DIR.



No: 9341 /DC/LHC/PPC

Dated Dir the 20/06/2023

Reply to

To: The Section Officer (L&K),
Home & Tribal Affairs Department Peshawar.

Subject: APPLICATION FOR PROMOTION.

Memo: Reference your office letter No. SO(L&K) Dir Upper/443-44 dated 15/06/2023 on the subject cited above.

A departmental promotion committee meeting has already been convened on 16/05/2023 where the vacant posts of Subidar BPS-14 have filled by promoting the senior most Niab Subidars on seniority cum fitness basis in light of the guidance provided by your office vide letter No. SO (L&K)/DPC/2023 dated 15/05/2023 and following schedule-I of the Home & Tribal Affairs Department Notification dated 21-10-2023 regarding eligibility for promotion please.

20/6/23

COMMANDANT DIR LEVIES/
DEPUTY COMMISSIONER
DIR UPPER.

2

[Signature]
Attested to be true Copy
Said Muhammad Durrani
Advocate High Court

Please offer your views/Comments

RE
13/7/23

27

DS(Let)

Reference to para-14-21/N

22.

Home Department vide notification dated 22-03-2021 F/A has amended the PATA Federal Levies Force Service (Amended) Rules, 2013 in which Rule-4, Rule-17, and Schedule-III have been amended and substituted against each vide 9-10/C. The ibid Rules were further amended by notification dated 21-10-2021 F/B of this Department wherein no substitute regarding qualification for promotion was made (in the qualification column of Schedule-I) regarding the eligibility criteria for promotion of the Levies personnel vide 12-13/C and as such the qualification so mentioned in the notification dated 22-03-2021 is still existing as the notification dated 21-10-2021 has been issued in continuation of the former notification.

23.

Hence, it is crystal clear that the concerned authority while considering the promotion of any personnel of the Levies Force, qualification for the said post should be taken into consideration in letter and spirit so as to secure the ends of justice.

24.

For instance, august Supreme Court of Pakistan held in various judgments that "when a statute prescribes a particular mode of doing an act, it must be done in that way alone to gain validity and not otherwise".

25.

File is submitted please.

Dy. Secy (L&K)

SOLLKUS

Dy. Secy (Lit) 14/7

RE
12/7/2023

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Said Muhammad Durram
Advocate High Court



23



54867

Government of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department.

F. No. SO (Levies)/HD/Fed:Levies in PATA/1-1/2013
Dated Peshawar the 14th March, 2013

To

1. The Secretary to Govt: of Pakistan, Ministry of SAFRON Division, Islamabad.
2. The Additional Chief Secretary (FATA), FATA Secretariat, Peshawar.
3. The Commissioner, Malakand Division, Malakand.
4. The Deputy Commissioner/Commandant, Malakand Levies, Malakand.
5. The Deputy Commissioner/Commandant Levies, Chitral.
6. The Deputy Commissioner/Commandant Levies, Dir Upper.
7. The Deputy Commissioner/Commandant Levies, Dir Lower.
8. The Deputy Commissioner/Commandant Levies, Swat.

Subject: SERVICE RULES FOR FEDERAL LEVIES FORCE IN PATA (AMENDED) 2013.

Sir,

I am directed to refer to this department letter No.SO (POLICE) HD/12-19/Levies Force dated October 10, 2012 on the subject noted above and to forward herewith a gazetted copy of Service Rules for Federal Levies Force in PATA (amended) 2013 for information and further necessary action.

Yours faithfully,

SECTION OFFICER (CD)

Ph: 091-9210238 Fax No.091-9210201

Encl: As above.

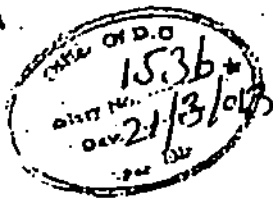
Endst: No & date of even

Copy forwarded to:

- i) Secretary to Governor, Khyber Pakhtunkhwa.
- ii) PS to Chief Secretary, Khyber Pakhtunkhwa.
- iii) PS to Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa.

Attended to be true Copy

Said Muhammad Durram
Advocate High Court



SECTION OFFICER (CD)

2.
D. Durram

PC/11/11/1
21/3/013

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 15TH FEBRUARY, 2013.

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar the 4th February 2013

SERVICE RULES FOR FEDERAL LEVIES FORCE IN PATA

In exercise of the powers conferred by Section 9 of the PATA Levies Force Regulation, 2012 the Provincial Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:-

1. **Short title and commencement.**- (1) These rules may be called Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013.

(2) They shall come into force at once.

2. **Definitions.**-(1) In these Rules, unless the context otherwise require, the following expressions shall have the meaning hereby respectively assigned to them, namely:-

(a) "Appointing Authority" means the appointing authority specified in rule-4;

(b) "Commandant" means Commandant of the Force, who shall be the Deputy Commissioner in their respective jurisdiction;

(c) "Deputy Commandant (Operation)" means an Assistant Commissioner or any officer of the District designated as such by the provincial government who shall be Deputy Commandant (Operation) of the Force in PATA, to exercise in his respective jurisdiction such powers and perform such functions as may be prescribed; and who shall be responsible to the Commandant for operational matters of the Force in PATA.

(d) "Deputy Commandant (Administration)" means Deputy Commandant (Administration) of the Force, who shall be an officer of the provincial government or any officer of the District designated as such by the provincial government to exercise in his respective jurisdiction such powers and perform such functions as may be prescribed and who shall be responsible to the Commandant for administration and establishment matters of the Force in PATA.

(e) "Government" means the Government of Khyber Pakhtunkhwa;

(f) "Home Department" means Provincial Home & Tribal Affairs Department;

(g) "Initial recruitment" means appointment made other than by promotion or by transfer;

(h) "Schedule" means the Schedule appended to these rules;

Attested to be true Copy
Said Mohammad Durrani
Advocate High Court

(i) "Selection or Promotion Committee" means a Committee for recruitment or as the case may be, promotion of Force personnel as notified by the Government;

(j) "Service" means the levies service;

(2) The expression used but not defined herein shall have the same meanings as are assigned to them under the PATA Levies Force Regulation 2012.

3. Composition and eligibility of the Force. - (1) The Force shall comprise of the posts specified in Schedule-I and such other posts as may be determined by the Government from time to time.

(2) Recruitment to the Force shall be made in accordance with the requirement specified in Schedule-I. No person shall be appointed unless he fulfills the following conditions:-

(a) The candidate shall be a citizen of Pakistan and bonafide resident of the respective district of Khyber Pakhtunkhwa.

(b) The candidate shall be in good mental and bodily health and free from physical defect, which likely to interfere in the efficient discharge of his duties.

(c) Medical Superintendent of the respective district headquarter hospital shall issue a certificate of medical fitness to the candidate.

(d) Recruitment to all ranks of the Force shall be made from amongst those persons having a minimum height of 5'7" and chest measurement of ~~34" & 35" & 36"~~ with an age of not less than eighteen years and not more than twenty-five years on the last date of submission of application;

(e) No person (except those who are already in Government Service) shall be appointed to the Force unless he produces a certificate of character from the Principal of Academic institution last attended or a certificate of character from two gazetted officers from respective districts, not being his relative and who are well acquainted with his character; and

(f) No person who is married to foreign national shall be eligible for appointment in the Force, unless allowed by the Government, in writing.

4. Appointing Authority. - (1) Commandant shall be the appointing authority for initial recruitment and promotion up to the rank of Subedar. Whereas promotion to the rank of Subedar Major and above, the authority shall rests with the provincial government.

(2) Appointment to the post shall be made in accordance with the provisions contained in Schedule-I read with Rule-3 of these rules.

(3) Appointment either through initial recruitment or by promotion shall be made through duly constituted Selection/promotion Committees.

Provided that in case of raising of force in a new district, the Commandant shall have the authority to recruit ex-servicemen above the rank of sepoy on contract basis for a period of one year extendable for a further period of one year but not exceeding three years in total, with prior approval of the government.

It is further provided that the ex-service man so appointed on contract shall not be more than forty five years of age.

5. Probation. - Persons appointed to posts by initial recruitment, promotion or transfer shall remain on probation for a period of one year extendable by a further period of one year. If no order is issued on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended for further one year. If no order is issued on the completion of extended period, the probation shall be deemed to have been terminated.

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Said Muhammad Durrani
Advocate High Court

6. **Training.** - (1) All newly recruited personnel of the Force shall undergo six months pre-service training before being assigned duties of the rank for which they selected. Initially, the Appointing Authority shall arrange for appropriate training till a proper Levies Training Center is established.

(2) The pre-service training mentioned in sub-rule (1) may contain training on basic laws, investigation techniques, mob control, basic intelligence, arrest and detention procedure, jail duties, drill, weapons training, field craft, bomb disposal, counter assault, traffic control, raids, watch & ward etc. Proper training syllabus and modules shall be developed through mutual consultation with local law enforcing agencies by the Home Department.

7. **Resignation.**-No member of the Force shall resign before the expiry of the first three months of his recruitment or he shall deposit an amount equal to his three months pay in lieu of his three months essential service.

8. **Seniority and promotion.**- (1) Promotion shall be strictly on seniority cum fitness basis as well as on the required length of service as specified in Schedule-I.

(2) The service of a personnel by initial recruitment, promotion or transfer may be dispensed with or reverted if, in the opinion of the competent authority his work and conduct is not satisfactory during probation period or due to abolishment of posts, as the case may be.

Provided that in case of dispensing with their service or reversion the concerned authority shall record cogent reasons for such action in writing.

(3) The seniority list of the Force shall be maintained at district level. Commandant shall be responsible for maintaining the seniority list of the force and shall notify annually.

9. **Transfer during service.** - Every member of the service shall be liable to serve anywhere within PATA with the prior approval of the Commissioner Malakand Division.

10. **Punishment.** -After satisfying himself regarding punishable acts (as referred in Schedule-II) through a charge duly framed in writing, necessary punishments specified in Schedule-IV may be awarded by the respective authority.

Provided that punishment so awarded shall be duly incorporated in service rolls / service dossier accordingly.

11. **Appeal.** - If any personnel of the force is aggrieved by any order issued under these rules, within thirty days of communication to him of such order, may prefer an appeal to the competent authority.

Provided that no appeal shall lie against the punishments specified at S.No. (1) and Schedule-IV.

12. **Awards and commendations.** - (1) Force personnel may be given special award and commendation certificate for devotion to duty, demonstration of gallantry and such achievement in the performance of duty, in the manners as prescribed by the Commandant, and shall be made part of the service rolls / service dossier.

(2) Force personnel, if embraces martyrdom in the discharge of his duty, will be given proper Guard of Honour at the time of burial.

13. **Service Record.** -Proper service rolls / service dosslers of all Force Personnel shall be maintained in Levy Office of each district. Annual reports of all Havaldars and Junior Commissioned Officers (JCOs) will also be maintained for the purpose of promotion.

14. **Uniform.**-The levy personal shall attire black shahwar qamees with brown chappli, white socks, black barrette cap and black belt whereas the JCOs will wear brown belt during duty hours.

15. **Leave.**- (1) Leave may be granted depending on the exigencies and at the discretion of the Commandant. All leave of ten days or above, will be considered as long leave and shall be granted on the recommendations of Subedar Major by the Commandant.

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Noted to be true Copy
Sd/ Muhammad Burayq
Advocate High Court

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(2) Casual leave may be allowed upto three days by Subedar Major. Casual leave up to nine days may be granted by the Deputy Commandant (to be notified by the Commandant) on the recommendation of the concerned JCO.

(3) Medical leave shall be granted by the Commandant on the production of medical certificate from the medical superintendent concerned.

16. Salary.-The Force personnel shall be entitled to receive pay and allowances as per their pay scales notified by the Federal Government from time to time.

17. Retirement.-All Levy personnel shall retire as per Schedule-III and no extension in service beyond retirement shall be granted.

18. Conduct.-The conduct of Force personnel shall be regulated by these rules or instructions issued by Government from time to time.

19. Gratuity and pension.-All Force personnel will be entitled to pension as per prevailing Federal Government rules.

20. Compensation.- (1) The family of Force personnel shall be granted death compensation in case the Force Personnel embraces martyrdom during discharge of his duty as per rates prescribed by the Federal Government.

(2) Force personnel shall be granted compensation in case of sustaining fatal injury or injuries during the discharge of his duty. If he is declared incapacitated for further services due to such fatality, he shall be entitled to gratuity and pension as per Federal Government Rules.

(3) 5% quota shall be reserved for sons and wards of martyred in initial recruitment of Force

Provided that in case of permanently incapacitated personnel of the force during the course of duty, preference shall be given to the sons and wards of such incapacitated Force Personnel in general recruitment.

21. Funds.-Force personnel shall be governed by the provision of general provident funds, benevolent funds and group insurance as prescribed for other employees of the Federal Government.

22. Health care.-Medical facilities for the Force personnel and their families shall be catered for at Government hospitals and dispensaries at par with other employees of the Federal Government.

23. Monitoring and evaluation.- (1) Commandant or Deputy Commandant of the Force shall set up suitable number of levy posts in their respective jurisdiction and shall assign suitable number of Force personnel at each of such levy post. In case of establishment of Levies Station within their jurisdiction shall require prior approval of the government.

(2) There shall be levy line in each district, which shall have all necessary facilities including parade ground, barracks, quarter guards, koth/armoury etc.

(3) Duty Register showing the duties assigned to each individual on day-to-day basis shall be maintained in each levy post /Levy Station/Levy Lines by a levy Muharir.

(4) Nalb Subedar shall be responsible for carrying out the work assigned to Force personnel whose duties shall be entered in advance in the duty register.

(5) Registers including *roznamchas* as prescribed by the Commandant shall be maintained in every levy post/Station/Lines.

(6) Commandant, Deputy Commandant or any other officer of the District Administration shall in the course of their tours in their jurisdiction, may inspect duty register and *roznamchas of Levy posts/stations* and satisfy themselves that Force Personnel are carrying out their assigned duties. A note regarding absence from the post or from the place of duty of any Force personnel without leave, shall invariably be recorded by inspecting officers in the duty register. Such entry shall be communicated to the

to be true copy
Said Muhammad Sarwar
Advocate High Court

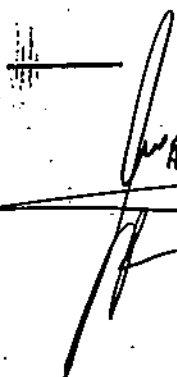
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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 15th FEBRUARY, 2013. 647

24. An Anomaly Committee duly constituted/notified vide Home and Tribal Affairs Department, Khyber Pakhtunkhwa Notification No.S0(Police)/HD/12-19/2012 dated 11th December, 2012 shall consider and remove such anomalies from time to time referred to the competent authority.
25. Repeal.-Any rules, orders or Instructions enforce in respect of the PATA Levies Force, immediately before the commencement of these rules shall stand repealed in so far as these rules, orders or instructions are inconsistent with the rules:

Secretary
Home & Tribal Affairs Department
Government of Khyber Pakhtunkhwa


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Said Muhammad Durrant
Advocate High Court

SCHEDULE - I
See rules 4(2) and 8

A. Uniformed Force

S.#	Post/Rank	Eligibility for promotion	Promotion Quota	Direct Quota	Qualification
1.	Subedar Major (BS-16)	03 years service as Subedar	100%		
2.	Subedar (BS-13)	03 years service as Naib Subedar	100%		
3.	Naib Subedar (BS-11)	03 years service as Havaldar	100%		
4.	Havaldar (BS-8)	03 years service as Naik	100%		
5.	Naik (BS-7)	03 years service as Lance Naik	100%		
6.	L/Naik (BS-6)	03 years service as Sepoy	100%		
7.	Sepoy (BS-5)			100%	Middle pass preferably Matric
8.	Head Armourer BPS-05	05 years service as Assistant Armourer	100%		
9.	Assistant Armourer BPS-01			100%	Certificate of Armourer

B. Ministerial staff

10.	Assistant (BS-14)	KPO/ Computer Operator/ Senior clerk/ Junior Clerk (i) Minimum 5 years service as KPO/ Computer Operator; (ii) 5 years service as Senior Clerk; (iii) 7 years service as Junior Clerk	50%	50%	B.A. or equivalent for direct recruitment and by promotion seniority-cum-fitness from amongst KPO/Computer Operator/Senior clerk/Junior Clerk on the basis of their date of entry into service.
11.	KPO/ Computer Operator BPS-12			100%	Intermediate with one year diploma in IT from a recognized institute
12.	Senior Clerk (BS-9)	5 years service as Junior Clerk	100%		
13.	Junior Clerk (BS-7)		10% from lower staff with Matric	90%	Matric with a typing speed of 30 words per minutes / preferably computer literate
14.	Behishti (BS-5)			100%	Literate
15.	Driver (BS-4)			100%	Driving License / Driving Experience
16.	Pesh Imam BPS-02			100%	MouviFazl
17.	Tracker (BS-2)	5 years service in BS-1	10%	90%	Primary Pass
18.	Naib Qasid BPS-01			100%	Literate
19.	Sweeper (BS-1)			100%	

Accepted to be true Copy
Said Muhammad Durran
Advocate High Court

SCHEDULE - II
(see Rule 10)

Grounds of penalty

The concerned authority may impose one or more penalties, where a personnel of the Force, in the opinion of the authority: -

- a. is inefficient or has ceased to be efficient;
- b. is guilty of misconduct, like unauthorized absence from leave, breach of order, disobedience, unruly behavior, passing on official secrets to unauthorized persons, etc;
- c. is corrupt, or may reasonably be considered corrupt;
- d. is guilty of any violation of duty;
- e. loses, misplaces or causes harm to a weapon through negligence or lack of maintenance;
- f. is insubordinate to his superiors;
- g. is convicted of a criminal offence;
- h. is guilty of cowardice, or abandons any picket, fortress, post or guard which is committed to his charge or which is his duty to defend;
- i. is engaged in propagation of sectarian, parochial, anti-state views and controversies;
- j. is engaged or is reasonably suspected of being engaged to excite, cause or conspire to cause or joins in any mutiny, or being present at any mutiny and does not use his utmost endeavor to suppress it;
- k. attempts collective bargaining, conspiring or attempting to call off duty or take procession to press for the demands; or
- l. is guilty of omission and commission under the law and rules.
- m. deserts the service.
- n. Being a sentry, sleeps upon his post or quits it without being regularly relieved or without leave; or
- o. Without authority, leaves his commanding officer, or his post or party, to go in search of plunder; or
- p. Quits his guard, picket, party or patrol without being regularly relieved or without leave; or
- q. Uses criminal force to, or commits an assault on, any person bringing provisions or other necessaries to camp or quarters, or without authority breaks into any house or any other place for plunder, or plunders, destroys, or damages any property of any kind; or
- r. Internally causes or spreads a false alarm or rumour during action or in post, camp, lines,

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Said Muhammad Durrani
Advocate High Court

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(R)

650 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 15th FEBRUARY, 2013

SCHEDULE -III
See Rule 17

S.#	Post/Rank	Length of service / Age
1	Subedar Major (BS-16)	38 years service or 03 years service as Subedar Major or 60 years age whichever is earlier
2	Subedar (BS-13)	35 years service or 03 years service as Subedar or 57 years age whichever is earlier
3	Naib Subedar (BS-11)	32 years service or 03 years service as Naib Subedar or 54 years age whichever is earlier
4	Havaldar (BS-8)	29 years service or 03 years service as Havaldar or 51 years age whichever is earlier
5	Naik (BS-7)	26 years service or 03 years service as Naik or 48 years age whichever is earlier
6	L/Naik (BS-6)	23 years service or 03 years service as L/Naik or 45 years age whichever is earlier
7	Sepoy (BS-5)	20 years service or 42 years age whichever is earlier

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Said Muhammad Durrani
Advocate High Court

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SCHEDULE -IV
See Rule 10

S.#	Punishment	Subedar Major and Subedar	NalbSubedar or Havaldar	Nalk or Lance Nalk	Sepoy
1	Extra Drill not exceeding fifteen days fatigue or other duties.			Subedar	NalbSubedar
2	Confinement to quarter guard upto fifteen days.	Commandant	Deputy Commandant	Deputy Commandant	Subedar Major
3	Censure	-do-	-do-	-do-	-do-
4	Forfeiture of approved service upto two years	-do-	-do-	-do-	-do-
5	Stoppage of increment not exceeding one month's pay.	-do-	-do-	-do-	-do-
6	Fine to any amount not exceeding one month's pay	-do-	-do-	-do-	-do-
7	Withholding of promotion for one year or less.	-do-	-do-	-do-	-do-
8	Reduction from substantive rank to a lower rank or reduction in pay.	-do-	-do-	-do-	-do-
9	Dismissal or removal from service or compulsory retirement.	-do-	-do-	-do-	-do-

Attested to be true Copy

Abd Muhammad Durrani
Advocate High Court



NOTIFICATION

No.50(Levies)HD/FLW/1-1/2013/Vol.1. The competent authority has been pleased to approve further amendments in Schedule-I of Rule-4(2) and Schedule-III of Rules-17 under Para-10 of the Regulation for PATA Levies Force, 2012 & Rule-24 of the Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013 as under:-

Rule-4(2) Schedule-I

SCHEDULE-I
See Rule 4 (2)

A. Uniformed Force

S.No	Post/ Rank	Eligibility for promotion	Promotion Quota	Direct Quota	Qualification
1	Subedar Major (BS-16)	One year service as Subedr	100%	-	-
2	Subedar (BS-13)	One year service as Naib Subedar	100%	-	-
3	Naib Subedar (BS-11)	One year service as Hawaldar	100%	-	-
4	Hawaldar (BS-8)	One year service as Naik	100%	-	-
5	Naik (BS-7)	One year service as Lance Naik	100%	-	-
6	Lance Naik (BS-6)	Five years' service as Sepoy	100%	-	-
7	Sepoy (BS-5)			100%	Middle pass preferably Matric
8	Head Armorer (BPS-5)	Five years' service as Assistant Armorer	100%	-	Middle pass preferably Matric with Certificate of Armorer
9	Assistant Armorer (BPS-1)			100%	Middle pass preferably Matric with Certificate of Armorer

Rule-17 (Retirement). (1) All uniform levy personnel shall retire as per Schedule-III or they may opt for retirement after completion of 25 years of regular service and no extension in service beyond retirement shall be granted.

SCHEDULE-III
Rule-17(Retirement)

S.No	Post/ Rank	Length of service / age for retirement.
1	Subedar Major(BS-16)	37 years' service or 60 years of age whichever is earlier.
2	Subedar BS-13	35 years' service or 60 years of age whichever earlier.
3	Naib Subedar(BS-11)	33 years' service or 60 years of age whichever earlier.
4	Hawaldar(BS-8)	31 years' service or 60 years of age whichever earlier.
5	Naik(BS-7)	29 years' service or 60 years of age whichever earlier.
6	Lance Naik(BS-6)	27 years' service or 60 years of age whichever earlier.
7	Sepoy(BS-5)	25 years' service or 60 years of age whichever earlier.

Accepted to be true Copy

*Said Muhammad Durrani
Advocate High Court*

7074
23/12/13

P.T.O

L. Asst

Handwritten signature/initials

(2) All non-uniform personnel shall retire from service on attaining the age of superannuation i.e. 60 years or they may opt for the retirement after completion of 25 years of regular service and no extension in service beyond retirement shall be granted.

Secretary to Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department

Ends No. & dated of even.

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

- 1 The Secretary to Government of Pakistan, Ministry of SAFRON, Islamabad with reference to his Notification No.F.10 (5)-LK/2006 dated 05-12-2013.
- 2 The Commissioner, Malakand Division, Malakand.
- 3 The Deputy Commissioner/Commandant, Malakand Levies, Malakand.
- 4 The Deputy Commissioner/Commandant Levies, Chitral.
- 5 The Deputy Commissioner/Commandant Levies, Dir Upper.
- 6 The Deputy Commissioner/Commandant Levies, Dir Lower.
- 7 The Deputy Commissioner/Commandant Levies, Swat.
- 8 PS to Secretary to Governor to Khyber Pakhtunkhwa.
- 9 PS to Chief Secretary, Khyber Pakhtunkhwa.
- 10 PS to A.C.S (FATA) Secretariat Peshawar.
- 11 PS to Secretary Home & Tribal Affairs Department.
- 12 The Manager Government Printing Press, Peshawar for publication in the official gazette Peshawar as an extraordinary copy.

Accepted to be true Copy

Said Muhammad Durrani
Advocate High Court

Section Officer (Levies)



NOTIFICATION

No. So (Levies) HD/FLW/1-1/2013/Vol.1 Consequent upon approval of the recommendations of the anomaly committee by Secretary SAFRON received vide his letter No.F.10(5)-LK/2006-Pt dated 04.08.2016, the competent authority has been pleased to partially modify the earlier Notifications of even number dated 12.12.2013 & 17.03.2014 with the following amendments in the levies service rules with immediate effect :-

1. The service of Federal Levy Force rendered before 2012 in case of PATA, Khyber Pakhtunkhwa/Settled Districts shall be counted as pensionable.
2. As Federal Government Employees, Civil Pension Rules will be applicable for all Federal Levy Force serving in PATA/Settled Districts of Khyber Pakhtunkhwa.
3. Condonation of over stay exceeding the prescribed length of service or age limit shall be allowed on case to case basis with due approval of the competent authority i.e Secretary, SAFRON after full implications are worked out and sent to SAFRON and subsequent approval by Finance Division as the over stay was not the fault of the levy personnel.
4. The tenure of Rank and Service may be included in the Schedule-III of Service Rules for PATA/Settled Districts of Khyber Pakhtunkhwa respectively with the following amendments:-

SCHEDULE - III

Sl No	Post/Rank	For	To be read as
1	Subedar Major (BS-16)	37 years service or 60 years of age whichever is earlier.	37 years service or 03 years service as Subedar Major or 60 years of age whichever is earlier.
-2	Subedar (BS-13)	35 years service or 60 years of age whichever is earlier.	35 years service or 05 years service as Subedar or 60 years of age whichever is earlier.
3	Naib Subedar (BS-11)	33 years service or 60 years of age whichever is earlier.	33 years service or 07 years service as Naib Subedar or 60 years of age whichever is earlier.

Secretary to Govt: of Khyber Pakhtunkhwa
Home & Tribal Affairs Department

Ends No. & dated of even.

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

1. The Secretary to Government of Pakistan, Ministry of SAFRON, Islamabad with reference to letters No.F.10(5)-LK/2006/Pt dated 04.08.2016.
2. The D.C /Commandant Levies, Malakand, Dir Upper, Dir Lower, Swat, Chitral, Hangu, Kohat, Karak, Lakk, Marwat & Torghar.
3. Agency / District Account Officer Malakand, Dir Upper, Dir Lower, Swat, Chitral, Hangu, Kohat, Karak, Lakk, Marwat & Torghar.
4. Section Officer (Budget) Home Department.
5. Section Officer (Court) Home Department.
6. PS to Secretary Home & Tribal Affairs Department.
7. The Manager Government Printing Press, Peshawar for publication in the official gazette Peshawar as an extraordinary copy.

Section Officer (Levies)

Attested to be true Copy
Said Muhammad Durrani
Advocate High Court

Office of the D.C. Dir Upper
Dated 25/8/16
1-9-06



(41)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIR DEPARTMENT**

SO (Police-II)/HD/1-3/2020
Dated Peshawar the 16-07-2020

To

The Deputy Commissioners/Commandant, Levies Force

- | | | |
|--------------|-------------|-----------------|
| 1. Chitral | 2. Swat | 3. Dir Lower |
| 4. Dir Upper | 5. Malakand | 6. Kohat |
| 7. Hangu | 8. Karak | 9. Lakki Marwat |
| 10. Torghar | | |

Subject: - AMENDMENT IN PROVINCIALLY ADMINISTERED TRIBAL AREAS FEDERAL LEVIES FORCE SERVICE (AMENDED) RULES, 2013 AND PROVINCIAL LEVIES FORCE RULES, 2015

Dear Sir,

I am directed to refer to the subject noted above and to state that this department has issued amendments in the subject rules which are forwarded for your information and further necessary action at your end, please.

Yours Faithfully,

Encls as Above

Section Officer (Police-II)
Ph No. 091-9210563 Fax No. 9210201

Endst: No & date of even

Copy forwarded to:-

- PS to Secretary Home & TA's Department.

16/7

Attested to be true Copy

**Said Muhammad Durrani
Advocate High Court**

LHC

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01-09-020



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME DEPARTMENT

42

NOTIFICATION

Dated Peshawar the 14.07.2011

No. SO(Police-II)HD/1-3/. In exercise of the powers conferred by Section 9 of the Provincially Administered Tribal Areas Levies Force Regulation 2012, the Government of the Khyber Pakhtunkhwa is pleased to direct that in the Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:

Amendments

In the said rules:-

(a) For rule 17, the following shall be substituted, namely:

"17. Retirement.--- All Levies Personal shall retire from service on attaining then age of superannuation i.e. sixty (60) years or they may opt for retirement after completion of twenty-five (25) years regular service." and

(b) Schedule-III shall be deleted

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HOME DEPARTMENT

Copy forwarded to the:-

1. Principal Secretary to Governor's Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister's Secretariat Khyber Pakhtunkhwa, Peshawar.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Election Commissioner, Khyber Pakhtunkhwa.
8. Provincial Police Officer, Khyber Pakhtunkhwa.
9. All Heads of Attached Department in Khyber Pakhtunkhwa.
10. P.O to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
11. Accountant General of Khyber Pakhtunkhwa.
12. Director Information Khyber Pakhtunkhwa, Peshawar.
13. The Manager Government Printing & Stationary Department, Khyber Pakhtunkhwa.

is requested to publish the above Notification in the extra ordinary Gazette of Khyber Pakhtunkhwa and supply 50 Copies (50) of the same to the Home Department.

Section officer (Police-II)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT
PESHAWAR

43

No. SO(Police-II)HD/MKD/Levies/Misc./2020
Dated, Peshawar the 22-3-2021

To

The Deputy Commissioners,

1. Malakand
2. Swat
3. Upper Dir
4. Lower Dir
5. Upper Chitral
6. Lower Chitral
7. Kohat
8. Hangu
9. Karak
10. Lakki Marwat
11. Torghar

Attested to be true Copy

Said Muhammad Durran
Advocate High Court

SUBJECT: CHIEF MINISTER DIRECTIVES - RESTORATION OF SCHEDULE-III OF FEDERAL LEVIES RULES, 2013 AND SCHEDULE-IV OF PROVINCIAL LEVIES RULES, 2015

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith approved notification regarding amendments in Federal Levies Rules, 2013 in compliance of the Provincial Cabinet Decision dated 24-02-2021, for further necessary action with intimation to this department, please.

Encls. As above:-

Yours faithfully,

Section Officer (Police-II)

Copy of the above is forwarded to the:-

1. Section Officer (Cabinet), Administration Department, Khyber Pakhtunkhwa with reference to the letter No. SOC(E&AD)/9-51/2021, dated 08-3-2021.
2. Section Officer (D/AB), Home Department, with reference to the letter No. SO(D/AB)/HD/6-3/2020, dated 15-3-2021 in compliance of SO (Cabinet), Administration Department letter quoted above.
3. Assistant to the Commissioners of Malakand, Hazara, Kohat and Bannu, for information please.
4. District Accounts Officers, Malakand, Swat, Upper Dir, Lower Dir, Upper Chitral, Lower Chitral, Kohat, Hangu, Karak, Lakki Marwat and Torghar
5. PS to the Secretary Home Department
6. PS to the Special Secretary-II, Home Department.
7. Mater File

Section Officer (Police-II)

2394
12-4-21

Dir (W)
12-4-2021

To be substituted notification of even No & date.

44



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

NOTIFICATION

Peshawar, dated the 22-3-2021

No. SO(Police-II)HD/MKD/Levies/Misc.2020:- In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that in the PATA Federal Levies Force Service (Amended) Rules 2013, the following further amendments shall be made, namely:-

Amendments

In the said rules:-

1. In Rule 4, sub-rule (1), the following shall be substituted, namely:

"(1) Commandant shall be the appointing authority for initial recruitment and promotion up to the rank of Subedar:

Provided that the appointing authority for purpose of promotion to the posts of Subedar Major and Superintendents shall be Secretary, Home Department."

2. For Rule 17, the following shall be substituted namely:

"17. Retirement: All Levy personnel shall retire as per Schedule-III and no extension in service after retirement shall be granted"

3. For Schedule-III, the following shall be substituted, namely:

"Schedule-III
(see rule 17)

S. No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
1	Subedar Major (BS-16)	On the basis of Seniority-cum-fitness from amongst the Subedars having Intermediate Qualification	Thirty Seven Years or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier
2	Subedar (BS-13)	By promotion, on the basis of Seniority Cum Fitness in the following manner, namely: (i) Fifty Percent (50%) from amongst the Naib Subedars having intermediate qualification; and (ii) Fifty Percent (50%) from amongst Naib Subedars having Secondary School Certificate	Thirty Five Years service or Five Years' service as Subedar or Sixty years of age whichever is earlier.
3	Naib Subedar (BS-11)	By promotion, on the basis of Seniority Cum Fitness in the following manner, namely: (i) Fifty Percent (50%) from amongst the Hawaldars	Thirty Three Years' Service or Seven Years' Service as Naib Subedar or Sixty Years of age whichever is earlier.

Accessed to the True Copy
Said Muhammad Durran
Advocate High Court

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S: No.	Name of the Post / Rank	Qualification for Promotion	Length of Service / Age
4	Hawaldar (BS-08)	(ii) Fifty Percent (50%) from amongst Hawaldars.	Thirty One years service or Three years service as Hawaldar or Fifty One years of age, whichever is earlier.
5	Naik (BS-07)		Twenty Nine years service or Three years service as Naik or Forty Eight years of age, whichever is earlier.
6	L/naik (BS-06)		Twenty Seven years service or Three years service as L/Naik or Forty Five years of age, whichever is earlier.
7	Sepoy (BS-05)		Twenty Five years service or Forty Two years of age, whichever is earlier.

**SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HOME & TRIBAL AFFAIRS DEPARTMENT**

Copy forwarded to the:-

1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
 2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
 3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
 4. Registrar, Peshawar High Court, Peshawar.
 5. All Commissioners, Khyber Pakhtunkhwa.
 6. All Deputy Commissioners, Khyber Pakhtunkhwa.
 7. Provincial Police Officers, Khyber Pakhtunkhwa.
 8. All Heads of Attached Department in Khyber Pakhtunkhwa.
 9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
 10. Accountant General, Khyber Pakhtunkhwa.
 11. Direction Information, Khyber Pakhtunkhwa.
 12. The Manger Government Printing & Stationery Department, Khyber Pakhtunkhwa.
- He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department.

Attested to be true Copy

*Said Muhammad Durrani
Advocate High Court*

Section Officer (Police-II)



(46)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT**

NO. SO (POLICE-II)/HD/1-3/2020/MKD/LEVIES
Dated Peshawar the 21-10-2021

To,

1. All Divisional Commissioners,
2. The Deputy Commissioners/Commandants Levies,
Malakand, Swat, Dir Upper, Lower Dir, Upper Chitral,
Lower Chitral, Hangu, Kohat, Karak, Lakki Marwat & Torghar.

Subject: - CHIEF MINISTERS DIRECTIVES- RESTORATION OF SCHEDULE-
III OF FEDERAL LEVIES RULES, 2013 AND SCHEDULE-IV OF
PROVINCIAL LEVIES RULES, 2015

Dear Sir,

I am directed to enclose herewith a copy of Notification dated 21-10-2021 of Amendment in Federal Levies Rules 2013, for your perusal and further necessary action, please

Yours faithfully,

Section Officer (Police-II)
Ph No. 091-9210503 Fax No. 9210201

21/10/2021

Copy forwarded to:-

1. PS to Home Secretary, Khyber Pakhtunkhwa.
2. PS to Special Secretary Home, Khyber Pakhtunkhwa.
3. PA to Additional Secretary Home, Khyber Pakhtunkhwa.
4. PA to Deputy Secretary Home, Khyber Pakhtunkhwa.

Attested to be true Copy

Said Muhammad Durrani
Assistant Secretary

LHC

For n/s

22/10/2021



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

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NOTIFICATION

Peshawar, dated the 21-10-2021

NO. SO(POLICE-II)HD/1-3/FEDERAL LEVIES 2021: In exercise of the powers conferred by Section-9 of the PATA Levies Force Regulation, 2012, and in continuation of this department notification No. SO(Police-II)HD/MKD/levies/Misc/2020 dated 22-03-2021, the Provincial Government of Khyber Pakhtunkhwa is pleased to direct that In the PATA Federal Levies Force Service (Amended) Rules, 2013, the following further amendments shall be made, namely:-

SCHEDULE-III

S. No.	Name of the Post / Rank	Length of Service / Age
1	Subedar Major (BS-16)	Thirty Seven Years of service or Three Years' Service as Subedar Major or Sixty Years of age whichever is earlier.
2	Subedar (BS-14)	Thirty Five Years of service or Five Years' service as Subedar or Sixty years of age whichever is earlier.
3	Naib Subedar (BS-11)	Thirty Three Years of Service or Seven Years' service as Naib Subedar or Sixty Years of age whichever is earlier.
4	Hawaldar (BS-09)	Thirty one years of service or fifty one year of age whichever is earlier.
5	Naik (BS-08)	Twenty nine years of service or forty nine years age whichever is earlier.
6	L/Naik (BS-08)	Twenty seven years of service or forty seven years age whichever is earlier.
7	Sepoy (BS-07)	Twenty five years of service or forty five year of age whichever is earlier.

SCHEDULE-I

S.N	Post/ Rank	Eligibility for Promotion	Promotion Quota	Direct Quota	Qualification
1	Subedar Major (BS-16)	02 years' service as Subedar Or Total 21 years of service	100%		
2	Subedar (BS-14)	02 years' service as Naib Subedar Or Total 19 years of service	100%		
3	Naib Subedar (BS-11)	04 years' service as Hawaldar Or Total 17 years of service	100%		
4	Hawaldar (BS-09)	05 years' service as Naik Or Total 13 years of service	100%		
5	Naik (BS-08)	03 years' service as Lance Naik Or Total 08 years of service			
6	L/Naik (BS-08)	05 years' service as Sepoy			
7	Sepoy (BS-07)			100%	SSC
8	Head Armorer (BS-5)	05 years' service as Assistant Armorer	100%		SSC Qualification with certificate of Armorer
9	Assistant Armorer (BS-1)			100%	SSC Qualification with certificate of Armorer

Accepted to be true copy
Said Muhammad Durrani
Advocate High Court

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HOME & TRIBAL AFFAIRS DEPARTMENT

Forwarded to the:-

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1. Principal Secretary to the Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court, Peshawar.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. Provincial Police Officers, Khyber Pakhtunkhwa.
8. All Heads of Attached Department in Khyber Pakhtunkhwa.
9. PSO to the Chief Secretary, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Direction Information, Khyber Pakhtunkhwa.
12. The Manager Government Printing & Stationery Department, Khyber Pakhtunkhwa. He is requested to publish the above Notification in the Extra Ordinary Gazette of Khyber Pakhtunkhwa and supply 50 copies (Printed) of the same to the Home Department.


Section Officer (Police-II)

21/10/2024

Attested to be true Copy

Said Muhammad Usman
Advocate High Court



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GOVERNMENT OF KHYBER PAKHTUNKHWA
Home & Tribal Affairs Department

244-48
No. SO(L&K/HD/Malakand/
Dated Peshawar 18.09.2023

To

The Deputy Commissioner/Commandant
Malakand Levies

Subject: **COMPLAINT AGAINST MR.SAMI ULLAH BACHA SUBEDAR MAJOR**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith order bearing No.SO(L&K)/HD/Malakand/241-43 dated 11.09.2023 in the instant case for information / necessary action, please.

Yours Sincerely,

(Niaz Muhammad)
Section Officer (L&K)

Copy to:

1. PS to Secretary, Home & TAs Department, Peshawar Khyber Pakhtunkhwa.
2. PA to Additional Secretary(P/L&K), Home Department
3. Mr.Sami Ullah Bacha, Malakand Levy Force
4. Mr.Umar Wahid, Malakand Levy Force

Attested to be true Copy

Said Muhammad Durrani
Advocate High Court

Section Officer (L & K)

50

GOVERNMENT OF KHYBER PAKHTUNKHWA
Home & Tribal Affairs Department

No SO(L&K)/HD/Malakand/241-43.

Subedar Umar Wahid, Malakand Levies

VS

1. Deputy Commissioner/Commandant Malakand,
2. Subedar Major Sami Ullah Bacha Malakand Levy Force

ORDER

11.09.2023

The instant appeal was filed by Subedar Umar Wahid Malakand Levy Force under Rule-15 of Levy Force Rules 2015 wherein he stated that Mr. Sami Ullah Bacha was promoted to the Rank of Subedar Major on 26.4.2022 on the basis of fake Diploma of Associate Engineer while he was eligible for the post of Subedar Major, therefore, promotion order of Sami Ullah Bacha may be revisited.

Both the applicant Umar Wahid and respondent Sami Ullah Bacha were present during the hearing. Representative of Deputy Commissioner/Commandant, Malakand Levy Force was also present.

From perusal of the case, it has been transpired that Sami Ullah Bacha was promoted to the rank of Subedar Major Malakand Levy Force on 26.4.2022 by the Home & TAs Department on the recommendations of Departmental Promotion Committee (DPC) in its meeting held on 19.4.2022 for a period of 03 years in terms of Rule-17, Schedule-III of PATA Federal Levies Force Service (Amended) Rules 2021 on the basis of seniority-cum fitness from amongst the Subedar having intermediate qualification. Subedar Umar Wahid lodged complaint that Diploma (DAE) provided by the promoted Subedar Major Sami Ullah Bacha was fake, therefore, he was not fit for promotion. On 21.6.2023, Director (Certifications), National Vocational and Technical Training Commissioner (NAVTTAC) Islamabad was approached for authenticity/validity or otherwise of the said diploma issued to Sami Ullah Bacha. Simultaneously, Deputy Commissioner/Commandant Malakand Levy Force informed that Diploma has already been verified by Pakistan Technical and Educational Council Islamabad, and that Home Department addressed letter to NAVTTC instead of the Pakistan Technical and Educational Council which needs correction.

Attested to be true Copy

Said Muhammad Durrani
Advocate High Court

On 22.6.2023. NAVTTC, Islamabad informed that Diploma issued by the FT&EC to Mr. Sami Ullah was not included in the registered institution list with them therefore, the Diploma is invalid. List of approved technical organization has also been enclosed by the NAVTTC wherein Pakistan Technical and Educational Council was not found.

Keeping in view the ambiguity and dual statement by the NAVTTC Islamabad and Pakistan Technical and Educational Council Peshawar, officers/staff of Home Department were deputed to visit the institution and physically verify the diploma, and probe into the matter by carrying out ground verification of the diploma certificate and above mentioned institution.

Attested for use by
Sami Ullah Bacha
Associate High Court

On 6.7.2023, concerned officers submitted their detailed report with the conclusion that there was a big question mark on the existence of the body of Pakistan Technical & Education Council Islamabad, as nothing had been found or provided to establish its legal existence.

Applicant Umar Wahid was heard in person and asked to explain his position as per his lodged complaint against the promotion of Sami Ullah Bacha to the rank of Subedar Major on the basis of fake documents. He further stated that he was eligible for promotion when the Departmental Promotion Committee Meeting was held however, he did not get promoted. He was asked to provide evidence that the diploma of Sami Ullah Bacha was fake. He replied that Home & TAs Department has verified the diploma on his complaint from the concerned quarters which is part and parcel of original file.

The respondent Sami Ullah Bacha was also heard in person. He was enquired about his diploma (DAE) and awarding institution. The respondent replied that he had done the diploma from Pakistan Technical and Educational Council Peshawar in the year 2005-07 and the said institution was located in Faqirabad Peshawar. He was then asked that the diploma was of three years and whether he had taken any leave during that academic year. His reply was in negative, and further, he stated that classes were scheduled on Saturday and Sunday. The representative of DC Malakand also confirmed that leave was not granted to Sami Ullah Bacha during the said period as no entry in his service book has been made till date.

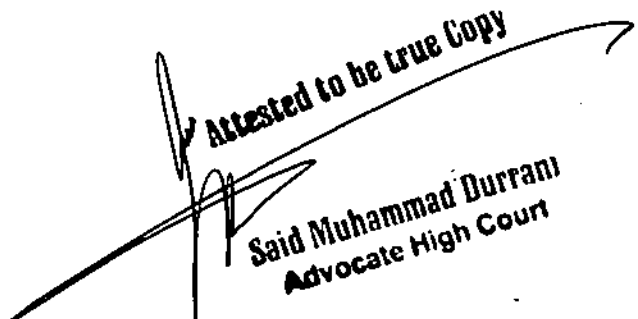
52

Derived from above position, the case is simple in nature Respondent Sami Ullah did not get NOC for diploma at that time. As informed by the representative of DC Malakand, no entry in his service book was made till yet. No extra ordinary leave (3 years) had been granted to him while 3 years regular classes were impossible without leave. Last but not the least, he did matriculation in 1989 in Arts while obtained the DAE in the year 2006; after a gap of 16 years approximately in the subject of applied mathematics, applied physics and applied chemistry which is beyond comprehension.

In light of the available record on file, statement of the appellant, respondent and representative of DC Malakand and report of Section officer (General) and Private Secretary, Home Department dated 6.7.2023; appeal of Umar Wahid is admitted. It is hereby ordered that fresh Departmental Promotion Committee (DPC) meeting may be convened and promotion may be made in light of qualification and valid documents of the incumbents strictly under the relevant rules however honourable Peshawar High Court has granted interim relief dated 01-09-2023 that no final order shall be passed in the instant case.

11.9.2023


Secretary
Home Department


Attested to be true Copy

Said Muhammad Durrani
Advocate High Court



OFFICE OF THE DC MALAKAND
COMMANDANT MALAKAND LEVIES

NO. 915 /LC

DATED MALAKAND THE 02-02/2022

Phone: 0932-452080 Fax: 0932-460557

OFFICE ORDER

Consequent upon the recommendation of Departmental Promotion Committee meeting held on 31-01-2022 in the office of undersigned, the following Levy personnel are hereby promoted to their next higher rank from the date noted against each on the basis of qualification/seniority-cum-fitness with immediate effect subject to any variation made by the higher-ups/Honorable Court:-

S.No	No & Name of Levy Personnel	From	To	Date
1.	No.3800 Umar Wahid	Naib Subedar	Subedar	06/07/2022
2.	No.4162 Bakht Pervez	Naib Subedar	Subedar	31/01/2022
3.	No.4176 Said Wahab	Naib Subedar	Subedar	31/01/2022
4.	No.4178 Yousaf Khan	Naib Subedar	Subedar	31/01/2022
5.	No.4181 Bashir Khan	Naib Subedar	Subedar	31/01/2022
6.	No.4196 Nek Rahman	Naib Subedar	Subedar	31/01/2022
7.	No.4241 Fazal Akbar	Havildar	Naib Subedar	31/01/2022
8.	No.4238 Ghani Rehman	Havildar	Naib Subedar	31/01/2022
9.	No.4243 Sultan Muhammad	Havildar	Naib Subedar	31/01/2022
10.	No.4267 Tahir Room	Havildar	Naib Subedar	31/01/2022
11.	No.4279 Amir Zeb	Havildar	Naib Subedar	31/01/2022
12.	No.4221 Habib-ur-Rehman	Havildar	Naib Subedar	31/01/2022
13.	No.4228 Haji Rehman	Havildar	Naib Subedar	31/01/2022
14.	No.4229 Bakhti Zaman	Havildar	Naib Subedar	31/01/2022
15.	No.4235 Mohd Nawab	Havildar	Naib Subedar	31/01/2022
16.	No.4246 Ismail Khan	Havildar	Naib Subedar	31/01/2022
17.	No.4330 Essa Khan	Naik	Havildar	31/01/2022
18.	No.4334 Zakir Ullah	Naik	Havildar	31/01/2022
19.	No.4341 Shah Room Khan	Naik	Havildar	31/01/2022
20.	No.4346 Mufti Mehmood	Naik	Havildar	31/01/2022
21.	No.4347 Said Zamir	Naik	Havildar	31/01/2022
22.	No.4350 Muslim Khan	Naik	Havildar	31/01/2022
23.	No.4356 Muhtasham Mian	Naik	Havildar	31/01/2022

59

24.	No. 4357 Mukamil Khan	Naik	Havildar	31/01/2022
25.	No. 4359 Shams ul Arifeen	Naik	Havildar	31/01/2022
26.	No. 4361 Aziz Ur Rehman	Naik	Havildar	31/01/2022
27.	No. 4363 Riaz Muhammad	Naik	Havildar	31/01/2022
28.	No. 4364 Farman Ud Din	Naik	Havildar	31/01/2022
29.	No. 4368 Hussain Khan	Naik	Havildar	31/01/2022
30.	No. 4369 Amani Mulk	Naik	Havildar	31/01/2022
31.	No. 4372 Bacha Rahman	Naik	Havildar	31/01/2022
32.	No. 4373 Khan Said	Naik	Havildar	31/01/2022
33.	No. 4379 Umer Ayaz	Naik	Havildar	31/01/2022
34.	No. 4380 Habib-ul-Ghafar	Naik	Havildar	31/01/2022
35.	No. 4381 Sherin Mohd	Naik	Havildar	31/01/2022
36.	No. 4371 Alamgeer	Naik	Havildar	31/01/2022
37.	No. 4385 Siraj Khan	Naik	Havildar	31/01/2022
38.	No. 4386 Afzal Khan	Naik	Havildar	31/01/2022
39.	No. 4387 Afsar Khan	Naik	Havildar	31/01/2022
40.	No. 4388 Afsari Mulk	Naik	Havildar	31/01/2022
41.	No. 4389 Jamshed Khan	Naik	Havildar	31/01/2022
42.	No. 4396 Farid Ullah	Naik	Havildar	31/01/2022
43.	No. 4398 Muhammad Khan	Naik	Havildar	31/01/2022
44.	No. 4402 Sardar Ali	Lance Naik	Naik	31/01/2022
45.	No. 4403 Muhammad Khan	Lance Naik	Naik	31/01/2022
46.	No. 4410 Mohd Perviz	Lance Naik	Naik	31/01/2022
47.	No. 4411 Shamsul Islam	Lance Naik	Naik	31/01/2022
48.	No. 4412 Umar Saleh	Lance Naik	Naik	31/01/2022
49.	No. 4415 Zafar Ali	Lance Naik	Naik	31/01/2022
50.	No. 4416 Sabir Rahman	Lance Naik	Naik	31/01/2022
51.	No. 4418 Said Mohd	Lance Naik	Naik	31/01/2022
52.	No. 4421 Abdul Wakil	Lance Naik	Naik	31/01/2022
53.	No. 4422 Inzar Gul	Lance Naik	Naik	31/01/2022
54.	No. 4424 Syed Abul Khaliq	Lance Naik	Naik	31/01/2022
55.	No. 4430 Mohd Fayaz	Lance Naik	Naik	31/01/2022
56.	No. 4432 Naeem Ahmad	Lance Naik	Naik	31/01/2022
57.	No. 4433 Habib ullah	Lance Naik	Naik	31/01/2022

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58	No. 4436 Amir Badshah	Lance Naik	Naik	31/01/2022
59	No. 4438 Umer Zamin	Lance Naik	Naik	31/01/2022
60	No. 4442 Said Amin Shah	Lance Naik	Naik	31/01/2022
61	No. 4444 Mushtaq Ahmed	Lance Naik	Naik	31/01/2022
62	No. 4445 Siraj Mohd	Lance Naik	Naik	31/01/2022
63	No. 4449 Wali Rahman	Lance Naik	Naik	31/01/2022
64	No. 4450 Hussain Gul	Lance Naik	Naik	31/01/2022
65	No. 4453 Sardar Hussain	Lance Naik	Naik	31/01/2022
66	No. 4454 Raham Zaib	Lance Naik	Naik	31/01/2022
67	No. 4455 Nasir Ullah	Lance Naik	Naik	31/01/2022
68	No. 4458 Amjad Ali	Lance Naik	Naik	31/01/2022
69	No. 4459 Zar Ali	Lance Naik	Naik	31/01/2022
70	No. 4461 Amir Zaib	Lance Naik	Naik	31/01/2022
71	No. 4463 Tahir Shah	Lance Naik	Naik	31/01/2022
72	No. 4464 Qadar Khan	Lance Naik	Naik	31/01/2022
73	No. 4465 Abdur Rahman	Lance Naik	Naik	31/01/2022
74	No. 4468 Amin Gul	Lance Naik	Naik	31/01/2022
75	No. 4469 Fazal Ghaffar	Lance Naik	Naik	31/01/2022
76	No. 4474 Gulab Zada	Lance Naik	Naik	31/01/2022
77	No. 4475 Mohd Ishaq	Lance Naik	Naik	31/01/2022
78	No. 4479 Sardar Hussain	Lance Naik	Naik	31/01/2022
79	No. 4481 Fyaz Khan	Lance Naik	Naik	31/01/2022
80	No. 4484 Noor Zada	Lance Naik	Naik	31/01/2022
81	No. 4489 Farid Khan	Lance Naik	Naik	31/12/2021
82	No. 4491 Saif ur Rahman	Lance Naik	Naik	31/01/2022
83	No. 4494 Zahid Mond	Lance Naik	Naik	31/01/2022
84	No. 4501 Kamin Said	Lance Naik	Naik	31/01/2022
85	No. 4502 Mohd Ayaz	Lance Naik	Naik	31/01/2022
86	No. 4504 Mohd Israr	Lance Naik	Naik	31/01/2022
87	No. 4505 Inam ur Rahim	Lance Naik	Naik	31/01/2022
88	No. 4506 Miraj ul Haq	Lance Naik	Naik	31/01/2022
89	No. 4508 Nawab Khan	Lance Naik	Naik	03/01/2022
90	No. 4509 Zia Ullah	Lance Naik	Naik	31/01/2022
91	No. 4511 Ali Rahmat	Lance Naik	Naik	31/01/2022

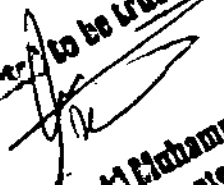
92	No. 4512 Zaib Ali	Lance Naik	Naik	31/01/2022
93	No. 4513 Dera Wadan	Lance Naik	Naik	31/01/2022
94	No. 4514 Fazal Wahab	Lance Naik	Naik	31/01/2022
95	No. 4515 Fazal Rahman	Lance Naik	Naik	31/01/2022
96	No. 4516 Ilyas	Sepoy	Lance Naik	31/01/2022
97	No. 4520 Inam ullah	Sepoy	Lance Naik	31/01/2022
98	No. 4523 Rozi Khan	Sepoy	Lance Naik	31/01/2022
99	No. 4525 Javid Khan	Sepoy	Lance Naik	31/01/2022
100	No. 4527 Junaid Ahmad	Sepoy	Lance Naik	31/01/2022
101	No. 4528 Hazrat Iqbal	Sepoy	Lance Naik	31/01/2022
102	No. 4534 Akhtar Khan	Sepoy	Lance Naik	31/01/2022
103	No. 4535 Iltaf Hussain	Sepoy	Lance Naik	31/01/2022
104	No. 4536 Shah Hussain	Sepoy	Lance Naik	31/01/2022
105	No. 4538 Zakir Ud Din	Sepoy	Lance Naik	31/01/2022
106	No. 4539 Niaz Ali	Sepoy	Lance Naik	31/01/2022
107	No. 4540 Fazal Hussain	Sepoy	Lance Naik	31/01/2022
108	No. 4541 Akhtar Munair	Sepoy	Lance Naik	31/01/2022
109	No. 4542 Khalid Khan	Sepoy	Lance Naik	31/01/2022
110	No. 4543 Mohd Ihsan	Sepoy	Lance Naik	31/01/2022
111	No. 4544 Mohd Hamyun	Sepoy	Lance Naik	31/01/2022
112	No. 4545 Noor Zamin Shah	Sepoy	Lance Naik	31/01/2022
113	No. 4546 Muslim Shah	Sepoy	Lance Naik	31/01/2022
114	No. 4547 Tahir Hussain	Sepoy	Lance Naik	31/01/2022
115	No. 4549 Umer all	Sepoy	Lance Naik	31/01/2022
116	No. 4550 Zahid Hussain	Sepoy	Lance Naik	31/01/2022
117	No. 4551 Said ul Ibrar	Sepoy	Lance Naik	31/01/2022
118	No. 4552 Said Latif	Sepoy	Lance Naik	31/01/2022
119	No. 4554 Naik Ghulam	Sepoy	Lance Naik	31/01/2022
120	No. 4560 Shahfi Khaliq	Sepoy	Lance Naik	31/01/2022
121	No. 4561 Gul Nasib	Sepoy	Lance Naik	31/01/2022
122	No. 4562 Asghar Khan	Sepoy	Lance Naik	31/01/2022
123	No. 4564 Sadiq Ahmad	Sepoy	Lance Naik	31/01/2022
124	No. 4565 Shah Khalid	Sepoy	Lance Naik	31/01/2022
125	No. 4566 Amir Nawab	Sepoy	Lance Naik	31/01/2022

Handwritten notes and stamps:
 - A large handwritten signature or scribble is present over rows 111-114.
 - A stamp with the text "Munir" is visible over row 113.
 - A stamp with the text "Lance Naik" is visible over row 114.
 - A stamp with the text "Lance Naik" is visible over row 115.
 - A stamp with the text "Lance Naik" is visible over row 116.
 - A stamp with the text "Lance Naik" is visible over row 117.
 - A stamp with the text "Lance Naik" is visible over row 118.
 - A stamp with the text "Lance Naik" is visible over row 119.
 - A stamp with the text "Lance Naik" is visible over row 120.
 - A stamp with the text "Lance Naik" is visible over row 121.
 - A stamp with the text "Lance Naik" is visible over row 122.
 - A stamp with the text "Lance Naik" is visible over row 123.
 - A stamp with the text "Lance Naik" is visible over row 124.
 - A stamp with the text "Lance Naik" is visible over row 125.

126	No. 4567 Imtiaz Ahmad	Sepoy	Lance Naik	31/01/2022
127	No. 4568 Taj Wali	Sepoy	Lance Naik	31/01/2022
128	No. 4569 Mohd Islam	Sepoy	Lance Naik	31/01/2022
129	No. 4571 Umer Nabbi	Sepoy	Lance Naik	31/01/2022
130	No. 4573 Anwer Said	Sepoy	Lance Naik	31/01/2022
131	No. 4574 Raees Khan	Sepoy	Lance Naik	31/01/2022
132	No. 4575 Faisal Nadim	Sepoy	Lance Naik	31/01/2022
133	No.4576 Nazar Hussain	Sepoy	Lance Naik	31/01/2021
134	No. 4577 Sabaz Ali	Sepoy	Lance Naik	31/01/2022
135	No. 4578 Mohd Imran	Sepoy	Lance Naik	31/01/2022
136	No. 4579 Falak Naz	Sepoy	Lance Naik	31/01/2022
137	No. 4580 Perviz Shakil	Sepoy	Lance Naik	31/01/2022
138	No. 4581 Akmal Mohd	Sepoy	Lance Naik	31/01/2022
139	No. 4582 Imran khan	Sepoy	Lance Naik	31/01/2022
140	No. 4585 Shahid Akber	Sepoy	Lance Naik	31/01/2022
141	No. 4586 Zia ur Rahman	Sepoy	Lance Naik	31/01/2022
142	No. 4588 Mohd Zahid	Sepoy	Lance Naik	31/01/2022
143	No. 4589 Asfandiyar	Sepoy	Lance Naik	31/01/2022
144	No. 4593 Mohd Aftab	Sepoy	Lance Naik	31/01/2022
145	No. 4594 Ihsan mohd	Sepoy	Lance Naik	31/01/2022
146	No. 4595 Shamroz Khan	Sepoy	Lance Naik	31/01/2022
147	No. 4597 Gul Mohd	Sepoy	Lance Naik	31/01/2022
148	No. 4599 Sultan Sher	Sepoy	Lance Naik	31/01/2022
149	No. 4600 Nehar Gul	Sepoy	Lance Naik	31/01/2022
150	No. 4601 Wazir Zada	Sepoy	Lance Naik	31/01/2022
151	No. 4603 Saadat Gul	Sepoy	Lance Naik	31/01/2022
152	No. 4605 Rashid Khan	Sepoy	Lance Naik	31/01/2022
153	No. 4607 Daulat Khan	Sepoy	Lance Naik	31/01/2022
154	No. 4609 Gul Faraz	Sepoy	Lance Naik	31/01/2022
155	No. 4611 Abdul Wahab	Sepoy	Lance Naik	31/01/2022
156	No. 4612 Imran khan	Sepoy	Lance Naik	31/01/2022
157	No. 4614 Roaidar Mohd	Sepoy	Lance Naik	31/01/2022
158	No. 4615 Farid Khan	Sepoy	Lance Naik	31/01/2022
159	No. 4616 Sani Gul	Sepoy	Lance Naik	31/01/2022

Requested to be tried by
 Advocate General
 Muhammad Nurul
 Advocate General

160	No. 4618 Mohd Fayaz	Sepoy	Lance Naik	31/01/2022
161	No. 4619 Shahab ud din	Sepoy	Lance Naik	31/01/2022
162	No. 4620 Nizam Usman	Sepoy	Lance Naik	31/01/2022
163	No. 4621 Mohd Salim	Sepoy	Lance Naik	31/01/2022
164	No. 4622 Wajid Ali	Sepoy	Lance Naik	31/01/2022
165	No. 4624 Nawab all	Sepoy	Lance Naik	31/01/2022
166	No. 4625 Fazal Wakil	Sepoy	Lance Naik	31/01/2022
167	No. 4627 Sharif Khan	Sepoy	Lance Naik	31/01/2022
168	No. 4628 Aseem Shaukat	Sepoy	Lance Naik	31/01/2022
169	No. 4632 Zakria	Sepoy	Lance Naik	31/01/2022
170	No. 4634 Shaukat Ali	Sepoy	Lance Naik	31/01/2022
171	No. 4635 Fazal Ghani	Sepoy	Lance Naik	31/01/2022
172	No. 4637 Said Wali	Sepoy	Lance Naik	31/01/2022
173	No. 4638 Azad Khan	Sepoy	Lance Naik	31/01/2022
174	No. 4639 Mohd Naeem	Sepoy	Lance Naik	31/01/2022
175	No. 4640 Sana Ullah	Sepoy	Lance Naik	31/01/2022
176	No. 4641 Abdul Kamal	Sepoy	Lance Naik	31/01/2022
177	No. 4642 Mohd Imran	Sepoy	Lance Naik	31/01/2022
178	No. 4643 Mohd Kamran	Sepoy	Lance Naik	31/01/2022

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 Advocate Muhammad Durrani
 Advocate High Court

DC MALAKAND/COMMANDANT
 MALAKAND LEVIES MALAKAND

NO. 916-19 /LC

Copy forwarded to the:-

- 1 Secretary, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar for information, please.
- ✓ 2 District Accounts Officer, Malakand.
- 3 Subedar Major Malakand Levies.
- 4 Official concerned.

For information and necessary action.



Saved 27/11/22

59



OFFICE OF THE
DEPUTY COMMISSIONER/
COMMANDANT DIR LEVIES,
DIR LOWER

No.
12391-92/LHC(DCD(L)
Dated the 02/08/2022.

To;-

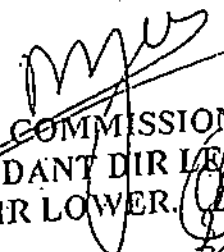
- 1- The Secretary to Govt; of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department, Peshawar.
- 2- The Commissioner, Malakand Division,
Saidu Sharif Swat.

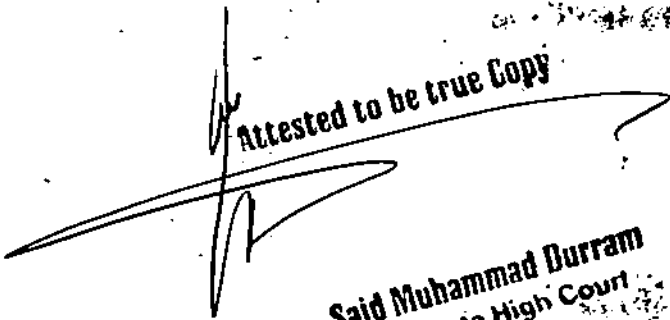
Subject;- FILLING OF VACANT POSTS.

In order to make promotion against the already vacant posts of Levies Personnel, a meeting of the Departmental Promotion/Selection Committee is scheduled to be held on 16/08/2022 at 11-00-AM in the office of the undersigned.

It is therefore requested to kindly depute an officer to represent your office in the meeting on the date and time fixed please.

(Copy of working paper is enclosed).


DEPUTY COMMISSIONER/
COMMANDANT DIR LEVIES,
DIR LOWER.


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Said Muhammad Durram
Advocate High Court

60

WORKING PAPER FOR PROMOTION OF NAIB SUBEDAR (BPS-11) TO THE RANK OF SUBEDAR (BPS-14), HAWALDAR (BPS-9) TO THE RANK OF NAIB SUBEDAR (BPS-11), NAIK (BPS-7) TO THE RANK OF HAWALDAR (BPS-9), LANCE NAIK (BPS-7) TO NAIK (BPS-07) AND SEPOY (BPS-7) TO THE RANK OF LANCE NAIK (BPS-07) IN THE OFFICE OF COMMANDANT DIR LEVIES LOWER DIR.

Agenda Point No. 1.

Promotion of 03 Naib Subedars to the rank of Subedar BPS-14

03 No posts of Subedar BPS-14 are lying vacant in this office, Per levies Rules 50% of the vacant posts shall be filled by promotion amongst the Naib Subedars having Intermediate qualification and 50% will be promoted having Secondary School Certificate as per levies rules.

Under the Levies Rules Notified vide Government of Khyber Pakhtunkhwa Home & TA Department Notification No. SO (Police-II)/HD/MKD/Levies/Misc/2020 dated 22.03.2021 and No. SO (Police-II)/HD/1-3/Federal Levies 2021 dated 21.10.2021. Post of Subedar will be filled on the basis of seniority cum-fitness with 02 years' service as Naib Subedar or total of Nineteen (19) years of service.

In the following panel of Naib Subedars only S.No 04 is eligible candidate for promotion to the post of Subedar while the rest of all are unqualified for the said promotion. Two posts of Subedar will be kept vacant due to non-availability of suitable candidates. Hence only one Naib Subedar will be promoted to the rank of Subedar but it will be decided by the Committee. Total number of posts of Subedar in this office are 09 in which 06 post are filled and 03 are vacant. For filling of 03 posts of Subedar 100% on promotion quota, meeting of the departmental Promotion Committee is required to be arranged by the competent forum (copy of budget book 2021-22 is attached as Flag "A").

As per seniority list (copy attached as Flag "B") following is the panel of Senior Most Naib Subedars BPS-11 who are required to be considered for promotion to the rank of Subedar BPS-14

PANEL OF NAIB SUBEDARS BPS-11 TO BE PROMOTED AS SUBEDAR BPS-14

Sr.	Name & Reg. No	Desig.	Date of Applt.	Date of Promotion as Naib Subedar	Qualif.	Remarks
1	Bakht Zaman No.1444	N/Sub	1.10.1991	01.02.2017	Nil	Not Eligible
2	Noor Jamal No. 1446	Do	1.10.1991	01.02.2017	Middle	Do
3	Moqadar shuh No.1447	Do	1.10.1991	19.4.2017	Nil	Do
4	Hayat Khan No. 1448	Do	1.10.1991	15.2.2018	Primary	Not Eligible
5	Hayat Muhammad No. 1452	Do	1.12.1991	15.2.2018	Primary	Not Eligible
6	Muhammad Qasim No. 1454	Do	1.3.1992	15.02.2018	Nil	Do
7	Gohar Ali No. 1457	Do	1.3.1992	15.02.2018	Middle	Do
8	Bacha Rahman No. 1458	Do	1.3.1992	15.02.2018	Nil	Do
9	Abdul Ghaffar No. 1460	Do	12.5.1992	15.02.2018	Middle	Do
10	Bakht Ahmad No. 1464	Do	19.11.1992	15.02.2018	Middle	Do

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Said Muhammad Durran
Advocate High Court

11	Hussain Gul 1465	Do	22.11.1992	15.02.2018	Primary	Do
12	Zahid Khan No. 1467	Do	25.11.1992	10.04.2019	Middle	Do
13	Alam Sher No. 1469	Do	14.12.1992	10.04.2019	Middle	Do
14	Muhammad Karim No. 1470	Do	14.12.1992	10.04.2019	Nil	Do

Agenda Point No. 2.

Promotion of 04 Hawaldars to the rank of Naib Subedar BPS-11

Total strength of Naib Subedar is 17 out of which 14 posts are field and 3 are lying vacant. 01 post will be vacated due to promotion of 1 Hawaldars to the post of Naib Subedar hence total 4 posts will become vacant and 04 Hawaldars will be promoted to the rank of Naib Subedar.

In the following panel of Hawaldars, 50% will be promoted having intermediate qualification and 50% will be promoted amongst the Senior most Hawaldars, as per rules. In the following panel at S.No 1, 2, are the eligible candidates under 50% quota amongst the Hawaldar and at S.No 7 and 11 are the eligible candidates as the ACRs of serial No. 10 has adverse remarks for the year 2020 under 50% quota having Intermediate qualification for promotion to the rank of Naib Subedar (Seniority List attached as Flag "C").

PANEL OF HAWALDARS BPS-09 TO BE PROMOTED AS NAIB SUBEDAR BPS-11.

Sr.	Name & Reg. No	Desig.	Date of Applt.	Date of Promotion as Naib Subedar	Qualif.	Remarks
1	Bakht Munair No. 1473	Haw.	24.01.1993	01.06.2011	Nil	Eligible
2	Raza Khan No. 1476	do	27.06.1993	do	SSC	Do
3	Zarkamin No. 1477	do	25.08.1993	do	Primary	Not Eligible
4	Lal Zamin No. 1479	do	12.06.1993	do	Primary	Do
5	Abdul Haq No. 1482	do	01.01.1994	16.2.2012	Primary	Do
6	Hassan Khan No. 1484	do	01.4.1994	do	Middle	Do
7	Sher Azam No. 1489	do	17.5.1994	19.11.2013	F.A	Eligible
8	Qayum Khan No. 1491	do	5.10.1994	28.5.2015	SSC	Do
9	Znr No. 1496	do	19.12.1994	1.2.2017	SSC	Do
10	Shah Paisal No. 1502	do	11.8.1996	15.2.2018	F.A	Negligence ill-discipline towards his duties not fit for promotion
11	Rahmat ullah No. 1503	do	Do	do	F.A	Eligible

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 Said Muhammad Durani
 Advocate High Court

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OFFICE OF THE DC MALAKAND/
COMMANDANT MALAKAND LEVIES

NO. 5094/LC
DATED MALAKAND THE 23/6/2023
Phone: 0932-452080 Fax: 0932-450557

NOTIFICATION

In exercise of the Power confirmed under the Rule-4, Sub-Rule (1) of the PATA Federal Levies Force Service (Amended) Rules, 2013 and consequent upon the recommendation of Departmental Promotion Committee meeting dated 21-06-2023, the following Levy personnel are hereby conditionally promoted to their next higher rank from the date noted against each on the basis of qualification/seniority-cum-fitness as per provisions contained in Levy Rules Schedule-III. See Rule-17 and Schedule-I. The promotions shall be subject to the decisions of cases subjudice i.e. CPLA No.46-P/2023 and Service Appeal No.1935 of 2022 in Honorable Courts as well as opinion of the Advocate General, Khyber Pakhtunkhwa sought vide Home & TA's Department letter No.SO(Police-II)/HD/11-13/M.L/2023 dated 20.06.2023 and provisions of surety bond to the above effect by the promotees:-

S.No	Regt; No & Name of Levy Personnel	From	To	Date
1.	No.4247 Akram Shah	Naib Subedar	Subedar	21-06-2023
2.	No.4264 Karim Khan	Naib Subedar	Subedar	21-06-2023
3.	No.4298 Aziz Khan	Naib Subedar	Subedar	21-06-2023
4.	No.4268 Gul Rehman	Havildar	Naib Subedar	21-06-2023
5.	No.4269 Fazal Subhan	Havildar	Naib Subedar	21-06-2023
6.	No.4278 Mian Jan	Havildar	Naib Subedar	21-06-2023
7.	No.4296 Bakht Biland	Havildar	Naib Subedar	21-06-2023
8.	No.4299 Amir Zeb	Havildar	Naib Subedar	21-06-2023
9.	No.4303 Shakeel Ahmed	Havildar	Naib Subedar	21-06-2023
10.	No.4346 Mufti Mehmood	Havildar	Naib Subedar	21-06-2023
11.	No.4356 Muhtasham Mian	Havildar	Naib Subedar	21-06-2023
12.	No.4357 Mukamil Khan	Havildar	Naib Subedar	21-06-2023
13.	No.4359 Shams-ul-Arifeen	Havildar	Naib Subedar	21-06-2023
14.	No.4361 Aziz-ur-Rehman	Havildar	Naib Subedar	21-06-2023
15.	No.4363 Riaz Muhammad	Havildar	Naib Subedar	21-06-2023
16.	No.4438 Umer Zamin	Naik	Havildar	21-06-2023
17.	No.4442 Said Amin Shah	Naik	Havildar	21-06-2023

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18.	No.4444 Mushtaq Ahmed	Naik	Havildar	21-06-2023
19.	No.4445 Siraj Muhammad	Naik	Havildar	21-06-2023
20.	No.4449 Wali Rahman	Naik	Havildar	21-06-2023
21.	No.4450 Hussain Gul	Naik	Havildar	21-06-2023
22.	No.4453 Sardar Hussain	Naik	Havildar	21-06-2023
23.	No.4454 Raham Zaib	Naik	Havildar	21-06-2023
24.	No.4455 Nasih Ullah	Naik	Havildar	21-06-2023
25.	No.4458 Amjad Ali	Naik	Havildar	21-06-2023
26.	No.4459 Zar Ali	Naik	Havildar	21-06-2023
27.	No.4461 Amir Zaib	Naik	Havildar	21-06-2023
28.	No.4463 Tahir Shah	Naik	Havildar	21-06-2023
29.	No.4464 Qadar Khan	Naik	Havildar	21-06-2023
30.	No.4549 Umer Ali	Lance Naik	Naik	21-06-2023
31.	No.4550 Zahid Hussain	Lance Naik	Naik	21-06-2023
32.	No.4551 Said-ul-Ibrar	Lance Naik	Naik	21-06-2023
33.	No.4552 Said Latif	Lance Naik	Naik	21-06-2023
34.	No.4554 Naik Ghulam	Lance Naik	Naik	21-06-2023
35.	No.4560 Shahfi-ul-Khaliq	Lance Naik	Naik	21-06-2023
36.	No.4561 Gul Nasib	Lance Naik	Naik	21-06-2023
37.	No.4562 Asghar Khan	Lance Naik	Naik	21-06-2023
38.	No.4564 Sadiq Ahmad	Lance Naik	Naik	21-06-2023
39.	No.4565 Shah Khalid	Lance Naik	Naik	21-06-2023
40.	No.4566 Amir Nawab	Lance Naik	Naik	21-06-2023
41.	No.4567 Imtiaz Ahmad	Lance Naik	Naik	21-06-2023
42.	No.4568 Taj Wali	Lance Naik	Naik	21-06-2023
43.	No.4569 Muhammad Islam	Lance Naik	Naik	21-06-2023
44.	No.4674 Umer Rahman	Sepoy	Lance Naik	21-06-2023
45.	No.4677 Inam-ul-Haq	Sepoy	Lance Naik	21-06-2023
46.	No.4678 Zahoor Ahmad	Sepoy	Lance Naik	21-06-2023
47.	No.4680 Anwer Zaib	Sepoy	Lance Naik	21-06-2023
48.	No.4681 Ayub Khan	Sepoy	Lance Naik	21-06-2023
49.	No.4682 Fawad	Sepoy	Lance Naik	21-06-2023

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50.	No.4684 Liaqat Ali	Sepoy	Lance Naik	21-06-2023
51.	No.4685 Zahid Gul	Sepoy	Lance Naik	21-06-2023
52.	No.4686 Muhammad Ali	Sepoy	Lance Naik	21-06-2023
53.	No.4688 Gul Nabi	Sepoy	Lance Naik	21-06-2023
54.	No.4691 Muhammad Shahid	Sepoy	Lance Naik	21-06-2023
55.	No.4692 Ubaid Ullah	Sepoy	Lance Naik	21-06-2023
56.	No.4695 Fazal Naeem	Sepoy	Lance Naik	21-06-2023
57.	No.4696 Jaffar Khan	Sepoy	Lance Naik	21-06-2023
58.	No.4697 Mukamil Shah	Sepoy	Lance Naik	21-06-2023

NO. S095-98 LC

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MALAKAND LEVIES MALAKAND

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1. Secretary, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar for information, please.
2. District Accounts Officer, Malakand.
3. Subedar Major Malakand Levies.
4. Official concerned.

For information and necessary action.

DC MALAKAND/COMMANDANT
MALAKAND LEVIES MALAKAND

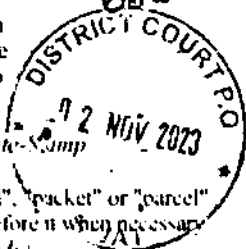
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**BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT**

W.P No 1361 - M of 2023

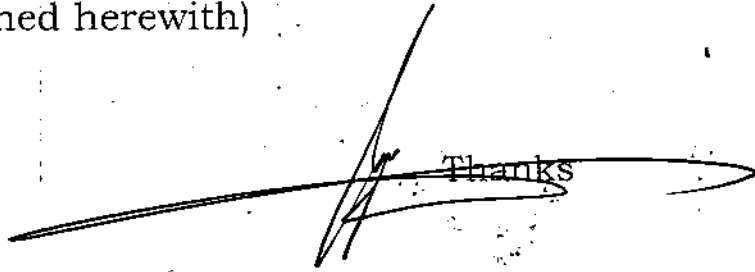
Javid IqbalPetitioner

VERSUS

Federation of Pakistan and others.....Respondents

Subject: Notice

Please take a notice, I am going to file the above titled writ petition on behalf of the petitioner against the action & inaction of yours before the Peshawar High Court Bench Mingora, Swat. (Copy of writ petition is attached herewith)

 Thanks

SAID MUHAMMAD DURRANI
Advocate, High Court

FILED TODAY

02 NOV 2023

Additional Registrar

**BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT**

W.P No 1361- M of 2023

Javid IqbalPetitioner
VERSUS
Commissioner Malakand Division and others
.....Respondents

Subject: Notice

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Thanks

SAID MUHAMMAD DURRANI
Advocate, High Court

Re-Filed Today

14 NOV 2023

Additional Registrar

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Rs. 100/-

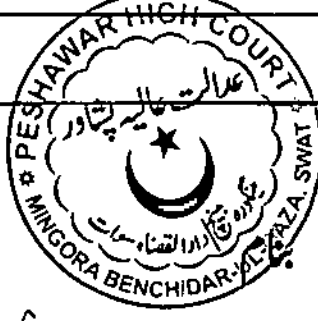
وکالت نامہ

نوٹ: اس وکالت نامہ کی ذمہ داری کا پورا ہونا ضروری ہے۔

بار کونسل نمبر: bc-11-2332	بریل نمبر: 19177
بار ایسوسی ایشن کا نمبر: 114	
رابطہ نمبر: 0333-9483696	پشاور ہائی کورٹ مینگورہ بینچ بار ایسوسی ایشن سوات

پشاور ہائی کورٹ مینگورہ بینچ سوات

کیڈلٹ صاحب

 <p>منجانب: پیشینہ عنوان مقدمہ جاوید اصیل</p> <p>فیڈریشن آف پالستان</p>	نوعیت مقدمہ: w.p. 2023
	علت نمبر:
	مورثہ:
	جرم:
	تھانہ:

باعث تحریر آنکہ

w.p 1361-mv/2023 مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام بالاعضاء سید محمد درانی ریڈیسٹ کو مقرر کر کے اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے بیان بر راضی نامہ دینے و تقرر ثالث کرنے، دعویٰ جواب دعویٰ، جواب الجواب، اقبال دعوائی، درخواست برائے سرسبزگی مقدمہ، درخواست منظوری ڈگری یکطرفہ، جواب درخواست ہائے اختیار ہوگا۔ نیز دائر کرنے اپیل، نگرانی، رٹ پیشینہ، نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ کارروائی منظور و قبول ہوگا، بدوران مقدمہ جو خرچہ و ہرجانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعد پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے۔

لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

02 NOV 2023

11/11/23

Additional Registrar

Said Muhammad Advocate High Court

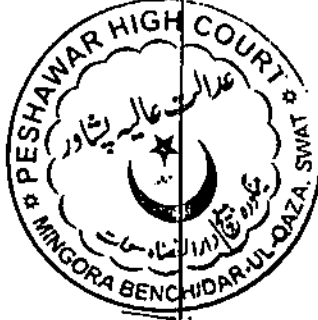
Said Muhammad Durran Advocate

الرقوم: 02-11-023

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT
FORM OF ORDER SHEET

Court of

Case No..... of.....

1	Date of Order or Proceedings 2	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3
 <p align="center">Certified to be True Copy</p> <p align="center"><i>[Signature]</i> EXAMINER Peshawar High Court, Mingora/Dar-ul-Qaza, Swat Authorized Under Article 17 of Qasim-e-Shahadat Order 1954</p>	<p align="center">12-12-2023</p>	<p><u>W.P No. 1361-M/2023</u> <u>With Interim Relief.</u></p> <p>Present: Mr. Said Muhammad Durrani, Advocate, for the petitioner.</p> <p align="center">*****</p> <p>Respondents No. 1, 2 and 4 shall submit parawise comments, so as to reach to this Court within a fortnight.</p> <p align="right"><i>[Signature]</i> JUDGE</p> <p align="right"><i>[Signature]</i> JUDGE</p>

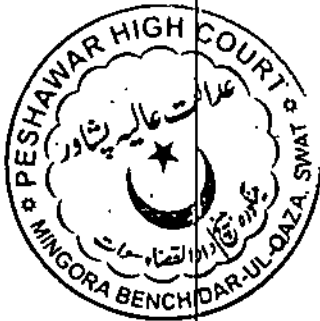


Original 13/12

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No..... of.....

1	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
	2	3
 <p>Certified to be True Copy</p> <p>EXAMINER</p> <p>Peshawar High Court, Mingora/Dar-ul-Qaza, Swat Authorized Under Article 07 of Qanoon-e-Shahadat Order 1984</p>	<p>15-10-2024</p>	<p><u>W.P No. 1361-M/2023</u> <u>With Interim Relief</u></p> <p>Present: Clerk to learned counsel for the petitioner.</p> <p>Mr. Haq Nawaz Khan, A.A.G for the official respondents.</p> <p>*****</p> <p>Since the lawyer's community is observing strike on the call of Khyber Pakhtunkhwa Bar Council, therefore this petition is adjourned for tomorrow i.e 16.10.2024.</p> <p></p> <p>SENIOR PUISNE JUDGE</p> <p></p> <p>JUDGE</p>

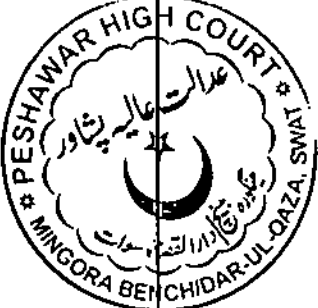
PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No. of

Scanned by
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1	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
 <p>Certified to be True Copy</p> <p><i>[Signature]</i> EXAMINER Peshawar High Court, Mingora/Dar-ul-Qaza, Swat Authorized Under Article 07 of Qanun-e-Sabdat Order 198</p>	<p>16-10-2024</p>	<p><u>W.P No. 1361-M/2023.</u> <u>With interim Relief.</u></p> <p>Present: Said Muhammad Durrani, Advocate, for the petitioner.</p> <p>Mr. Haq Nawaz Khan, A.A.G for the official respondents.</p> <p>Muhammad Ikram Khan, Advocate for the private respondents.</p> <p>*****</p> <p>To come up for further assistance/order on 17.10.2024.</p> <p><i>[Signature]</i> SENIOR PUISNE JUDGE</p> <p><i>[Signature]</i> JUDGE</p>