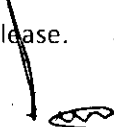
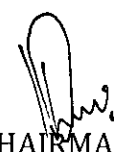


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3421 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/03/2021	<p>The appeal of Mr. Muhammad Nawaz presented today by Mr. Muhammad Liaqat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 10/3/2021</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>22.4.2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

28.07.2021

Counsel for the appellant present and has submitted an application for early hearing. File of the appeal has been requisitioned in pursuance to the said application which is placed on file.

This appeal was fixed for preliminary hearing at Camp Court, Abbottabad on 22.05.2021. However, the camp court for the time being is discontinued, and thus no further date of hearing was fixed. Consequently, this appeal is fixed for preliminary hearing on 30.08.2021 before S.B at Peshawar.


Chairman

Muhammad Nawaz 3421/2021

30.08.2021 Counsel for the appellant present. Preliminary arguments heard.

The learned counsel for the appellant challenged and impugned the reference bearing No. 18815-17/E dated 08.08.2020 of respondent No.3 which was submitted in compliance of order of the Peshawar High Court, Abbottabad Bench dated 11.03.2020 in writ petition No. 40-A/2020. Copy of the said reference, as per record attached with the service appeal, was provided to the appellant on 26.02.2021, hence, the instant service appeal filed before the Service Tribunal on 10.03.2021. Prayer of the appellant is that in terms of Section 7(2) and 112 of Police Order 2002 and Section-32(i) of the Khyber Pakhtunkhwa Police Act, 2017 read with Police Rules 1934, the appellant is entitled to be promoted on the basis of length of service, seniority-cum-fitness and requisite qualification/course against the reserved quota 25% of ASI for in service graduate constable or Head Constable.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 20.12.2021 before the D.B.

Appellant Deposited
Security & Process Fee

30/8/21


(Mian Muhammad)
Member(E)

20.12.2021

Appellant in person and Mr. Muhammad Muhammad Adeel Butt, Addl. AG for the respondents present.

No representative of the respondents is in attendance nor their written reply/comments received as directed on previous date. Learned AAG requests for time to contact the respondents and facilitate written reply/comments. Last opportunity is granted to the respondents for submission of written reply/comments on or before next date, failing which their right for written reply/comments shall be deemed as struck off and the case will be argued on the basis of available record. Case to come up on 14.01.2022 before the P.B.


Chairman

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3421 /2021

Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar
as Presently Posted as L.H.S (Constabulary number 353) Police line
Battagram.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Service Appeal alongwith affidavit	1 to 13	
2.	Copy of appointment order	14	"A"
3.	Copy of service card and requisite and Educational and other qualificational documents, Police Recruitment Certificate	15 to 18	"B", "C" & "D"
4.	Copy of the impugned notification No 158E/III Dated 20/03/2014	19 to 21	"E"
5.	Copy of course recruitments, training and experience	21(A)	"F"
6.	Copy of application of petitioner	22	"G"
7.	Copy of the writ petition	23 to 32	"H"
8.	Copy of order of the Honourable High Court dated 11.03.2020	33	"I"
9.	Copy of the contempt petition	34 to 37	"J"
10.	Copy of the reply of respondent No. 2	38 to 41	"K"
11.	Copy of the order of Honourable High Court dated 23.02.2021	42	"L"
12.	Copy of the impugned order/ notification and receiving receipt	43 to 45	"M" & "N"
13.	Copy of ability test and physical test	46 to 47	"O"
14.	Wakalatnama	48	

...APPELLANT

Dated: 9/03 /2021

Through;

(M)

MUHAMMAD LIAQAT)

Advocate High Court, Abbottabad

/

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3495

Dated 10/3/2021

Service Appeal No. 3421 /2021

Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar as Presently Posted as L.H.S (Constabulary number 353) Police line Battagram.

...APPELLANT


VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Peshawar.
2. Provincial Police Officer/ inspector General of Police KPK.
3. Deputy inspector General of Police, Hazara Region Abbottabad.
4. District Police Officer Battagram.

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF THE
SERVICE TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED OFFICE ORDER NO. 18815-17/E
DATED 08.08.2020 PASSED BY RESPONDENT No. 2
WHEREBY DEPARTMENTAL REPRESENTATION
OF THE APPELLANT WAS DISMISSED/ DISPOSE
OFF DUE TO NON UNDERSTANDING CASE OF
APPELLANT AND AGAINST THE IMPUGNED
NOTIFICATION NO 158/E-III DATED 20/03/2014 IS
AGAINST THE ARTICLE OF 25/27 OF THE

Filed to-day


Registrar
10/3/2021

CONSTITUTION OF PAKISTAN 1973 AND SECTION 7(2) AND 112 OF THE POLICE ORDER 2002 AND SECTION 32(I) OF THE KPK POLICE ACT 2017 READ WITH POLICE RULE 1934 IS ILLEGAL AGAINST THE ACT & RULES ON THE BASIS OF DISCRIMINATION, AGAINST FUNDAMENTAL RIGHT, MALAFIDELY, WITHOUT PRIOR APPROVAL OF KPK GOVT.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED OFFICE ORDER NO. 18815-17/E DATED 08.08.2020 PASSED BY RESPONDENT NO. 2 AND NOTIFICATION NO 158/E-III DATED 20/03/2014 MAY GRACIOUSLY BE DECLARED ILLEGAL, WITHOUT PRIOR APPROVAL SEEKING FROM THE GOVT. OF KPK, AGAINST THE DISCRIMINATION, FUNDAMENTAL RIGHT, AGAINST THE CONSTITUTION, AS WELL AS SECTION 7(2) AND 112 OF THE POLICE ORDER 2002 AND SECTION 32(I) OF KPK POLICE ACT 2017 READ WITH POLICE RULE 1934 AND DIRECTION MAY KINDLY BE GIVEN TO THE RESPONDENT/COMPETENT AUTHORITY TO PROMOTE THE APPELLANT ON THE BASIS OF LENGTH OF

SERVICES, SENIORITY CUM FITNESS AND
HAVING QUALIFICATION/ POLICE
RECRUITMENT COURSE, WHICH HAVE
ALREADY FULFILLED BY THE APPELLANT
SUBJECT TO INTERVIEW ONLY AND APPELLANT
IS ENTITLED FOR PROMOTION ACCORDING TO
25% QUOTA RESERVE AS ASI IN SERVICE
AGAINST VACANT POST UNDER THE LAW ON
THE SUBJECT. ANY OTHER RELIEF WHICH THIS
HONOURABLE COURT DEEM FIT AND PROPER IN
THE CIRCUMSTANCE OF THE CASE MAY ALSO
BE GRANTED TO THE APPELLANT.

Respectfully Sheweth,

Brief facts giving rise to the instant service appeal are as
under:-

1. That the appellant was appointed as constable in
police Department in District Battagram dated
27/07/2007. Copy of appointment order is attached
as Annexure "A".

2. That the appellant serving in the police Department District Battagram up till now, having length of services, requisite Qualification, eligibility and cum fitness and police recruitment certificate having fulfilled all requisite criteria under the law laid down on the subject for the promotion of (ASI) in BPS-9, appellant having statutory right is entitle for promotion of ASI in service. Copy of service card and requisite and Educational and other qualifical documents, Police Recruitment Certificate are annexed as Annexure "B", "C" & "D"
3. That the respondent did not promote the appellant on 25% in service quota for the post of ASI in BPS-9, in the light of impugned notification No. 158E/III dated 20/03/2014 issued by the respondent to against the statutory rights of appellant. Copy of the impugned notification No 158E/III Dated 20/03/2014 is annexed as Annexure "E".
4. That the appellant in service quota for the post of (ASI) BPS-9 having requisite ages, qualification, recruitments qualification, Eligibility cum fitness

training and experience as per law and Rule, in the whole service of appellant, services record of appellant is quite clear. Copy of course recruitments, training and experience is annexed as Annexure "F".

5. That the appellant submitted as per law the applications along with others required documents to the respondent/ competent authority for the post of (ASI) 25% in service quota in regard of promotion of appellant, respondent conducted all the formalities fulfilled but did not promoted the appellant in the light of impugned notification No 158/EIII Dated 20/03/2014. Copy of application of petitioner is annexed as Annexure "G".
6. That the appellant and two other being aggrieved against the above impugned notification Dated 23/03/2014 and not considering the petitioner being eligible for 25% promotion filed writ petition No. 400-A/2020 before the Peshawar High Court, Abbottabad Bench. Copy of the writ petition is annexed as Annexure "H".

7. That on 11.03.2020 Honourable High Court Abbottabad Bench treated the writ petition of the appellants as representation and sent to the respondent No. 2/ Provincial Police Officer/ IGP Khyber Pakhtunkhwa Peshawar to decide the same strictly in accordance with law. Copy of order of the Honourable High Court dated 11.03.2020 is annexed as Annexure "I".
8. That after the passing of 3½ months, respondent No. 2 did not decide the case of the appellant, due to which, appellant filed contempt petition No. 55/2020 on 26.06.2020. Copy of the contempt petition is annexed as Annexure "J"
9. That the respondents filed reply of the contempt petition. Copy of the reply of respondent No. 2 is annexed as Annexure "K".
10. That during the course of arguments, District Attorney General stated that case of the petitioner was decided and counsel for the appellant stated at the bar that respondents not conveyed the appellant due to which Honourable High Court on 23.02.2021 passed order, in view of the above the

order of this court has already been complied with, therefore, the instant COC has been infructious, hence dismissed accordingly, however, respondents are directed to convey the copy of the decision to the appellant within three days positively. Copy of the order of Honourable High Court dated 23.02.2021 is annexed as Annexure "L".

11. That respondents decided the case and not convey the appellant, however, on the order of Honourable High Court, respondents from the order on 26.02.2021 which was received by one of appellant namely Sadaqat Hussain Shah through Diary No. 493 dated 26.02.2021. Copy of the impugned order/ notification and receiving receipt are annexed as Annexure "M" & "N" respectively.
12. That order/ notification passed by respondent No. 2 was conveyed to appellant on 26.02.2021 on the order of Honourable High Court in COC petition, hence the appeal of the appellant is well within time.

13. That being aggrieved from the order/ notification of the respondent No. 2 and upon impugned notification, appellant has now come to this Honourable Tribunal, inter-alia on the following grounds:-

GROUND:-

- a) That the impugned notification is against the Article of constitution of Pakistan 1973, discrimination, against the fundamental rights as well as against the individual and service rights of appellant under article 4,25,27 of the Constitution of Pakistan, being illegal, ultra vires of Constitution and laws on the subject ,Hence liable to be declare illegal , and against the law.
- b) That the rights of appellant as granted by the constitution of Pakistan as well as, Section 7(2) and 112 of the Police Order 2002 section 23(ii) of the KPK Police Act 2017 Read with Police Rule 1934 and other laws.

The impugned notification and impugned order being illegal, against the laws against the rights of appellant, hence liable to be struck down.

c) That the impugned Notification is ultra vires against the constitution and laws on the subject and not sustainable without the prior approval of KPK Govt. as per laid down under the section 7(2) and 112 of the Police Order 2002 section 23(ii) of the KPK Police Act 2017 Read with Police Rule 1934, Therefore the notification and order may kindly be declared null and void and ultra vires against the constitution and laws on the subject. Hence liable to be set aside.

d) That the appellant fulfilled the requirements for the post of ASI BPS-9, 25% in service quota, having requisite qualification, training, experience and eligibility cum fitness criteria, so the ultra virus notification cannot made hurdle in way of appellant (departmental promotion) as well as service

record of appellant is clean in Respect of departmental promotion, Therefore respondent cannot be refuse the statutory right granted by the constitution as well as laws on the subject with regard to the departmental promotion of appellant in the shadow of impugned notification.

e) That under the control of respondent/ District Police Department Battagram having 4 vacant Post, therefore direction may kindly be given to the respondent to promote appellant on these post.

f) That on the basis of service cum seniority/ qualification and course the petitioner is entitled for the promotion of 25% quota reserve for ASI in service subject to interview as per law, there is no written test or otherwise hurdle in the way of promotion of petitioner, in the light of constitution, and relevant laws on the subject, therefore impugned notification may kindly be declared null and void.

11

g) That the appellant due of promotion BPS-9 ASI fall in the ambit of department/competent authority concerned under the law, subject to interview only, therefore impugned notification are illegal against the salutary right of appellant, hence liable to declared null and void and direction may kindly be give to the respondents to promote the appellant in 25% in service quota subject to interview under the law and rules on these vacant post due to which appellant appeared before competent authority for ability test and physical test which passed by the appellant and respondents not promoted the appellant in the shadow of fake notification. Copy of ability test and physical test are annexed as Annexure "O".

h) That, no other efficacious remedy is available to the appellant except to invoke the jurisdiction of this Honourable Tribunal.

- i) That other points will be urged at the time of arguments with the permission of Honourable Tribunal.

It is therefore, most humbly prayed that on acceptance of the instant service appeal, the impugned Office Order No. 18815-17/E dated 08.08.2020 passed by respondent No. 2 and Notification No 158/E-III dated 20/03/2014 may graciously be declared illegal, without prior approval seeking from the Govt. of KPK, against the discrimination, fundamental right, against the constitution, as well as Section 7(2) and 112 of the Police Order 2002 and Section 32(I) of KPK Police Act 2017 read with Police Rule 1934 and direction may kindly be given to the respondent/ competent authority to promote the appellant on the basis of length of services, seniority cum fitness and having qualification/ police recruitment course, which have already fulfilled by the appellant subject to interview only and appellant is entitled for promotion according to 25% quota reserve as ASI in service against vacant post under the law on the subject. Any other relief which this Honourable Tribunal deem fit and proper in the circumstance of the case may also be granted to the appellant.


...APPELLANT

Through;

Dated: 09/03/2021.


(MUHAMMAD LIAQAT)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable Court.


...APPELLANT

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. _____ /2021

Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar as Presently Posted as L.H.S (Constabulary number 353) Police line Battagram.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary Peshawar. & others.

...RESPONDENTS

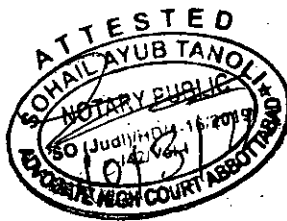
SERVICE APPEAL

AFFIDAVIT

I, *Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar as Presently Posted as L.H.S (Constabulary number 353) Police Line Battagram*, do hereby declare on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and that nothing has been suppressed form this Honourable Court.



DEPONENT



CERTIFICATE OF APPOINTMENT

ANNEXURE
"A"

Constabulary No 353

This certificate of appointment is issued under article 25 of the Police Order, 2002.

Mr. Muhammad Nawaz S/O Muhammad Naseem R/O Meto Gab Tamal Police Station Battagram has been appointed as constable and is invested with the powers, functions and privileges of a police officer under Police Order 2002, in District Battagram under the charge of District Police Officer Battagram on this day of 27th July 2007.

O B No 104
Dated 27.07.2007
Height 5x7
Date of birth 4-4-1987

[Signature]
District Police Officer,
Battagram

[Signature]
ATTESTED

HAZARA UNIVERSITY MANSEHRA ANNEXURE "C"

16



27601

PAKISTAN
PROVISIONAL CERTIFICATE

SESSION Annual/2008

Serial No 3051

Registration No 0002/BGMPX-BA7

Roll No _____

Result Declared on 29-08-2009

Certified that Mr. / Miss. / Mrs. Muhammad Nawaz

Son / Daughter of Muhammad Nawaz Khan

student / candidate of BA has passed the BA

Examination held in June, 08 by securing 237 Marks out of 350

and has been placed in 3rd Division / Grade / C.G.P.A

(The Examination was taken as a whole / in parts)

Prepared by: [Signature]

[Signature]
Controller of Examinations
Hazara University

Checked by: _____

ATTESTED



HAZARA UNIVERSITY

MANSEHRA - NWFP, PAKISTAN

DETAILED MARKS CERTIFICATE

BA ANNUAL 2008

Roll No: 72250

Registration No: 0002BGMPX-BA7

Name: Muhammad Nawaz

Father's Name: Muhammad Naseem Khan

Institution / District: BATAGRAM

Part: Second

COURSE TITLE	Max. Marks		Marks Obt.		Total	Marks in Words	Remarks
	TH	PR	TH	PR			
ENGLISH (A 2009)	25	25	15	15	30	ONE HUNDRED TWENTY SEVEN	Pass
ENGLISH	25	25	15	15	30	SEVENTEEN	Pass
PAKISTAN STUDIES	40	40	25	25	50	FOURTEEN	Pass
ISLAMIC STUDIES	75	75	45	45	90	FOURTY ONE	Pass
PASHTO	75	75	45	45	90	THIRTY SEVEN	Pass
Total:	550	550	237	237	474	TWO HUNDRED THIRTY SEVEN	
Percentage:							43.09

Division: **THIRD**

Checked By: _____

Controller Examinations

Errors and omissions are subject to subsequent rectification.

Hazara University, Mansehra

August 29, 2009.

POLICE DEPARTMENT

BATTAGRAM DISTRICT

CERTIFICATE OF APPOINTMENT

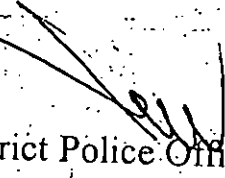
ANNEXURE
"D"

Constabulary No 383

This certificate of appointment is issued under article 25 of the Police Order, 2002.

Mr. Muhammad Nawaz S/O Muhammad Naseem R/O Mehood Tamair Police Station Battagram has been appointed as constable and is invested with the powers, functions and privileges of a police officer under Police Order 2002, in District Battagram under the charge of District Police Officer Battagram on this day of 27th July 2007.

O B No 104
Dated 27.07.2007
Height 5'8"
Date of birth 4-4-1987


District Police Officer,
Battagram


ATTESTED

EXTRAORDINARY
GOVERNMENT



19
28
ANNEXURE
"E"
REGISTERED NO. P.III.

GAZETTE

174
KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 24TH MARCH, 2014.

**PROVINCIAL POLICE OFFICER
KHYBER PAKHTUNKHWA**

NOTIFICATION

Peshawar, dated the 20th March, 2014.

No. 158/E-III.— In exercise of the powers conferred by Article 112 of the Police Order 2002. (Chief Executive Order No. 22 of 2002) read with Article 7 thereof, the Provincial Police Officer in consultation with the Government, is pleased to direct that in the Police Rules, 1934, the following amendment shall be made, namely:

✓
*12-6. Qualification for direct appointment to Assistant Sub-Inspector.--- (1) Appointment to the post of Assistant Sub-Inspector shall be made-

- (i) on promotion from head constables in accordance with the criteria provided in these rules; and
- (ii) on initial recruitment method from general candidates and in service graduate constables and head constables having qualification and experience provided in this rule.

(2) The qualification for both the above categories is as under:

(a) General candidates.

- (i) Educational qualification:
Higher Secondary School Certificate or equivalent qualification from a recognized Board of Pakistan or abroad.
- (ii) Age Limit:
18 to 25 years.
- (iii) Height:
For male: 5 feet and 7 inches.
For female: 5 feet and 1 inches.
- (iv) Chest:
For male: 33×34½ inches.
For female: Nil.

ATTESTED

(b) In service graduate constables or head constables.

2478 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24th MARCH, 2014.

- (i) **Educational Qualification:**
Bachelor Degree from any recognized university of Pakistan or abroad.
- (ii) **Service Experience:**
Basic recruit course passed.
Minimum five years service in police department.
Satisfactory service record.
- (iii) **Age Limits:**
Up to 35 years.

(3) (All the eligible candidates applying for initial recruitment for the post of Assistant Sub-Inspector, shall qualify the following physical endurance tests to be conducted by a team of three members, two from the Public Service Commission and one from Police Department to be nominated by the Provincial Police Officer.

Categories.	Race.
Male candidate:	1600 meters in 8:00 minutes.
Female candidate:	1000 meters in 8:00 minutes.

(4) All categories of candidates shall qualify physical endurance test. Candidates who fail to qualify the physical endurance test shall not be eligible to appear in other tests.

(5) Candidates, both general and in service, who qualify the physical endurance test, shall be eligible to appear in the written examination to be conducted by the Khyber Pakhtunkhwa Public Service Commission.

(6) The written examination shall be conducted in the subjects specified in the table below:

S. No.	Subject	Maximum marks	Paper duration	Qualifying marks
1.	Urdu Essay and Comprehension.	75	1 hour	40%
2.	English Essay and Comprehension.	75	1 hour	40%
3.	General Knowledge and Current Affairs.	50	1 hour	40%
4.	Basic proficiency in computer literacy like MS Word, MS Power Point, MS Excel, Internet surfing and email.	50	1 hour	40%
5.	Viva voce.	50		40%
Total.		300		40%

(7) Candidates, both general and in service, who qualify written examination, shall be called by the Public Service Commission for psychological test to be conducted by certified psychologists of Khyber Pakhtunkhwa Public Service Commission. The result of this test shall be guide for the interview panel whether or not a candidate is suitable for the police job.

(8) Psychological test shall be followed by viva voce exam to be conducted by the Public Service Commission. The candidate shall appear before the interview panel at the time of viva voce examination. Failure in or absence from viva voce shall mean that the candidate has failed.

28

21

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24th MARCH, 2014. 2479

(10) Final merit list shall be prepared by the Khyber Pakhtunkhwa Public Service Commission. If the total marks of any of the two candidates are equal, the candidate with higher marks in viva voce test shall be placed higher on merit and, in case, where the marks obtained in viva voce are also equal, the candidate older in age shall be placed higher on merit list.

(11) Issuance of appointment order shall be subject to background clearance reports from intelligence agencies.

**PROVINCIAL POLICE OFFICER,
GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

Police Training College Mangori



ESTD 1985

History Sheet/Detail Marks Certificate

Starting Date : 22.07.2007 Term Ending Date: 05.01.2008 (Physical)
 Course : Recruit Name : Muhammad Nawaz
 Rank : Constable Bell No. : 353
 Station : FA Distt./Unit : Battagram
 Training Centre : F.F. Atd:

LAW			DRILL			REMARKS
	51	/100	SD	55	/70	
	82	/100	PT	12	/20	
	80	/100	MD	18	/30	
POS	55.5	/100	LC	12	/20	
HIR	80	/100	RF	60	/80	
W/GPD	72	/100	EOD	20	/35	
WTF/PA/GK/AC	62	/100	TFC	12	/20	
			AC	83	/150	
			Bayonet	6	/10	

Total Marks: 482.5/700
 Drill Marks: 278/435
 Overall Percentage is: 67.00
 Grand Total: 760.5/1135
 Days Obtained: 1 day Medical Rest: Nil Absence: 1 day Punishment: 4 days ED.
 Remarks: Nil

for
 Commandant,
 Police Training College Mangori

ATTESTED

مذمت ہے۔ اس کے ساتھ ساتھ اس کے لئے فیڈ بیک کو آہستہ آہستہ

مذمت ہے

مذمت ہے، ساتھ ساتھ اس کے لئے فیڈ بیک کو آہستہ آہستہ
سال 2007ء میں یو این ڈی کے تحت مابہم ہونے سے
بہتر ہے

یہ سائنس BBA یا ایچ ای کے لئے ہے
یہ سائنس کے ساتھ ساتھ ایچ ای کی مقدار ہونے سے
خالص ہے

یہ سائنس کے لئے ہے، اس کے لئے 1934ء
کے تحت بذریعہ انٹرویو سائنس کی ایچ ای ہونے سے
بہتر ہے، اس کے لئے ایچ ای کے لئے ہونے سے
مذمت ہے

الطاف محمد نواز H.C. سید محمد نواز

06/06/2017

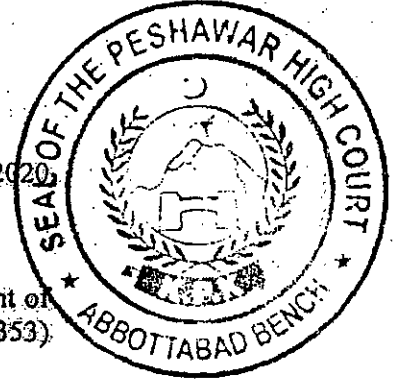
ATTESTED

7/23

Annexure A

**BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH**

Writ Petition No. 400 -A/2020



1. Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar as Presently Posted as L.H.S. (Constabulary number 353) Police line Battagram.
2. Ali Mohammad son of Rahimdad Resident of Matokar Tehsil & District Battagram Presently as LHC (Constabulary number 384) Police Line Battagram.
3. Saddaqt /Hussain Shah son of Syed Pir Zaman Shah Resident of Chapar Gram Tehsil & District Battagram Presently Posted as LHC (Constabulary number 195) in Police Line Battagram.

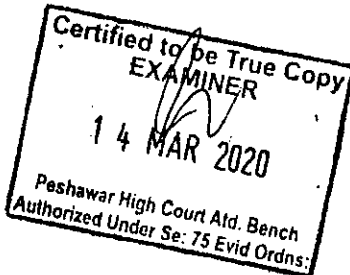
...PETITIONERS

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Peshawar.
2. Provincial Police Officer/ inspector General of Police KPK.
3. Deputy inspector General of Police, Hazara Region Abbottabad.
4. Direct Police Officer Battagram.

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973, IN THE AMENDMENT UPTO
DATE TO THE EFFECT THAT THE IMPUGNED
NOTIFICATION NO 158/E-III DATED 20/03/2014 IS
AGAINST THE ARTICLE OF 25/27 OF THE
CONSTITUTION OF PAKISTAN 1973 AND



ATTESTED

24

24

15

SECTION 7(2) AND 112 OF THE POLICE ORDER
2002 READ WITH POLICE RULE 1934 IS ILLEGAL
AGAINST THE ACT & RULES ON THE BASIS OF
DISCRIMINATION, AGAINST FUNDAMENTAL
RIGHT, MALAFIDELY, WITHOUT PRIOR
APPROVAL OF KPK GOVT.

PRAYER: ON ACCEPTANCE OF THE INSTANT
WRIT PETITION, THE IMPUGNED NOTIFICATION
MAY GRACIOUSLY BE DECLARED ILLEGAL,
WITHOUT PRIOR APPROVAL SEEKING FROM
THE GOVT. OF KPK, AGAINST THE
DISCRIMINATION, FUNDAMENTAL RIGHT,
AGAINST THE CONSTITUTION, AS WELL AS
SECTION 7(2) AND 112 OF THE POLICE ORDER
2002 READ WITH POLICE RULE 1934 AND
DIRECTION MAY KINDLY BE GIVEN TO THE
RESPONDENT/ COMPETENT AUTHORITY TO
PROMOTE THE PETITIONER ON THE BASIS OF
LENGTH OF SERVICES, SENIORITY CUM FITNESS
AND QUALIFICATION/ POLICE RECRUITMENT
COURSE WHICH HAVE ALREADY FULFILLED BY
THE PETITIONERS SUBJECT TO INTERVIEW
ONLY AND PETITIONERS ARE ENTITLED FOR
PROMOTION ACCORDING TO 25% QUOTA

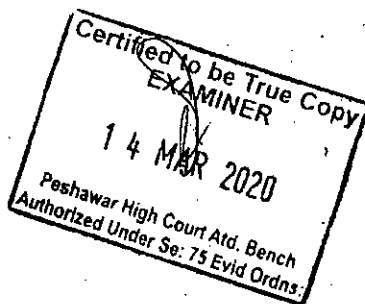
Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Aid. Bench
Authorized Under Sec: 75 Evid Ordns.

RESERVE AS ASI IN SERVICE AGAINST VACANT POST UNDER THE LAW ON THE SUBJECT. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEM FIT AND PROPER IN THE CIRCUMSTANCE OF THE CASE MAY ALSO BE GRANTED TO THE PETITIONERS.

Respectfully Sheweth,

Brief facts giving rise to the instant writ petition are as under:-

1. That the petitioner was appointed as constable in police Department in District Battagram in the years 2003, and 2007 Respectively, Copy of appointment orders are attached as Annexure "A".
2. That the petitioner serving in the police Department District Battagram up till now, having length of services, requisite Qualification, eligibility and cum fitness and police recruitment certificate having fulfilled all requisite criteria under the law laid down on the subject for the promotion of (ASI) BPS-9, petitioner having statutory right are entitle for promotion in service.



10

Copy of service card and requisite and Educational and other qualificational documents, Police Recruitment Certificate are annexed as Annexure "B", "C" & "D"

3. That the respondent did not promote the petitioners on 25% in service quota for the post of ASI BPS-9, in the light of impugned notification No. 158E/III dated 20/03/2014 issued by the respondent to usurp The statutory rights of petitioners. Copy of the impugned notification No 158E/III Dated 20/03/2014 is annexed as Annexure "E".

4. That the petitioner in service quota for the post of (ASI) BPS-9 having requisite ages, qualification, recruitments qualification, Eligibility cum fitness training and experience as per law and Rule, in the whole service of petitioner, services record of petitioner are quite clear. Copy of course recruitments, training and experience is annexed as Annexure "F".

5. That the petitioner submitted as per law the applications along with others required documents to the respondent/ competent authority for the post

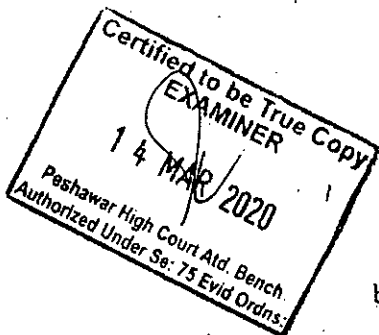
Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Ald. Bench
Authorized Under Sec: 75 Evid Ords.

of (ASI) 25% in service quota in regard of promotion of petitioner, respondent conducted all the formalities fulfilled but did not promoted the petitioner in the light of impugned notification No 158/EIII Dated 20/03/2014. Copy of application of petitioner are annexed as Annexure "G".

6 That the petitioners being aggrieved against the above impugned notification Dated 23/03/2014 on the inter alia on the following grounds.

GROUND:

- a) That the impugned notification is against the Article of constitution of Pakistan 1973, discrimination, against the fundamental rights as well as against the individual and service rights of petitioner under article 4,25,27 of the Constitution of Pakistan, being illegal, ultra vires of Constitution and laws on the subject, Hence liable to be declare illegal, and against the law.
- b) That the rights of petitioners as granted by the constitution of Pakistan as well as,



Section 7(2) and 112 of the Police Order 2002 Read with Police Rule 1934 and other laws. The impugned notification being illegal, against the laws against the rights of Petitioners, hence liable to be struck down.

c) That the impugned Notification is ultra virus against the constitution and laws on the subject and not sustainable without the prior approval of KPK Govt. as per laid down under the section 7(2) and 112 of the Police Order 2002 Read with Police Rule 1934, Therefore the notification may kindly be declared null and void and ultra virus against the constitution and laws on the subject. Hence liable to be set aside.

d) That the petitioner fulfilled the requirements for the post of ASI BPS-9, 25% in service quota, having requisite qualification, training, Experience and Eligibility cum fitness criteria, so the ultra virus notification cannot made hurdle in way of petitioner (departmental promotion) as well as service record of petitioner in Respect of

Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns.

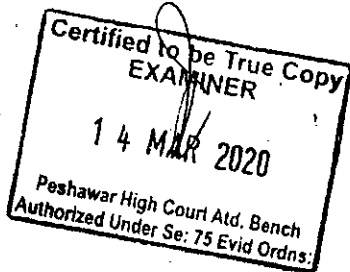
departmental promotion. Therefore respondent cannot be refuse the statutory right granted by the constitution as well as laws on the subject with regard to the departmental promotion of petitioner in the shadow of impugned notification.

e) That under the control of respondent/ District Police Department Battagram having 4 vacant Post, therefore direction may kindly be given to the respondent to promote petitioners on these post.

f) That on the basis of service cum seniority/ qualification and course the petitioner is entitled for the promotion of 25% quota reserve for ASI in service subject to interview as per law, there is no written test or otherwise hurdle in the way of promotion of petitioner, in the light of constitution, and relevant laws on the subject, therefore impugned notification may kindly be declared null and void.

Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns.

- g) That the petitioner due of promotion BPS-9 ASI fall in the ambit of department/competent authority concerned under the law, subject to interview only, therefore impugned notification are illegal against the salutary right of petitioner, hence liable to declared null and void and direction may kindly be give to the respondents to promote the petitioner in 25% in service quota subject to interview under the law and rules on these vacant post.
- h) That, necessary notices have been served upon the respondents as required through registered AD. Copies of notices and receipts thereof are annexed as Annexure "H".
- i) That, no other efficacious remedy is available to the petitioners except to invoke constitutional jurisdiction of this Honourable Court.
- j) That other points will be urged at the time of arguments with the permission of Honourable Court.



k) That court fee stamp paper worth Rs. 500/- is affixed.

18

It is therefore, most humbly prayed that on acceptance of the instant writ petition, the impugned notification may graciously be declared illegal, without prior approval seeking from the Govt. of KPK, against the discrimination, fundamental right, against the constitution, as well as section 7(2) and 112 of the police order 2002 read with police rule 1934 and direction may kindly be given to the respondent/ competent authority to promote the petitioner on the basis of length of services, seniority cum fitness and qualification/ police recruitment course which have already fulfilled by the petitioners subject to interview only and petitioners are entitled for promotion according to 25% quota reserve as ASI in service against vacant post under the law on the subject. Any other relief which this Honourable court deem fit and proper in the circumstance of the case may also be granted to the petitioners.

[Signature]
...PETITIONERS

Through;

Dated: _____/2020.

[Signature]
(MUHAMMAD LIAQAT)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing writ petition are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable Court.

[Signature]
...PETITIONERS

Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court At. Bench
Authorized Under Se: 75 Evid Ordns.

BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

(18)

Writ Petition No. _____ -A/2020

Muhammad Nawaz son of Mohammad Naseem Khan Resident of Matokar
as Presently Posted as L.H.S (Constabulary number 353) Police line
Battagram & others.
...PETITIONERS

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary Peshawar & another.
...RESPONDENTS

WRIT PETITION

AFFIDAVIT

I, Saddaqt Hussain Shah son of Syed Pir Zaman Shah, Resident of Chapar
Gram Tehsil & District Battagram Presently Posted as LHC (Constabulary
Number 195) in Police Line Battagram, do hereby declare on oath that the
contents of foregoing writ petition are true and correct to the best of my
knowledge and belief and that nothing has been suppressed form this
Honourable Court.

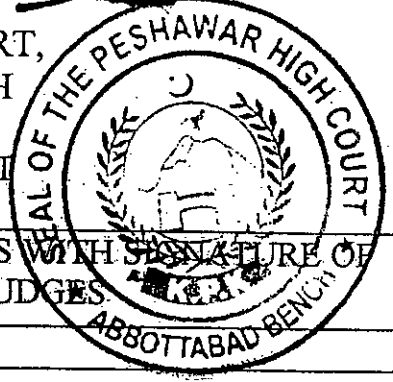
S.No: 683/1869 Receipt No: 663
Certified that the above stated facts are true and correct as stated on Solemn
affirmation made by me on this
25 day of March 2020 at Peshawar
by Saddaqt Hussain Shah son of Syed Pir Zaman Shah
in the presence of Dr. J. B. Khan who is a Magistrate of the first class and
is known to me.


DEPONENT

Office of the
Magistrate
Peshawar

Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Atd. Bench
Authorized Under Sec: 75 Evid Ordns

PESHAWAR HIGH COURT,
ABBOTTABAD BENCH
FORM 'A'
FORM OF ORDER SHEET



Date of Order or Proceedings:	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES.
1	2
11.03.2020	<u>WP No. 400-A/2020</u>
Present:-	Mr. Muhammad Liaqat, Advocate for the petitioners.
***	***
<u>AHMAD ALLI, J.-</u>	After arguing the case at some length, learned counsel for the petitioner submitted at the bar that he would not press this petition, provided the same is treated as representation and sent to the Provincial Police Officer/Inspector General of Police, Khyber Pakhtunkhwa, for decisions.
2.	In view of the above, this writ petition is treated as representation and sent to the Provincial Police officer/Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, to decide the same, strictly in accordance with law, but not later than a month.

Certified to be True Copy
EXAMINER
14 MAR 2020
Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns:

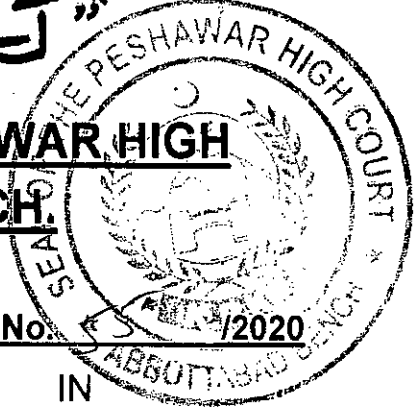
JUDGE
JUDGE

ATTESTED

34

Annexure "J"

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.



C.O.C. No. 43/2020

IN

W.P No.400-A/2020

1. Muhammad Nawaz son of Muhammad Naseem Khan resident of Matokar as presently as L.H.S (Constabulary Number 353) police line Battagram and two others.
2. Ali Muhammad son of Rahim Dad resident of presently posted L.H.C Police Line Battagram.
3. Sadiqat Hussain Shah son of Pir Zaman Shah resident of presently posted L.H.C Police Line Battagram.

...PETITIONER

VERSUS

1. Dr. Sarfullah Abbasi Provincial Police Officer/Inspector General of Police Khyber Pakhtunkhwa Peshawar.

...RESPONDENT

Certified to be True Copy
EXAMINER
01 JUL 2020
Peshawar High Court Atd. Bench
Authorized Under Sec: 75 Evid Ordns

 PETITION UNDER ARTICLE 204 OF
 CONSTITUTION OF ISLAMIC REPUBLIC OF
 PAKISTAN 1973 AS AMENDED TILL DATE AND
 READ WITH SECTION 5 OF CONTEMPT OF
 COURT ACT/ORDINANCE IV OF 2004
 CONTEMPT OF COURT IMPLEMENT OF COURT
 ORDER DATED 11.03.2020.

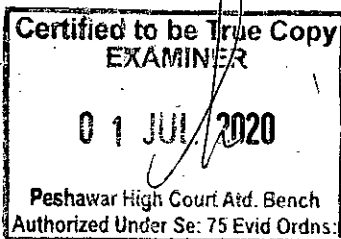
No. 3306
27-06-2020

FILED TODAY
 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 27/6

ATTESTED

Respectfully Sheweth,

1. That, the Competent Authority have not Promote the petitioner's as the post of ASI and petitioners filed Writ Petition No 400-A/2020 before Honourable Court. **(Attested copy of Writ Petition is annexed as Annexure "A")**
2. That, this Honourable Court after hearing the case at length and treated the Writ Petition of the petitioner, as representation and sent to the respondent with the direction, to decide the same, strickly in accordance with law but not later than a month. **(Attested copy of order dated 11.03.2020 is annexed as Annexure "B")**
3. That, almost three and half months have been passed and the respondent have yet not decided the case of petitioner, and many other office order has been issued during this period. **(Copy of orders issued by respondent are annexed as Annexure "C")**
4. That, afore stated conduct of respondent showing least regard to the Court order amount to Contempt of Court.



FILED TODAY
 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 27/6

It is, therefore, humbly prayed that the respondent may graciously be directed to implement the Court order and decided the case of petitioner as earliest.


...PETITIONER

Through:

Dated:- 27/06 /2020

(MUHAMMAD LIAQAT)
Advocate High Court, Abbottabad

VERIFICATION: -

Verified on this day that the contents of instant **Contempt Petition** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 27/6 /2020


...PETITIONER

Certified to be True Copy
EXAMINER
0.1 JUL 2020
Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns.

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
27/6

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

C.O.C. No. /2020

Muhammad Nawaz and others

...PETITIONER

VERSUS

Dr. Sanullah Abbasi

...RESPONDENT/CONTEMNOR

CONTEMPT OF COURT PETITION
AFFIDAVIT

I, **Muhammad Nawaz son of Muhammad Naseem Khan resident of Matokar as presently as L.H.S (Constabulary Number 353) police line Battagram petitioner**, do hereby solemnly affirm and declare on Oath that the contents of instant **Contempt Petition** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

[Handwritten Signature]

DEPONENT

13202 - 2583777-57

Dated: 27/6 /2020

...PETITIONER

IDENTIFIED BY:-

AFFIDAVIT

S.No: 4270/402 Receipt No: 402

Certified that the above was verified on Solemn affirmation At before me on this

27 day of June 2020 by M. Nawaz S/o M. Naseem Khan Caste

No who was identified by

Who is personally know is me

[Handwritten Signature]

Oath Court

(Address)

Peshawar High Court, Abbottabad Bench

[Handwritten Signature]
(MUHAMMAD LIAQAT)
Advocate High Court,
Abbottabad.

Certified to be True Copy
EXAMINER
01 / / 2020
Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
22/6

38

Annexure
"K"

BEFORE THE HONORABLE PESHAWAR HIGH COURT ABBOTTABAD BENCH.

C.O.C No. 55-A of 2020.

Muhammad Nawaz &
others..... Petitioners

VERSUS

Dr. Sannaullah Abbasi Provincial Police Officer, Khyber Pakhtunkhwa,
Peshawar..... Respondents.

Reply on behalf of Respondents

INDEX

S.No.	Detail of Documents	Annexure	Page No.
1	Reply	-	1 & 2
2	Affidavit	-	3
TOTAL		-	3 Pages

Muhammad Asif

(Muhammad Asif)
Insp: Legal, Battagram.

ATTESTED

Muhammad Nawaz &
others.....Petitioners

VERSUS

Dr. Sanaullah Abbasi Provincial Police Officer Khyber Pakhtunkhwa
Peshawar.....Respondent

Reply On Behalf Of Respondent

RESPECTIVELY SHEWETH:-

PRELIMINARY OBJECTION:-

- a) The petition is not based on facts and petitioner has got no cause of action or locus standi.
- b) That petition is not maintainable in the present form.
- c) The petition is bad for non-joinder of necessary and mis-joinder of un-necessary parties.
- d) The petitioner is estopped by his own conduct to file the petition.
- e) The petition is barred by the law and limitation.
- f) The petitioner has not come to the Honorable Court with clean hands.

FACTS:-


1. The petitioner filed the writ petition before the Honorable Court in which Honorable Court vide order dated 11.03.2020, held that petition is treated as representation and sent the respondents to decide the same strictly in accordance with law. The petitioners are not entitled for promotion for the post of ASI as they

have not applied nor appeared in the requisite exam conducted by Public Service Commission, Peshawar. Furthermore, they have not qualified the Intermediate Course requisite for the promotion to the rank of ASI through Departmental Promotion. On their turn, they will be sent to Police Training School (PTC) Hangu to undergo the Intermediate Course to become eligible for the promotion to the rank of ASI.

2. That the representation of the petitioner is pending due to emergency situation prevailed during outbreak of COVID 19 pandemic.
3. That the representation shall be taken into consideration when situation become ease and it would be decided on merit.
4. The respondent has not committed any Contempt of Court rather it was happened due to outbreak of COVID 19 and Lockdown in the province.

PRAYER:-

In view of the above mentioned facts, the COC petition may kindly be dismissed and Contempt Proceedings against respondents may kindly be withdrawn.


Provincial Police Officer,
Khyber Pakhtunkhwa
Peshawar

BEFORE THE HONORABLE PESHAWAR HIGH COURT ABBOTTABAD
BENCH.

C.O.C No. 55-A of 2020.

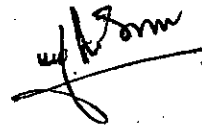
Muhammad Nawaz &
others..... Petitioners

VERSUS

Dr. Sannaullah Abbasi Provincial Police Officer, Khyber Pakhtunkhwa,
Peshawar..... Respondents.

AFFIDAVIT.

I, Muhammad Asif, Inspector Legal, Battagram do hereby affirm
on oath that the contents of written reply are true to the best of my
knowledge & belief and nothing has been concealed from the Honorable
Court.



DEPONENT.

Annexure
"L"

42

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Court of.....

Case No.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	
23.02.2021.	<p><u>COC No. 55-A/2020.</u></p> <p>Present: Mr. Muhammad Ishaq, Advocate for petitioners.</p> <p>Raja Muhammad Zubair, AAG with Rashid Ahmed DSP, legal.</p> <p>***</p> <p><u>MOHAMMAD IBRAHIM KHAN, J.</u> Learned AAG alongwith representative appearing on behalf of the respondents at the very outset stated at the bar that order of this Court dated: 11.03.2020 passed in main WP No. 400-A/2020 has been complied with, as representation of petitioner has been decided, upon this learned counsel for petitioner stated that petitioner has not yet received the fate of his representation.</p> <p>In view of the above, as the order of this Court has already been complied with, therefore, the instant COC has become infructuous, hence, dismissed accordingly, however, respondents are directed to convey the copy of decision to the petitioner within three days, positively.</p> <p><i>[Signature]</i> JUDGE</p> <p><i>[Signature]</i> JUDGE</p>

Tahir PS

Certified to be True Copy
EXAMINER
01 MAR 2021
Peshawar High Court Atd. Bench
Authorized Under Sec. 75 Evid Ordns.

Hon'ble Justice Mohammad Ibrahim Khan and Hon'ble Justice Shakeel Ahmed.

ATTESTED



43

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

Annexure
"M"

0992-9310021-22

0922-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 18815-17/E DATED 08/08/2020

To: The Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Subject: COMPLIANCE OF THE ORDER OF THE HONORABLE PESHAWAR HIGH COURT ABBOTTABAD BENCH DATED 11-03-2020 IN W.P # 400-A/2020.

BRIEF FACTS:

The petitioners in the subject writ petition prayed for promotion as ASI as per 25% quota mentioned in section No. 32 (ii) of the Khyber Pakhtunkhwa Police Act 2017, as well as challenged the validity of notification No. 158/E-III, issued by the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, in the year 2014. The Honorable Court in preliminary hearing (motion) on 11-03-2020 turned the writ petition into representation and also directed the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, to decide the same according to law but not later than one month. On 23-07-2020 the AIG Legal CPO, vide his office letter No. 3603-05/Legal, intimated this office about the fate of the representation and to pursue the COC.

1. Later on, the petitioners in the above mentioned writ petition, filed a contempt of Court petition No. 55-A/ 2020, on 27-06-2020 against the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, before the Peshawar High Court, Abbottabad Bench, wherein, on 30-06-2020, a notice was issued to the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar for para-wise reply and to that effect, the same has been prepared and submitted before the Honorable High Court Bench Abbottabad. Next date, in the COC has not yet been fixed.

2. **FACTUAL POSITION**

The perusal of record/file, writ petition, order of the Honorable Court and service record of the petitioners transpires as under:

- (i) The notification No. 158/E-III issued by the Provincial Police Officer, Khyber Pakhtunkhwa in the year 2014, is legal and in accordance with law as the same has been issued by the competent authority after due approval from the provincial Government.
- (ii) The seniority of the petitioners relating to the promotion to the post of ASI as enshrined in Section No. 32 (ii) of Khyber Pakhtunkhwa Police Act, 2017, is crystal

ATTACHED

clear to the effect that the petitioners shall be promoted on their own turn to the next rank subject to the conditions mentioned in PR. 1934 Chapter 13:1 and Standing Order No. 10/2014. 44

- (iii) In this regard, seniority list requisitioned from the District Police Officer Battagram reveals that petitioners namely 1. Head Constable Muhammad Nawaz, No.509 stands at serial # 28 for intermediate college course. 2. Head Constable Ali Muhammad, No.205 stands at serial # 30 for intermediate college course. 3. LHC Sadaqat Hussain Shah, No.195 stands at serial # 09 for promotion as Head Constable and they will be promoted as per seniority on their own turn.
- (iv) One of the petitioner namely Head Constable Ali Muhammad No.205 disclosed that he had applied for the post of ASI through proper channel, through Public Service Commission advertisement No.04/2018 against the 25% graduate Constable/Head Constable quota as enshrined in Section 32 (i) of Khyber Pakhtunkhwa Police Act, 2017, in which he qualified screening test. The remaining test/examination through PSC is still in the process.
- (v) All the three petitioners, previously in the year 2014, applied for the post of ASI, through Public Service examination, but they failed the examination, therefore they were not recruited as ASI.

Keeping in view the above facts and circumstances, the undersigned is of the considered view that all the petitioners must be considered for promotion to the next rank as per law, on their own turn.

3. Apart from this, DSP Legal Abbottabad, called all the petitioners heard them in person who made commitment to the effect that they will withdraw their COC on the next date of hearing.

Sd/-
Qazi Jamil ur Rehman (PSP)
Regional Police Officer
Hazara Region, Abbottabad

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

1. AIG Legal CPO Peshawar w/r to his office letter No. 3603-05/Legal dated 23-07-2020
2. District Police Officer, Battagram w/r to his office letter No. 3179/PA dated 29-07-2020

چالان ڈاڑھی دفتر ان کیلئے ڈیپول برائے 26/21/2020

Compliance of The Honorable P.H.C-ATD-NO-400-20

نمبر نوٹس بنام ڈاکٹر 14PK۔ ان کیلئے ڈیپول برائے 26/21/2020

کوآلہ ڈاڑھی نمبر 10 اور 26/21/2020 کو W.P-NO-400-2020

کوآلہ ڈاڑھی نمبر 17E-18815۔ ڈیپول برائے 404

ان کیلئے ڈیپول آفیسر، ریٹائرمنٹ سے متعلق نوٹس



تفصیلاً بیان کیے گئے ہیں اور 26/21/2020 کو

درست طور پر وصول کی گئی ہیں

(Signature)

حفاظت فی ماہ
26-02-21

~~ATTESTED~~

46

Annexure

"0"

24



Khyber Pakhtunkhwa Public Service Commission
(Website: www.kppsc.gov.pk)

2 Fort Road Peshawar Cantt
Phone : +92-091-9214131, 9212897,
9213563, 9213750
Fax : +92-091-9211795
Website : www.kppsc.gov.pk

To
MUHAMMAD NAWAZ S/D/O MUHAMMAD NASEM
Address:
BAHADAR KHAN ARMS DEALOR NEW SARAAD MARKET BATTAGRAM

DISPATCH NO: 1634
DATED: 05-08-2015

**Subject: ABILITY TEST FOR THE POST OF 324 MALE/FEMALE ASSISTANT
SUB-INSPECTORS (IN-SERVICE GRADUATE CONSTABLES/ HEAD CONSTABLES)
(OF CANDIDATES PASSED IN PHYSICAL TEST) IN POLICE DEPARTMENT**
(Adv# 04/2014 and Serial# 4)

In response to your application for the subject cited post you are required to appear in the Ability Test as per information given below :-

- Roll Number : 1634
- Hall Address : Govt. Post Graduate College NO.1 Abbottabad
- Test Date : 29-08-2015
- Test Time : 10:00 AM
- Paper Duration : 1 Hour and 30 Minutes
- Description of test : Ability Test
- MCOs based on : English / Urdu Grammar and Vocabulary (Intermediate Level), General Knowledge and current affairs, MS Office (word, Excel, Power Point, Internet surfing and Email)

General Instructions

- 1 You are admitted to the above examination provisionally subject to your eligibility in all respects. Your candidature will be cancelled if you are found ineligible at any stage for any reason and in that case will not be called for further interview.
- 2 You must bring this admission certificate and Original Computerized National Identity Card. Candidates who doesn't possess original NIC they are directed to bring Armed License or Domicile Certificate or Service Card (if Govt. servant) with latest photograph to identify themselves. Otherwise they will not be allowed in the examination hall.
- 3 You must bring one latest attested photograph for identification purpose.
- 4 You must read, understand and comply with instructions on the flyleaf of the answer book as non compliance can result in your disqualification.
- 5 In case you have received more than one Roll number, write all Roll Nos on your Answer Sheet.
- 6 Don't copy anything from the question paper to any other paper.
- 7 Bring black Ball Point or Pencil and paper board. Solve the paper silently in the examination hall.
- 8 Bringing of Mobile phone and other electronic gadgets are strictly prohibited in the Examination Hall.
- 9 Only Candidates will be allowed to enter the School/College Gate.

ROLL NUMBER				
0	0	8	5	1
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How to fill Computerized Answer Sheet

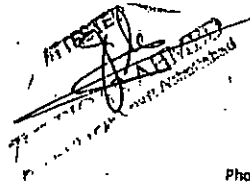
- (a) Use Black Ball Point or Pencil to shade the circles.
- (b) Do not use Red Color Ball Points
- (c) Write the Roll Number numerically from Left to Right on Answer sheet and shade the relevant circle in each column for the digits of Roll Number written above it. For example Roll # 851 should be entered like given in diagram.

[Signature]
Superintendent

For more information please visit WWW.KPPSC.GOV.PK

ATTESTED

47



(21)

2 Fort Road Peshawar Cantt
Phone : +92-091-9214131, 9212897,
9213553, 9213750
Fax : +92-091-9211795
Website : www.kppsc.gov.pk

Khyber Pakhtunkhwa Public Service Commission
(Website: www.kppsc.gov.pk)

DISPATCH NO: 1634

DATED: 11-01-2016

To
MUHAMMAD NAWAZ S/D/O MUHAMMAD NASEM
Address:
BAHADAR KHAN ARMS DEALOR NEW SARAAD MARKET BATTAGRAM

paste latest
photograph

**Subject: COMPETITIVE EXAMINATION FOR THE POST OF 324 MALE/FEMALE ASSISTANT
SUB-INSPECTORS (IN-SERVICE GRADUATE CONSTABLES/ HEAD CONSTABLES)
(OF CANDIDATES PASSED IN ABILITY TEST) IN POLICE DEPARTMENT(ADVT#
04/2014 AND SERIAL# 4)**

In response to your application for the subject cited post you are required to appear in the **COMPETITIVE
EXAMINATION** as per information given below :-

Roll Number : 1634

**Hall Address : Govt. High School Hayatabad, Sector E-2, Phase 1, Near Lala
Zar Market, Hayatabad Peshawar.**

DAY	DATE	SUBJECT	TIME
Tuesday	09/02/2016	Urdu Essay and Comprehension	09:30AM to 10:30 AM (Morning Session)
		English Essay and Comprehension	02:00PM to 03:00PM (Evening Session)
Wednesday	10/02/2016	General Knowledge and Current affairs	09:30AM to 10:30 AM (Morning Session)
		Basic Proficiency in computer literacy like MS Word, Ms Power Point, MS Excel, Internet surfing and Email	02:00PM to 03:00PM (Evening Session)

General Instructions

- 1 You are admitted to the above examination provisionally subject to your eligibility in all respects. Your candidature will be cancelled if you are found ineligible at any stage for any reason and in that case will not be called for further interview.
- 2 You must bring this admission certificate and Original Computerized National identity Card. Candidates who doesn't possess original CNIC they are directed to bring Armed License or Domicile Certificate or Service Card (If Govt: servant) with latest photograph to identify themselves. Otherwise they will not be allowed in the examination hall.
- 3 Bring two latest attested photograph to be pasted on Attendance sheet and Call Letter.
- 4 You must read, understand and comply with Instructions on the flyleaf of the answer book as non compliance can result in your disqualification.
- 5 In case you have received more than one Roll number, mention all your Roll No's on your Answer Sheet and reach to the nearest Examination Hall.
- 6 Bring your own Pens and Paper Board. Solve the paper silently in the examination hall.
- 7 Bringing of Mobile phone and other electronic gadgets and baggage are strictly prohibited in the Examination Hall. If any candidate found with such a device, his/her paper will be cancelled and he/she will not be allowed for further exam.
- 8 Only Candidates will be allowed to enter the School/College Gate.
- 9 No Candidate will be allowed to enter the Exam Hall if half time of paper duration has been passed, and NO extra time shall be given to late comers.
- 10 In case of unexpected Public Holiday the Exam shall be intact.
- 11 All the Candidates are directed to confirm their roll numbers and location of halls one day before the date of exam to avoid any inconvenience.

12 امتحانی ہال میں موبائل فون، الیکٹرانک آلات اور دیگر ایک وغیرہ لانا سختی سے منع ہے۔ اس سلسلے میں کمیشن کی طرف سے کوئی سہولت نہیں
نہیں کی جائے گی۔ کسی بھی امتحانی مرکز میں پارکنگ کی سہولت نہیں پیش کی جائے گی

M. A. Usman
Secretary (Admin)

14-01/22

**BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No. 3421/2021

Muhammad Nawaz s/o Muhammad Naseem Resident of Matokar Battagram as
presently posted as H.C (Constabulary number 353) Police line Battagram.

Appellant

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal
Affairs, Peshawar & others.....Respondents

Reply on the behalf of respondents

INDEX

S. No.	Detail of Documents	Annexure	Page No.
1	Comments with affidavit	-	4
2		A	4-15
3		B	15-6
4		C	21-1
Total			22-pages


Muhammad Asif,
Insp: Legal Battagram

1

**BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA
SERVICE TRIBUNAL PESHAWAR.**

Appeal No. 3421/2020.

Muhammad Nawaz s/o Muhammad Naseem Khan Resident of Matokar as presently posted as L.H.C (Constabulary number 353) Police line Battagram.

Appellant :

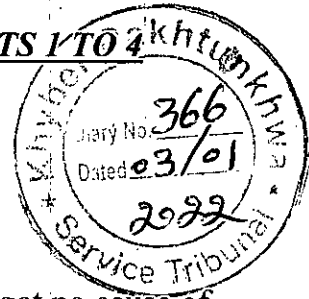
VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs,
Peshawar & others.....Respondents

PARAWISE COMMENTS ON THE BEHALF OF RESPONDENTS VTO 4

Respectfully Sheweth: -

Preliminary objection: -



- i. The appeal is not based on facts and appellant has got no cause of action or locus standi.
- ii. That appeal is not maintainable in the present form.
- iii. The appeal is bad for non-joinder and mis-joinder of necessary parties.
- iv. The appellant is estopped by his own conduct to file the appeal.
- v. The appeal is barred by law & limitations.
- vi. That the appellant has not come to the honorable court with clean hands.

Para wise comments are as under:-

1. **Correct** to the extent that the appellant was employee of respondent Department.
2. The appellant is not entitled for promotion to the rank of ASI as he was not qualified the requisite exam of in-service candidates on 25% quota and also has not undergone the intermediate course in PTC Hangu, which is mandatory for the promotion to the rank of ASI. (Relevant law / rules attached as annexure A).
Copy of seniority list is enclosed as annexure A
3. **Incorrect** the appellant was not entitled to avail the benefit of 25% quota as he has not qualified the exam conducted under Khyber Pakhtunkhwa Public Service Commission vide Adv: No. 4/2014 conducted in February 2016 for the post of ASI.
4. **Incorrect:** he is not entitled being failed to qualify the exam and also has not undergone the requisite intermediate course to become eligible for departmental promotion.

5. The appellant failed to pass the exam conducted by Khyber Pakhtunkhwa Public Service Commission vide Adv: No. 4/2014 conducted in February 2016 for the post of ASI. Therefore not recommended as ASI.
6. All the three petitioners previously applied for the post of ASI in the year 2014 through PSC examination but they failed the examination, Therefore they were not recruited as ASI.
7. The representation of the petitioner is pending due to emergency situation prevailed during outbreak of COVID-19 pandemic. After the covid-19 emergency the said court order was represented by worthy Regional Police Officer Hazara Region Abbottabad vide his office Memo: No. 18815-17/E, dated: 08.08.2020, copy of the same was also endorsed to honorable High Court Abbottabad bench through CM. (Copy of the same is enclosed as Annexure-B)
8. The honorable court in preliminary hearing (motion) on 11.03.2020 turned the writ petition into representation. Due to COVID-19 emergency the petition was pending. On 08.08.2021 the case was represented. (Copy attached)
9. **Incorrect:** the respondents have not committed any contempt of court rather it was happened due to outbreak of COVID-19 and lockdown in the province.
10. **Incorrect** the case of the appellant was examined by the competent authority and filed on the ground that his promotion shall be considered in accordance with law / rules and on his own turn.
11. **Incorrect,** Order of the competent authority was duly conveyed and delivered to the appellant alongwith other colleagues. Copy enclosed as annexure C.
12. The instant service appeal is badly time bared.
13. The appellant has no right to file instant appeal on the following grounds:

GROUND.

- a. **Incorrect.** The appellant is not entitled for the post of ASI as he failed the requisite exam.
- b. **Incorrect.** All the Notifications and orders passed by the competent authority are legal and according to law / rules.
- c. **Incorrect.** The impugned order /Notification are lawful in the eye of law.
- d. **Incorrect** the appellant failed to fulfill the mandatory requirements for the post of ASI.
- e. **Incorrect.** Vacant posts are being fulfilled through departmental promotion committee of eligible candidates or through KPPSC in accordance with quota fixed in KP Police Act 2017 but appellant are not eligible.

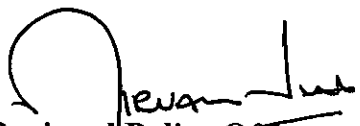
- f. Incorrect petitioner is not eligible for the post of ASI under the law / rules.
- g. The appellant has not undergone the intermediate course to become eligible for the post of ASI. He also failed to pass the exam of KPPSC allocated for in service candidates on 25% quota.
- h. **Incorrect:** appellant has wrongly invoked the jurisdiction of this Honorable Tribunal through un sound grounds
- i. Respondents will be allowed to raise other grounds at the time of arguments.

PRAYER: -


It is therefore respectfully prayed that appeal of the appellant is without merit and substance may kindly be dismissed with cost.

27/12/2011

**Govt: of Khyber Pakhtunkhwa,
Through Chief Secretary Peshawar
(Respondent No.01)**


**Regional Police Officer
Hazara Region Abbottabad.
(Respondent No.03)**

27/12
**Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.02)**


**District Police Officer,
Battagram
(Respondent No.04)**

4

BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 3421/2021

Muhammad Nawaz s/o Muhammad Naseem Khan Resident of Matokar as presently posted as L.H.C (Constabulary number 353) Police line Battagram.

Appellant

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs, Peshawar & others.....Respondents

AFFIDAVIT

I **Tariq Mehmood Khan** District Police Officer, Battagram do hereby solemnly affirm and declare that the contents of foregoing comments are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Court.



**District Police Officer
Battagram
(Respondent No.05)**



3
2
G 3 JAN 2022

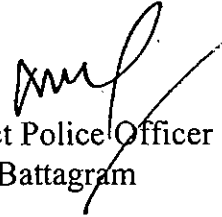
Annexure - (A)

POLICE DEPARTMENT

BATTAGRAM DISTRICT

Detail of HC/LHC who submit the case in service tribunal Peshawar against the public service commission.

S#	Name & No	D.O.B	D.O. Enlistment	D.O Promotion as HC	Waiting for Inter Course at Serial No.	Order of Merit in the Lower College Course Passed
1	HC Muhammad Nawaz No.509	04.04.1987	27.07.2007	31.12.2018	16	170
2	HC Ali Muhammad No. 205	05.05.1987	27.07.2007	31.12.2018	18	185
3	LHC Sadaqat Hussain Shah No.195	10.04.1978	01.01.2003	-	Waiting for promotion as Head Constable placed at serial No.05 on merit list.	


District Police Officer
Battagram

Vacated Holidays.

یا اس سے خارج کیا جائے تو اس واقعہ کا اندراج آرڈر بک میں اور افسر متعلق کے اعمال نامہ میں کیا جائے گا۔ یہ فیہر میں ان افسروں کے اسم نامے ہیں جن کے نام ان میں درج کرنے کی اجازت دی گئی ہے۔ اعمال ناموں پر احتیاط سے غور کے بغیر کوئی حقیقی انتخاب نہیں کیا جائے گا۔

13-2: اضافہ جات تنخواہ منظور کرنے کا اختیار (Power to grant increments)

جب ماتحان اعلیٰ وادنی کے اضافہ جات تنخواہ واجب العطاء ہوں تو صاحبان سپرنٹنڈنٹ اس کی منظوری دیں گے لیکن اختیار ہے کہ باب 16 میں بیان کردہ قواعد کے مطابق باقاعدہ سزا کے طور پر اضافہ روک دیں۔ کنسٹیبلوں اور ہیڈ کنسٹیبلوں کے اضافہ جات تنخواہ کی روک کا اندراج آرڈر بک میں کیا جائے گا اور انسپکٹروں، سب انسپکٹروں اور اسٹنٹ سب انسپکٹروں کے اضافہ جات تنخواہ کی روک پولیس گزٹ میں شائع کی جائے گی۔ عملہ محررین کی حالت میں ہر ایک اضافہ تنخواہ کی منظوری یا روک کی نسبت متعلقہ دفتر کا حاکم اعلیٰ باقاعدہ حکم جاری کرے گا جب اوقاتی پیمانہ (TIME SCALE) کے کسی درجہ یا درجوں کے ساتھ قید قابلیت لگی ہوئی ہو تو اسے محض اس افسر کے مخصوص حکم سے ان اوقاتی پیمانہ میں اضافہ جات روکنے کا اختیار ہو عبور کیا جائے گا۔ سب انسپکٹروں کی حالت میں ڈپٹی انسپکٹر جنرل کی منظوری کی ضرورت ہے۔

13-3: گزٹ شدہ اور بھرتی شدہ افسران میں سے ترقیاں دینے کا اختیار

(Power to make promotions among gazetted and enrolled police officers)

(1) افسران گزٹ شدہ کو ترقی دینا اور افسران بھرتی شدہ کو عہدہ جات گزٹ شدہ میں ترقیاں دینا گورنر کی رضامندی سے صوبائی گورنمنٹ کے اختیار میں ہے۔

(2) ڈپٹی انسپکٹر جنرل انسپکٹر کے عہدہ میں ترقیاں دے سکتے ہیں۔ انسپکٹر جنرل جو بنطابق قاعدہ پولیس 13-15 سب انسپکٹروں کی فہرست ترقی "ایف" تیار رکھتے ہیں۔ ڈپٹی انسپکٹر جنرل کو جب کبھی بھی عہدہ انسپکٹر کی مستقل آسامی خالی ہو اور وہ ان کے کسی ماتحت افسر سے بڑھتی ہوئی ہو۔ انہیں اس بارے میں مطلع کریں گے۔ بعدہ سب انسپکٹر اور اسٹنٹ سب انسپکٹر کے عہدہ پر مستقل ترقی سپرنٹنڈنٹ پولیس کریں گے۔ صاحبان ڈپٹی انسپکٹر جنرل حلقہ جات جو ضلع پولیس کے ان دونوں عہدوں کی فہرست ہائے "ڈی" اور "ای" تیار رکھتے ہیں۔ سپرنٹنڈنٹ ضلع کو جب کبھی بھی ان عہدوں میں آسامی خالی ہو اور وہ ان کے ضلع کے کسی افسر سے بڑھتی ہوئی ہو تو مطلع کریں گے۔ بصورت ہیڈ کنسٹیبلان ترقیاں سپرنٹنڈنٹ پولیس کریں گے۔

(3) انسپکٹروں، سب انسپکٹروں اور اسٹنٹ سب انسپکٹروں کی فہرست تقدم ملازمت ہر سال انسپکٹر جنرل کے حکم سے چھٹی ہے۔ اضلاع کے ہیڈ کنسٹیبلوں کی فہرست فوقیت فارم 10-188 میں مرتب کی جائے گی۔

ترقی

(Promotions)

1-13: ایک عہدہ سے دوسرے عہدے میں ترقی

(Promotion from one rank to another)

(1) ایک عہدہ سے دوسرے عہدے میں اور کسی عہدہ کے ایک گریڈ سے اسی عہدہ کے دوسرے گریڈ میں ترقی بذریعہ امتحان ہوگی۔ ساتھ ہی موجودہ تقدم ملازمت کا بھی لحاظ رکھا جائے گا۔ انتخاب کے بڑے عوامل قابلیت اور دیانتداری ہوں گے۔ ہر ایک عہدہ پر اوصاف خصوصی پر خواہ وہ تعلیمی نصابوں میں کامیابی یا عملی تجربہ کی قسم کے ہوں۔ بڑی احتیاط سے غور کیا جائے گا کہ اگر دو افسروں کے اوصاف اور ہر طرح سے یکساں ہوں تو مقدم الملازمت کو ترقی دی جائے گی۔ قاعدہ ہذا کا اثر اوقالی عہدوں کے اندر اضافہ جات تک خواہ پر نہیں پڑتا۔

(2) جمعیت پولیس کی موجودہ ہیئت ترکیبی کے مطابق کسی قسم کی جداگانہ تفتیش یا کسی تھانہ یا اسی قسم کے کسی اور جزو جمعیت کا سکاگنہ اہتمام کسی ماتحت ادنیٰ کے سپرد نہیں کیا جائے گا۔ لہذا ضروری ہے کہ اچھے تعلیم یافتہ کنستبلوں کو جن میں ماتحت اعلیٰ کے عہدہ کی ذمہ داریاں اٹھانے کے اوصاف موجود ہوں جلد از جلد ترقی دی جائے تاکہ جب وہ کنستبل یا ہیڈ کنستبل کے عہدہ کے لیے مقرر کردہ نصابات تعلیمی پاس کر چکیں اور ان عہدوں میں آزمائے جا چکیں اور عملی تعلیم حاصل کر لیں تو ماتحت اعلیٰ کے عہدہ پر پہنچ جائیں۔

(3) بھرتی شدہ افسران کی ترقی کا باقاعدہ انتظام کرنے کے لیے چھ فہرستیں موسومہ رانے وی بی، سی، ڈی، ای، ایف رکھی جائیں گی۔ فہرست ہائے اے۔ بی۔ سی اور ڈی قواعد 6-13، 7-13، 8-13 اور 9-13 کے مطابق ہر ایک ضلع میں رکھی جائیں گی اور کنستبل سپیشل گریڈ کے عہدہ میں اور ہیڈ کنستبلوں کے اور اسٹنٹ سب انسپکٹرز کے عہدوں میں ترقیات ان ہی کے لحاظ سے ہوں گی۔ فہرست ای ضمنی قاعدہ 10-13 (1) کے مطابق انسپکٹر جنرل کے دفتر میں رکھی جائیں گی اور اسی کے لحاظ سے سب انسپکٹرز کے عہدہ میں ترقی دی جائے گی۔ فہرست ایف تحتی قاعدہ 13-15 (1) کے مطابق انسپکٹر جنرل کے دفتر میں رکھی جائے گی اور اسی کے لحاظ سے انسپکٹرز کے عہدے میں ترقی دی جائے گی جب کسی پولیس افسر کا نام فہرست اے۔ بی۔ سی۔ ڈی یا ای میں درج

ٹل بریڈ یا اوقاتی پیمانہ جن کو پولیس ٹریننگ سکول میں ڈرل یا دیگر نصاب ہائے خاص کی تعلیم پانے کے لیے موزوں خیال کیا گیا ہو۔
 جوں آسامیاں خالی ہوتی جائیں گی توں توں اس فہرست سے متعلقہ نصابات کی تعلیم پانے کے لیے پولیس ٹریننگ سکول میں داخلہ
 لیے انتخاب کیا جائے گا لیکن اس شرط پر کہ کوئی کنسٹیبل ایسے نصاب کے لیے قابل قرار نہیں دیا جائے گا جب تک کہ اس کے نام کا
 راج فہرست (ب) میں بحکم ڈپٹی انسپکٹر جنرل حلقہ منظور نہ ہو جائے۔ بالعموم اس قسم کے انتخابات میں عمر میں تقدم کو اولیت دی جائے
 ۔ بلا لحاظ اس امر کے کہ فہرست میں داخلہ کی تاریخ کیا ہے اور اس امر کی احتیاط کی جائے گی کہ کوئی کنسٹیبل انتخاب سے پہلے سکول مذکور
 داخلہ کے لیے زائد العمر نہ ہو جائے جو پابندیاں پولیس ٹریننگ سکول میں لوئر کورس اور انسٹرکٹرز کورس کی تعلیم پانے کے لیے داخلہ کے
 قی عائد کی گئی ہیں۔ وہ فہرست ب میں داخلہ کے لیے بس ہیں۔ کسی ایسے کنسٹیبل کا نام اس فہرست میں درج نہیں کیا جائے گا جس کی
 وہ عمر کو نہ نظر رکھتے ہوئے خیال ہو کہ معمولی رفتار سے اسے ٹریننگ سکول میں بھیجنے تک اس کی عمر 30 سال کی ہو جائے گی جو کنسٹیبل
 نگ سکول میں سند قابلیت حاصل کرنے میں ناکام رہے۔ اس کا نام دوبارہ فہرست مذکور میں درج نہیں کیا جائے گا جب تک کہ
 منڈنت اور پرنسپل سکول بالاتفاق رائے قرار نہ دیں کہ اسے اس کورس کا امتحان پاس کرنے کا ایک اور موقعہ دینا چاہیے۔ اگر کسی ایسے
 میں ان ہر دو صاحبان کی رائے میں اختلاف ہو تو ڈپٹی انسپکٹر جنرل فیصلہ کریں گے۔

8: فہرست ج۔ ہیڈ کنسٹیبل کے عہدہ پر ترقی

(List C. Promotion to head constables)

ہر ایک ضلع میں ایک کارڈ انڈیکس (فارم 13-18) پر ان کنسٹیبلان کی فہرست مرتب رکھی جائے گی جو پولیس ٹریننگ سکول کی
 لوئر کلاس کا امتحان پاس کر چکے ہوں اور عہدہ ہیڈ کنسٹیبل میں ترقی یاب ہونے کے لائق سمجھے جاتے ہوں۔ ہر ایک کنسٹیبل کا
 جس کا نام فہرست ترقی میں آچکا ہو۔ کارڈ تیار کیا جائے گا اور اس میں زیر قاعدہ تختی 13-5 (2) اس کے نمبر درج ہوں گے اور اس
 کی استعداد علمی اور چال چلن کی بابت خود پرنسپل یا ان افسران گزٹ شدہ کے جن کے ماتحت اس آدمی نے کام کیا ہو۔
 نوٹ بھی درج کیے جائیں گے۔ یہ فہرست ایس پی کے پاس خفیہ رکھی جائے گی اور ڈپٹی انسپکٹر جنرل سیالانہ ملاحظہ پر خوب غور
 سے اس کی پڑتال کر کے منظور کریں گے۔

ہیڈ کنسٹیبل کے عہدہ پر ترقیاں تختی قواعد 13-18 (1)، (2) میں بیان کردہ اصول کے مطابق دی جائیں گی۔ فہرست ج میں داخلہ
 کی تاریخ چنداں اہمیت نہیں رکھتی لیکن اوصاف و استعداد کا مقابلہ کرتے وقت امتحانات میں کامیابی کے مدارج قابلیت کا لحاظ
 رکھا جائے گا جہاں دیگر اوصاف مساوی ہوں۔ وہاں تقدم ملازمت کے لحاظ سے فیصلہ کیا جائے گا۔ کنسٹیبلان پیشل گریڈ جنہوں
 نے امتحان لوئر سکول پولیس ٹریننگ سکول سے پاس نہ کیا ہو لیکن اور طرح سے ترقی یاب ہونے کے لائق سمجھے جائیں۔ انہیں
 بعد حصول اجازت ڈپٹی انسپکٹر جنرل پولیس ہیڈ کنسٹیبل کے عہدہ پر اس طرح ترقی دی جاسکتی ہے کہ ان کی تعداد خالی آسامیوں
 کی تعداد کے دس فیصدی سے زیادہ نہ ہو۔

8-13 (الف): فہرست ہائے الف و ب و ج میں داخلہ یا قزاق کے لیے نااہلیت

(Disqualification for admission to or retention in List A, B or C)

(1) جب کسی شخص کو کوئی بڑی سزا مل جائے تو اس کا نام فہرست ہائے الف، ب یا ج میں درج نہیں کیا جائے گا اور نہ ہی بدستور فہرست میں لکھا رہے گا لیکن (الف) اگر سپرنٹنڈنٹ پولیس خاص وجوہات کی بناء پر ان کو تحریر میں لائیں تو اس نااہلیت کو اپنی انسپکٹرز جنرل کی تصدیق کے تابع نظر انداز کیا جاسکتا ہے اور (ب) اگر سزا ملامت یا کوآرڈر بندی ہو تو چھ مہینے کی مسلسل ٹیکہ طے کے بعد یا اگر سزا مقررہ معیار کے لیے تنزیل ہو تو عرضہ تنزیل کے اختتام پر حسب نشاء کسی کنسٹیبل کا نام دوبارہ درج فہرست کیا جاسکتا ہے۔

(2) افسران گزٹ شدہ ایسے کنسٹیبلوں کے تلاش میں رہیں گے اور اپنے انسپکٹروں اور سب انسپکٹروں کے دلوں میں ان کی نسبت اطلاع دی کا شوق پیدا کریں گے جو عام چال چلن اور لیاقت کی وجہ سے یا خاص کاموں کے باعث فہرست ہائے الف و ب و ج میں داخل ہونے کے لائق ہوں اور ضروری دریافت و تحقیقات سے اپنی تسلی کر کے سپرنٹنڈنٹ کو مناسب سفارشات کریں گے۔

9-13: فہرست د۔ اسٹنٹ سب انسپکٹرز کے عہدہ پر ترقی

(List D. Promotion to Assistant Sub-Inspectors)

(1) برائیک ضلع میں کارڈ انڈکس فارم 13-9 (1) پر ان ایسڈ کنسٹیبلوں کی فہرست مرتب رکھی جائے گی جو پولیس ٹریننگ سکول میں لوڈ کورس اور انٹرنیٹ کالج کورس کا امتحان پاس کر چکے ہوں اور ڈپٹی انسپکٹرز جنرل ان کی نسبت منظوری دے چکی ہوں کہ وہ عہدہ اسٹنٹ سب انسپکٹری میں قائم مقام یا مستقل طور پر ترقی یاب ہونے کے قابل ہیں۔ اس فہرست میں صرف ایسے ہیڈ کنسٹیبلان کے نام درج کیے جائیں گے جو کنسٹیبل اور ہیڈ کنسٹیبل کے فرائض کی تمام برانچوں سے نہایت اچھی طرح واقف ہیں اور اپنی دیانتداری کا ثبوت دے چکے ہوں۔

قائم مقام اسٹنٹ سب انسپکٹری میں ترقیاں حتمی قاعدہ (1) میں مقرر کردہ فہرست سے حتی الامکان باری باری دی جائیں گی۔ آدی کو اس بالاتر عہدہ میں کام کرنے کا موقع دے کر دیکھ لیا جائے۔ مستقل ترقیاں ڈپٹی انسپکٹرز جنرل قاعدہ اصولوں کی بناء پر دیں گے اور قائم مقام ترقیاں ضمنی قاعدہ 13-4 (2) کے مطابق دی جائیں گی۔

فہرست ہذا کی نسبت ششماہی رپورٹیں 15 مارچ اور 15 ستمبر کو فارم 13-9 (2) پر ڈپٹی انسپکٹرز جنرل کو

ایسے فیصلوں کی تعمیل کی نظر ثانی کرے جو کریمنیل جسٹس کو آرڈی نیشن کمیٹی نے کئے ہوں۔

کریمنیل جسٹس کو آرڈی نیشن کمیٹی کا اجلاس ایک ماہ میں کم از کم ایک مرتبہ ہوگا۔ کمیٹی کا سیکرٹری اجلاسوں کی روئیدار ریکارڈ کرے گا۔

باب 12

پولیس کا انضباط، کنٹرول اور نظم و ضبط

(Regulation, Control and Discipline of the Police)

رٹیکل 112: صوبائی پولیس افسر یا اسلام آباد کیپٹل سٹی پولیس افسر کا قواعد وضع کرنا

(Rule making by Provincial Police Officer or Islamabad Capital City Police Officer)

صوبائی پولیس افسر یا اسلام آباد کیپٹل سٹی پولیس افسر (جیسی کہ صورت ہو) کو اختیار ہے کہ گورنمنٹ کی [***] منظوری سے گاری گزٹ میں اشتہار شائع کر کے آرڈر ہذا کے احکام کو موثر کرنے کے لیے قواعد وضع کرے۔

رٹیکل 113: سزائیں (Punishments)

قواعد کے تحت پولیس کے کسی ممبر کو اوقاتی پیمانہ کے انڈر معطل کیا جاسکتا ہے، موقوف کیا جاسکتا ہے، جبری ریٹائر کیا جاسکتا ہے، برائے خواہ میں گھٹایا جاسکتا ہے، جرمانہ کیا جاسکتا ہے، اس کی ملامت کی جاسکتی ہے یا اسے مقررہ طریق میں کوئی دیگر سزا دی جاسکتی ہے۔

رٹیکل 114: ضابطہ چلن (Code of Conduct)

صوبائی پولیس افسر اور کیپٹل سٹی پولیس افسر مندرجہ ذیل کی نسبت پولیس کی پریکٹس کو منضبط کرنے کے لیے ضابطہ چلن جاری کریں گے:

(a) روکنے اور تلاشی لینے کے آئینی (Statutory) اختیارات کا منجانب پولیس استعمال۔

(b) احاطہ جات مکانات کی تلاشی منجانب پولیس افسران اور اشخاص کی جامہ تلاشی یا احاطہ جات مکانات کی تلاشی پر اہلاک کی قرتی منجانب پولیس افسران۔

(c) اشخاص کی نظر بندی، برتاؤ اور پوچھ گچھ منجانب پولیس، اور

(d) اشخاص کی شناخت منجانب پولیس۔

لفظ "پیشگی" پولیس آرڈر (ترمیمی) آرڈیننس (XLIV مجریہ 2009) مورخہ 26 نومبر 2009ء کے تحت حذف ہوا۔

آرٹیکل 7: پولیس کی ہیئت ترکیبی (Constitution of police)

- (1) ہر ایک جنرل پولیس ایریا کے لیے عملہ پولیس سینٹر اور جوئیر درجات میں اتنی تعداد پر مشتمل ہوگا اور ان کی تنظیم ایسی ہوگی جس کا تعین گورنمنٹ وقتاً فوقتاً کرتی رہے۔
- (2) بھرتی کے معیار، تنخواہ، الاؤنس اور دیگر تمام شرائط ملازمت ایسی ہوں گی جن کا تعین گورنمنٹ وقتاً فوقتاً کرتی رہے۔
- (3) پولیس میں بھرتی (ماسوائے دفتری عملہ اور ماہر خصوصی کیڈر کے)، کانسٹیبل، اسٹنٹ سب انسپکٹر اور اسٹنٹ سپرنٹنڈنٹ پولیس کے درجہ میں ہوگی:
- مگر شرط یہ ہے کہ اسٹنٹ سب انسپکٹر کے درجہ میں براہ راست بھرتی کے لیے انتخاب مناسب پبلک سروس کمیشن کے ذریعے ہوگا اور وہ اس درجہ میں مجموعی اسامیوں کے پچیس فیصدی سے زیادہ نہیں ہوگا:
- مزید شرط یہ ہے کہ اسٹنٹ سب انسپکٹر کے درجے پر حکمانہ ترقیوں کے لیے کوٹے کا پچیس فیصدی قواعد کے تحت مناسب پبلک سروس کمیشن کے ذریعے صاف ستھرا ریکارڈ رکھنے والے کانسٹیبلان یا ہیڈ کانسٹیبلان سے پر کیا جائے گا۔
- (4) اسٹنٹ سپرنٹنڈنٹ پولیس کے رتبے میں بھرتی کل پاکستان کی سطح پر فیڈرل پبلک سروس کمیشن کے ذریعے ہوگی۔
- (5) کانسٹیبل اور اسٹنٹ سب انسپکٹر کے رتبے میں بھرتی مستقل سکوتی ضلع کی بنیاد پر ہوگی جو ملازمت سے متعلق تمام امور کے سلسلے میں ڈپٹی سپرنٹنڈنٹ پولیس کے رتبے تک ان کا انتظامی یونٹ ہوگا اور صرف ایسے افسران کو بیرون کاری سے متعلقہ مفوضہ کاموں (Field assignments) کے لیے ان کے مستقل سکوتی ضلع میں تعینات کیا جائے گا۔ تفتیش، ٹریفک، سیکورٹی، ریزرو اور خبررسانی سے متعلقہ فرائض کے لیے دیگر اضلاع کے افسران کی تعیناتی پر ایسی کوئی پابندی نہیں ہوگی۔ قواعد کے تحت انسپکٹران اور صاحبان ڈپٹی سپرنٹنڈنٹ پولیس کو صوبائی سناری کی بنیاد پر ترقی درجہ دی جائے گی۔
- (6) ہر ایک پولیس افسر کو آن ڈیوٹی ہونے کی حالت میں پاکستان بھر میں پولیس افسر کے تمام اختیارات اور رعایتی حقوق (privileges) حاصل ہوں گے۔ اور وہ کسی وقت کسی براج، ڈویژن، بیورو اور سیکشن میں خدمت انجام دینے کا مستوجب ہوگا۔

آرٹیکل 8: پولیس کی تنظیم مقررہ عمل کی بنیاد پر کی جائے گی

(Police to be organized on functional basis)

- (1) آرٹیکل 7 کے تحت تشکیل شدہ جمعیت عملہ پولیس کی تنظیم جہاں تک قابل عمل ہو۔ مقررہ عمل کی بنیاد پر برانچوں، ڈویژنوں، بیورو اور سیکشنوں میں کی جائے گی۔
 - (2) حتمی دفعہ (1) میں مذکورہ برانچوں، ڈویژنوں، بیورو اور سیکشنوں میں حسب شامل ہیں:
- (a) تفتیش (b) خبررسانی (c) وایج اینڈ وارڈ (d) ریزرو پولیس (e) احتساب پولیس (Police Accountability) (f) انتظام عملہ (Personnel Management)



(12) (A)

8

OFFICE OF THE
THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

POLICE POLICY BOARD

PPB Order No. 12/2014

Subject: Change in Syllabus for the Exam/Test of ASIs conducted by Public Service Commission (PSC).

Reference DIG HQrs: Khyber Pakhtunkhwa Peshawar office Endst: No. 357-94/PA, dated 23.01.2014.

In light of the decision taken by the Police Policy Board held on 08.01.2014, under the chairmanship of the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar the following policy has been approved.

The syllabus of ASIs recruited through Public Service Commission shall have the following components:

1. Written Test.

- a. Urdu Writing & Comprehension;
- b. English Writing & Comprehension;
- c. General Knowledge Test.
- d. Basic proficiency in Computer applications, including MS Word, MS Power Point, MS Excel, the use of Internet and Email.

2. Physical Test.

- a. Apart from fulfilling the requisite height and chest standards, the male candidates shall complete 1 Mile run within 8 minutes.
- b. The female candidates shall complete 1 Kilometer run within 8 minutes.
- c. In order to participate in the Physical Test, the candidate shall submit a Medical Fitness Certificate duly signed from a recognized Medical Officer of a Government Hospital.

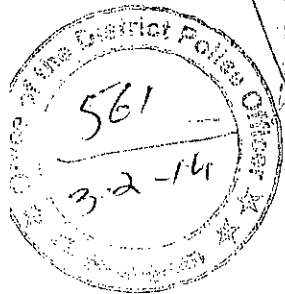
All concerned are hereby directed to implement the decision in letter &

spirit.

-Sd-

(NASIR KHAN DURRANI)
Inspector General of Police
Khyber Pakhtunkhwa Peshawar

PTO





(12) (A)

**OFFICE OF THE
THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar**

STANDING ORDER NO. 13 /2014

**Syllabus for ASIs Examination
conducted through Public Service Commission**

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 2nd meeting held on 8th January 2014.

2. **Aim:-** A large number of ASIs are directly recruited through a selection process conducted by the Public Service Commission. After recruitment, directly recruited Assistant Sub Inspectors (ASIs) play a vital role in strengthening the command structure at the tactical level. It is therefore essential to recruit candidates who are equipped with qualifications needed in modern day policing. This Standing Order aims at streamlining the selection criteria and syllabus for the examination of ASIs recruited through Public Service Commission.

3. **Eligibility:-** Following shall be the eligibility criteria for the selection of general and in-service candidates as Assistant Sub Inspectors in Police Department through the Khyber Pakhtunkhwa Public Service Commission.

Eligibility for General Candidates

Category	Education	Age Limit
Candidates (Both male and female)	Higher Secondary school certificate or equivalent qualification from recognized boards of Pakistan or abroad	18 to 25 Years

Eligibility for In-service Candidates

Category	Education	Service Experience	Upper Age Limit
In-service Graduate Constable or Head Constable (Both male and female)	Bachelor's degree from any recognized university of Pakistan or abroad.	a. Basic Recruit Course passed. b. Minimum 5 years service in Police Department. c. Satisfactory service record.	35 Years

(15/2) (A)

4. **Physical Test:-** Candidates shall qualify the following physical measurement standards and physical endurance tests.

a. Physical Measurement Standards

Category	Height	Chest
Male candidate (general)	5 feet & 7 inches	33x34½ inches
Female candidate (general)	5 feet & 1 inches	Nil

b. Physical Endurance Test

Category	Race
Male candidate (Both general and in-service)	1600 meter in 8:00 minutes
Female candidate (Both general and in-service)	1000 meter in 8:00 minutes.

4.1 The physical measurement and physical endurance tests shall be conducted by a three-member team, two from the Public Service Commission and one from Police Department nominated by the Provincial Police Officer.

5. **Written Examination:-** Only those candidates, both general and in-service, who qualify the physical measurement standards and physical endurance test, will be eligible to appear in the written examination to be conducted by the Khyber Pakhtunkhwa Public Service Commission.

5.1 The written examination shall consist of the following subjects and shall carry marks as mentioned against each subject.

S. No.	Subject	Maximum marks	Paper duration	Qualifying marks
1.	Urdu Essay & Comprehension	75	1 hr	40%
2.	English Essay & Comprehension	75	1 hr	40%
3.	General Knowledge & Current Affairs	50	1 hr	40%
4.	Basic proficiency in Computer literacy like MS Word, MS Power Point, MS Excel, Internet surfing and Email	50	1 hr	40%
5.	Viva Voce	50		40%
	Total	300		40%

6. **Psychological Assessment Test:-** Candidates, both general and in service, who qualify written examination, will be called by the Public Service Commission for psychological test to be conducted by certified psychologists of Khyber Pakhtunkhwa Public Service Commission. The result of this test shall be a guide for the interview panel whether or not a candidate is suitable for the police job.

7. **Viva voce:-** Psychological test shall be followed by viva voce exam to be conducted by the Public Service Commission. The candidate shall appear before the interview panel at the

(19)

(A)

Time of viva voce examination. Failure in or absence from viva voce shall mean disqualification of the candidate.

8. **Medical Examination:-** Candidates who qualify physical, written test and viva voce will undergo medical examination to be conducted by Director Health Services Government of Khyber Pakhtunkhwa.

9. **Merit List & Selection:-** Final merit list shall be prepared by the Public Service Commission. If the total marks of any of the two candidates are equal, the candidate older in age shall be placed higher on merit list.

10. Issuance of appointment order will be subject to police clearance certificate and background clearance report from Special Branch, or any other intelligence agency if deemed necessary.

11. **Power to remove difficulties:-** If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

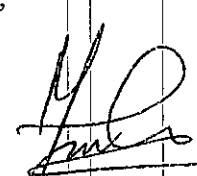
12. **Amendment:-** All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.

(NASIR KHAN DURRANI)
Provincial Police Officer
Khyber Pakhtunkhwa
Peshawar

No:- 849-219 / 98 dated Peshawar the 12th October 2014

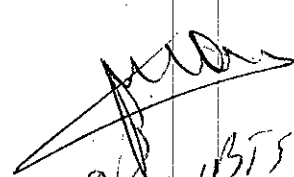
Copy of the above is forwarded for information and necessary action to:

1. All Heads of Police Offices in Khyber Pakhtunkhwa;
2. PRO to PPO;
3. Registrar CPO.


(MUBARAK ZEB) PSP
DIG Headquarters
Khyber Pakhtunkhwa
Peshawar

SRL/OTC
Fa 2/9

4478
28-10-14


D/SO/BTS
7.14

(B)

(15) (A)

BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019.

Muhammad Nawaz etc:

Petitioners

Versus.

Dr. Sanaullah Abbasi

Respondents.

I N D E X.

S.No.	Description of documents	Annexure	Pages
1.	Application with Affidavit		1 - 2
2.	Letter No. 18815-17/E dated 08.08.2020 from Regional Police Officer, Hazara Range	A	3 - 4
3.	Letter No.4191-92/Legal dated 18.08.2020 from IGP KPK	B	5

(B) (17) (A)
BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019,

Muhammad Nawaz etc:

Petitioners

Versus.

Dr. Sanaullah Abbasi

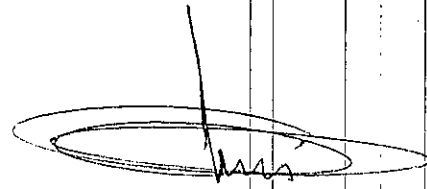
Respondents.

APPLICATION FOR PERMISSION TO PLACE OF ADDITIONAL DOCUMENTS
IN THE ABOVE TITLED CASE.

Respectfully Sheweth.

1. That vide order dated 11.03.2020 this Honourable Court treated the writ petition No. 400/19 as representation and sent to the Provincial Police Officer/Inspector General of Police, Khyber, Pakhtunkhwa, to decide the same, strictly in accordance with law, but not later than a month.
2. That petitioner filed instant COC in the above titled case in which the parawise reply has already been filed.
3. That vide letter No.18815-17/E dated 08.08.2020 the Regional Police Officer Hazara Region, Abbottabad submitted the brief history of the case to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
4. That the Inspector General of Khyber Pakhtunkhwa, Peshawar directed the District Police Officer, Batagram and DSP Legal, Abbottabad to submit the above documents through CM to this Honourable Court vide letter No.4191-92/Legal dated 18.08.2020.
5. That the appended additional documents are necessary to place on record of the case for due appreciation of the case.

It is, therefore, humbly prayed that on acceptance of the above application the above documents may graciously be allowed to place on the record of the case.



Additional Advocate General,
Abbottabad.

(B)

(18)

(A)

BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019.

Muhammad Nawaz etc:

Petitioners

Versus.

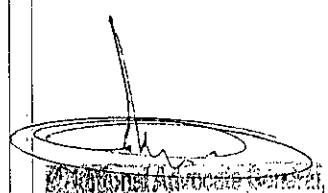
Dr. Sanaullah Abbasi

Respondents.

Affidavit.

I, Mr. Muhammad Asif, Inspector Legal Branch Batagram do hereby solemnly affirm and declare that the contents of the accompanying application are true and correct to the best of my knowledge and belief.

Muhammad Asif
DEPONENT.


Muhammad Asif
Inspector Legal Branch
Abbottabad

13503-9817095-3

66387539

589

Muhammad Asif
11 Sep 20
Inspector Legal Branch
Batagram

Asif

11/9/20



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

18

A

No. 4194-92/LEGAL dated Peshawar, the 18/08/2020.

To:-
The District Police Officer,
Battagram.
The Deputy Superintendent of Police,
Legal, Abbottabad.

Subject:- COMPLIANCE OF THE ORDER OF THE HONORABLE
PESHAWAR HIGH COURT, ABBOTTABAD BENCH DATED
11-03-2020 IN WRIT PETITION NO. 400-A/2020.

Memo:-
Please refer to the Regional Police Officer, Hazara Letter No.
18815-17/E dated 08.08.2020, on the subject cited above.

The Competent Authority has directed to submit with CM to the
Court please.

[Signature]
AIG/LEGAL
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
17/08/2020

No. 4193/LEGAL
Copy of above is forwarded for information to the Regional Police Officer,
Hazara with reference to his letter quoted above.

[Signature]
AIG/LEGAL
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
17/08/2020



msp - L

*Inspectors legal
Battagram*

*Please put up received
for the needfall be done
at the earliest.*

[Signature]
DSPL
Abtd
24/08/20



(A)

29

A

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0922-9310023

r.rpohazara@gmail.com

0345-9560687

NO: _____ / E DATED _____ / _____ / 2020

To: The Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Subject: **COMPLIANCE OF THE ORDER OF THE HONORABLE PESHAWAR HIGH COURT ABBOTTABAD BENCH DATED 11-03-2020 IN W.P # 400-A/2020.**

BRIEF FACTS:

The petitioners in the subject writ petition prayed for promotion as ASI as per 25% quota mentioned in section No. 32 (ii) of the Khyber Pakhtunkhwa Police Act 2017, as well as challenged the validity of notification No. 158/E-III, issued by the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, in the year 2014. The Honorable Court in preliminary hearing (motion) on 11-03-2020 turned the writ petition into representation and also directed the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, to decide the same according to law but not later than one month. On 23-07-2020 the AIG Legal CPO, vide his office letter No. 3603-05/Legal, intimated this office about the fate of the representation and to pursue the COC.

1. Later on, the petitioners in the above mentioned writ petition, filed a contempt of Court petition No. 55-A/ 2020, on 27-06-2020 against the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, before the Peshawar High Court, Abbottabad Bench, wherein, on 30-06-2020, a notice was issued to the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar for para-wise reply and to that effect, the same has been prepared and submitted before the Honorable High Court Bench Abbottabad. Next date, in the COC has not yet been fixed.

2. **FACTUAL POSITION**

The perusal of record/file, writ petition, order of the Honorable Court and service record of the petitioners transpires as under:

- (i) The notification No. 158/E-III issued by the Provincial Police Officer, Khyber Pakhtunkhwa in the year 2014, is legal and in accordance with law as the same has been issued by the competent authority after due approval from the provincial Government.
- (ii) The seniority of the petitioners relating to the promotion to the post of ASI as enshrined in Section No. 32 (ii) of Khyber Pakhtunkhwa Police Act, 2017, is crystal

(A) (B)

next rank subject to the conditions mentioned in PR. 1934 Chapter 13:1 and Standing Order No. 10/2014.

- (iii) In this regard, seniority list requisitioned from the District Police Officer Battagram reveals that petitioners namely 1. Head Constable Muhammad Nawaz, No.509 stands at serial # 28 for intermediate college course. 2. Head Constable Ali Muhammad, No.205 stands at serial # 30 for intermediate college course. 3. LHC Sadaqat Hussain Shah, No.195 stands at serial # 09 for promotion as Head Constable and they will be promoted as per seniority on their own turn.
- (iv) One of the petitioner namely Head Constable Ali Muhammad No.205 disclosed that he had applied for the post of ASI through-proper-channel, through Public Service Commission advertisement No.04/2018 against the 25% graduate Constable/Head Constable quota as enshrined in Section 32 (i) of Khyber Pakhtunkhwa Police Act, 2017, in which he qualified screening test. The remaining test/examination through PSC is still in the process.
- (v) All the three petitioners, previously in the year 2014, applied for the post of ASI, through Public Service examination, but they failed the examination, therefore they were not recruited as ASI.

Keeping in view the above facts and circumstances, the undersigned is of the considered view that all the petitioners must be considered for promotion to the next rank as per law, on their own turn.

3. Apart from this, DSP Legal Abbottabad, called all the petitioners heard them in person who made commitment to the effect that they will withdraw their COC on the next date of hearing.

Sd/-
Qazi Jamil ur Rehman (PSP)
Regional Police Officer
Hazara Region, Abbottabad

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

1. AIG Legal CPO Peshawar w/r to his office letter No. 3603-05/Legal dated 23-07-2020
2. District Police Officer, Battagram w/r to his office letter No. 3179/PA dated 29-07-2020

چالان ڈاکی دفتر ان پبلک ڈیولپمنٹ ورکس 26-02-21

Annexure
"N"

Compliance of The Honorable P.H.C. ATD-NO-400-20

محمد نواز بنام ڈائمنٹ 14PK۔ انکیڈ جنرل لیس COL-NO 55-AU
2020

کوآلہ ڈاکی بک نم 10 ورنج 26-02-21 کو W.P-NO-400-20

کوآلہ ڈاکی نمبر 17E-18815-17815 کو سٹیٹ لوسٹ بلڈنگ نمبر 404

انکیڈ جنرل آفس، ریلوے سٹیشن، لاہور، پاکستان



تفصیلات کے مطابق لیسٹنگ 26-02-21 کو
ڈوسٹ کوآرڈر واپس لے لی گئی ہے

(Signature)

مقامت جنرل سٹیشن
26-02-21

BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 3421/2021

Muhammad Nawaz s/o Muhammad Naseem Resident of Marokar Battagram a presently posted as H.C (Constabulary number 353) Police line Battagram.

Appellant

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs, Peshawar & others.....Respondents

Reply on the behalf of respondents

INDEX

S. No.	Detail of Documents	Annexure	Page No.
1	Comments with affidavit	-	4
2		A	4-15
3		B	15-6
4		C	21-1
Total			22-pages


Muhammad Asif,
Insp: Legal Battagram

(1)

**BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA
SERVICE TRIBUNAL PESHAWAR.**

Appeal No. 3421/2020.

Muhammad Nawaz s/o Muhammad Naseem Khan Resident of Matokar as presently posted as L.H.C (Constabulary number 353) Police line Battagram.

Appellant

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs,
Peshawar & others.....Respondents

PARAWISE COMMENTS ON THE BEHALF OF RESPONDENTS 1 TO 4

Respectfully Sheweth: -

Preliminary objection: -

- i. The appeal is not based on facts and appellant has got no cause of action or locus standi.
- ii. That appeal is not maintainable in the present form.
- iii. The appeal is bad for non-joinder and mis-joinder of necessary parties.
- iv. The appellant is estopped by his own conduct to file the appeal.
- v. The appeal is barred by law & limitations.
- vi. That the appellant has not come to the honorable court with clean hands.

Para wise comments are as under:-

1. **Correct** to the extent that the appellant was employee of respondent Department.
2. The appellant is not entitled for promotion to the rank of ASI as he was not qualified the requisite exam of in-service candidates on 25% quota and also has not undergone the intermediate course in PTC Hangu, which is mandatory for the promotion to the rank of ASI. (Relevant law / rules attached as annexure A).
Copy of seniority list is enclosed as annexure A
3. **Incorrect** the appellant was not entitled to avail the benefit of 25% quota as he has not qualified the exam conducted under Khyber Pakhtunkhwa Public Service Commission vide Adv: No. 4/2014 conducted in February 2016 for the post of ASI.
4. **Incorrect:** he is not entitled being failed to qualify the exam and also has not undergone the requisite intermediate course to become eligible for departmental promotion.

5. The appellant failed to pass the exam conducted by Khyber Pakhtunkhwa Public Service Commission vide Adv: No. 4/2014 conducted in February 2016 for the post of ASI. Therefore not recommended as ASI.
6. All the three petitioners previously applied for the post of ASI in the year 2014 through PSC examination but they failed the examination, Therefore they were not recruited as ASI.
7. The representation of the petitioner is pending due to emergency situation prevailed during outbreak of COVID-19 pandemic. After the covid-19 emergency the said court order was represented by worthy Regional Police Officer Hazara Region Abbottabad vide his office Memo: No. 18815-17/E, dated: 08.08.2020, copy of the same was also endorsed to honorable High Court Abbottabad bench through CM. (Copy of the same is enclosed as Annexure-B)
8. The honorable court in preliminary hearing (motion) on 11.03.2020 turned the writ petition into representation. Due to COVID-19 emergency the petition was pending. On 08.08.2021 the case was represented. (Copy attached)
9. **Incorrect:** the respondents have not committed any contempt of court rather it was happened due to outbreak of COVID-19 and lockdown in the province.
10. **Incorrect** the case of the appellant was examined by the competent authority and filed on the ground that his promotion shall be considered in accordance with law / rules and on his own turn.
11. **Incorrect**, Order of the competent authority was duly conveyed and delivered to the appellant alongwith other colleagues. Copy enclosed as annexure C.
12. The instant service appeal is badly time bared.
13. The appellant has no right to file instant appeal on the following grounds:

GROUND.

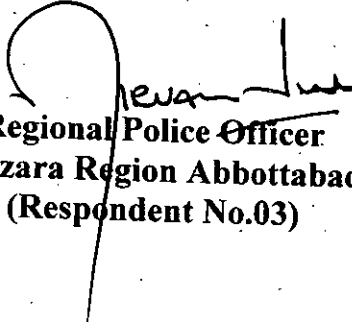
- a. **Incorrect.** The appellant is not entitled for the post of ASI as he failed the requisite exam.
- b. **Incorrect.** All the Notifications and orders passed by the competent authority are legal and according to law / rules.
- c. **Incorrect.** The impugned order /Notification are lawful in the eye of law.
- d. **Incorrect** the appellant failed to fulfill the mandatory requirements for the post of ASI.
- e. **Incorrect.** Vacant posts are being fulfilled through departmental promotion committee of eligible candidates or through KPPSC in accordance with quota fixed in KP Police Act 2017 but appellant are

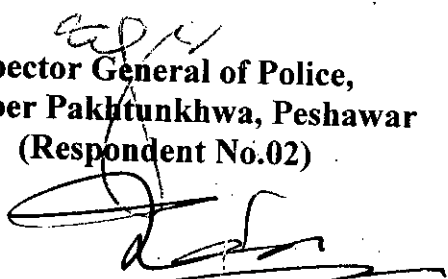
- f. Incorrect petitioner is not eligible for the post of ASI under the law / rules.
- g. The appellant has not undergone the intermediate course to become eligible for the post of ASI. He also failed to pass the exam of KPPSC allocated for in service candidates on 25% quota.
- h. **Incorrect:** appellant has wrongly invoked the jurisdiction of this Honorable Tribunal through un sound grounds
- i. Respondents will be allowed to raise other grounds at the time of arguments.


PRAYER: -

It is therefore respectfully prayed that appeal of the appellant is without merit and substance may kindly be dismissed with cost.

27/12/2011
Govt: of Khyber Pakhtunkhwa,
Through Chief Secretary Peshawar
(Respondent No.01)


Regional Police Officer
Hazara Region Abbottabad.
(Respondent No.03)


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.02)


District Police Officer,
Battagram
(Respondent No.04)

4

**BEFORE THE HONOURABLE KHYBER PUKHTUN KHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No. 3421/2021

Muhammad Nawaz s/o Muhammad Naseem Khan Resident of Matokar as presently posted as L.H.C (Constabulary number 353) Police line Battagram.

Appellant

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs, Peshawar & others.....Respondents

AFFIDAVIT

I **Tariq Mehmood Khan** District Police Officer, Battagram do hereby solemnly affirm and declare that the contents of foregoing comments are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Court.



**District Police Officer
Battagram
(Respondent No.05)**

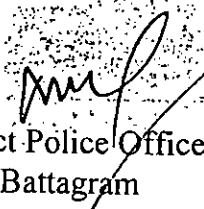
POLICE DEPARTMENT

Annexure - (A)

BATTAGRAM DISTRICT

Detail of HC/LHC who submit the case in service tribunal Peshawar against the public service commission.

#	Name & No	D.O.B	D.O. Enlistment	D.O Promotion as HC	Waiting for Inter Course at Serial No.	Order of Merit in the Lower College Course Passed
	HC Muhammad Nawaz No.509	04.04.1987	27.07.2007	31.12.2018	16	170
	HC Ali Muhammad No. 205	05.05.1987	27.07.2007	31.12.2018	18	185
	LHC Sadaqat Hussain Shah No.195	10.04.1978	01.01.2003	-	Waiting for promotion as Head Constable placed at serial No.05 on merit list.	


District Police Officer
Battagram

ترقی

(Promotions)

1-13: ایک عہدہ سے دوسرے عہدے میں ترقی

(Promotion from one rank to another)

(1) ایک عہدہ سے دوسرے عہدے میں اور کسی عہدہ کے ایک گریڈ سے اسی عہدہ کے دوسرے گریڈ میں ترقی بذریعہ امتحانوں اور دیگر امتحانوں کے ذریعہ کی جائے گی۔ انتخاب کے بڑے عوامل قابلیت اور دیانتداری ہوں گے۔ ایک عہدہ پر اوصاف خصوصاً پرخواہ وہ تعلیمی نصابوں میں کامیابی یا عملی تجربہ کی قسم کے ہوں۔ بڑی احتیاط سے غور کیا جائے گا کہ دو افسروں کے اوصاف اور ہر طرح سے یکساں ہوں تو مستخدم الاملازمت کو ترقی دی جائے گی۔ قاعدہ ہذا کا اثر اوقاتی طور پر اندر اضافہ جات نخواہ پر نہیں پڑتا۔

(2) جمعیت پولیس کی موجودہ ہیئت ترکیبی کے مطابق کسی قسم کی جداگانہ ترقی یا کسی تھانہ یا اسی قسم کے کسی اور جڑی جمعیت کے مطابق اہتمام کسی ماتحت ادنیٰ کے سپرد نہیں کیا جائے گا۔ لہذا ضروری ہے کہ اچھے تعلیم یافتہ کنسٹیبلوں کو جن میں ماتحت اعلیٰ کے عہدہ کی ذمہ داریاں اٹھانے کے اوصاف موجود ہوں جلد از جلد ترقی دی جائے تاکہ جب وہ کنسٹیبل یا ہیڈ کنسٹیبل کے عہدے کے لیے مقرر کردہ نصابات تعلیمی پاس کر چکیں اور ان عہدوں میں آزمائے جا چکیں اور عملی تعلیم حاصل کر لیں تو ماتحت اعلیٰ کے عہدہ پر پہنچ جائیں۔

(3) بھرتی شدہ افسران کی ترقی کا باقاعدہ انتظام کرنے کے لیے چھ فہرستیں موسومہ اسے وی بی، سی، ڈی، ای، ایف رکھی جائیں گی۔ فہرست ہائے اے۔ بی۔ سی، ڈی، ای، ایف، ای، ایف کے مطابق ہر ایک ضلع میں رکھی جائیں گی اور کنسٹیبل سپیشل گریڈ کے عہدہ میں اور ہیڈ کنسٹیبلوں کے اور اسٹنٹ سب انسپکٹر کے عہدوں میں ترقیات ان ہی کے لحاظ سے ہوں گی۔ فہرست ای ضمنی قاعدہ 10-13 (1) کے مطابق انسپکٹر جنرل کے دفتر میں رکھی جائیں گی اور اسی کے لحاظ سے سب انسپکٹر کے عہدہ میں ترقی دی جائے گی۔ فہرست ایف تحتی قاعدہ 13-15 (1) کے مطابق انسپکٹر جنرل کے دفتر میں رکھی جائے گی اور اسی کے لحاظ سے انسپکٹری کے عہدے میں ترقی دی جائے گی جب کسی پولیس افسر کا نام فہرست اے۔ بی۔ سی، ڈی، ای، ایف میں درج ہو۔

یا اس سے خارج کیا جائے تو اس واقعہ کا اندراج آرڈر بک میں اور افسر متعلق کے اعمال نامہ میں کیا جائے گا۔ یہ فہرستیں ان افسروں کے اسم نامے ہیں جن کے نام ان میں درج کرنے کی اجازت دی گئی ہے۔ اعمال ناموں پر احتیاط سے غور کے بغیر کوئی حقیقی انتخاب نہیں کیا جائے گا۔

2-13: اضافہ جات تنخواہ منظور کرنے کا اختیار (Power to grant increments)

جب ماتحان اعلیٰ وادنی کے اضافہ جات تنخواہ واجب العطاء ہوں تو صاحبان سپرنٹنڈنٹ اس کی منظوری دیں گے لیکن ان کو اختیار ہے کہ باب 16 میں بیان کردہ قواعد کے مطابق باقاعدہ سزا کے طور پر اضافہ روک دیں۔ کنسٹیبلوں اور ہیڈ کنسٹیبلوں کے اضافہ جات تنخواہ کی روک کا اندراج آرڈر بک میں کیا جائے گا اور انسپکٹروں، سب انسپکٹروں اور اسٹنٹ سب انسپکٹروں کے اضافہ جات تنخواہ کی روک پولیس گزٹ میں شائع کی جائے گی۔ عملہ محررین کی حالت میں ہر ایک اضافہ تنخواہ کی منظوری یا روک کی نسبت متعلقہ دفتر کا حاکم اعلیٰ باقاعدہ حکم جاری کرے گا جب اوقاتی پیمانہ (TIME SCALE) کے کسی درجہ یا درجوں کے ساتھ قید قابلیت لگی ہوئی ہو تو اسے محض ان افسر کے مخصوص حکم سے ان اوقاتی پیمانہ میں اضافہ جات روکنے کا اختیار ہو مجبور کیا جائے گا۔ سب انسپکٹروں کی حالت میں ڈپٹی انسپکٹر جنرل کی منظوری کی ضرورت ہے۔

3-13: گزٹ شدہ اور بھرتی شدہ افسران میں سے ترقیاں دینے کا اختیار

(Power to make promotions among gazetted and enrolled police officers)

- (1) افسران گزٹ شدہ کو ترقی دینا اور افسران بھرتی شدہ کو عہدہ جات گزٹ شدہ میں ترقیاں دینا گورنر کی رضامندی سے صوبائی گورنمنٹ کے اختیار میں ہے۔
- (2) ڈپٹی انسپکٹر جنرل انسپکٹر کے عہدہ میں ترقیاں دے سکتے ہیں۔ انسپکٹر جنرل جو بمطابق قاعدہ پولیس 13-15 سب انسپکٹروں کی فہرست ترقی "ایف" تیار رکھتے ہیں۔ ڈپٹی انسپکٹر جنرل کو جب کبھی بھی عہدہ انسپکٹر کی مستقل آسامی خالی ہو اور وہ ان کے کسی ماتحت افسر سے بڑھ چکی ہو تو انہیں اس بارے میں مطلع کریں گے۔ بعد سب انسپکٹر اور اسٹنٹ سب انسپکٹر کے عہدہ پر مستقل ترقی سپرنٹنڈنٹ پولیس کریں گے۔ صاحبان ڈپٹی انسپکٹر جنرل حلقہ جات جو ضلع پولیس کے ان دونوں عہدوں کی فہرست ہائے "ڈی" اور "ای" تیار رکھتے ہیں۔ سپرنٹنڈنٹ ضلع کو جب کبھی بھی ان عہدوں میں آسامی خالی ہو اور وہ ان کے ضلع کے کسی افسر سے بڑھ چکی ہو تو مطلع کریں گے۔ بصورت ہیڈ کنسٹیبلان ترقیاں سپرنٹنڈنٹ پولیس کریں گے۔
- (3) انسپکٹروں، سب انسپکٹروں اور اسٹنٹ سب انسپکٹروں کی فہرست اقدام ملازمت ہر سال انسپکٹر جنرل کے حکم سے چھٹی ہے۔ اضلاع کے ہیڈ کنسٹیبلوں کی فہرست فوقیت فارم 10-88(1) میں مرتب کی جائے گی۔

پولیس ٹریننگ سکول میں ڈرل یا دیگر نصاب ہائے خاص کی تعلیم پانے کے لیے موزوں خیال کیا گیا ہو۔
 جس ٹریڈ یا اوقاتی پیمانہ جن کو پولیس ٹریننگ سکول میں ڈرل یا دیگر نصاب ہائے خاص کی تعلیم پانے کے لیے پولیس ٹریننگ سکول میں داخلہ
 جوں آسامیاں خالی ہوتی جائیں گی توں توں اس فہرست سے متعلقہ نصابات کی تعلیم پانے کے لیے پولیس ٹریننگ سکول میں داخلہ
 لیے انتخاب کیا جائے گا لیکن اس شرط پر کہ کوئی کنسٹیبل ایسے نصاب کے لیے قابل قرار نہیں دیا جائے گا جب تک کہ اس کے نام کا
 راج فہرست (ب) میں بحکم ڈپٹی انسپکٹر جنرل حلقہ منظور نہ ہو جائے۔ بالعموم اس قسم کے انتخابات میں عمر میں تقدم کو اولیت دی جائے
 ۔ بلا لحاظ اس امر کے کہ فہرست میں داخلہ کی تاریخ کیا ہے اور اس امر کی احتیاط کی جائے گی کہ کوئی کنسٹیبل انتخاب سے پہلے سکول مذکور
 داخلہ کے لیے زائد العمر نہ ہو جائے جو پابندیاں پولیس ٹریننگ سکول میں لوئر کورس اور انسٹرکٹرز کورس کی تعلیم پانے کے لیے داخلہ کے
 قیام کی گئی ہیں۔ وہ فہرست ب میں داخلہ کے لیے بس ہیں۔ کسی ایسے کنسٹیبل کا نام اس فہرست میں درج نہیں کیا جائے گا جس کی
 وہ عمر کو نہ نظر رکھتے ہوئے خیال ہو کہ معمولی رفتار سے اسے ٹریننگ سکول میں بھیجنے تک اس کی عمر 30 سال کی ہو جائے گی جو کنسٹیبل
 ٹنگ سکول میں سند قابلیت حاصل کرنے میں ناکام رہے۔ اس کا نام دوبارہ فہرست مذکور میں درج نہیں کیا جائے گا جب تک کہ
 منڈنت اور پرنسپل سکول با اتفاق رائے قراردادیں کہ اسے اس کورس کا امتحان پاس کرنے کا ایک اور موقع دینا چاہیے۔ اگر کسی ایسے
 مد میں ان ہر دو صاحبان کی رائے میں اختلاف ہو تو ڈپٹی انسپکٹر جنرل فیصلہ کریں گے۔

8- فہرست ج۔ ہیڈ کنسٹیبل کے عہدہ پر ترقی

(List C. Promotion to head constables)

ہر ایک ضلع میں ایک کارڈوائڈ کسٹ (فارم 13-8-1) پر ان کنسٹیبلوں کی فہرست مرتب رکھی جائے گی جو پولیس ٹریننگ سکول کی
 لوئر کلاس کا امتحان پاس کر چکے ہوں اور عہدہ ہیڈ کنسٹیبل میں ترقی یاب ہونے کے لائق سمجھے جاتے ہوں۔ ہر ایک کنسٹیبل کا
 جس کا نام فہرست ترقی میں آچکا ہو۔ کارڈ تیار کیا جائے گا اور اس میں زیر قاعدہ حتیٰ 13-5-2 اس کے نمبر درج ہوں گے اور اس
 کی استعداد علمی اور چال چلن کی بابت خود سپرنٹنڈنٹ یا ان افسران گزٹ شدہ کے جن کے ماتحت اس آدمی نے کام کیا ہو۔
 نوٹ بھی درج کیے جائیں گے۔ یہ فہرست ایس پی کے پاس خفیہ رکھی جائے گی اور ڈپٹی انسپکٹر جنرل سیالانہ ملاحظہ پر خوب غور
 سے اس کی پڑتال کر کے منظور کریں گے۔

ہیڈ کنسٹیبل کے عہدہ پر ترقیاں حتیٰ قواعد 13-1-1) (2) میں بیان کردہ اصول کے مطابق دی جائیں گی۔ فہرست ج میں داخلہ
 کی تاریخ چنداں اہمیت نہیں رکھتی لیکن اوصاف و استعداد کا مقابلہ کرتے وقت امتحانات میں کامیابی کے مدارج قابلیت کا لحاظ
 رکھا جائے گا جہاں دیگر اوصاف مساوی ہوں۔ وہاں تقدم ملازمت کے لحاظ سے فیصلہ کیا جائے گا۔ کنسٹیبلان پوسٹل گریڈ جنہوں
 نے امتحان لوئر سکول پولیس ٹریننگ سکول سے پاس نہ کیا ہو لیکن اور طرح سے ترقی یاب ہونے کے لائق سمجھے جائیں۔ انہیں
 بعد حصول اجازت ڈپٹی انسپکٹر جنرل پولیس ہیڈ کنسٹیبل کے عہدہ پر اس طرح ترقی دی جاسکتی ہے کہ ان کی تعداد خالی آسامیوں
 کی تعداد کے دس فیصدی سے زیادہ نہ ہو۔

8-13 (الف): فہرست ہائے الف و ب و ج میں داخلہ یا قرار کے لیے نااہلیت

(Disqualification for admission to or retention in List A, B or C)

(1) جب کسی شخص کو کوئی بڑی سزائے جانیے تو اس کا نام فہرست ہائے الف، ب یا ج میں درج نہیں کیا جائے گا اور نہ ہی بدستور فہرست میں لکھا رہے گا لیکن (الف) اگر پرنٹڈ پالیس خاص وجوہات کی بناء پر ان کو تحریر میں لائیں تو اس نااہلیت کو اپنی انسپکشن کی تصدیق کے تابع نظر انداز کیا جاسکتا ہے اور (ب) اگر سزا ملامت یا کوآرڈینیشن ہو تو چھ مہینے کی مسلسل جیل کی سزا کے بعد یا اگر سزا مقررہ معیار کے لیے تیزی ہو تو عرضہ تیزی کے اختتام پر حسب منشاء کسی کنستبل کا نام دوبارہ درج فہرست کیا جاسکتا ہے۔

(2) افسران گزٹ شدہ ایسے کنستبلوں کے تلاش میں رہیں گے اور اپنے انسپکٹروں اور سب انسپکٹروں کے دلوں میں ان کی نسبت اطلاع دہی کا شوق پیدا کریں گے جو عام چال چلن اور لیاقت کی وجہ سے یا خاص کاموں کے باعث فہرست ہائے الف و ب و ج میں داخل ہونے کے لائق ہوں اور ضروری دریافت و تحقیقات سے اپنی تسلی کر کے پرنٹڈ کو مناسب سفارشات کریں گے۔

9-13: فہرست و اسٹنٹ سب انسپکٹر کے عہدہ پر ترقی

(List D. Promotion to Assistant Sub-Inspectors)

(1) ہر ایک ضلع میں کارڈ انڈیکس فارم 9-13 (1) پر ان ایسٹبلمنٹس کی فہرست مرتب رکھی جائے گی جو پولیس ٹریننگ سکول میں اور کورس اور ایئر میٹنٹ کالج کورس کا امتحان پاس کر چکے ہوں اور ڈپٹی انسپکٹر جنرل ان کی نسبت منظوری دے چکی ہوں کہ وہ عہدہ اسٹنٹ سب انسپکٹری میں قائم مقام یا مستقل طور پر ترقی یاب ہونے کے قابل ہیں۔ اس فہرست میں صرف ایسے ایسے کنستبلان کے نام درج کیے جائیں گے جو کنستبل اور ایئر میٹنٹ کے فرائض کی تمام برانچوں سے نہایت اچھی طرح واقف ہیں اور اپنی دیانتداری کا ثبوت دے چکے ہوں۔

تمام مقام اسٹنٹ سب انسپکٹری میں ترقیاں حتمی قاعدہ (1) میں مقرر کردہ فہرست سے حتی الامکان باری باری دی جائیں گی۔ ایک آدمی کو اس بالاتر عہدہ میں کام کرنے کا موقع دے کر دیکھ لیا جائے۔ مستقل ترقیاں ڈپٹی انسپکٹر جنرل قاعدہ (2) اصولوں کی بناء پر دیں گے اور قائم مقام ترقیاں ضمنی قاعدہ 4-13 (2) کے مطابق دی جائیں گی۔

فہرست ہذا کی نسبت شہاہی رپورٹیں 15 مارچ اور 15 ستمبر کو فارم 9-13 (2) پر ڈپٹی انسپکٹر جنرل کو

ایسے فیصلوں کی تعمیل کی نظر ثانی کرے جو کریمینل جسٹس کو آرڈی نیشن کمیٹی نے کئے ہوں۔
کریمینل جسٹس کو آرڈی نیشن کمیٹی کا اجلاس ایک ماہ میں کم از کم ایک مرتبہ ہوگا۔ کمیٹی کا سیکرٹری اجلاسوں کی روئیداد ریکارڈ کرے گا۔

باب 12

پولیس کا انضباط، کنٹرول اور نظم و ضبط

(Regulation, Control and Discipline of the Police)

رٹیکل 112: صوبائی پولیس افسر یا اسلام آباد کیپٹل سٹی پولیس افسر کا قواعد وضع کرنا

(Rule making by Provincial Police Officer or Islamabad Capital City Police Officer)

صوبائی پولیس افسر یا اسلام آباد کیپٹل سٹی پولیس افسر (جیسی کہ صورت ہو) کو اختیار ہے کہ گورنمنٹ کی [***] منظوری سے کاری گزٹ میں اشتہار شائع کر کے آرڈر ہذا کے احکام کو موثر کرنے کے لیے قواعد وضع کرے۔

رٹیکل 113: سزائیں (Punishments)

قواعد کے تحت پولیس کے کسی ممبر کو اوقاتی پیمانہ کے اندر معطل کیا جاسکتا ہے، موقوف کیا جاسکتا ہے، جبری ریٹائر کیا جاسکتا ہے، یا تنخواہ میں گھٹایا جاسکتا ہے، جرمانہ کیا جاسکتا ہے، اس کی تلامت کی جاسکتی ہے یا اسے مقررہ طریق میں کوئی دیگر سزا دی جاسکتی ہے۔

رٹیکل 114: ضابطہ چلن (Code of Conduct)

صوبائی پولیس افسر اور کیپٹل سٹی پولیس افسر مندرجہ ذیل کی نسبت پولیس کی پریکٹس کو منضبط کرنے کے لیے ضابطہ چلن جاری کریں گے:

(a) روکنے اور تلاشی لینے کے آئینی (Statutory) اختیارات کا منجانب پولیس استعمال۔

(b) احاطہ جات مکانات کی تلاشی منجانب پولیس افسران اور اشخاص کی جامہ تلاشی یا احاطہ جات مکانات کی تلاشی پر املاک کی قرتی منجانب پولیس افسران۔

(c) اشخاص کی نظر بندی، برتاؤ اور پوچھ گچھ منجانب پولیس، اور

(d) اشخاص کی شناخت منجانب پولیس۔

لفظ "پبلیک" پولیس آرڈر (ترمیمی) آرڈیننس (XLIV مجریہ 2009) مورخہ 26 نومبر 2009ء کے تحت حذف ہوا۔

آرٹیکل 7: پولیس کی ہیئت ترکیبی (Constitution of police)

- (1) ہر ایک جنرل پولیس ایریا کے لیے عملہ پولیس سینئر اور جونیئر درجات میں اتنی تعداد پر مشتمل ہوگا اور ان کی تنظیم ایسی ہوگی جس کا تعین گورنمنٹ وقتاً فوقتاً کرتی رہے۔
- (2) بھرتی کے معیار، تنخواہ، الاؤنس اور دیگر تمام شرائط ملازمت ایسی ہوں گی جن کا تعین گورنمنٹ وقتاً فوقتاً کرتی رہے۔
- (3) پولیس میں بھرتی (ماسوائے دفتری عملہ اور ناہر خصوصی کیڈر کے) کا نیشنل، اسٹنٹ سب انسپکٹر اور اسٹنٹ سپرنٹنڈنٹ پولیس کے درجہ میں ہوگی:
- مگر شرط یہ ہے کہ اسٹنٹ سب انسپکٹر کے درجہ میں براہ راست بھرتی کے لیے انتخاب مناسب پبلک سروس کمیشن کے ذریعے ہوگا اور وہ اس درجہ میں مجموعی اساسیوں کے پچیس فیصدی سے زیادہ نہیں ہوگا:
- مزید شرط یہ ہے کہ اسٹنٹ سب انسپکٹر کے درجے پر حکمانہ ترقیوں کے لیے کوئے کا پچیس فیصدی قواعد کے تحت مناسب پبلک سروس کمیشن کے ذریعے صاف ستھرا ریکارڈ رکھنے والے کا سٹیبلان یا ہیڈ کا سٹیبلان سے پر کیا جائے گا۔
- (4) اسٹنٹ سپرنٹنڈنٹ پولیس کے رتے میں بھرتی کل پاکستان کی سطح پر فیڈرل پبلک سروس کمیشن کے ذریعے ہوگی۔
- (5) کانٹینل اور اسٹنٹ سب انسپکٹر کے رتے میں بھرتی مستقل سکوتی ضلع کی بنیاد پر ہوگی جو ملازمت سے متعلق تمام امور کے سلسلے میں ڈپٹی سپرنٹنڈنٹ پولیس کے رتے تک ان کا انتظامی یونٹ ہوگا اور صرف ایسے افسران کو بیرون کاری سے متعلقہ مفوضہ کاموں (Field assignments) کے لیے ان کے مستقل سکوتی ضلع میں تعینات کیا جائے گا۔ تفتیش، ٹریفک، سیکورٹی ریزرو اور خبر رسائی سے متعلقہ فرائض کے لیے دیگر اضلاع کے افسران کی تعیناتی پر ایسی کوئی پابندی نہیں ہوگی۔ قواعد کے تحت انسپکٹران اور صاحبان ڈپٹی سپرنٹنڈنٹ پولیس کو صوبائی سیاری کی بنیاد پر ترقی درجہ دی جائے گی۔
- (6) ہر ایک پولیس افسر کو آن ڈیوٹی ہونے کی حالت میں پاکستان بھر میں پولیس افسر کے تمام اختیارات اور رعایتی حقوق (privileges) حاصل ہوں گے۔ اور وہ کسی وقت کسی برانچ، ڈویژن، بیورو اور سیکشن میں خدمت انجام دینے کا مستوجب ہوگا۔

آرٹیکل 8: پولیس کی تنظیم مقررہ عمل کی بنیاد پر کی جائے گی

- (1) آرٹیکل 7 کے تحت تشکیل شدہ جمعیت عملہ پولیس کی تنظیم جہاں تک قابل عمل ہو۔ مقررہ عمل کی بنیاد پر برانچوں، ڈویژنوں اور بیوروں اور سیکشنوں میں کی جائے گی۔
- (2) تحتی دفعہ (1) میں مذکورہ برانچوں، ڈویژنوں، بیوروں اور سیکشنوں میں حسب شامل ہیں:
 - (a) تفتیش
 - (b) خبر رسائی
 - (c) وایج اینڈ وارڈ
 - (d) ریزرو پولیس
 - (e) احساب پولیس (Police Accountability)
 - (f) انتظام عملہ (Personnel Management)



(12/2) (A)

8

**OFFICE OF THE
THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar**

POLICE POLICY BOARD

PPB Order No. 12/2014

Subject: Change in Syllabus for the Exam/Test of ASIs conducted by Public Service Commission (PSC).

Reference DIG HQrs: Khyber Pakhtunkhwa Peshawar office Endst: No. 357-94/PA, dated 23.01.2014.

In light of the decision taken by the Police Policy Board held on 08.01.2014, under the chairmanship of the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar the following policy has been approved.

The syllabus of ASIs recruited through Public Service Commission shall have the following components:

1. Written Test.

- a. Urdu Writing & Comprehension;
- b. English Writing & Comprehension;
- c. General Knowledge Test.
- d. Basic proficiency in Computer applications, including MS Word, MS Power Point, MS Excel, the use of Internet and Email.

2. Physical Test.

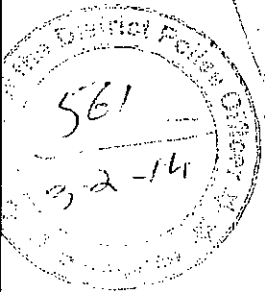
- a. Apart from fulfilling the requisite height and chest standards, the male candidates shall complete 1 Mile run within 8 minutes.
- b. The female candidates shall complete 1 Kilometer run within 8 minutes.
- c. In order to participate in the Physical Test, the candidate shall submit a Medical Fitness Certificate duly signed from a recognized Medical Officer of a Government Hospital.

All concerned are hereby directed to implement the decision in letter &

spirit.

PTB

-Sd-
(NASIR KHAN DURRANI)
Inspector General of Police
Khyber Pakhtunkhwa Peshawar





(12) (A)

**OFFICE OF THE
THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar**

STANDING ORDER NO. 13 /2014

**Syllabus for ASIs Examination
conducted through Public Service Commission**

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 2nd meeting held on 8th January 2014.

2. **Aim:-** A large number of ASIs are directly recruited through a selection process conducted by the Public Service Commission. After recruitment, directly recruited Assistant Sub Inspectors (ASIs) play a vital role in strengthening the command structure at the tactical level. It is therefore essential to recruit candidates who are equipped with qualifications needed in modern day policing. This Standing Order aims at streamlining the selection criteria and syllabus for the examination of ASIs recruited through Public Service Commission.

3. **Eligibility:-** Following shall be the eligibility criteria for the selection of general and in-service candidates as Assistant Sub Inspectors in Police Department through the Khyber Pakhtunkhwa Public Service Commission.

Eligibility for General Candidates

Category	Education	Age Limit
Candidates (Both male and female)	Higher Secondary school certificate or equivalent qualification from recognized boards of Pakistan or abroad	18 to 25 Years

Eligibility for In-service Candidates

Category	Education	Service Experience	Upper Age Limit
In-service Graduate Constable or Head Constable (Both male and female)	Bachelor's degree from any recognized university of Pakistan or abroad.	a. Basic Recruit Course passed. b. Minimum 5 years service in Police Department. c. Satisfactory service record.	35 Years

137 (A)
4. **Physical Test:-** Candidates shall qualify the following physical measurement standards and physical endurance tests.

a. Physical Measurement Standards

Category	Height	Chest
Male candidate (general)	5 feet & 7 inches	33x34½ inches
Female candidate (general)	5 feet & 1 inches	Nil

b. Physical Endurance Test

Category	Race
Male candidate (Both general and in-service)	1600 meter in 8:00 minutes
Female candidate (Both general and in-service)	1000 meter in 8:00 minutes

4.1 The physical measurement and physical endurance tests shall be conducted by a three-member team, two from the Public Service Commission and one from Police Department nominated by the Provincial Police Officer.

5. **Written Examination:-** Only those candidates, both general and in-service, who qualify the physical measurement standards and physical endurance test, will be eligible to appear in the written examination to be conducted by the Khyber Pakhtunkhwa Public Service Commission.

5.1 The written examination shall consist of the following subjects and shall carry marks as mentioned against each subject.

S. No.	Subject	Maximum marks	Paper duration	Qualifying marks
1.	Urdu Essay & Comprehension	75	1 hr	40%
2.	English Essay & Comprehension	75	1 hr	40%
3.	General Knowledge & Current Affairs	50	1 hr	40%
4.	Basic proficiency in Computer literacy like MS Word, MS Power Point, MS Excel, Internet surfing and Email	50	1 hr	40%
5.	Viva Voce	50		40%
	Total	300		40%

6. **Psychological Assessment Test:-** Candidates, both general and in service, who qualify written examination, will be called by the Public Service Commission for psychological test to be conducted by certified psychologists of Khyber Pakhtunkhwa Public Service Commission. The result of this test shall be a guide for the interview panel whether or not a candidate is suitable for the police job.

7. **Viva voce:-** Psychological test shall be followed by viva voce exam to be conducted by the Public Service Commission. The candidate shall appear before the interview panel at the

(14)

(A)

time of viva voce examination. Failure in or absence from viva voce shall mean disqualification of the candidate.

8. **Medical Examination:-** Candidates who qualify physical, written test and viva voce will undergo medical examination to be conducted by Director Health Services Government of Khyber Pakhtunkhwa.

9. **Merit List & Selection:-** Final merit list shall be prepared by the Public Service Commission. If the total marks of any of the two candidates are equal, the candidate older in age shall be placed higher on merit list.

10. Issuance of appointment order will be subject to police clearance certificate and background clearance report from Special Branch, or any other intelligence agency if deemed necessary.

11. **Power to remove difficulties:-** If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

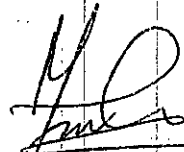
12. **Amendment:-** All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.

(NASIR KHAN DURRANI)
Provincial Police Officer
Khyber Pakhtunkhwa
Peshawar

No: 849-919/98 dated Peshawar the 12th October 2014

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

1. All Heads of Police Offices in Khyber Pakhtunkhwa;
2. PRO to PPO;
3. Registrar CPO.

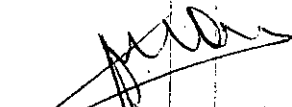

(MUBARAK ZEB) PSP
DIG Headquarters
Khyber Pakhtunkhwa
Peshawar

SRL/DTZ

Fu w / a

4478

28-10-14


DSD/1315

27/10

(B)

(16) (H)

BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019.

Muhammad Nawaz etc:

Petitioners

Versus:

Dr. Sanaullah Abbasi

Respondents.

I N D E X.

S.No.	Description of documents	Annexure	Pages
1.	Application with Affidavit		1 - 2
2.	Letter No. 18815-17/E dated 08.08.2020 from Regional Police Officer, Hazara Range	A	3 - 4
3.	Letter No.4191-92/Legal dated 18.08.2020 from IGP KPK	B	5

(B) (15) (13)

BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019.

Muhammad Nawaz etc:

Petitioners

Versus.

Dr. Sanaullah Abbasi

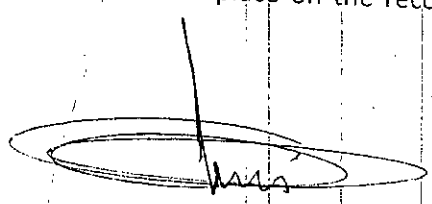
Respondents.

APPLICATION FOR PERMISSION TO PLACE OF ADDITIONAL DOCUMENTS
IN THE ABOVE TITLED CASE.

Respectfully Sheweth.

1. That vide order dated 11.03.2020 this Honourable Court treated the writ petition No. 400/19, as representation and sent to the Provincial Police Officer/Inspector General of Police, Khyber Pakhtunkhwa, to decide the same, strictly in accordance with law, but not later than a month.
2. That petitioner filed instant COC in the above titled case in which the parawise reply has already been filed.
3. That vide letter No.18815-17/E dated 08.08.2020 the Regional Police Officer Hazara Region, Abbottabad submitted the brief history of the case to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
4. That the Inspector General of Khyber Pakhtunkhwa, Peshawar directed the District Police Officer, Batagram and DSP Legal, Abbottabad to submit the above documents through CM to this Honourable Court vide letter No.4191-92/Legal dated 18.08.2020.
5. That the appended additional documents are necessary to place on record of the case for due appreciation of the case.

It is, therefore, humbly prayed that on acceptance of the above application the above documents may graciously be allowed to place on the record of the case.


Additional Advocate General,
Abbottabad.

(B) 18 EA

BEFORE THE HIGH COURT BENCH, ABBOTTABAD.

COC NO. 55-A/2020

In

WP No.400-A/2019.

Muhammad Nawaz etc:

Petitioners

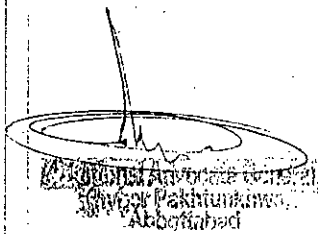
Versus.

Dr. Sanaullah Abbasi

Respondents.

Affidavit.

I, Mr. Muhammad Asif, Inspector Legal Branch Batagram do hereby solemnly affirm and declare that the contents of the accompanying application are true and correct to the best of my knowledge and belief.


Muhammad Asif
Inspector Legal Branch
Batagram

DEPONENT.

13503-0817095-3

66487539

539

Handwritten notes:
11 sep 20
Muhammad Asif
Legal Branch Batagram

Handwritten mark: 9/1

Handwritten date: 11/9/20

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

18

A

No. 419/311 Legal dated Peshawar, the 18/08/2020.

The District Police Officer,
Battagram.
The Deputy Superintendent of Police,
Legal, Abbottabad.

Subject: COMPLIANCE OF THE ORDER OF THE HONORABLE
PESHAWAR HIGH COURT, ABBOTTABAD BENCH DATED
11-03-2020 IN WRIT PETITION NO. 460-A/2020.

Memor:-

Please refer to the Regional Police Officer, Hazara Letter No. 18815-17/E dated 08.08.2020, on the subject cited above.

The Competent Authority has directed to submit with CM to the Court please.

AIG/LEGAL

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
17/08/2020

No. 419/311 Legal

Copy of above is forwarded for information to the Regional Police Officer, Hazara with reference to his letter quoted above.

AIG/LEGAL

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
17/08/2020

Inspector legal
Battagram

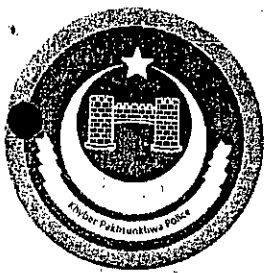
Please put up record
for the needfall be done
at the earliest.

DSPL
Abtd

24/08
2020



insp - L



(A)

(14)

(B)

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0922-9310023

r.rpohazara@gmail.com

0345-9560687

NO: _____ / E DATED _____ / 2020

To: The Inspector General of Police,
Khyber Pakhtunkhwa, PeshawarSubject: COMPLIANCE OF THE ORDER OF THE HONORABLE PESHAWAR HIGH COURT ABBOTTABAD BENCH DATED 11-03-2020 IN W.P # 400-A/2020.**BRIEF FACTS:**

The petitioners in the subject writ petition prayed for promotion as ASI as per 25% quota mentioned in section No. 32 (ii) of the Khyber Pakhtunkhwa Police Act 2017, as well as challenged the validity of notification No. 158/E-III, issued by the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, in the year 2014. The Honorable Court in preliminary hearing (motion) on 11-03-2020 turned the writ petition into representation and also directed the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, to decide the same according to law but not later than one month. On 23-07-2020 the AIG Legal CPO, vide his office letter No. 3603-05/Legal, intimated this office about the fate of the representation and to pursue the COC.

1. Later on, the petitioners in the above mentioned writ petition, filed a contempt of Court petition No. 55-A/ 2020, on 27-06-2020 against the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar, before the Peshawar High Court, Abbottabad Bench, wherein, on 30-06-2020, a notice was issued to the Worthy Provincial Police Officer, Khyber Pakhtunkhwa Peshawar for para-wise reply and to that effect, the same has been prepared and submitted before the Honorable High Court Bench Abbottabad. Next date, in the COC has not yet been fixed.

2. FACTUAL POSITION

The perusal of record/file, writ petition, order of the Honorable Court and service record of the petitioners transpires as under:

- (i) The notification No. 158/E-III issued by the Provincial Police Officer, Khyber Pakhtunkhwa in the year 2014, is legal and in accordance with law as the same has been issued by the competent authority after due approval from the provincial Government.
- (ii) The seniority of the petitioners relating to the promotion to the post of ASI as enshrined in Section No. 32 (ii) of Khyber Pakhtunkhwa Police Act, 2017, is crystal

(HS) (B)

next rank subject to the conditions mentioned in PR. 1934 Chapter 13:1 and Standing Order No. 10/2014.

- (iii) In this regard, seniority list requisitioned from the District Police Officer Battagram reveals that petitioners namely 1. Head Constable Muhammad Nawaz, No.509, stands at serial # 28 for intermediate college course. 2. Head Constable Ali Muhammad, No.205 stands at serial # 30 for intermediate college course. 3. LHC Sadaqat Hussain Shah, No.195 stands at serial # 09 for promotion as Head Constable and they will be promoted as per seniority on their own turn.
- (iv) One of the petitioner namely Head Constable Ali Muhammad No.205 disclosed that he had applied for the post of ASI through-proper-channel, through Public Service Commission advertisement No.04/2018 against the 25% graduate Constable/Head Constable quota as enshrined in Section 32 (i) of Khyber Pakhtunkhwa Police Act, 2017, in which he qualified screening test. The remaining test/examination through PSC is still in the process.
- (v) All the three petitioners, previously in the year 2014, applied for the post of ASI, through Public Service examination, but they failed the examination, therefore they were not recruited as ASI.

Keeping in view the above facts and circumstances, the undersigned is of the considered view that all the petitioners must be considered for promotion to the next rank as per law, on their own turn.

3. Apart from this, DSP Legal Abbottabad, called all the petitioners heard them in person who made commitment to the effect that they will withdraw their COC on the next date of hearing.

Sd/-
Qazi Jamil ur Rehman (PSP)
Regional Police Officer
Hazara Region, Abbottabad

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

1. AIG Legal CPO Peshawar w/r to his office letter No. 3603-05/Legal dated 23-07-2020
2. District Police Officer, Battagram w/r to his office letter No. 3179/PA dated 29-07-2020

چالان ڈاکی دفتر ان پبلک پروفیشنل ریگولیشن بورڈ 26-02-21

Compliance of The Honorable P.H.C-ATD-NO-400-20

نمبر گورنر بنام ڈائمنٹ ایکٹ 14PK، انسپیکشنل ایسوسی ایٹس -2020

کوآلہ ڈاکی بند نمبر 10، 26-02-21 کو P-NO-400-2020

کوآلہ ڈاکی نمبر 17E-18815-17 سے تعلق رکھنے والے ایسوسی ایٹس 404

انسپیکشنل آفیسر، ایسوسی ایٹس، ایسوسی ایٹس، ایسوسی ایٹس



ڈیپٹی ڈائمنٹ ایسوسی ایٹس، 26-02-21 کو
ڈیپٹی ڈائمنٹ ایسوسی ایٹس، 26-02-21 کو

(Handwritten signature)

26-02-21