

05.07.2021

Mr. Taimur Ali Khan, Advocate, for the appellant present. Mr. Javed Ullah, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed in Service Appeal No. 1140/2018 titled "Umar Khan Versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and two others", we are inclined to accept the present appeal with directions to the respondents to confirm the appellant as SI from the date when his other colleagues were confirmed, as well as to bring his name on list F and place him in due place in the seniority list. The appellant is also held entitled to all consequential benefits, if any. Parties are left to bear their own costs. File be consigned to record room.

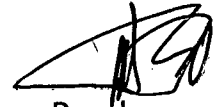
ANNOUNCED
05.07.2021


(SALAH-U-DIN)
MEMBER (JUDICIAL)


(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)

02.04.2021

Due to non availability of the concerned D.B, the case is
adjourned to 05.07.2021 for the same.


A handwritten signature in black ink, consisting of several loops and a vertical stroke, positioned above the name 'Reader'.

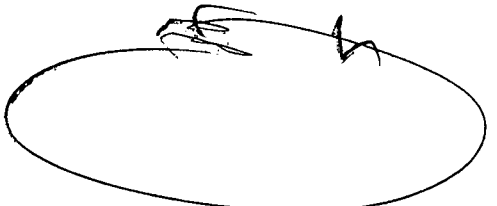
Reader

28.09.2020

Appellant is present in person. Mr. Usman Ghani, learned District Attorney for the respondents is also present.

According to the appellant his counsel is engaged in the Hon'ble Peshawar High Court, Peshawar, therefore, cannot attend the Tribunal today. He requested for adjournment. Adjourned to 17.11.2020 on which to come up for arguments before D.B.


(Atiq-ur-Rehman Wazir)
Member (E)



(Muhammad Jamal Khan)
Member (J)

17.11.2020

Counsel for appellant present.

Muhammad Jan Deputy District Attorney for respondents present.

A request for adjournment was made. Request is acceded. To come up for arguments on 01.02.2021 before D.B.


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

01.02.2021

Due to COVID-19, the case is adjourned to 02.04.2021 for the same.


Reader

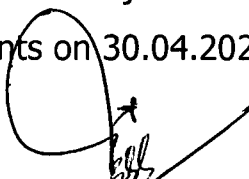
Service Appeal No. 1141/2018

02.01.2020 Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Raziq, Head Constable for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 04.03.2020 for arguments before D.B.


(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

04.03.2020 Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.04.2020 before D.B.


Member


Member

Due to Covid, 19 the case is adjourned. To come up for the same. on. 28-9-2020


Reader

20.06.2019 Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 21.08.2019 before D.B.


Member


Member

21.08.2019 Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 02.10.2019 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

02.10.2019 Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 12.11.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

12.11.2019 Counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. M. Raziq, H.C for respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 02.01.2020 before D.B.


Member


Member

25.02.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Muhammad Raziq, H.C for respondents present. Written reply not submitted. Requested for further time to submit the same. Last opportunity granted. Case to come up for written reply/comments on 28.03.2019 before S.B.


Member
(Ahmad Hassan)

28.03.2019

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional alongwith Mr. Muhammad Raziq, Head Constable for the respondents present and seeks further adjournment for filing of written reply. Adjourned to 30.04.2019 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

30.04.2019 Counsel for the appellant and Addl. AG alongwith Muhammad Raziq, H.C for the respondents present.

Reply on behalf of respondents No. 1, 2 and 3 submitted which is placed on record. To come up for arguments on 20.06.2019 before the D.B. The appellant may submit rejoinder within a fortnight, if so advised.


Chairman

24.09.2018

M/S Taimur Khan and Asad Mahmood, Advocates
present and heard on preliminary.

Contends that junior colleagues of appellant were confirmed as S.I whereas the appellant was ignored though he had fulfill all the conditions/criteria prescribed for confirmation for the post of S.I.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections, if raised by the respondents. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 13.11.2018 before S.B.

Appellant Deposited
Security & Process Fee




Chairman

13.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 01.01.2019. Written reply not received.


READER

01.01.2019



Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Saddique, Reader for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 25.02.2019 before S.B.


Muhammad Amin Khan Kundi
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1141/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/09/2018	<p style="text-align: center;">The appeal of Mr. Asghar Khan resubmitted today by Mr. Taimur Ali Khan 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 11/9/18</p>
2-	12-9-2018	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24-9-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Asghar Khan SI Officiating No. 1182/P Traffic Warden Peshawar received today i.e. on 28.08.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be flagged.
- 3- Annexures of the appeal may be attested.
- 4- Annexures of the appeal are illegible which may be replaced by legible/better one.
- 5- In the memo of appeal many places have been left blank which may be filled up.
- 6- Copy of departmental appeal and rejection order are not attached with the appeal which may be placed on it.
- 7- Copy of order dated 16.7.2018 and Judgment of Supreme Court of Pakistan mentioned in the grounds of the appeal are not attached with the appeal which may be placed on it.
- 8- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1742 /S.T,

Dt. 28/8 /2018.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Taimor Ali Khan Adv. Pesh.

Respected Sir,

1- Removed

2- Removed

3- Removed.

4- Removed

5- Removed.

6- copy of departmental appeal is attached at page-20
while rejection order = at page-22.

7- copy of order 16/7/18 is at page-21 and it
was service Tribunal subject but inadvertently
written as Supreme Court subject

8- Removed.

Resubmitted after compliance
J.A. 11/9/18

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1141 /2018

Asghar Khan

V/S


Police Deptt:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	01-04
2.	Copies of notification dated 26.11.2009 and 16.04.2014	A&B	05-14
3.	Copy of notification dated 29.09.2017	C	15-19
4.	Copies of departmental appeal, letter dated 16.07.2018 and rejection order	D,E&F	20-22
5.	Copies of Service Tribunal's judgments	G,H&I	23-33
6.	Vakalat Nama	-----	34.

APPELLANT

THROUGH:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,
&
ASAD MAHMOOD
(ADVOCATE HIGH COURT)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 114 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1341

Dated 28/8/2018

Asghar Khan, SI (Offg:) No.1182/P,
Traffic Warden Peshawar.

(APPELLANT)

VERSUS

1. The Provincial Police Officer, KPK, Peshawar.
2. The Capital City Police Officer, Peshawar.
3. The Senior Superintendent of Police Traffic, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 30.07.2018, WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT FOR CONFIRMATION AS SUB INSPECTOR AND FOR HIS NAME BE BROUGHT IN LIST "F" HAS BEEN REJECTED FOR NO GOOD GROUND.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 30.07.2018 MAY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO CONFIRM THE APPELLANT AS SUB INSPECTOR W.E.F 29.09.2017 I.E THE DATE WHEN HIS COLLEAGUES/ JUNIORS TO HIM WERE CONFIRMED WITH FURTHER REQUEST THAT THE NAME OF THE APPELLANT MAY ALSO BE BROUGHT ON LIST "F" WITH ALL BACK AND CONSEQUENTIAL SERVICE BENEFITS INCLUDING SENIORITY ETC. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to day
Registrar
22/8/18

Re-submitted to day
and filed.

Registrar
11/9/18

**RESPECTFULLY SHEWTH:
FACTS:**

1. That the appellant joined the police force as constable on 18.11.1987 and was promoted to Head Constable in the year 2001. He was further promoted to the rank of ASI on 26.11.2009 and was then promoted to the rank of offg: Sub Inspector on 16.04.2014. Ever since his appointment the appellant performed his duties as assigned to him with full devotion and honesty and there is no complaint whatsoever regarding his performance. **(Copies of notification dated 26.11.2009 and 16.04.2014 are attached as Annexure-A&B)**
2. That it is pertinent to mentioned here that the appellant was promoted as officiating Sub inspector on 16.04.2014 along with his other colleagues, however his other colleagues and juniors to him were confirmed as SI through notification dated 29.09.2017 and their name was also included in list "F", but the appellant was not confirmed as Sub Inspector with his colleagues. **(Copy of notification dated 29.09.2017 is attached as Annexure-C)**
3. That the appellant has also qualified Upper College Course and time and again requested the competent authority for his confirmation as Sub Inspector and for his name be brought in list 'F', however the respondent department paid no attention on his request.
4. That lastly appellant field departmental appeal for confirmation as SI and for his name be brought in list 'F', and respondent No.2 wrote letter to respondent No.1 on 16.07.2018 with request to inform the office about the decision taken in the policy Board meeting on which respondent No.1 informed the respondent No.2 on 30.07.2018, that *no Sub Inspector shall be confirmed in substantial vacancy unless he has been tested for year of of an officiating Sub Inspector in independent charge of a Police Station, a notified Police Post, or as incharge investigation of a Police Station or in Counter Terrorism Department. Provided further that he shall also have to spent one year in any other unit excluding the period spent on long leave, -deputation or promotion training course i.e Upper College Course* and the copy of same was also forwarded to respondent No.3 which was handed over to the appellant with remarks that your appeal for confirmation cases of Sub Inspector has been rejected on the basis of above observation by the Board. **(Copies of departmental appeal, letter dated 16.07.2018 and rejection order 30.07.2018 are attached as Annexure-D,E&F)**

5. That now the appellant come to this august tribunal on the following grounds amongst others.

GROUNDS:

- A) That the impugned rejection 30.07.2018 and not confirmation of the appellant as SI and include his name in list "F" w.e.f 29.09.2017, when his colleagues/juniors to him were confirmed and include their name in list "F" are against the law, facts, norms of justice and material on record, therefore not tenable.
- B) That the appellant has not been treated in accordance with law and hence his rights secured and guaranteed under the constitution were badly violated.
- C) That posting of an officiating Sub Inspector in independent charge of a Police Station, a notified Police Post, or as incharge investigation of a Police Station or in Counter Terrorism Department and spending one year in any other unit or promotion training course i.e Upper College Course is not the prerogative of the appellant rather this authority vest to the competent authority to post him on the above mentioned posts, in order to qualify for confirmation as SI, similarly there is nothing on record that the appellant was disobeyed any order of his appointment on the above mentioned posts, therefore when there is no fault on his part for being posted on such posts, how can be denied the consideration for confirmation/promotion on this score.
- D) That even the appellant requested time and again that he may be posted on the above mentioned posts required for confirmation as SI, however he was denied posting on the such posts for the reason best known to the respondents, while his other colleagues was allowed posting on such posts, thus the appellant was discriminated which is violation of Article 25 of the Constitution of Pakistan.
- E) That in accordance with law the respondents were required to have processed the case of the confirmation/promotion of the appellant also, however it was refused, and thus the appellant has been deprived of his vested right of consideration for confirmation/promotion.
- F) That according to Police Rules 13:18, it was the legal right of the appellant to be confirmed as SI after the lapse of period of two years, but in the case of the appellant the said rules have not been observed.

(4)

- G) That the appellant was discriminated, because some of his colleagues and juniors to him have been confirmed as SI w.e.from 29.09.2017 and the appellant has been ignored for no fault on his part.
- H) That similar nature appeals have already been accepted by this Honourable Service Tribunal and the appellant is also entitled to same relief under the principles of equity, equality and consistency. **(Copies of judgments are attached as annexure-G,H&I)**
- I) That the appellant has not been treated according to law and rules and has deprived from his legal right of confirmation as SI and his name in list "F" in an arbitrary and illegal manner.
- J) That the appellant has good service record and there was no impediment to confirm him as SI from his due date.
- K) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT

THROUGH:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,

&

(ASAD MAHMOOD)
ADVOCATE HIGH COURT.

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**FOR PUBLICATION IN THE NWFP POLICE GAZETTE PART-II
ORDER BY THE CAPITAL CITY POLICE OFFICER, PESHAWAR.**

NOTIFICATION.

Dated Peshawar the 26/11/2009.

No. 16537 /EC-I. **Promotion to the rank of Offg: ASIs:-** In the light of recommendations submitted by Departmental Promotion Committee held on 21.11.2009, the following "D" list Head Constables of Capital City Police Peshawar are hereby promoted to the rank of Offg: ASIs. Their promotion will take effect from the date, they actually take over charge of their higher responsibility.

S. NO	NAME & NO.
1.	Imdad Ullah 2062/942 NSR Special Branch
2.	Muhammad Nawaz 67 NSR Nowshera
3.	Ghulam Sarwar 172 NSR Nowshera
4.	Shad Muhammad 566 CHD PS Batagram
5.	Irshad Ali 3406/153 NSR Nowshera
6.	Sardar Ahmad 201 CHD PS Tarnab
7.	Muhammad Kamran 515 NSR Nowshera
8.	S. Muhammad Hanif 450 NSR Nowshera
9.	Muhammad Ayaz 577 CHD PS Mandani/Inv:
10.	Muhammad Hayat 755/ 106 CHD: Traffic Peshawar.
11.	Said Qamar 70 NSR Nowshera
12.	Muhammad Ismail 265 CHD Traffic/Peshawar.
13.	Muhammad Naeem 57 NSR Special Branch
14.	Bashir Ullah 322/ NSR Nowshera
15.	Javad Khan 359 NSR Nowshera
16.	Muhammad Javed 282 CHD Special Branch
17.	Wilayat Shah 406 NSR Nowshera
18.	Gul Azam 290 CHD PS Mandani
19.	Hasan Khan 824/CHD I/C PP Utmanzai
20.	Sajawal No. 670/NSR Nowshera
21.	Kareem Dad 692 NSR Nowshera
22.	Muhammad Tahir 663/NSR Nowshera
23.	Zia Ullah 684/490/CHD PS Shabqadar/Inv:


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[Signature]

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24.	Zardad Ali 525/NSR Nowshera
25.	Biladar 509/NSR Nowshera
26.	Yahya Shah 572/CHD I/C Regimental Store CHD
27.	Ali Jan 728/CHD PS Sro Kali
28.	Jafar Shah 316 CHD Police Line
29.	Bahadar Sher 118 NSR Nowshera
30.	Jamshid Khan 199 CHD CRO/Inv:
31.	Safdar Ali 270 NSR Nowshera
32.	Murad Ali 323 CHD OHC Charsadda.
33.	Janat Gul 283 (PS Shah Qabool) Peshawar.
34.	Umar Khan 540 NSR Motor Way Police
35.	Itbar Shah 670 CHD Traffic Peshawar.
36.	Muhammad Ishfaq 645 NSR Nowshera
37.	Hayat Ullah 683 CHD PP Turlandai
38.	Muhammad Riaz 13 CHD PS Mandani
39.	Ghulam Ali 578 NSR Nowshera
40.	Liaqat Ali 607 CHD PS Charsadda/Inv:
41.	Gul Shed Ali 800 CHD MHC PS Batagram
42.	Fakhri Alam 650 CHD PS Sro Kali
43.	Rizwan Ullah 245 CHD Prosecution/Charsadda.
44.	Farmani Gul 91 NSR Nowshera
45.	Muhammad Naz 968 NSR Nowshera
46.	Hayat Muhammad 332 CHD PS Mandani
47.	Yousaf Ali 299 CHD VRK DPO Office Charsadda.
48.	Mujahid Shah 476 NSR Motor Way Police
49.	Sangeen 349 NSR Traffic Peshawar
50.	Shakir Hussain 693 NSR Nowshera
51.	Muhammad Tayyeb No 529 NSR ACE NWFP.
52.	Jamshaid Khan 46 NSR Nowshera
53.	Fazal Diyan 831/CHD PS Sarki
54.	Shakir Ullah 856 CHD Prosecution
55.	Wilayat 600 CHD On Leave
56.	Fazal Rokhan 843 CHD On deputation to CID
57.	Inayat ur Rehman 655 NSR Nowshera
58.	Mukarram Shah 910 CHD I/C Casualty Tangi

59.	Muhammad Riaz 2427/1071 CHD PS Tangi/Inv:	
60.	Tilawat Shah 904 CHD MHC Tangi	
61.	Akthar Ali 518/NSR Special Branch	
62.	Munir Khan 390/CHD MHC-PS Prang.	
63.	Sami Ullah 655/CHD MHC PS Umarzai	
64.	Haji Muhammad 355/NSR Nowshera	
65.	Amjid Ali 339/CHD PS Mandani	
66.	Muhammad Ibrar 127/CHD Police Line	
67.	Fazal Elahi 895/NSR Special Branch	
68.	Saleem Khan 743/888/NSR Nowshera	
69.	Hasan Gul 587/CHD Reader DSP/HQrs	
70.	Silver Khan 401/CHD. PS Shabqadar	
71.	Muhammad Alam 411/NSR Nowshera	
72.	Azghar Khan 751/CHD Traffic Staff	
73.	Habib Ullah 140/CHD On deputation to Motor Way	
74.	Muhammad Tabrez 636/NSR Nowshera	
75.	Sujaat Khan 918/CHD PS Sar Dheri	
76.	Sher Muhammad 477/NSR Nowshera	
77.	Ihsan Ullah 65/CHD I/C Lower Court Charsadda.	
78.	Murad Ali 72/78/CHD PS Umarzai/Inv:	
79.	Ghafar Ali 862/CHD PS Prang/Inv:	
80.	Wajid Ali No.304 (PS University Town Inv:) Peshawar.	
81.	Fayaz Muhammad 994/NSR Nowshera	
82.	Nasar Ullah 924/CHD Police Line Charsadda.	
83.	Masood Khan 755/CHD MHC PS Nisatta	
84.	Said Umar 919/CHD MHC PS Tarnab	
85.	Fazal Badsha 305 CHD PS Sar Dher/Inv:	
86.	Farid Shah 401/CHD PS Umarzai.	
87.	Iftikhar Hussain 579/NSR Nowshera	
88.	Muhammad Ibraheem 340/NSR Nowshera	
89.	Humayun 3/CHD PS Umarzai/Inv:	
90.	Maqbool Jehan Inv: Wing Peshawar	
91.	Khizar Hayat PS Pishtakhara Peshawar.	
92.	Mumtaz Khan 1470 PS University Town Peshawar.	
93.	Anwar Jan No.90 (ATS Squad) Peshawar.	

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94.	Riaz Ali Shah 3976 On deputation to PTC Hangu.	
95.	Hidayat Khan 3955 PS Badaber.	Peshawar.
96.	Tehseen Ullah 458 CHD PS Sardheri	
97.	Amir Muhammad 3915 Reader SSP/Coord: Peshawar	
98.	Jamhar ud Din 3535 PS Pishtakhara	Peshawar.
99.	Haleem Gul 3887 PS Pharipura	Peshawar.
100.	Fazal Ruban 2084 MHC PS Regi	Peshawar.
101.	Asad Khan 24 Traffic Peshawar.	
102.	Jehanzaib 151/4021 Traffic Staff Peshawar.	
103.	Sabir Ullah 3911 PS Miachni Gate Inv:	Peshawar.
104.	Muhammad Israr ud Din 727 Reader DSP Chamkani	Peshawar.
105.	Ijaz Khan 890 PS Miachni Gate	Peshawar.
106.	Zahid Hussain 131 PS Pharipura Inv:	Peshawar.
107.	Abdullah Jan 2512 PS E/Cantt:	Peshawar.
108.	Waqif Khan 4072 PS Phistakhara	Peshawar.
109.	Guldad Khan 37 On loan to PTC Hangu	
110.	Zahid Ullah 473/ CHD PS Charsadda	
111.	Latif ur Rehman 496 Secretariat Peshawar	Peshawar.
112.	Muhammad Iqbal 1972 OASI Branch	Peshawar.
113.	Muhammad Gul 342/2764 Special Branch	
114.	Sartaj 3669 On loan to Elite force	Peshawar.
115.	Ghulam Hussain 331/3433 Special Branch	
116.	Humayun Khan 549/372/1802 Traffic Staff Peshawar.	
117.	Fida Muhammad 1097 PS Phandu	Peshawar.
118.	Subhan Ullah 3259/Chd; (Traffic Police Peshawar)	
119.	Shaukat Kamal 3421 PS Pharipura	Peshawar.
120.	Khalid Khan 4078 PS Hashtnagri	Peshawar.
121.	Hamid 46 PS Urmar	Peshawar.
122.	Sartaj Khan 3633 PS Mathra	Peshawar.
123.	Wasif-ur-Rehman 3977 PS Hayat Abad	Peshawar.
124.	Sardar Hussain 798 Police Line Nowshera.	
125.	Farid Khan 3575 PS E/Cantt:	Peshawar.
126.	Tehseen Ullah 3733 PS Kotwali	Peshawar.
127.	Yasin Gul 1888 Motor Way Police	
128.	Atta Ullah 3348 Reader SSP/Operation	Peshawar.

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129.	Sajjad Ahmad 1519/44 PS Pharipura	Peshawar.
130.	Wajid Ali 2492 PS Chamkani	Peshawar.
131.	Khial Muhammad 51 PS Bhanamari	Peshawar.
132.	Rikhmeen 1933 Police Line	peshawar.
133.	Jehan Zeb 3970 PS KRS	Peshawar.
134.	Abdul Wali 4071 MHC PS E/Cantt:	Peshawar.
135.	Nowsherwan 4091 Nakabandi PS Chamkani	Peshawar.
136.	Zahir Shah 3452 PS W/Cantt:	Peshawar.
137.	Fazal Rabi 4298/76/PTC PTC Hangu	
138.	Momin Shah 1815/3219 Traffic Staff	Peshawar.
139.	Farid Gul 1381 MHC Subrub	Peshawar.
140.	Yahya Jan 446 Traffic Peshawar	
141.	Saif Ullah 3645 PS Hayat Abad	Peshawar.
142.	Iftikhar Ahmed 2684 MHC Pharipura	Peshawar.
143.	Ahmad Ali 4154 PS Phandu	Peshawar.
144.	Noor Saeed 3606 PS Chamkani	Peshawar.
145.	Muhammad Riaz 3416 PS Khazana	Peshawar.
146.	Haji Rehman 100 PS Gulberg	Peshawar.
147.	Siraj 1714 Traffic Staff	Peshawar.
148.	Nasim Akbar 107 ATS Line	Peshawar.
149.	Qaim Khan 3886 PBI Hqrs	Env: Peshawar.
150.	Bakht Munir 264 CPC	
151.	Shamshad Ali 1326/440 PS W/Cantt:	Peshawar.
152.	Gul Muhammad 1025 On loan to PTC Hangu	
153.	Qayyum Dad 3679 MHC PS Tehkal	Peshawar.
154.	Khalid Khan 1963 MHC PS Phandu	Peshawar.
155.	Jahangir Khan 907 Special Branch	
156.	Sher Alam 1654/848/3583 Traffic Staff	Peshawar.
157.	Ihsan-ul-Haq 925/NSR. On deputation to Traffic Peshawar.	
158.	Hashmat Khan 2707 PS Daudzai	Peshawar.
159.	Wajid Ali 473 Nowhsera District.	
160.	Nazif-ur-Rehman 689 Police Line	Peshawar.
161.	Misal Khan 1398 PS Faqir Abad	Peshawar.
162.	Tariq Niaz 3136 Secretariat	Peshawar.
163.	Aurang Zeb 2667 MHC W/Cantt:	Peshawar.

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164.	Muhammad Aftab 889 Police Line	Peshawar.
165.	Gul Jalal 571 HMC Security	Peshawar.
166.	Sabz Ali 1993 Reader DSP/Cantt	Peshawar.
167.	Javid Akthar 3455 PS Shahqabool	Peshawar.
168.	Tila Muhammad 457 PS Faqir Abad	Peshawar.
169.	Falak Taj 3304 Traffic Staff	Peshawar.
170.	Murad Ali 2770 PS Gulbahar	Peshawar.
171.	Sajjad Ali 2495 PS Hayatabad	Peshawar.
172.	Khan Muhammad 3591 PS Hayatabad	Peshawar.
173.	Bakhtiar Khan 758 Reader DSP/Rural Inv:	Peshawar.
174.	Ilyas Khan 3703 PS Miachni Gate	Peshawar.
175.	Khaista Khan 1954 PS Khazana	Peshawar.
176.	Khalid Ahmed 797/108/2246 Traffic Staff	Peshawar.
177.	Zakir Ullah 3113 (Rider to CM) Traffic	Peshawar.
178.	Shahukat Khan 3888 Prosecution	Peshawar.
179.	Mukhtiar 2617 PS Khazana	Peshawar.
180.	Mushtaq 3618 (PS Regi)	Peshawar.

"D" list HCs at S. No. 1,2,3,4,7,8,9,11,12,13, 14,15, 17,18, 20 to 27, 29 to 31, 33 to 40, 42 to 45, 48,50,52,54 to 58, 60 to 73, 76,80,81,87,88 and 90 to 93, are promoted conditionally subject to the clearance of incomplete ACRs. If their ACRs received adverse they will be reverted to their substantive rank.

The following "D" list HCs are deferred due to the reason mentioned against their name:-

1.	Bahar Ahmad 685/CHDMHC PS Shabqadar.	Deferred due to "C" adverse report contained in his ACR for the year 2008.
2.	Ijaz Ullah 4024MHC Sarband (under enquiry)	Deferred due to facing departmental enquiry.
3.	Muslim Khan 1021 Lines (under enquiry)	Deferred due to suspension /facing departmental enquiry.

**CAPITAL CITY POLICE OFFICER,
PESHAWAR.**

No. 16538-57/EC-I,

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

1. The Provincial Police Officer, NWFP, Peshawar. He is requested to please issue repatriation order of the "D" list HC mentioned at S.No. 1,13,16,34,48,51,56,61,67,73,94,109,113,114,115,127,137,152 and 155 from various places/unit as noted their names to Capital City Police Peshawar.

2. The Additional Inspector General of Police, Investigation, NWFP, Peshawar with two spare copies of the notification for publication in NWFP Police Gazette part-II.
3. The Addl: Inspector General of Police Special Branch NWFP, Peshawar.
4. The Inspector General of Police NH & Motorway Police, Islamabad.
5. The Deputy Inspector General of Police Mardan Region-I Mardan
6. The Deputy Inspector General of Police, Traffic NWFP, Peshawar.
7. The Commandant Elite Force NWFP Peshawar.
8. The Commandant PTC Hangu.
9. The Commandant Campus Peace Corps Peshawar.
10. The Director Anti Corruption Establishment NWFP Peshawar.
11. The Senior Superintended of Police Operation/Investigation/Traffic Peshawar.
12. The District Police Officer Charsadda.
13. The District Police Officer Nowshera.
14. Pay Officer/EC-II/CC and FMC Branches CCP, Peshwar.
15. Incharge Asstt: Secret with the direction to inform this office about the adverse ACRs of the conditionally promoted "D" list HCs so that they could be reverted to their substantive ranks.

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**CAPITAL CITY POLICE OFFICER,
PESHAWAR.**
26/11/09

POLICE DEPTT.

CCP, PESHAWAR.

OFFICE OF
GSP TRAFFIC

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II.
ORDERS BY THE CAPITAL CITY POLICE OFFICER KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION

Dated 16/4/2014.

Dated 17/4/14

5821

SEC-I, PROMOTION TO THE RANK OF OFFG: SI:- As approved by the Departmental Promotion Committee meeting was held on 19.02.2014, the following Confirmed ASIs of Capital City Police, Peshawar are hereby promoted to the rank of Offg: Sub-Inspectors with immediate effect.

S#	Rank, Name & No.	Place of Posting.
1.	ASI Gul Sher No.971/P	CCP, Peshawar
2.	ASI Khalid Khan No. 1112/P (SI on ACB)	Traffic
3.	ASI Imdad Ullah No.1113/P	Special branch
4.	ASI Muhammad Nawaz No.1114/P	Nowshera
5.	ASI Ghulam Sarwar No.1115/P	Nowshera
6.	ASI Shad Muhammad No.1116/P	Charsadda
7.	ASI Sardar Ahmed No.1117/P	Charsadda
8.	ASI Muhammad Ayaz No.1119/P	Charsadda
9.	ASI Muhammad Hayat No.1120/P	Traffic
10.	ASI Muhammad Ismail No.1122/P	Nowshera
11.	ASI Muhammad Naeem No.1123/P	Special Branch
12.	ASI Bashir Ullah No. 1124/P	Nowshera
13.	ASI Muhammad Javed No.1126/P	Special Branch
14.	ASI Wilayat Khan No.1127/P	Nowshera
15.	ASI Hassan Khan No. 1128/P (SI-ACB)	Charsadda
16.	ASI Salawal No.1130/P	Nowshera
17.	ASI Karim Dad No.1131/P	Nowshera
18.	ASI Muhammad Tahir No.1132/P	Nowshera
19.	ASI Zia Ullah No.1133/P	Charsadda
20.	ASI Zardad Ali No.1134/P	Nowshera
21.	ASI Biladar 08/P	Nowshera
22.	ASI Yahya Shah No.1136/P	Charsadda
23.	ASI Ali Jan No.1137/P	Charsadda
24.	ASI Jafar Shah No.10/P	Charsadda
25.	ASI Bahadar Sher No.1139/P	Nowshera
26.	ASI Jamshed Khan No.11/P	Charsadda
27.	ASI Malik Taj No:1141/P	Swabi
28.	ASI Safdar Ali No:1142/P	Nowshera
29.	ASI Jannat Gul No.1143/P	Traffic
30.	ASI Murad Ali No.1144/P	Charsadda
31.	ASI Umar Khan No.1145/P	Nowshera
32.	ASI Ithar Shah No.1146/P	Charsadda/ATS Peshawar
33.	ASI Muhammad, Ishfaq No.1147/P	Nowshera
34.	ASI Muhammad Rizaz No.1149/P	Charsadda
35.	ASI Ghulam Ali No. 1150/P	Nowshera
36.	ASI Liaqat Ali No.1151/P	Charsadda
37.	ASI Gul Shed Ali No.1152/P (SI on ACB)	Charsadda
38.	ASI Fakhri Alam No.1153/P	CCP, Peshawar
39.	ASI Rizwan Ullah No.1154/P	Charsadda
40.	ASI Farmani Gul No.1155/P	Nowshera
41.	ASI Muhammad Naaz No.1156/P	CCP, Peshawar

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42.	ASI Hayat Muhammad No.1157/P	Charsadda
43.	ASI Yousuf Ali No.1158/P	Charsadda
44.	ASI Sangcen No.1159/P	Charsadda
45.	ASI Muhammad Saleem No.1160/P	FRP
46.	ASI Shakir Hussain No.1161/P	Nowshera
47.	ASI Muhammad Tayyab No.1162/P	Anti-corruption
48.	ASI Fazal Dilyan No.1164/P	Charsadda
49.	ASI Shakir Ullah No. 1165/P	Charsadda
50.	ASI Wilayat No.1166/P	Charsadda
51.	ASI Fazli Rokhan no.1167/P	Charsadda
52.	ASI Mukaram Shah No.1169/P	Charsadda
53.	ASI Muhammad Rizaz No.1170/P	Charsadda
54.	ASI Tllawat Shah No.1171/P	Charsadda
55.	ASI Akhtar Ali No.1172/P	Special Branch
56.	ASI Muhr Khan No.1173/P	Charsadda
57.	ASI Sami Ullah No.1174/P	Charsadda
58.	ASI Haji Muhammad 1175/P	Swabi
59.	ASI Fazal Elahi No. 1177/P	Special Branch
60.	ASI Saleem Khan No.1178/P	Nowshera
61.	ASI Hassan Gul No.1179/P	Charsadda
62.	ASI Silwar Khan No.1180/P	Charsadda
63.	ASI Asghar Ali No.1182/P	Charsadda
64.	ASI Habib Ullah No.1183/P	M-Way
65.	ASI Muhammad Tabrez No.1184/P	Nowshera
66.	ASI Shujaat Khan No.1185/P	Charsadda
67.	ASI Sher Muhammad No.1186/P	Nowshera
68.	ASI Ihsan Ullah No. 1187/P	Charsadda
69.	ASI Ghaffar Ali No.1188/P	Charsadda
70.	ASI Wajid Ali No. 1189/P	CCP, Peshawar
71.	ASI Fayaz Muhammad No.1190/P	Nowshera
72.	ASI Nasar Ullah No. 1191/P	Charsadda
73.	ASI Masood Khan No. 1191/P	Charsadda
74.	ASI Said Umar No.1192/P	Charsadda
75.	ASI Fazal Badshah No.1193/P	Charsadda
76.	ASI Farid Shah No.1194/P	Charsadda
77.	ASI Iftikhar Hussain No. 1195/P	Nowshera
78.	ASI Muhammad Ibraheem No.1196/P	Nowshera
79.	ASI Humayun No.1197/P	Investigation KPK
80.	ASI Khizar Hayat No.1198/P	CCP, Peshawar
81.	ASI Mumtaz Khan No.1199/P	CCP, Peshawar
82.	ASI Anwar Jan No.1200/P	ATS Sqaud CCP, Peshawar
83.	ASI Hidayat Khan No.1201/P	CCP, Peshawar
84.	ASI Tehseen Ullah No.1202/P	Charsadda
85.	ASI Anir Muhammad NO.1203/P	CCP, Peshawar
86.	ASI Jamhar ud Din No.1204/P	CCP, Peshawar
87.	ASI Haleem Gul No.1205/P	CCP, Peshawar
88.	ASI Fazal Ruban No.1206/P	CCP, Peshawar
89.	ASI Asad Khan No.1207/P	CCP, Peshawar
90.	ASI Jehanzeb No.1208/P	Traffic
91.	ASI Sabir Ullah No.1209/P	Inv: CCP, Peshawar

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92.	ASI Muhammad Israr ud Din No.1210/P	Traffic
93.	ASI Ijaz Khan No.1211/P	CCP, Peshawar
94.	ASI Zahid Hussain No.1212/P	Inv: CCP, Peshawar
95.	ASI Abdullah Jan No.1213/P	CCP, Peshawar
96.	ASI Waqif Khan No.1214/P	CCP, Peshawar
97.	ASI Guldad Khan No.1215/P	PTC Hangu
98.	ASI Zahid Ullah No.1216/P	Charsadda
99.	ASI Latif ur Rehman No.1217/P	Anti-corruption
100.	ASI Irshad Ali No. 1314/P	Nowshera
101.	ASI Mirjahid Shah No. 1315/P	CCP, Peshawar
102.	ASI Maqbool Jehan No. 1317/P	CCP, Peshawar
103.	Offg: ASI Noor Zaman No. 1324	CCP, Peshawar

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The following ASIs have been deferred due to reason noted against each:-

1.	PASI Masud Jan No.584/P	Deferred from promotion to the rank of offg: SI due to Enquiry, non availability of ACR 2012 and also absent.
2.	ASI Dawa Noor No. 1111/P (SI on ACB)	Deferred from promotion to the rank of offg: SI due to non availability of ACR 2011, 2012 & also absent.
3.	ASI Hayat Ullah No.1148/P	Deferred from promotion to the rank of offg: SI due to facing enquiry & also absent.
4.	ASI Muhammad Ibrar No.1176/P	Deferred from promotion to the rank of offg: SI due to ACR 2012 and also absent.

Their promotion will take effect from the date; they actually take over the charge of their higher responsibilities at their new place of posting.

Their posting order will be issued separately.

NS
CAPITAL CITY POLICE OFFICER,
PESHAWAR.

No. 5899-41 /EC-I,

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

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Inspector General of Police NH & Motorways Police Islamabad.
3. Addl: Inspector General of Police, Investigation Khyber Pakhtunkhwa, Peshawar, alongwith two spare copies for Publication, KPK, Gazette Notification part-II.
4. Addl: Inspector General of Police, Special Branch Khyber Pakhtunkhwa, Peshawar.
5. Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa, Peshawar.
6. Deputy Inspector General of Police, Mardan Region Mardan.
7. Commandant Police Training College, Hangu.
8. Director Anti Corruption Establishment KPK, Peshawar.
9. District Police Officer, Charsadda, Nowshera & Swabi.
10. Senior Superintendent of Police, Operation, Investigation, Traffic Peshawar.
11. Commandant CPC, University Campus, Peshawar.
12. Asstt: Secret Branch, PO, CC, Computer Cell & EC-II, CCP, Peshawar.

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OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR.

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Telephone No. 091-9210641 Fax No. 091-9212597

POLICE DEPTT:

CCP, PESHAWAR.

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA, POLICE GAZETTE PART-II.
ORDERS BY THE CAPITAL CITY POLICE OFFICER, KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION:

(Dated 29 / 9 / 2017)

No. 12588 / EC-I, CONFIRMATION IN THE RANK OF SIS:- As per recommendation of Departmental Promotion Committee meeting held on 21-09-2017, the following Offg: SIS of Capital City Police Peshawar is hereby confirmed in rank of SIS with immediate effect.

On confirmation they are allotted new Capital City Police Peshawar number as noted against each:-

S#	Rank, Name & No	Present Posting	New CCP, No.	Remarks
1.	Offg: SI Tariq Niaz No. 145/P ✓	Inv: CCP, Peshawar	P/22	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.
2.	Off: SI Amir Farzand No. 391/P	CTD KPK	P/71	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 02 more points.
3.	Off: SI Sibghat Ullah No.437/P ✓	Inv: Peshawar	P/82	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
4.	Off: SI Nazar Ali No.438/P ✓	Special Branch	P/83	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
5.	Off: SI Amir Nawaz No.440/P ✓	CTD KPK	P/84	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
6.	Off: SI Fazal Rabi No. 493/P ✓	CTD KPK	P/85	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
7.	Off: SI Gohar Ali No. 507/P ✓	CTD KPK	P/86	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.

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8.	Off: SI Muhammad Wali No. 510/P ✓	Inv: Peshawar	P/87	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
9.	Off: SI Amir Muhammad No. 515/P ✓	CTD KPK	P/88	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
10.	Off: SI Nasrat Ali No. 612/P ✓	CTD KPK	P/89	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
11.	Off: SI Noor-ul-Qamar No. 615/P ✓	Inv: Peshawar	P/90	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
12.	Off: SI Nawab Khan No. 640/P ✓	CTD KPK	P/91	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
13.	Off: SI Tajbar Khan No. 864/P ✓	CTD KPK	P/92	Confirmed.
14.	Off: SI Muhammad Diyar-922/P	CPC, Peshawar	P/93	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
15.	Off: SI Inayat Ur Rehman No.923/P ✓	Special Branch	P/94	Confirmed.
16.	Off: SI Ghulam Sarwar No. 1115/P ✓	CTD KPK	P/95	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
17.	Off: SI Inam Jilani No.948/P ✓	CTD KPK	P/96	Confirmed.
18.	Off: SI Sajawal No.1130/P ✓	CTD KPK	P/97	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
19.	Off: SI Karim Dad No.1131/P ✓	CTD KPK	P/98	Confirmed.
20.	Off: SI Sawal Faqir No.988/P ✓	CTD KPK	P/99	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
21.	Off: SI Yahya Shah No. 1136/P ✓	CTD KPK	P/100	Confirmed
22.	Off: SI Jamshid No.11/P ✓	Inv: CCP, Peshawar	P/101	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.

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23.	Off: SI Muhamamd Ishfaq No.1147/P ✓	CTD KPK	P/102	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 02 more points.
24.	Off: SI Muhammad Riaz No.1149/P ✓	CTD KPK	P/103	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
25.	Off: SI Ghulam Ali No.1150/P ✓	CTD KPK	P/104	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
26.	Off: SI Rizwan Ullah No.1154/P ✓	Charsada	P/105	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 07 more points.
27.	Off: SI Muhammad Naaz No.1156/P ✓	CTD KPK	P/106	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
28.	Off: SI Yousuf Ali No.1158/P ✓	Charsada	P/107	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
29.	Off: SI Mujahid Shah No.1315/P ✓	CTD KPK	P/108	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
30.	Off: SI Muhammad Bashir No.1027/P ✓	Special Branch	P/109	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
31.	Off: SI Fazal Diyan No.1164/P ✓	CTD KPK	P/110	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more points.
32.	Off: SI Burhan-Un-Din No. 1033/P ✓	Inv: Peshawar	P/111	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
33.	Off: SI Muhammad Sabir No.1034/P ✓	Inv: Peshawar	P/112	Confirmed.
34.	Off: SI Fazli Rokhan No.1167/P ✓	CTD KPK	P/113	Confirmed.
35.	Off: SI Hassan Gul No.1036/P ✓	CTD KPK	P/114	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 0 more point.

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36.	Off: SI Muhammad Ibrahim No.1046/P ✓	CCP, Peshawar	P/115	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
37.	Off: SI Tilawat Shah No. 1171/P ✓	Inv: Peshawar	P/116	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 0 more point.
38.	Off: SI Fazal Rabi No.1048/P ✓	Inv: Peshawar	P/117	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
39.	Off: SI Akhtar-Ali No.1172/P ✓	Special Branch	P/120	Confirmed.
40.	Off: SI Falz Ullah No.1049/P ✓	Inv: CCP, Peshawar	P/121	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 07 more points.
41.	Offg: SI Alam Zeb No. 1051 ✓	Special Branch	P/122	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 08 more points.
42.	Off: SI Fazli Elahi No.1177/P ✓	Special Branch	P/123	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 08 more points.
43.	Off: SI Mian Mohib Jan NO.1055/P ✓	Invest: CCF, Peshawar	P/124	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 08 more points.
44.	Off: SI Muhamamd Tabreez No.1184/P ✓	CTD KPK	P/127	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
45.	Off: SI Sher Muhammad No.1186/P ✓	CTD KPK	P/128	Confirmed.
46.	Offg: SI Amir Nawab No. 1071/P ✓	Special Branch	P/129	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
47.	Off: SI Ghafir Ullah No.1073/P ✓	Charsadda	P/130	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 08 more points.
48.	Off: SI Ghaffar Ali No.1188/P ✓	Charsadda FRP	P/133	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.

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61.	Offg: SI Riaz All Shah No. 1007/P	CCP, Peshawar	P/291	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 02 more points.
62.	Off: SI Fazal Akbar No. 1010/P	CCP, Peshawar	P/297	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.
63.	Off: SI Syed Khalid Shah No. 568/P	CCP, Peshawar	P/298	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
64.	Off: SI Irfan No. 569/P	CCP, Peshawar	P/299	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
65.	Off: SI Naeem Haider Khan No.570/P	CCP, Peshawar	P/300	Confirmed.
66.	Off: SI imran Alam No. 574/P	CCP, Peshawar	P/315	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
67.	Offg: SI Khalid Anwar No. 572/P	Special Branch	P/334	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
68.	Off: SI Ahmad Rashid No. 573/P	Inv: CCP, Peshawar	P/336	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
69.	Offg: SI Muhammad Abid Afridi No. 576/P	CCP, Peshawar	P/337	Confirmed.
70.	Offg: SI Shakir Ullah No. 577/P	CCP, Peshawar	P/340	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 01 more point.
71.	Off: SI Gul Dad Khan No. 1215/P	PTC Hangu	P/341	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.

Offg: SI Taj-ud-Din No. 890/P of Investigation wing Capital City Police, Peshawar is hereby deferred from confirmation in the rank of SI due to incomplete mandatory period under Police Rules 13.10(2).

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49.	Off: SI Farukh Zada No.1074/P ✓	CTD KPK	P/135	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
50.	Off: SI Shahjee Hussaln No.1080/P ✓	Special Branch	P/136	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
51.	Off: SI Umar Shah No.1084/P ✓	Inv: Peshawar	P/144	Confirmed.
52.	Off: SI S. Sardar Ali Shah No.1085/P	CCP, Peshawar	P/157	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.
53.	Off: SI Akhtar Hussain No. 1086/P ✓	Inv: CCP, Peshawar	P/163	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 03 more points.
54.	Off: SI Daud Jan No. 1087/P ✓	CCP, Peshawar	P/198	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 07 more points.
55.	Off: SI Waris Khan No. 1089/P ✓	CCP, Peshawar	P/199	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 06 more points.
56.	Off: SI Masood Khan No. 1191/P ✓	Traffic KPK	P/200 ✓	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 08 more points.
57.	Off: SI Sehat Ali No. 1090 ✓	Special Branch	P/247	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
58.	Off: SI Muhammad Jan No. 1095/P ✓	CCP, Peshawar	P/248	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 04 more points.
59.	Off: SI Muhammad Humayun No.1197/P	CCP, Peshawar	P/249	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 09 points.
60.	Off: SI Waris Khan No. 1101 ✓	Inv: CCP, Peshawar	P/252	Confirmed. However, according to Standing Order 03/2015 he will complete and qualify mandatory Training / course and will earn 05 more points.

ATTESTED
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Those SIs who's have not completed Mandatory Training/Courses under Standing order No. 3/2015 working under your command may be selected for the said courses on priority basis to earn marks noted against each. After completion of their courses reports may be sent to this office for completion of record please.

CAPITAL CITY POLICE OFFICER,
PESHAWAR.

No. 17589-17605 /EC-I,

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

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Addl: Inspector General of Police, Investigation Khyber Pakhtunkhwa, Peshawar, alongwith two spare copies for Publication, KPK, Gazette Notification part-II.
3. Addl: Inspector General of Police, Special Branch KPK, Peshawar.
4. Deputy Inspector General of Police Traffic KPK, Peshawar.
5. Deputy Inspector General of Police, CTD KPK, Peshawar.
6. Deputy Inspector General of Police Mardan Region.
7. Commandant FRP, Peshawar.
8. Commandant Police Training College Hangu.
9. SSSP/Operation, Investigation & Traffic, Peshawar.
10. District Police Officers Charsadda.
11. Superintendent of Police FRP Kohat.
12. Director CPC University Campus, Peshawar..
13. Asstt: Secret Branch, & EC-II, CCP, Peshawar.

ATTESTED

درخواست برادر کفر مین بحثت سب اسٹیٹ اور شامل کرنے نام لسٹ F

20

ذیاب عالی!

گذشتہ دنوں کے مسائل کے بارے میں وارنٹ میں مورخ 8/5 کو ماہری
کے ڈیوٹی سرانجام کے بارے میں اور مسائل نے 2016 میں ایپریل
کو ریس ہانس کیا ہے مسائل کے ترقی ٹینڈنڈ آرڈر 2014-21
2016، 06-02-0627-527-GB بحثت سب اسٹیٹ کفر مین کا حقدار ہے
فوٹو سٹ کا پی ہمراہ لے کے مسائل ماہ قبل کفر مین سے لگا انداز بنا لیا ہے
بذریعہ درخواست استدعا ہے کہ مسائل کو بحثت سب اسٹیٹ تقسیم کرنے اور نام
لسٹ F، بلائے اور مینارٹی دینے کے احکامات جاری فرما کر مشور
فوائس۔ مسائل رجسٹر کیے جا۔

عبدالوازیب سیوگی

درجہ 14-02-2018

العارض

1182-P قصبہ کفر مین وارڈ 1-ا-1

آپ کا تابع دار احمد علی خان سی

Forwarded to
D.S.P TRAFFIC
Headquarters Peshawar
16/2/18

Forwarded to

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S.P TRAFFIC
Headquarters Peshawar
16/2/18

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OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR.

E (21)

No. 14076 Telephone No. 091-9210641 Fax No. 091-9212597
/EC-I, dated Peshawar the 16/17 /2018.

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

Subject: MENDATORY TENURE FOR UPPER SUBORDINATES IN TRAFFIC
WARDEN POLICE, PESHAWAR.

Memo:

Please refer to your office memo: No. No. 753/CPB, dated 16-08-2017 and SSP/Traffic, Peshawar memo: No. 2006/EC, dated 12-07-2018 addressed to this office and copy endorsed to your office with the request to inform this office about the decision taken in the Police Policy Board Meeting, if held regarding the subject matter.

Jawad
FOR CAPITAL CITY POLICE OFFICER,
PESHAWAR



OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR.

No. 186 / CPB , dated Peshawar the 30 / 07 / 2018

F 22

To : The Capital City Police Officer,
Peshawar.

Subject: **MANDATORY TENURE FOR UPPER SUBORDINATES IN TRAFFIC
WARDEN POLICE PESHAWAR**

Memo:

Please refer to your office Memo: No. 14076/EC-I, 16.07.2018 on the subject noted above.

As per old criteria, the period required to be spent by Sub-Inspectors in different units under Standing Orders for purpose of confirmation as Sub-Inspector as substitute of the requirement of Rule 13-10(2) of Police Rules, 1934 was 03 years in Special Branch, 03 years in CTD, 02 years in Elite Force, 01 year as Officer Incharge Investigation, 02 years as Investigation Officer, & 03 years at PTC Hanigu.

According to amendment in Police Rule-13.10(2) of Police Rule-1934, dated 16.03.2017, the new criteria for confirmation in the rank of Sub-Inspector will be as under:-

"No Sub-Inspector shall be confirmed in substantial vacancy unless he has been tested for a year of an officiating Sub-Inspector in independent charge of a Police Station, a notified Police Post, or as Incharge Investigation of a Police Station or in Counter Terrorism Department.

Provided further that he shall also have to spent one year in any other Unit excluding the period spent on long leave, deputation or promotion training course i.e. Upper College Course."

The period spent in Warden Traffic Police Service Peshawar does not fall neither under the old criteria nor new criteria as per amended Police Rules dated 16.03.2017 for the purpose of confirmation as Sub-Inspector as substitute of requirement of Rule 13.10(2) of Police Rules 1934.

It is worth mentioning here that according to CPO instructions issued vide this office Memo: No. 794/CPB, dated 14.09.2017 (copy enclosed), the new policy for confirmation as a Sub-Inspector, as per Police Rules 13.10(2) of 2017 will effective with effect from 01.07.2018. On expiry of stipulated period i.e. 30.06.2018, no further extension shall be given.

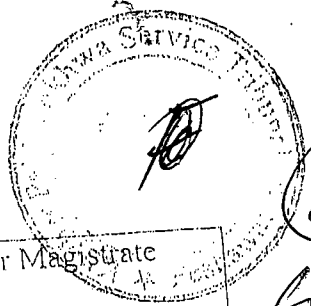
As explained above, the confirmation cases of Sub-Inspectors may be processed in the light of amended Police Rule-13.10(2) of Police Rule-1934, dated 16.03.2017, accordingly.

(IRFAN ULLAH KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Endst: No. and dated even

Copy of above is forwarded to the Senior Superintendent of Police, Traffic, Peshawar with reference to his office Endorsement Nos. 1693/EC, dated 07.06.2018 and 2006/EC, 12.07.2018.

16.07.2018
[Signature]



23

6/1

Order or other proceedings with signature of judge or Magistrate

S.No.	Date of order proceedings
1	2

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO.1450/2013

(Rehmat Ali-vs-Regional Police Officer, Malakand Regions, Saidu Sharif, Swat and others).

JUDGMENT

ABDUL LATIF, MEMBER:

31.12.2015
SP/Agao
Appellant
Acting

Appellant with counsel (Mr. Arbab Saif-ul-kamal, Advocate) and Mr. Khawas Khan, S.I (Legal) alongwith Mr. Kabirullah Khattak. Assistant Advocate General for respondents present.

The instant appeal has been filed by the appellant under Section-3 of the Khyber Pakhtunkhwa Service Tribunal Act-1974 against the order dated 31.05.2013 of Respondent No. 1 whereby appellant was not confirmed at the rank of Sub Inspector. He prayed that on acceptance of this appeal, order dated 31.05.2013 of respondent No.1 be set aside and appellant be made confirmed as Sub-Inspector since 17.05.2011 with all service benefits. with further request that his name be brought on list "F" with consequential relief.

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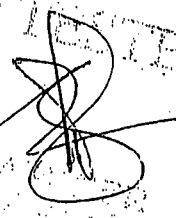
[Signature]
MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


3. Brief facts giving rise to the instant appeal are that appellant was initially appointed as Constable on 01.09.1977 and was promoted to the rank of Head Constable on 01.06.1986. He was further promoted to the

ATTESTED
[Signature]

rank of Assistant Sub Inspector (ASI) on 20.05.2001 and was then promoted to the rank of Sub Inspector on 17.05.2008. That appellant was serving the Force in FRP, Malakand Region, Swat on 11.02.2011, he submitted application to Respondent No. 3 that being eligible and qualified, he should be confirmed as Sub Inspector and to bring his name also on list "F" as per standing order No. 6/2007 after passing Upper College Course from PTC, Hangu with distinction. He further stressed that he should be posted as SHO in any Police Station. The said application was remitted by Respondent No. 3 to SP Investigation for necessary action which was further remitted for the purpose to DIG Malakand Region, Swat. That DIG Malakand Region, Swat sought permission of Commandant FRP, Peshawar who gave permission vide order dated 24.02.2011. That on 11.4.2011, SP, FRP, Swat, informed DIG Malakand Region, Swat about the permission to post appellant as SHO in any Police Station which was further transmitted to DPO, Swat and SP Investigation, Swat for further necessary action. That on 16.05.2013, the aforesaid practice was repeated but on 31.05.2013, the case was filed regarding confirmation at the rank of Sub Inspector as appellant was neither posted as SHO nor Incharge Investigation Branch or Special Branch nor CID Branch, etc. That on 29.06.2013, appellant submitted representation before Respondent No. 2 for the aforesaid purpose but in vain, hence the instant appeal.

4. The learned counsel for the appellant argued that impugned orders dated 31.05.2013 of respondent No. 1 declining confirmation of the appellant in the rank of Sub-Inspector was illegal, without lawful authority and against available material on record hence not tenable. He

ATTORNEY

 Khyber Pakhtunkhwa
 Peshawar

ATTORNEY


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further argued that fulfillment of condition of posting as SHO of a Police Station as impediment in the way of confirmation of the appellant as Sub-Inspector was not attributable to the appellant as he had requested for such posting several times but was not obliged. He further questioned the legal status of standing order No 6/2007 and contended that the Hon'ble Tribunal and apex Supreme Court of Pakistan had given judgment wherein action of the authority declining confirmation of Police officials in the rank of Sub-Inspector on the strength of the said standing order were declared null and void and relief was given to the appellant. In this regard he relied on 1992 PLC (C.S) 944 and 2011 SCMR 408 and also referred to judgment of Service Tribunal dated 14.3.2012 in service appeal No. 1602/2010 titled "Naqibullah Khan" and prayed that being identical, the appeal may be accepted as prayed for.

5. The learned Asst: AG resisted the appeal and relied on standing order 6/2007 read with Rules 10-13 of Police Rules, particularly Sub Rule, (2) thereof which required that no ASI shall be confirmed in a substantive vacancy in the rank of Sub-Inspector unless he has been tested for at least a year as an officiating sub-inspector in independent charge of a Police Station in a District other than that in which his home is situated. He further argued that every case had its own merits and relief on the strength of case of Naqibullah cited by the learned counsel for the appellant could not be extended in the instant case and prayed that the appeal being devoid of any merits maybe dismissed

6. Arguments of learned counsels for the parties heard and record perused with their assistance.

ATTESTED


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7. From perusal of the record and after hearing arguments of the counsels for the parties, it transpired that sole reason given by the respondents for non confirmation of the appellant as Sub Inspector was that the appellant had not been posted as SHO, nor Incharge Investigation or S.B or CID. The record is however silent on the attributes of efficiency or capability and hence depriving him from being confirmed in the rank of Sub-Inspector would tantamount to his deprivation from further career progression which was unjust and hence not justified. The appellant was not at fault by not having been posted Incharge of Police Station, Investigation, Special Branch, etc. which powers rest with the Competent Authority and subordinate officials cannot be punished for such administrative lapses on the part of relevant authority. In view of the foregoing, the Tribunal is of the considered view that the case of the appellant is on all fours with the case decided by this Tribunal vide judgment in the case titled, Naqibullah in service appeal No. 1602/2010 dated 14.03.2012 and therefore is inclined to accept the instant appeal, and set aside impugned order dated 31.05.2013. The respondent-department is directed to consider the appellant for confirmation from the due date with all consequential benefits. Parties are left to bear their own costs. File be consigned to the record.

Sd/- Abdul Latif, Member
 Sd/- Pir Bakhsh Shah, Member

Certified to be true copy
 E. M. Khan
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

Date of Presentation of Application 31-12-2015

ANNOUNCED Number
 31.12.2015

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 ATTESTED
 12-01-2016

ATTACHED

ASI in the year 2005 and then as S.I in the year 2008 and there-
and then promoted as Head Constable in the year, 1996 and as
appellant was initially appointed as Constable in the year 1986

3. Brief facts of the case of the appellant are that the
registered and hence the instant service appeal on 28.08.2015
and-date confirmation as Sub Inspector w.e.f. 30.07.2010 was
order dated 10.08.2015 vide which his departmental appeal for
Kyber Pakhtunkhwa Service Tribunal Act, 1974 against final
preferred the instant service appeal under Section 4 of the

2. Mr. Fazal Dad hereinafter referred to as the appellant has
the appellant.
present. Fresh Wakalatnama submitted by learned counsel for
pleader alongwith Aziz Shah, Head Constable for respondents
Yousafzal, Advocate) and Mr. Muhammad Jan, Government
Counsel for the appellant (Mr. Muhammad Asif

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN.

JUDGMENT

Fazal Dad Versus Provincial Police Officer, Khyber
Pakhtunkhwa Peshawar and another.

Appeal No. 1021/2015

BEFORE THE KYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Order of other proceedings with signature of Judge or
Magistrate

ATTACHED

25.04.2017

Date of
order/
proceedings

NO

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after promoted as Inspector in the year 2013. That he was promoted as Offg. Sub Inspector vide notification dated 21.04.2008 however he was confirmed as SI on 13.09.2012 while his colleagues including junior to him were confirmed on 30.07.2010 and were assigned seniority in the list accordingly. That the appellant was not confirmed as Sub Inspector as he has not served as SIO. That the appellant submitted written application/departamental appeal but in vain and hence the instant service appeal.

4. Learned counsel for the appellant has argued that the appellant was not assigned the duty to serve as incharge of Police Station. That the said omission is not attributable to the appellant as he was not afforded opportunity to serve as SIO by the High ups. In support of his claim reliance was placed on judgment of this Tribunal passed in service appeal No. 407/2011, titled "Mr. Nasir Khan Versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others" wherein it was observed that it is the authority to give assignment of SIO to the appellant and when the authority fails to give such an opportunity then the rule of serving as independent SIO for one year would hold no ground. Similar view is taken by this Tribunal in service appeal No. 1264/2012 decided on 31.01.2013 as well as appeal No. 37/2011 decided on 03.4.2013.

5. Learned Government Pleader has argued that the appeal

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support of his arguments he has placed reliance on judgment of august Supreme Court of Pakistan passed in Civil Petition No. 566/2012 titled "Fariq Habib Khan and others versus the Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others"

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6. We have heard arguments of learned counsel for the parties and perused the record.

7. The impugned final order was passed on 10.08.2015 while the appeal in hand was preferred on 28.08.2015 as such we hold that the appeal is within time. So far as the issue relating to confirmation of the appellant as Sub Inspector w.e.f. 30.07.2010 is concerned the same hold ground as it was not within the authority of the appellant to post himself as SHO of an independent Police Station. Had the relevant authority posted the appellant as SHO and had the appellant failed to perform as SHO despite such posting then the appellant would have not been found entitled to the relief claimed. Since the omission is on the part of the respondents as such the appellant cannot be deprived of his right to ante-date confirmation as Sub Inspector w.e.f. 30.07.2010 i.e. the date on which his colleagues were confirmed.

8. For the above mentioned reasons we are constrained to accept the present appeal and set aside the impugned order

ACCEPTED

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date confirmation as Sub Inspector w.e.f. 30.07.2010 i.e the date on which his junior colleagues were confirmed. Parties are left to bear their own costs. File be consigned to the record room.

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Sd/- M. Amin Khan Afridi,

Chairman

Gen.



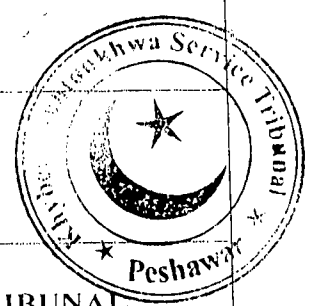
Sd/- M. Amin Khan,
Member

ATTESTED



T 31

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 1227/2013

Date of Institution ... 16.08.2013
 Date of Decision ... 02.08.2018

Waqar Ahmad Inspector No. 101/P
 PRO, CCPO Office, Peshawar.

Appellant

1. The Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. The CCPO Peshawar
3. The SSP Co-Ordination, CCPO Office Peshawar.
4. The DPC through its Chairman, AIG (Hqs) Peshawar.

Respondents

Mr. Muhammad Hamid Mughal-----Member
Mr. Ahmad Hassan-----Member

02.08.2018

ATTESTED

JUDGMENT

MUHAMMAD HAMID MUGHAL, MEMBER: Appellant

EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

with counsel and Mr. Zia Ullah, Learned Deputy District Attorney for respondents present.

2. Through the present service appeal the appellant seeks anti-dation of his confirmation as SI.

3. Learned counsel for the appellant argued that vide order dated 21.06.2003 the appellant was promoted as officiating Sub Inspector alongwith other colleagues and then vide order dated

ATTESTED

04.12.2008 he was confirmed as SI w.e.f 25.11.2008. Learned counsel for the appellant while relying upon the judgment of this Tribunal passed in service appeal No. 736/2016 titled Amjad Ali Versus Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department Peshawar and others, argued that this Tribunal in a number of judgments held that confirmation of officiating police officials shall take place from the date of officiating promotion. Learned counsel for the appellant stressed that the appellant is also entitled to the same relief extended to Amjad Ali in Service Appeal No.736/2016.

4. As against that learned Deputy District Attorney resisted the present appeal and defended the impugned order dated 04.12.2008.

5. Arguments heard. File perused.

6. It is not disputed that this Tribunal has already held in a number of cases that the confirmation of officiating police officials shall be from the date of officiating promotion and that Service Appeal No.736/2016 filed by Mr. Amjad Ali was also accepted on the same analogy, with the direction to the respondent department to take into consideration the cases of all those similarly placed persons who have not been confirmed from the date of their officiating promotion in the light of judgments reported as 1996-SCMR-1 and 1996-SCMR-1185.

7. In view of above the present service appeal is accepted in terms of judgment passed in service appeal No.736/2016 as mentioned above. The inter se seniority of the colleagues/badge mates of the

ATTESTED

[Signature]

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

ATTESTED
[Signature]

appellant shall however remain intact in accordance with law/rules.
Parties are left to bear their own costs. File be consigned to the record room.

sd

M. Hamid Mughal
member

sd

Ahmad Hassan
member

Certified to be true copy
EX-101/2018
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application	10-9-2018
Number of Words	1900
Copying Fee	8-00
Urgent	2-00
Total	10-00
Name of Copy	Samiullah
Date of Copy	10-9-2018
Date of Delivery of Copy	10-9-2018

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VAKALAT NAMA

NO. _____/2018

IN THE COURT OF Service Tribunal Peshawar

Asghar Khan (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Dept (Respondent)
(Defendant)

I/We, Asghar Khan

Do hereby appoint and constitute **Taimur Ali Khan, Advocate High Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 11-09 /2018

Asghar Khan
No 1182/P
(CLIENT)

ACCEPTED

Taimur Ali Khan
TAIMUR ALI KHAN
Advocate High Court

Asad Mahmood
Asad Mahmood

Advocate High Court
Advocate High Court

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9390916)

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

Service Appeal No.1141/2018.

Asghar Khan SI (offg:) No. 1182/P Traffic Warden Peshawar.....Appellant.

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police Traffic, Peshawar...**Respondents.**

Reply on behalf of Respondents No. 1, 2, &3.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS.

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to this Tribunal with clean hands.
4. That the appellant has no cause of action.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Honorable Tribunal.
7. That the appellant has got no locus standi and cause of action to file the instant appeal.

FACTS:-

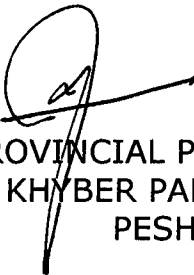
- 1- Para No.1 relates to record, in light of which the appellant has personally admitted the facts that he was given promotion to the next higher rank on eligibility and own merit. It clearly reflects that no pick & choose formula was followed which speaks of a fair process.
- 2- Para No. 2 is incorrect and misleading. Actually confirmation in the rank of Sub Inspector is subject to fulfillment of Rule 13.10 (2) and Standing Orders issued by the Provincial Police Officer from time to time. (copy of Rule is annexure "A")
- 3- Para No. 3 is incorrect. As explained above appellant has to qualify the requisite laid down criteria for confirmation in the rank of SI. His request for confirmation as SI is devoid of merit and not worth consideration.
- 4- Para No. 4 is incorrect. It is worth clarifying that request of appellant was thoroughly processed and turned down on sound and plausible grounds to avoid injustice.
- 5- Para No. 5 is not related, hence needs no comments.


GROUND:-

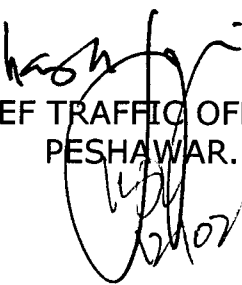
- A- Para A is incorrect. Actually only those Sub Inspectors are confirmed in the rank who fulfill the laid down criteria and confirmation of no SI is considered without completion of requisite criteria.
- B- Para is incorrect. The appellant has not been treated in violation of law/rules.
- C- Para is incorrect. Appellant is showing wrong picture. Transfer/postings of SHO, and I/C Police Posts are made after examining professional skill and ability of suitable officers.
- D- Para is incorrect and misleading. Appellant is hesitating to carry out field duty and show his mettle necessary for further next higher rank promotion as S.I, which is mandatory requirement of promotion.
- E- Para is not correct. As explained above appellant is avoiding to perform general duty of police and prefers soft duty at various normal branches, which does not entitle an S.I for confirmation.
- F- Para is legal but Rules 13.10(2) of the Police Rules place certain embargo over confirmation in the rank of SI in pursuance of which appellant's confirmation cannot be considered.
- G- Para is incorrect. On fulfillment of laid criteria a Sub Inspector is confirmed and no individual SI is confirmed without qualifying the said requisition criteria.
- H- Para is incorrect and misleading. As replied above.
- I- Para is incorrect, appellant has never been deprived of his due right nor treated with discrimination.
- J- Para is incorrect. Under rule 10.3(2) of Police Rules he is not entitled for confirmation as SI.
- K- That respondents also seek permission of this Honorable Service Tribunal to raise additional grounds at the time of arguments.

PRAYERS.

It is therefore humbly prayed that in light of above facts and submissions. The appeal of the appellant being devoid of merits and legal footing may kindly be dismissed with cost.

For 
PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA,
PESHAWAR.


CAPITAL CITY POLICE OFFICER,
PESHAWAR.


CHIEF TRAFFIC OFFICER,
PESHAWAR.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No. 1141/2018

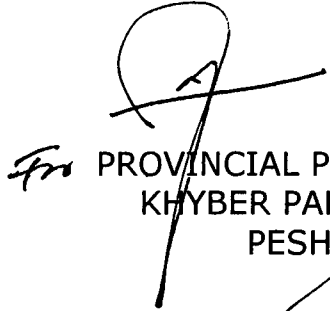
Asghar Khan SI (Offg:) No. 1182/P Traffic Warden Peshawar_____Appellant

VERSUS

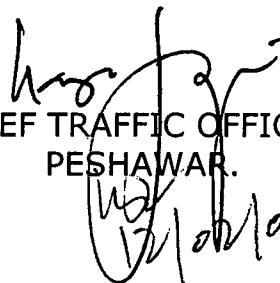
1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Chief Traffic Officer, Peshawar.....Respondents.

AFFIDAVIT.

We respondents 1 to 3 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.


PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA,
PESHAWAR.


CAPITAL CITY POLICE OFFICER,
PESHAWAR.


CHIEF TRAFFIC OFFICER,
PESHAWAR.
12/02/19.

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1141 /2018

Asghar Khan

VS

Police Dept.

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:


1. Correct to the extent that the the appellant has promoted as officiating SI along with his colleagues, but he was not confirmed as SI along with his colleagues.
2. Incorrect. The posting of an officiating sub inspector in independent incharge of police station, a notified police post or as incharge investigation of police station or encounter terrorism department and spending in any other unit or promotion training course is not prerogative of the appellant rather this authority vest to competent authority to post him in the above mentioned post in order to qualify as SI. Similarly there is nothing on record that the appellant was disobeyed any order of the appointment on the above mentioned post.
3. Incorrect. As replied in para-2.
4. Incorrect. As replied in para-2.
5. No comments.

GROUND:

- A. Incorrect. While para A of appeal is correct.
- B. Incorrect. Appellant has not been treated in accordance to law and rules.
- C. Incorrect. While para-C of appeal is correct.
- D. Incorrect. While para-D of appeal is correct.

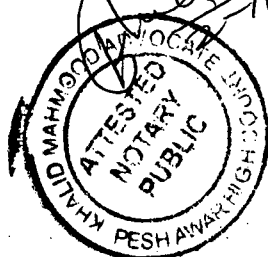

- E. Incorrect. As replied in para-2 of the facts above.
- F. Not replied according to para-F of appeal. Moreover, para F of the appeal is correct.
- G. Incorrect. The posting of an officiating sub inspector in independent incharge of police station, a notified police post or as incharge investigation of police station or encounter terrorism department and spending in any other unit or promotion training course is not prerogative of the appellant rather this authority vest to competent authority to post him in the above mentioned post in order to qualify as SI. Similarly there is nothing on record that the appellant was disobeyed any order of the appointment on the above mentioned post.
- H. Incorrect. As replied above.
- I. Incorrect. While para-I of appeal is correct.
- J. Incorrect. The posting of an officiating sub inspector in independent incharge of police station, a notified police post or as incharge investigation of police station or encounter terrorism department and spending in any other unit or promotion training course is not prerogative of the appellant rather this authority vest to competent authority to post him in the above mentioned post in order to qualify as SI. Similarly there is nothing on record that the appellant was disobeyed any order of the appointment on the above mentioned post.
- K. Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Through: APPELLANT

TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.

 DEPONENT


**FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA, POLICE GAZETTE PART-II,
ORDERS BY THE CAPITAL CITY POLICE OFFICER KHYBER PAKHTUNKHWA, PESHAWAR.**

NOTIFICATION.

Dated 22/07 /2022.

No. 13270-80/EC-I, **CONFIRMATION IN THE RANK OF SIs:-** As per recommendation of Departmental Promotion Committee meeting held on 15-07-2022, the following Offg: SIs of Capital City Police Peshawar are hereby confirmed in the rank of SIs with immediate effect.

On confirmation they are allotted new Capital City Police Peshawar number as noted against each:-

S#	Name and Rank	Present Posting	New CCP, Peshawar Number	Remarks
1.	Offg; SI Laiq Zada No.774/P	CCP Peshawar	P/537	Recommended for Confirmation in the rank of SI subject to completion of ACR 2019, 2020, 2021 within 30 days
2.	Offg; SI Muhammad Ayaz No.799/P	CTD KPK	P/538	Recommended for Confirmation in the rank of SI subject to completion of ACR 2018 within 30 days
3.	Offg; SI Ayub Khan No.789/P	Elite Force KPK	P/539	Recommended for Confirmation in the rank of SI
4.	Offg; SI Adil Syed No.801/P	CTD KPK	P/540	Recommended for Confirmation in the rank of SI subject to completion of ACR 2018, 2019, 2020 within 30 days
5.	Offg; SI Sardar Ali No.943/P	Elite Force KPK	P/541	Recommended for Confirmation in the rank of SI
6.	Offg; SI Sangeen No.1159/P	FRP KPK	P/542	Recommended for Confirmation in the rank of SI
7.	Offg; SI Asghar Khan No.1182/P	Elite Force KPK	P/543	Recommended for Confirmation in the rank of SI
8.	Offg; SI Syed Abid Shah NO.1076/P	CCP Peshawar	P/544	Recommended for Confirmation in the rank of SI
9.	Offg; SI Sajjad Ahmad No. 1236/P	CCP Peshawar	P/545	Recommended for Confirmation in the rank of SI
10.	Offg; SI Noor Said No. 1251/P	Special Branch	P/546	Recommended for Confirmation in the rank of SI
11.	Offg; SI Bakht Munir No. 1257/P	FRP KPK	P/547	Recommended for Confirmation in the rank of SI subject to completion of ACR 2019 & (2021 ACR of 06 months) within 30 days
12.	Offg; SI Sajjad Ali No. 1275/P	CTD KPK	P/548	Recommended for Confirmation in the rank of SI
13.	Offg; SI Shakar Ghayas-1290/P	Special Branch KPK	P/549	Recommended for Confirmation in the rank of SI
14.	Offg; SI S. Mir Abu-ul-Hassan No.1300/P	CTD KPK	P/550	Recommended for Confirmation in the rank of SI
15.	Offg; SI Muhammad Usman 1328/P	CTD KPK	P/551	Recommended for Confirmation in the rank of SI
16.	Offg; SI Farhad Khan No.1334/P	FRP KPK	P/552	Recommended for Confirmation in the rank of SI
17.	Offg; SI Saeed Ur Rehman No. 1337/P	Elite Force KPK	P/553	Recommended for Confirmation in the rank of SI
18.	Offg; SI Muhammad Riaz No.1338/P	Special Branch KPK	P/554	Recommended for Confirmation in the rank of SI
19.	Offg; SI Fazal Hayat No. 1340/P	FRP KPK	P/555	Recommended for Confirmation in the rank of SI
20.	Offg; SI Zia-ud-Din No. 1347/P	CTD KPK	P/556	Recommended for Confirmation in the rank of SI

21.	Offg; SI ZahidUllah No.04/P	CCP Peshawar	P/557	Recommended for Confirmation in rank of SI
22.	Offg: SI Farid Ullah No.1356/P	CCP Peshawar	P/558	Recommended for Confirmation in the rank of SI
23.	Offg: SI Zahid-Ali No. 1359/P	CTD KPK	P/559	Recommended for Confirmation in rank of SI
24.	Offg: SI RizwanUllah No.1360/P	CTD KPK	P/560	Recommended for Confirmation in the rank of SI
25.	Offg: SI Mujeeb Ullah No. 1362/P	CTD KPK	P/561	Recommended for Confirmation in the rank of SI
26.	Offg: SI Ali Said No.1378/P	PTS Shakas	P/562	Recommended for Confirmation in rank of SI
27.	Offg: SI Tariq Khan No.1379/P	CCP Peshawar	P/563	Recommended for Confirmation in rank of SI
28.	Offg: SI Naheed Hussain No. 84/P	FRP KPK	P/564	Recommended for Confirmation in rank of SI
29.	Offg: SI Imran Ullah No.88/P	CCP Peshawar	P/565	Recommended for Confirmation in rank of SI
30.	Offg: SI Tila Muhammad No.89/P	Elite Force KPK	P/566	Recommended for Confirmation in rank of SI
31.	Offg: SI Zubair Shah No. 90/P	FRP KPK	P/567	Recommended for Confirmation in rank of SI
32.	Offg: SI Abdul Ghafoor No. 100/P	Special Branch KPK	P/568	Recommended for Confirmation in the rank of SI
33.	Offg: SI Kifayat Khan No. 101/P	CTD KPK	P/569	Recommended for Confirmation in the rank of SI
34.	Offg: SI Naik Amal No. 106/P	CCP Peshawar	P/570	Recommended for Confirmation in the rank of SI
35.	Offg: SI Fayaz Ali No. 201/P	CCP Peshawar	P/571	Recommended for Confirmation in the rank of SI
36.	Offg: SI Alamzeb No. 202/P	CTD KPK	P/572	Recommended for Confirmation in the rank of SI


**FOR CAPITAL CITY POLICE OFFICER,
PESHAWAR.**

No. 13270-80 EC-I,

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

1. The Addl: Inspector General of Police, Investigation, Special Branch & Elite Force, Khyber Pakhtunkhwa.
2. The Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa.
3. The Commandant, FRP Khyber Pakhtunkhwa.
4. The Deputy Inspectors General of Police, CTD, Khyber Pakhtunkhwa.
5. The Senior Superintendents of Police, Operations & Investigation Peshawar.
6. The Director Police Training School, Shakas.
7. EC-II & AS, CCP Peshawar.

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

BEFORE: **KALIM ARSHAD KHAN ... CHAIRMAN**
SALAH UD DIN ... MEMBER (JUDICIAL)

Service Appeal No.1186/2020

Baseer Ahmed, Ex-Chowkidar, District Judiciary, District Khyber.
.....(*Appellant*)

Versus

1. **The Registrar Peshawar High Court, Peshawar.**
2. **The District & Session Judge, District Khyber.**
.....(*Respondents*)

Present:

Taimoor Ali Khan,
Advocate.....For appellants.

Mr. Muhammad Adeel Butt,
Additional Advocate General.....For respondents

Date of Institution.....25.02.2020
Dates of Hearing.....26.07.2022
Date of Decision.....29.07.2022

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE ORDER DATED 01.11.2019, WHEREBY THE PPELLANT
HAS BEEN TERMINATED FROM SERVICE AND AGAINST
NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL
OF THE APPELLANT WITHIN THE STATUTORY PERIOD
OF NINETY DAYS.**

CONSOLIDATED JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: The facts surrounding the
appeal are that the appellant was appointed as Chowkidar by respondent No.2

D.F.A

3rd August, 2022

1. Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Rahim Hussain Kha^s, SP Headquarter^s, Mr. Habib Khan, DSP (Legal) for respondents present.

2. This case was fixed for 10.08.2022. On the application of the learned Addl: AG it was requisitioned for today. The application for release of salary of the respondents on the ground that implementation of the judgment of the Tribunal has been made to a great extant whereas to the extent of some objection of the petitioner further necessary action ^{might} ~~may~~ be taken soon.

3. In view of the partial implementation of the judgment, the salaries of the respondents are released. To come up on the date fixed i.e on 10.08.2022 before S.B.

(Kalim Arshad Khan)
Chairman

Before the Khyber Pakhtunkhwa
Peshawar

Service Tribunal
Khyber Pakhtunkhwa
Tribunal

Diary No. 941

Dated 03/08/2022

Asghar Khan and others vs PPO and others.

Sub # Application for early hearing and release
of salary.

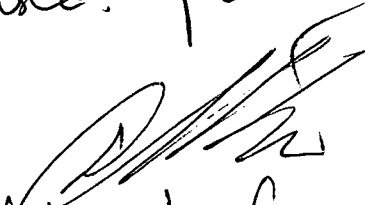
Respectfully Sheweth,
That the above mentioned
execution petition is pending adjudication
before this Honorable Tribunal which
is filed for 10-08-2022 -

That the respondents have
implemented the Judgement dated 5⁰⁷/₂₁
and notification to this effect was
issued on 22-07-22 - (Copy is annexed).

That vide order 22-06-22, the
salary of PPO, CCPO, SSP-Traffic
was directed to be attached
till the further order of the

Honorable Tribunal -

It is therefore, requested that
the mentioned enclosure petition
may be fined for to day and
Salary of the respondents may
very kindly be released. please.


Addl. Advocate General
Service Tribunal, KPK
Peshawar.

Dated # 03-08-2022