


30.06.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Waqar Ahmad, PSAI for respondents present.


Learned AAG seeks time for submission of written reply/comments. To come up for reply/comments and preliminary arguments on 28.07.2022 before S.B.


(Fareeha Paul)
Member (E)

28.07.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Waqar Ahmad, PASI for official respondents present. No one present on behalf of private respondents.

File to come up alongwith connected Service Appeal No. 510/2022 titled "Muhammad Fayaz Vs Government of Khyber Pakhtunkhwa" before S.B on 29.09.2022.


(Fareeha Paul)
Member (E)

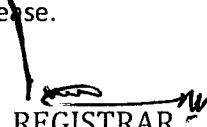

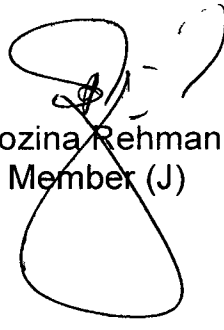
RS: 1100/-
Appellant Deposited
Security 20/07/2022
29/7/22

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 511 /2022 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/04/2022	<p>The appeal of Mr. Yaqoob-ur-Rehman resubmitted today by Mr. Ashraf Ali Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	15.04.2022	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>15-04-2022</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Let pre-admission notice be issued to the respondents for reply/comments. To come up for reply/comments and preliminary hearing on 30.06.2022 before S.B</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>


Noted
M.L.G. 15/4/22

The appeal of Mr. Yaqoob-ur-Rehman Constable No. 773 Police Force Karak received today i.e. on 14.01.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ①- Addresses of respondent no. 4 to 9 are in complete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ②- Appeal may be supported with by an affidavit duly attested by the Oath Commissioner.
- 3- Annexures of the appeal may be attested.
- 4- Copy of Schedule dated 6.6.2015 mentioned in para-7 of the memo of appeal is not attached with the appeal which may be placed on it.
- ⑤- Copy of minutes of DPC dated 02.8.2021 mentioned in para-18 of the memo of appeal (Annexure-O) are not attached with the appeal which may be placed on it.
- ⑥- Copy of promotion order of respondent no. 4 to 9 mentioned in para-23 of the memo of appeal (Annexure-M) is not attached with the appeal which may be placed on it.
- ⑦- Copy of rejection order of departmental appeal dated 17.12.2021 is not attached with the appeal which may be placed on it.
- ⑧- Copies of impugned seniority list and minutes dated 02.04.2021 and 08.4.2021 are not attached with the appeal which may be placed on it.
- ⑨- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 10- Annexures-D, E, F, K, N and U of the appeal are illegible which may be replaced by legible/better one.

No. 96 /S.T,

Dt. 14/01 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ashraf Ali Khattak Adv. Pesh.

Objection attended.

- ① Respondent No. 4 & 9 are police personal and their official addresses are changed due to their frequent transfer from one P.S to another, therefore, they have called through DPO. Karak.
- ② Affidavit attached. ③ Annexure attested w/ copy of schedule dated 06-06-2015 already attach on Page 44. ⑤ Minutes of DPC are not available.
- ⑥ Copy of promotion order of respondents 4 to 9 are not available and will be requisitioned from the department through separate application.
- ⑦ Copy of ^{formal} rejection order will also be requisition from the department.
- ⑧ Minutes dated 02-4-2021 & 8-4-2021 will be requisitioned through order of Tribunal.
- ⑨ Annexures have been drafted in sequence.
- ⑩ Better copies of Anx-D, E, F, K and U are attached.

Please submit before the court.

Ashraf Ali Advocate

Objection no. 1, 2, 5, 6, 7, 8 and 9 still stand, Hence the appeal in hand is returned to counsel for appellant again for completion of re-submission within 10 days.

~~A~~ ^{ml}

No. 574

Dated: 25-2-2022

Six,

objection removed and re-submitted again.

اشرف علی

Ashraf Ali Adv

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 511 /2022

Yaqoob Ur Rehman,
Constable,
Belt No.773,
Police Force, KarakAppellant.

Versus

The Provincial Police Officer KPK, Peshawar & others
.....Respondents.

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2.	Copy of abstract of document, where appellant has been shown to have passed B-1 examination		A	14-15
3.	Copy of order/notification No.24855-82/E-I dated Peshawar the 01-10-2013, whereby 180 extra seats were granted		B	16-22
4.	Copy of result and seniority list provided by Commandant PTC, Hangu.	08-05-2014	C	23-29
5.	Copy of the Judgment of the Hon'ble Supreme Court of Pakistan.	23-09-2014	D	30-32
6.	Copy of Minutes of committee held on 06-11-2014.	06-11-2014	E	33-38
7.	Copy of list of candidates, who were required to appeared in Special B-1 Examination.	06-06-2015	F	39-46
8.	Copy of the Judgment of the Hon,ble Peshawar High Court, Peshawar in Writ Petition No.1952/2015.	24-01-2018	G	47-62
9.	Copy of seniority list, whereby incumbent from serial No.1 to 8 were promoted.		H	63
10.	Copy of letter No.1381 dated 24-		I	64

S.No.	Description of Documents	Date	Annexure	Pages
	02-2020			
11.	Copy of letter No.1427 dated 5-3-2020, wherein respondent No.3 was directed to proceed under Rule 13-8 of Police Rules, 1934	05-03-2020	J	65
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Yar

Appellant

Through

Asl 2/11/21

Ashraf Ali Khattak

Advocate,

Supreme Court of Pakistan

R & Au

Ali Bakht

Advocate, Peshawar.

And

Sadia Umer

Sadia Umer,

Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ /2022

Yaqoob Ur Rehman,
Constable,
Belt No.773,
Police Force, KarakAppellant.

Versus

1. The Provincial, Police Officer,
Khyber Pakhtunkhwa,
Peshawar.
2. The Regional Police Officer,
Kohat Region, Kohat.
3. The District Police Officer,
District, Karak.
4. The Commandant,
Police Training School,
Hangu.
5. Umar Zada No.611,
Head Constable,
Through District Police Officer, District Karak.
6. Arif Ullah No. 188
Head Constable,
Through District Police Officer, District Karak.
7. Akhtar Hayat No.639,
Head Constable,
Through District Police Officer, District Karak.
8. Siraj Uddin No. 519,
Head Constable,
Through District Police Officer, District Karak.
9. Sajid Iqbal No.515,
Through District Police Officer, District Karak.
.....Respondents.

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED FINAL ORDER DATED 17-12-2021 THEREBY THE RESPONDENT NO.2 DISMISSED THE DEPARTMENT APPEAL OF THE APPELLANT PREFERRED AGAINST THE IMPUGNED MINUTES OF DPC DATED 02-04-2021 AND PROMOTION ORDER DATED 08-04-2021 OF RESPONDENT NO. 5 TO 09 AND ILLEGALLY DEPRIVED THE APPELLANT FROM HIS SENIORITY POSITION AND SUBSEQUENT PROMOTION.

PRAYER:

On acceptance of the instant service appeal, this Hon'ble Tribunal may graciously be pleased to:-

- i. Declare the impugned minutes of Departmental Promotion Committee held on 02-04-2021, whereby appellant has been made junior to respondent No 5 to 9 and the impugned order of promotion dated 08-04-2021 of respondents No. 5 to respondent No.9, as illegal, discriminatory, without lawful authority and set aside the same.
- ii. Direct the respondents to restore the original seniority position of the appellant assigned to him by the PTC as per rule 13-8 of the Police Rules, 1934 and promote him with effect his juniors have been promoted along with all back benefits.
- iii. Any other relief as deemed appropriate under the circumstances of the case may also graciously be allowed to the appellant.

Respectfully Sheweth,

The facts given rise to the present service appeal are as under;

1. That appellant was enrolled as a Constable in Police Force Karak and presently having more than 16 years service at his credit with unblemished and clean sheeted conduct record. In the year, 2013, he appeared in B-1 examination conducted by ETEA and passed the same by securing 150/300. The name of appellant lies at serial No.2 of result sheet (Annexure-A), but was not sent to lower School Course due to shortage of vacancies in Police Training College, Hangu allocated for District Karak.
2. That Later on; respondent No.1 vide order/notification No.24855-82/E-I dated Peshawar the 01-10-2013 allotted 180 extra seats for Lower School Course for scheduled lower training commencing from 01-10-2013. Appellant was also notified in the list and lies at serial No.67 of the list and as such appellant was sent for undergoing lower school course at PTC, Hangu, which he successfully completed (Annexure-B).
3. That Rule 13.18 of the Police Rules, 1934 provide that seniority of constables, who have qualified "Lower School Course", shall be in accordance with merit position assigned to them (amongst the colleagues) by PTC. Appellant was assigned Seniority accordingly. Appellant lies at serial No.17 of the list (Annexure-C).
4. That it is pertinent to mention here that during this period some of the colleagues of the appellant approached the Hon,ble Peshawar High Court, Peshawar and their writ petitions were allowed. They were also send for Lower School Course accordingly, but department filed CPLA against the decision of Hon'ble Peshawar High Court (Annexure-D). The CPLA was disposed of vide order dated 23-09-2014 in the following terms;

"4. We accordingly proposed to dispose of these petitions with observation that the persons,

who after age relaxation are qualified to appear in A-1 and B-1 examination, shall be eligible to undergo the training and for that purpose a Committee shall be constituted by the competent authority who shall determine their merit alongwith other candidates strictly in terms of the standing order PPB Order No.13/2014 as mentioned above.”

5. That in pursuance of the above cited directions of the Hon'ble Supreme Court of Pakistan, a Committee was constituted, who examined the cases and made recommendations. Copy of minutes of the meeting held on 06-11-2014 at 14:00 HRS at CPO, Peshawar, which is attached as Annexure-E. Pars No.14 is worth perusal which is reproduced as to the following;

14. In view of the position explained above, the Committee makes the following recommendations.

- i. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated 12-02-2014 as observed in the Hon'ble Supreme Court Order mentioned above. Therefore, all the 180 candidates and candidates, who have managed relief from the High Court, are eligible for appearing in the coming B-1 examination. As such all the 180 candidates, who had undergone Lower College Course in the 2nd term of 2013 and those candidates who had gone for Lower College Course without passing the mandatory B-1 examination, shall reappear in the forth coming B-1 examination to be held on 08th March, 2015. However, the seniority of all those candidates who qualified the B-1

examination shall be placed at the bottom of candidates who qualified Lower College Course in the last term of 2014.”

6. That the decision of the Committee is clear on the point that all those candidates who failed to qualify B-1 examination conducted by ETEA in 2013, shall re-appear in the forthcoming special B-1 examination, scheduled to be conducted on 08th March, 2015 and in case of their success in the special B-1 examination, their seniority shall be determined the 2nd term of 2014.
7. That since appellant had already qualified his B-1 examination conducted by ETEA in 2013 by securing 150 out of 300 marks as evident from annexure-A already attached, therefore, in the light of the decision of the Committee cited *ibid*, the authority did not summoned the appellant for re-appearance in special B-1 examination which was held on 06-06-2015. The name of appellant is nowhere in the list of candidates who appeared in special B-1 examination. Copy of special B-1 examination for KP Police Department dated 06-06-2015 is attached as **Annexure-F**.
8. That it is also pertinent to mention that the decision of the Committee dated 24-02-2015 whereby all those candidates who had undergone Lower College Course, as explained above, were directed to re-appear in special B-1 examination scheduled to be held on 06-06-2015, was assailed before the Hon'ble Peshawar High Court Peshawar in WP. No.1952-P/2015. The Hon'ble Peshawar High Court Peshawar vide order dated 24-01-2018, declared the decision of the Committee as illegal, unlawful, without lawful authority and of no legal effect. The decision of the Hon'ble Peshawar High Court Peshawar is still in field. Copy of the Judgment dated 24-01-2018 is attached as **Annexure-G**.
9. That the above cited Judgment of the Hon'ble Peshawar High Court Peshawar has declared the holding of special B-1 examination for all

those candidates who had undergone Lower School Course in terms of 2013 as illegal, having no legal effect.

10. That the seniority list of the appellant and two other colleagues, who had undergone Lower School Course at PTC Hangu in term of 2013 remained the intach till 2021 as per merit list assigned by the PTC Hangu; needless to mention that appellant and his other colleagues of the same batch were also promoted to the rank of head constable on officiating basis and were also promoted to the promotion list-C accordingly after qualifying Lower School Course.
11. That in the year 2020 DPC Meeting was held wherein candidates who had qualified Lower School Course in the 1st and 2nd term of 2013 as per merit position assigned by the PTC Hangu, were considered for regular promotion to the post of Head Constable. The name of appellant lies at Sr. No. 17 of the list. The candidates whose names were mentioned from Sr. No.1 to 8 were promoted in the first phase and whereas candidates whose names were available from 9 to 20 were deferred and decided to be promoted in the next phase of DPC. Copy of seniority list as per merit assigned by the PTC Hangu is attached as **Annexure-H**.
12. That it is worth mentioning that after the promotion of candidates from Sr. No.1 to 8 of the seniority list, the name of appellant came at Sr. No. 9 of the remaining candidates as evident from the seniority list attached *ibid*.
13. That after the promotion of above explained / mentioned C-1 list candidates to the post of Head Constable on regular basis; the Department questioned the seniority of the appellant and his other colleagues.

14. That vide letter No.1381/EC dated Karak the 24-02-2020, respondent No.3 requested respondent No.1 for providing guideline in the matter of appellant and his other colleagues seniority position (**Annexure-I**).
15. That in response to the above mentioned letter the worthy AIG / Legal for respondent No.1 informed respondent No.3 that as per Police Rules, 13-8 the seniority of Lower School Course shall be determine in accordance with the merit position (amongst the colleagues) assigned to them by the Commandant PTC, Hangu. (**Annexure-J**).
16. That vide letter No. 1836 dated 19-03-2020 (**Annexure-K**) respondent No.3 requested AIG/ Legal for providing further guideline in the matter of seniority of the appellant and his other colleagues. The worthy AIG / Legal vide letter dated 16-04-2020 (**Annexure-L**) informed the respondent No.3 that the seniority of the official named in the office letters No.1427 dated 05-03-2020 and 1836 dated 19-03-2020, shall be fixed with their colleagues with whom they undergone Lower School Course in 2013 as per order of merit of result (para (a)) of your office letter vide No.1381 / EC dated 24-02-2020. It is worth mentioning that para (a) of the letter No.1381 dated 24-02-2020 provides as under;

“(a) Their seniority may be fixed with their colleagues with whom they undergone lower school course.”

17. That in the light of the above explained correspondence, the seniority position of the appellant and his other colleagues assigned to them by the PTC Hangu remained intact.
18. That surprisingly before the forth coming scheduled DPC meeting dated 08-04-2021 some junior constables (respondent No.5 to 9, who had qualified Lower School Course after the term of appellant and his colleague; objected the seniority of the appellant and his colleagues as

assigned to them by the PTC, Hangu. The application of the juniors was processed and respondent No.3 constituted a committee at district level for scrutiny and determination of seniority of the objector and appellant. The minutes of the committee were endorsed as DPC minutes of the meeting dated 02-08-2021(Annexure-M).

19. That the committee in violation of the mandate of Rule 13-8 of the Police Rules, 1934 and in violation of the Judgment of the Hon'ble Peshawar High Court Peshawar rendered in WP No.1952-P/2015 vide dated 24-01-2018 and also in violation of clear cut guidelines of the AIG/Legal vide letter No.1836 dated 16-04-2020 disturbed the seniority position of the appellant and his other colleagues vide Minutes of the Meeting of DPC held on 02-04-2021 in the office of respondent No.3.
20. That it is also worth mentioning that the Committee intentionally and malafidely referred letter No.2288-2320/E-IV dated 24-02-2015 thereby as per stance of the Committee, the seniority of the appellant and his colleagues were to be fixed in the last term of 2014. The seniority of the appellant and his colleagues has never been fixed as per alleged letter cited above but the seniority of the appellant and his colleagues have been fixed as per provision of Rule 13-8 and re-determined in the light of letter No.1836 AIG/ Legal dated 16-04-2020 which has already been attached with the instant service appeal.
21. That the name of appellant and his other two colleagues were removed from the seniority list immediately on 02-04-2021 without any formal order.
22. That meeting of DPC Committee dated 02-04-2021 was held secretly without summoning and participation of the appellant. Appellant was condemned unheard which is against all norms of justice, equity and fair play.

23. That in the light of recommendations of the illegal constituted DPC for determination of seniority position of the appellant and his two other colleagues on the objection / application of the private respondents; DPC meeting was held on 08-04-2021 and respondent No.5 to 9 were promoted on regular basis on the same day. The impugned seniority list/working paper is worth surprising. **Annexure-O**
24. That being aggrieved from the secret proceedings of the respondents, appellant and his other two colleagues submitted Departmental Appeal / Representation alongwith request for personal hearing (**Annexure-P**).
25. That in the light of Representation, respondent No.1 directed respondent No.3 to submit detail report vide letter No.4200 dated 09-04-2021 (**Annexure-Q**). Respondent No.3 vide letter No.1375 dated 29-04-2021 submitted report (**Annexure-R**). Respondent No.1 in response to the letter ibid directed the respondent No.3 to fix the seniority of the appellant and his two colleagues with their batch mates undergone Lower School course as per merit of qualifying result course in the year 2013 (**Annexure-S**). Respondent No.2 also directed respondent No.3 to submit detail report which was also submitted (**Annexure-T**).
26. That respondent No.2 vide letter No.11983 dated 03-08-2021 (**Annexure-U**) directed respondent No.3 to determine the seniority of the appellant and his other two colleagues as per letter No.1427/Legal dated 05-03-2020 which is self explanatory on the subject matter. It is worth mentioning that the letter dated 1427/Legal dated 05-03-2020 explain that the seniority of the appellant be fixed in accordance with Rules No.13-8 of the Police Rules, 1934.
27. That respondent No.2 vide impugned order dated 17-12-2021 (**Annexure-V**) dismissed the departmental appeal / representation of

the appellant which was further endorsed by respondent No.3 on 20-12-2021 with direction for strict compliance.

Hence appellant being aggrieved of the impugned order dated 17-12-2021 and finding no adequate and efficacious remedy is constrained to file this service appeal on the following amongst other grounds:

- A. That the appellant has not been treated by the respondents in accordance with law, rules and policy on the subject and acted in violation of Articles 4 and 10-A of the Constitution of Islamic Republic of Pakistan. Rule 13-8 of the Police Rules, 1934 provide that seniority of constable who has cleared their Lower School Course in one batch shall be in accordance with merit position assigned to them by the PTC. Appellant qualified his Lower School Course in the 2nd term of 2013 therefore was entitled for his seniority along with his other colleagues. Respondent rightly granted seniority as per mandate of Rule 13-8 of the Police Rules, 1934 and appellant remained on his due position till 01-04-2021 (seven years), but all of sudden at the time of his promotion; he was deprived from his due and legal seniority position and junior to him were made senior with malafide intention, which is against the prescribed rules and violation of his rights guaranteed under the Constitution of Pakistan, 1973.
- B. That as per mandate of law; initially a tentative seniority list is notified and objection is called upon from all concerned, who may feel aggrieved from their seniority position, but in the instant case all proceeding were initiated secretly and at the back of the appellant and appellant was condemned unheard which is the violation of the well-known principle of law " Audi altram Partem". This principle of law was always deemed to have embedded in every statute even though there was no specific or express provision in this regard.An adverse order passed against a person without affording him an opportunity of personal hearing was to be treated as void order. Reliance is placed on 2006 PLC (CS) 1140. As no proper personal hearing has been afforded to the appellant before the issuing of the

impugned order, whereby appellant was not only deprived from his due seniority position, but also from his accrued right of promotion therefore, on this ground as well the impugned orders are liable to be set aside.

- C. That appellant has highly been discriminated and that too not only in term of his seniority but also discriminated from his due and legal regular promotion to the post of HC and promoted juniors, who had qualified their Lower School Course after the term of appellant. Every government servant has legitimate expectancy of rising up in government hierarchy by means of regular promotion, but respondents in violation of the principle of legitimate expectancy deprived the appellant from his seniority and further promotion.
- D. That the stance of the respondents that the seniority of the appellant and his two other colleague has been fixed as per instructions of the W/IGP KP, Peshawar letter No.2288-2320/E-IV dated 24-02-2015 is misconceived on two scores. (i) The decision of the so called committee constituted under the directions of the Hon'ble Supreme Court of Pakistan have acted beyond their jurisdictions for the reason that the Hon,ble Supreme Court of Pakistan had directed them to scrutinize the matter as per merits of the candidates who have qualified Lower School Course, but the respondents instead of strict directions of the Hon'ble Supreme Court of Pakistan made its recommendations otherwise and that is why the Hon,ble Peshawar High Court reversed the findings and recommendations of the so called committee and directed that there was no need of holding B-1 examination. The judgment of the Hon'ble Peshawar High Court, Peshawar in WP. No.1952-P/2015 is already attached with the instant appeal as annexure-g. (ii) 2ndly the decision of the committee is not applicable on the appellant for the reason that the committee recommendations were limited to only those candidates, who had failed in B-1 examination conducted by ETEA in 2013 and only those candidates were required to appear in B-1 Special Examination and in

case of their success, their seniority will be determine in the last term of 2014. Appellant had passed B-1 Examination conducted by ETEA as evident from the ETEA result already attached as annexure-a and that is why, appellant and his two other colleagues were not summoned to appear in Special B-1 examination dated 06-06-2015. On this score the recommendations of the Committee is not applicable against the appellant.

- E. The so called committee constituted for determination of seniority; is not competent to overrule the existing provision of Rule 13.8 therefore, the recommendations of the committee and subsequent order thereupon vide W/IGP KP, Peshawar letter No.2288-2320/E-IV dated 24-02-2015 are ib inito void and illegal and liable to be struck down on this score alone.
- F. That the DPC in violation of the mandate of Rule 13-8 of the Police Rules, 1934 and in violation of the Judgment of the Hon'ble Peshawar High Court Peshawar rendered in WP No.1952-P/2015 vide dated 24-01-2018 and also in violation of clear cut guidelines of the AIG/Legal vide letter No.1836 dated 16-04-2020 disturbed the seniority position of the appellant and his other colleagues vide Minutes of the Meeting of DPC held on 02-04-2021 in the office of respondent No.3.
- G. That it is very surprising that the same respondent No.2 vide letter No.11983 dated 03-08-2021(already attached as annexure-t) addressed to respondent No.3 makes directions that the seniority of appellant and his two other colleagues be fixed along with his colleagues with whom they undergone Lower School Course in 2013 and whereas the same respondent vide impugned order takes U-turn from his earlier stance. The contradictory stance speaks that respondent No.2 has been mis-guided by his office and by the office bearer of respondent No.3.
- H. That the discrimination is evident from the fact that one Lal Rahman Belt No.729, who was sent to undergo Lower School Course in the


overage quota in the 1st term of 2013 was initially failed in B-1 examination and passed his B-1 in the year, 2020 was not only brought on promotion list, but was also promoted vide impugned order dated 08-04-2021, but appellant who had passed his B-1 examination in 2013 was deprived from his legal right of promotion.

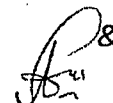
- I. That it is also surprising and against the norms of justice that DSP Takht-e-Nasrati, who was member of DPC meeting dated 02-04-2021 was directed by respondent No.3 to give opinion regarding the respondent No.2 letter No.11983/EC dated 03-08-2021, who had already participated in DPC meeting and have give opinion against the appellant was again entrusted with the same task. Moreover the question is whether DSP Takht-e-Nasrati is competent to overrule the opinion/direction of respondent No.2. On this score as well the impugned proceedings against the appellant is nullity in law and liable to be set aside.

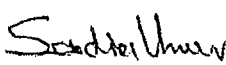
In view of the above explained positions, it is humbly prayed that the instant service appeal may be allowed as prayed for above.


Appellant

Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan


Ali Bakht
Advocate, Peshawar.

And

Sadia Umer,
Advocate, Peshawar.

ANX-A

14

From: The District Police Officer, Karak.
To: The Commandant,
Police Training College Hangu.

No. 8983 /EC, dated Karak the 11/7 /2013

Subject: CONSTABLES BECOMING OVERAGE

Memo:

Kindly refer to your Office Memo: No. 2018-42/GC dated 09.07.2013 on the subject cited above.

The requisite information is submitted on the prescribed proforma as noted below:-

S.#	NAME & BELT NO.	District	D. O. B	Date of Enlistment	NO. OF CHANCES AVAILED IN B-I EXAM YEAR WISE	EATA TEST MARKS
1.	Const: Yaqoob ur Rehman No.1529/FRP	Karak	16.01.1981	01.06.2006	01	192/300
2.	Cont: Mohammad Fayaz No.414	Karak	05.03.1981	12.06.2006	01	150/300
3.	Const: Ihsan Ullah No.4	Karak	20.12.1980	20.08.2005	01	67/300
4.	Const: Khalid ur Rehman no. 615	Karak	10.11.1980	12.06.2007	01	92/300
5.	Const: Nazir Dad No.618	Karak	20.11.1980	12.06.2007	01	136/300
6.	Const: Gul Haleem No.1380/ FRP	Karak	20.11.1980	27.07.2007	01	33/300
7.	Const: Arsahd Iqbal No.1364/FRP	Karak	01.03.1981	27.07.2007	01	110/300
8.	Const: Saleem Khan No.1332/FRP	Karak	20.03.1981	27.07.2007	01	114/300
9.	Const: Sher Mohammad No.67/E.F	Karak	01.01.1981	12.02.2002	01	56/300
10.	Const: Shaheed Rehman No.1176	Karak	08.01.1981	05.11.2003	01	99/300
11.	Const: Umer Ayaz No.19/E.F	Karak	13.02.1981	12.06.2007	01	57/300
12.	Const: Mohammad Jamil No.96/E.F	Karak	10.03.1981	12.06.2007	01	36/300
13.	Const: Arsahd Habib Ullah No.1182	Karak	15.03.1981	01.06.2006	01	110/300
14.	Const: Zia Ur Rehman No.759	Karak	01.03.1981	27.07.2007	01	126/300
15.	Const: Bakhtiar Ali Shah No.579	Karak	07.01.1981	12.06.2007	01	102/300
16.	Const: Abdullah No.743	Karak	01.01.1981	27.07.2007	01	111/300
17.	Const: Mohammad Nawaz No.632	Karak	01.01.1984	10.11.2003	03	177/300
18.	Const: Zafar Iqbal No.418	Karak	04.11.1982	12.02.2002	03	111/300
19.	Const: Qismat Ullah No.192	Karak	05.04.1985	26.10.2004	03	90/300
20.	Const: Wali Rehman No.502	Karak	11.04.1981	12.02.2002	03	107/300
21.	Const: Muhammad Tariq No.631	Karak	16.04.1980	11.05.2003	03	138/300

No. 8984 /2013

Copy of above is submitted to the Dy: Inspector General of Police, Kohat Region Kohat for favour of information please.

District Police Officer, Karak

District Police Officer, Karak

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POLICE DEPARTMENT

KARAK DISTRICT

LIST OF CONSTABLES WHO SELECTED FOR LOWER SCHOOL COURSE ON THE BASIS OF OVERAGE AND CHANCES

S.No.	Name & Rank	Lower qualified / un qualified	Year of ETEA Exam	ETEA (B-LEexam) Passed/ Failed
1.	Yaqoob ur Rehman.No.773	Qualified	2014	Passed /obtained 192/300 marks
2.	Mohammad Nawaz 832	Qualified	2014	Passed /obtained 177/300 marks
3.	Mohammad Fayaz No.414	Qualified	2014	Passed /obtained 150/300 marks
4.	Khalid ur Rehman No.615	Qualified	2014	Failed
5.	Nazir Dad No.618	Qualified	2014	Failed
6.	Arshad Iqbal No.1364	Qualified	2014	Failed
7.	Saleem Khan No.1332/87	Qualified	2014	Failed
8.	Umer Ayaz No.19/E.F	Qualified	2014	Failed
9.	Mohammad Jamil No.96/E.F	Qualified	2014	Failed
10.	Arshad Habib No.1182/E.F	Qualified	2014	Failed
11.	Zia ur Rehman No.759	Qualified	2014	Failed
12.	Bakittiar Ali Shah No.579	Qualified	2014	Failed
13.	Abdullah No.743	Qualified	2014	Failed
14.	Sher Mohammad No.67/E.F	Qualified	2014	Failed
15.	Ihshan Ullah No.4	Qualified	2014	Failed
16.	Shaheed ur Rehman No.826/1176/E.F	Qualified	2014	Failed
17.	Zafar Iqbal No.418	Qualified	2014	Failed
18.	Qismat Ullah No.192	Un Qualified	2014	Failed
19.	Wali Rehman No.502	Un Qualified	2014	Failed
20.	Gul Haleem No.1380/254	Un-qualified	2014	Failed

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39.	Const: Tanveer Ahmed No. 3290	Nowshera
40.	Const: Iqbal Hussain No. 414	Nowshera
41.	Const: Amjad Ali No. 1104/731	Nowshera
42.	Const: Murad Khan No. 2432/1258	Nowshera
43.	L/Const: Maria Anwar No. 242	Mardan
44.	Const: Arshad No. 2135/3778	Mardan
45.	Const: Murad Ali No. 405	Swabi
46.	Const: Ahmed Zeb No. 3154	Swabi
47.	Const: Muhammad Tufail No. 1147/1854	Dir Lower
48.	Const: Amir Zeb No. 480	Dir Lower
49.	Const: Muhammad Zahir No. 596	Dir Upper
50.	Const: Aziz-ud-Din No. 35	Dir Upper
51.	Const: Qareebullah No. 430	Shangla
52.	Const: Umar Rehman No. 621	Shangla
53.	Const: Khair-ur-Rehman No. 266	Shangla
54.	Const: Mehboob Ali No. 3403	Runir
55.	Const: Fazal Elahi No. 616	Chitral
56.	Const: Qazi Shahzad No. 67	Haripur
57.	Const: Amir Hussain No. 04	Haripur
58.	Const: Hafeez Khan No. 253	Haripur
59.	Const: Arsahd Khan No. 656	Haripur
60.	Const: Aftab Ahmed Khan	Haripur
61.	Const: Tanveer Ahmed	Haripur
62.	Const: Gul Zaman No. 727	Kohistan
63.	Const: Jehandad Khan No. 127	Kohat
64.	Const: Ahmed Shah No. 401	Kohat
65.	Const: Muhammad Tariq	Kohat
66.	Const: Yaqoob ur Rehman	Karak
67.	Const: Muhammad Fayaz	Karak
68.	Const: Khalid ur Rehman	Karak
69.	Const: Nazir Dad No. 618	Karak
70.	Const: Gul Haleem No. 1380	Karak
71.	Const: Arsahd Iqbal No. 136	Karak
72.	Const: Saleem Khan No. 133	Karak
73.	Const: Umar Ayaz No. 19 EF	Karak
74.	Const: Muhammad Jamil No.	Karak
75.	Const: Arsahd Habibullah	Karak
76.	Const: Zia ur Rehman	Karak
77.	Const: Bakhtiar Ali Shah	Karak
78.	Const: Abdullah No. 743	Karak
79.	Const: Muqtadir Ali	Hangu
80.	Const: Jamil-ur-Rehman	Hangu
81.	Const: Niamat-ur-Rehman	Bannu
82.	Const: Muhammad Ilyas	Bannu EF
83.	Const: Feroz Khan No. 1806	Bannu EF

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84.	Const: Imranullah No. 1523/930	Bannu EF
85.	Const: Sehar Gul No. 543	Lakki Marwat
86.	Const: Inamullah No. 1946	Lakki Marwat
87.	Const: Gul Bat Khan No. 46	Tank
88.	Const: Syed Mujtaba Hussain	Tank
89.	Const: Sehat Gul No. 1315	CCP/Peshawar
90.	Const: Nasir Jamil No. 197	Nowshera
91.	Const: Latif Jan No. 2258	Charsadda
92.	Const: Fayaz Ahmed No. 74	Charsadda
93.	Const: Hayatullah No. 1310	Charsadda
94.	Const: Muhammad Hayat	Charsadda
95.	Const: Sardar Alam No. 249	Charsadda
96.	Const: Sabihullah No. 127	Charsadda
97.	Const: Mustafa Kamal Shah	Charsadda
98.	Const: Muhammad Ilyas	Charsadda
99.	Const: Amjad Ali No. 2443	Mardan
100.	Const: Imran Khan No. 3072	Mardan EF
101.	Const: Haleem Khan No. 29	Mardan EF
102.	Const: Shah Khalid No. 326	Swabi
103.	Const: Muhammad Haroon	Swabi
104.	Const: Iftikhar Ali No. 143	Swabi
105.	Const: Abdul Ali No. 2298	Swabi
106.	Const: Muhammad Ibrahim	Swabi
107.	Const: Zard Ali No. 2276	Swabi
108.	Const: Amjad No. 159	Swabi
109.	Const: Sheryar No. 1040	Swabi
110.	Const: Zahid Hussain No. 89	Swat
111.	Const: Shah Hussain No. 4434	Swat
112.	Const: Ali Sher No. 1749	Swat
113.	Const: Abdur Rehman	Swat
114.	Const: Ayaz ur Rehman	Swat
115.	Const: Zamrud Shah No. 3123	Swat
116.	Const: Muhammad Ambar	Dir Upper
117.	Const: Yasin Khan No. 726	Dir Upper
118.	Const: Darwaish Khan No. 56	Dir Upper
119.	Const: Iqbal No. 592	Dir Upper
120.	Const: Said Hayat No. 935	Shangla
121.	Const: Fakhruddin	Shangla
122.	Const: Gul Zaman No. 365	Shangla
123.	Const: Mukamil Shah	Shangla
124.	Const: Ali Akbar No. 581	Bunir
125.	Const: Muhammad Bahadar	Bunir
126.	Const: Safeel Khan No. 700	Haripur
127.	Const: Muhammad Riasat No. 378	Haripur
128.	Const: Musadiq Shah No. 4847739	Haripur

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129.	Const: Muhammad Nasir Qureshi	Kohat
130.	Const: Khan Akbar No. 1088	Kohat
131.	Const: Hamid Bad Shah No. 76	Kohat
132.	Const: Abdur Rahim No. 426	Hangu
133.	Const: Fazal Ahmed No. 407	Lakki Marwat
134.	Const: Atiq-ur-Rehman No. 366	Lakki Marwat
135.	Const: Idrees Khan No. 139	CCP/Peshawar
136.	Const: Naseer Khan No. 2412	CCP/Peshawar
137.	Const: Muhammad Abbas No. 568	Swabi
138.	Const: Sher Akbar No. 56	Dir Lower
139.	Const: Sher Arnan No. 406	Bunir
140.	Const: Akhtar Hussain No. 229	Chitral
141.	Const: Aftab No. 1873	Mardan
142.	Const: Sohail Ahmad Abbas No. 1005	Abbottabad
143.	Const: Muhammad Sajid No. 287/1390	Abbottabad
144.	Const: Ihsan No. 372	Haripur
145.	Const: Imran Khan Jadoon No. 103	Haripur
146.	Const: Muhammad Asif No. 456	Haripur
147.	Const: Muhammad Tauqeer No. 184/1386	Haripur
148.	Const: Azhar Shahzad No. 709	Mansehra
149.	Const: Zakir Khan No. 701	Mansehra
150.	Const: Mornin Khan No. 228	Battagram
151.	Const: Atta ur Rehman No. 255	Battagram
152.	Const: Liaqat Ali No. 3852	Battagram EF
153.	Const: M. Bakhtiar No. 298	Kohistan
154.	Const: Azmar Gul No. 234	Kohat
155.	Const: Muhammad Aneis No. 1092	Kohat
156.	Const: Muhammad Nawaz No. 832	Karak
157.	Const: Zafar Iqbal No. 418	Karak
158.	Const: Qismatullah No. 192	Karak
159.	Const: Wali Rehman No. 502	Karak
160.	Const: Safdar Abbas No. 1116/10	Hangu
161.	Const: Mustafa Khan No. 41	Lakki Marwat
162.	Const: Younis Khan No. 378	Lakki Marwat
163.	Const: Shafiullah No. 762/347	Lakki Marwat
164.	Const: Muhammad Ilyas No. 2174	CCP/Peshawar
165.	Const: Jawad Ali No. 350	Mardan
166.	Const: Muhammad Fayaz No. 729	Swabi
167.	Const: Zahid ul Haq No. 213	Swabi
168.	Const: Arshad Ali No. 1370	Swabi
169.	Const: Sher Ali No. 2173	Swabi
170.	Const: Asad Hussain No. 861	Swabi
171.	Const: Muhammad Jamil No. 1122/2070	Dir Lower
172.	Const: Amjad Ali No. 1137	Dir Lower
173.	Const: Muhammad Zeb No. 337	Dir Upper

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174.	Const: Farooq Hussain No. 300	Shangla
175.	Const: Muhammad Sher No. 259	Shangla
176.	Const: Tasneem Ali No. 274/3518	Shangla
177.	Const: Sayyar Ahmed No. 223/01	Shangla
178.	Const: Israr Ali No. 561	Chitral
179.	Const: Zahoor Ahmed No. 143/SB	Chitral
180.	Const: Muslim Zada No. 583	Dir Upper (Recommended by DIG/E& I K.P)

sd/-
TARIQ JAVED
 DIG/Headquarters
 For Provincial Police Officer,
 Khyber Pakhtunkhwa
 Peshawar.

No. 24555-82 /E-I, dated Peshawar the 01/10 /2013.

Copy of above is forwarded for information and necessary action

to the:-

1. Addl: IGP/Special Branch Khyber Pakhtunkhwa, Peshawar.
2. Addl: IGP/Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
3. Capital City Police Officer Peshawar.
4. Regional Police Officers, Kohat, Malakand, Hazara, D.I.Khan & Bannu
5. Commandant PTC Hangu w/r to his Memo No. 2654/GC dated: 21.09.2013
6. District Police Officers, Kohat, Hangu Dir Upper, Dir Lower, Chitral, Shangla, Bunir, Karak, Tank, Lakki Marwat, Haripur, Mansehra, Abbottabad, Kohistan Charsadda, Nowshera, Swabi & Mardan.

012/162
for the action
Miqat
 Dist: Police Officer
 Karak
 4/10/13

Javed Iqbal
(JAVED IQBAL)
 Registrar
 For Provincial Police Officer,
 Khyber Pakhtunkhwa
 Peshawar

ATTESTED

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Allegations

District Training PA

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05-12-13

ORDER

Twenty (20) extra seats are hereby allotted to the following Constables as noted against each their names in Lower School Course commenced from 05.10.2013 as per Peshawar High Court Peshawar decisions/Judgments dated: 12.11.2013 respectively:-

S. No	District	Name and No.	No and date of Judgment
01	Karak	FC Umar Hayat No. 589	2542-P, dated: 12.11.2013.
02	Nowshera	FC Shah Wali No. 1238	2614-P dated: 12.11.2013
03	Nowshera	FC Muhammad Kazim No. 1227	2616-P dated: 12.11.2013
04	Hangu	FC Mehtob Alam No. 66	2615-P dated: 12.11.2013
05	Hangu	FC Zeenat Gul No. 35	2615-P dated: 12.11.2013
06	Hangu	FC Noor Wazir No. 626	2615-P dated: 12.11.2013
07	Karak	FC Nasir Mehmood No. 1173/EF	2616-P dated: 12.11.2013
08	Kohat	FC Hussain Shah No. 451	2616-P dated: 12.11.2013
09	Kohat	FC Hasam Khan No. 469	2616-P dated: 12.11.2013
10	Kohat	FC Farid Khan No. 1579	2616-P dated: 12.11.2013
11	Kohat	FC Tufail Khan No. 1296	2616-P dated: 12.11.2013
12	Karak	FC Sikandar Hadeem No 28	2616-P dated: 12.11.2013
13	Kohat	FC Abas Khan No. 1254	2616-P dated: 12.11.2013
14	Mardan	FC Suleman Shah No. 250	2756-P dated: 12.11.2013
15	Mardan	FC Shareef Ullah No. 1814	2756-P dated: 12.11.2013
16	Shangla	FC Zahid Shah No. 1142/EF	2756-P dated: 12.11.2013
17	Mardan	FC Gul Amen No. 1825	2756-P dated: 12.11.2013
18	Mardan	FC Noor Ul Hag No. 1805	2756-P dated: 12.11.2013
19	Mardan	FC Nasir No. 1450	2756-P dated: 12.11.2013
20	Kohat	FC Burair Abas No. 1573/EF	2885-P dated: 12.11.2013

[Signature]
 Distt: Police Officer
 Karak

[Signature]
 (SYED. FIDA HASSAN SHAH)
 AIG/Establishment
 For Provincial Police Officer,
 Khyber Pakhtunkhwa,
 Peshawar.

No. 9385-9 dated Peshawar the 28/11/2013.

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

1. Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
2. Deputy Inspector General of Police Mardan Region.
3. Deputy Inspector General of Police Kohat Region.
4. Deputy Inspector General of Police Malakand Region.
5. District Police Officers, Nowshera, Mardan, Shangla, Kohat, Karak & Hangu.

ATTESTED

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(22)

To: The District Police Officer, Karak.
The Commandant,
Police Training College Hangu.

No. 2983 /EC, dated Karak the 11/7 /2013

Subject: CONSTABLES BECOMING OVERAGE

Memo

Kindly refer to your Office Memo: No. 2018-42/GC dated 09.07.2013 on the subject cited above.

The requisite information is submitted on the prescribed proforma as noted below:-

S.P	NAME & BELT NO.	District	D. O. B	Date of Enlistment	NO. OF CHANCES AVAILABLE IN B-I EXAM YEAR WISE	EATA TEST MARK
1.	Const: Yaqoob ur Rehman No.1529/FRP ✓	Karak	16.01.1981	01.06.2006	01	192/30
2.	Cont: Mohammad Fayaz No.414 ✓	Karak	05.03.1981	12.06.2006	01	150/30
3.	Const: Ihsan Ullah No.4 ✓	Karak	20.12.1980	20.08.2005	01	67/30
4.	Const: Khalid ur Rehman no. 615 ✓	Karak	10.11.1980	12.06.2007	01	92/30
5.	Const: Nazir Dad No.618 ✓	Karak	20.11.1980	12.06.2007	01	136/30
6.	Const: Gul Haleem No.1380/ FRP ✓	Karak	20.11.1980	27.07.2007	01	33/30
7.	Const: Arsahd Iqbal No.1364/FRP ✓	Karak	01.03.1981	27.07.2007	01	110/30
8.	Const: Saleem Khan No.1332/FRP ✓	Karak	20.03.1981	27.07.2007	01	114/30
9.	Const: Sher Mohammad No.67/E.F. ✓	Karak	01.01.1981	12.02.2002	01	56/30
10.	Const: Shaheed Rehman No.1176 ✓	Karak	08.01.1981	05.11.2003	01	99/30
11.	Const: Umer Ayaz No.19/E.F ✓	Karak	13.02.1981	12.06.2007	01	57/30
12.	Const: Mohanimad Jamil No.96/E.F ✓	Karak	10.03.1981	12.06.2007	01	36/30
13.	Const: Arsahd Habib Ullah No.1182/E.F ✓	Karak	15.03.1981	01.06.2006	01	110/30
14.	Const: Zia Ur Rehman No.759 ✓	Karak	01.03.1981	27.07.2007	01	126/30
15.	Const: Bakhtiar Ali Shah No.579 ✓	Karak	07.01.1981	12.06.2007	01	102/30
16.	Const: Abdullah No.743 ✓	Karak	01.01.1981	27.07.2007	01	111/30
17.	Const: Mohammad Nawaz No.832 ✓	Karak	01.01.1984	10.11.2003	03	177/30
18.	Const: Zafar Iqbal No.418 ✓	Karak	04.11.1982	12.02.2002	03	111/30
19.	Const: Qismat Ullah No.192 ✓	Karak	05.04.1985	26.10.2004	03	90/30
20.	Const: Wali Rehman No.502 ✓	Karak	11.04.1981	12.02.2002	03	107/30
21.	Const: Muhammad Tariq No.631 ✓	Karak	16.04.1980	11.05.2003	03	138/30

No. 2984 /2013

Copy of above is submitted to the Dy: Inspector General of Police, Kohat Region Kohat for favour of information please.

Muqim
District Police Officer, Karak

Muqim
District Police Officer, Karak

APPROVED

Tele No. 0927-210724
Fax No. 0927-210823



Office the Commandant, Police Training College, Hangu.

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**PUBLICATION IN KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II
RS BY THE COMMANDANT POLICE TRAINING COLLEGE HANGU.**

NOTIFICATION

Dated 8.5 - 2014.

78 /S/RESULT: The result of the following Officers, of your Distt; Units, who appeared in the examinations of Lower College Course, held at PTC Hangu for the term ending 20.03.2014, is announced and given below. Their Order of Merit is noted against each. The Original Merit Reports, of the Passed Candidates shall be issued and sent separately.

Comp#.	Name	Belt#.	District.	Merit No
L-2469	Wissal Ahmad	1379	Mardan	1
L-2351	Abdul Malik	233/1463	Kohistan	2
L-2643	Syed Zubair Shah	334	Shangia	3
L-2761	Dilshad Pari	1147	Chitral	4
L-2493	Asim Nazir	69	Tor Ghar	5
L-2689	Sher Ali Khan	2173	Swabi	6
L-2692	Tilla Muhammad	2150	Swabi	7
L-2667	Muhammad Rafiq	3786	D.I.Khan	8
L-2647	Falak Zaib	2800	Swat	9
L-2358	Muhammad Qasim Khan	1234	Bunir	10
L-2473	Shahid Rehman	2536	Dir Lower	11
L-2349	Jan Khaliq	297	Dir Upper	12
L-2733	Sardar Ali	1088	Banna	13
L-2546	Noor Muhaminad	1998	Banna	14
L-2410	Muhammad Shahid	881	Banna	15
L-2608	Bakht Amin	1385	Swat	16
L-2536	Haider Shah	2975	CCP Pesh:	17
L-2586	Junid Ali	3598	Manshra	18
L-2582	Nowshad Muhammad	3613	Manshra	19
L-2666	Muhammad Waheed Almad	2666/1915	D.I.Khan	20
L-2683	Farhan Shehzad	2207	Mardan	21
L-2474	Momin Khan	228	Batagram	22
L-2415	Tahir Ullah	844	Banna	23
L-2430	Ihsan Ullah	512	Lakki Marwat	24
L-2318	Mehnood Khan	4151	Dir Lower	25
L-2426	Anjid	884	Banna	26
L-2340	Muhammad Wajid Khan	345	Tor Ghar	27
L-2295	Muhammad Zubair	859	Abbottabad	28
L-2567	Qamar Zaman	1789	Mardan	29
L-2574	Sajjad Ali	1335	Mardan	29
L-2339	Muhammad Nawaz Khan	591	Manshra	30
L-2570	Waqar Hussain	1970	Manshra	31
L-2646	Waheed Ahmad	1295	D.I.Khan	32
L-2571	Anjid Ali	2443	Mardan	33
L-2764	Maria Anwar	242	Mardan	34

Result of Lower College Course Term Ending 20.03.2014.

L-2313	Muhammad Shakir	2844	Abbottabad	35
L-2673	Syed Mehar Ali Shah	774	CCP Pesh:	35
L-2369	Budshah Zada	1636/87	Dir Upper	35
L-2487	Sayed Wali	308	CCP Pesh:	36

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Fax # 0925-623236

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Comp#.	Name	Belt#.	District.	Merit No
L-2306	Momin Khan	273	Batagram	37
L-2519	Dayan Ullah	1299	Nowshera	38
L-2494	Sajid Khan	9	Tor Ghar	39
L-2414	Nasir Khan	512	Abbottabad	40
L-2441	Asim Jan	1347	Charsadda	41
L-2518	Sardaraz	469	Lakki Marwat	41
L-2696	Muhammad Aiyas	2237	Mardan	41
L-2503	Umar Zaib	495	Shangla	42
L-2336	Muhammad Rehman	36	Tank	43
L-2743	Muhib Ullah	514	Karaka	44
L-2681	Inam Ul Haq	596	Bunir	44
L-2376	Muhammad Khalid	908	Dir Lower	45
L-2541	Musadiq Shah	739	Haripur	46
L-2590	Fazal Naeem	925	Kohat	46
L-2607	Wazir Zuda	315	Dir Upper	47
L-2337	Kamran Haidar	519	Haripur	47
L-2702	Mubarak Hussain	1249	Charsadda	48
L-2653	Mohib Ullah	446	Hangu	48
L-2674	Khanzada	705	Bunir	49
L-2500	Liaqat Ali	652	Kohistan	50

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2174	Muhammad Aslam	1996	Mansehra	51
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Lower College Course Term Ending 20.03.2014.

L-2368	Akhtar Ali Shah	506	Dir Lower	52
L-2498	Ali Shah	307	Charsadda	53
L-2573	Hannid Ali	2275	Swabi	54
L-2365	Najm Ullah	501	Bunir	55
L-2672	Muhammad Ishtiaq	893	CCP Pesh:	55
L-2645	Salah Uddin	3717	D.I.Khan	56
L-2303	Abdul Basit	966	Chitral	57
L-2438	Muhammad Abid	1330	D.I.Khan	58
L-2309	Ibrahim	2129	Dir Lower	58
L-2560	Naeem Akhtar	1809	Mardan	58
L-2440	Rub Nawaz	2437	CCP Pesh:	59
L-2489	Falak Niaz	5673	CCP Pesh:	60
L-2520	Zahir Iqbal	418	Karak	60
L-2742	Sultan Ayaz	977	Bannu	61
L-2297	Muhammad Mumtaz	2533	Haripur	62
L-2721	Muhammad Fayaz	729	Swabi	62
L-2734	Yaqoob Ur Rehman	773	Karak	63
L-2471	Kalim Ullah	2489	Batagram	64
L-2327	Gul Amir	658	Kohistan	64
L-2705	Iqbal Hussain	414	Nowshera	65

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2054	Sami Ullah	4390	CCP Pesh:	66
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of Lower College Course Term Ending 20.03.2014.

L-2378	Muhammad Nisar	1248/4145	Dir Lower	67
L-2417	Ihsan Ullah	879	Bannu	68
L-2679	Irshad Ahmad	2931	Mardan	68
L-2635	Isam Khan	469	Hangu	69

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2046	Ditbar Khan	454	Batagram	70
L-2143	Ihsan Ullah Khan	2357,1314	Bannu	70

of Lower College Course Term Ending 20.03.2014.

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Comp#.	Name	Belt#.	District.	Merit No
L-2418	Khalid Khan	926	Bannu	71
L-2649	Qaisar Nawaz	1339	D.I.Khan	72
L-2763	Gohar Kalsooni	557	Karak	73
L-2522	Rais Khan	55	Nowshera	74
L-2707	Asim Iqbal	69	Swabi	74
L-2528	Shah Fehad	1312	Charsadda	75
L-2353	Sadaqat Khan	605	Charsadda	76
L-2651	Muhammad Taiaf	342	Swabi	77
L-2568	Junid Alam	768	Mansehra	78
L-2501	Zai Ur Rehman	759	Karak	79
L-2332	Muhammad Mustafa	41	Lakki Marwat	80
L-2578	Hamid Ali	1014	Mardan	81
L-2464	Irfan Ullah	3179	CCP Pesh:	82
L-2411	Muhammad Mehboob	336	Abbottabad	83
L-2341	Waseem Akhtar	545	Haripur	84
L-2399	Zulfiqar Hussain	3240	CCP Pesh.	85
L-2319	Sami Ur Rehman	2064	Dir Lower	86
L-2551	Muhammad Zafran	72	Karak	87
L-2363	Abdul Malik	574	Dir Upper	88
L-2367	Nawazish Khan	112/2042	Dir Lower	89
L-2687	Shoukat Ali	25	Bunir	90
L-2511	Taj Muhammad	350	Kohistan	91
L-2385	Mehboob Ali	220	Bunir	92
L-2749	Sher Malik	302	Shangla	93
L-2447	Azhar Shahzad	709	Mansehra	94

List of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-1991	Muhammad Ishaq	2378	Nowshera	95
L-2151	Hayat Ullah	641	Dir Lower	95

List of Lower College Course Term Ending 20.03.2014.

L-2508	Sardar Ali	136	Shangla	96
L-2514	Farman Ullah	616	Lakki Marwat	97
L-2509	Niaz Muhammad	676	Nowshera	97
L-2419	Abdul Ghaffar	161	D.I.Khan	98
L-2697	Faqir Khan	270	Banagram	99
L-2366	Muhammad Safer	1216	Dir Lower	99
L-2540	Bakhtbaz Khan	89	Bannu	100
L-2466	Inran Khan	2758	Swat	101
L-2311	Muhammad Ismail	2070	Dir Lower	102
L-2716	Shah Fehad	203	Nowshera	103
L-2542	Muhammad Idrees	139	CCP Pesh:	104
L-2413	Asghar Ali	727	Lakki Marwat	105
L-2293	Muhammad Yousaf	4174	Dir Lower	106
L-2296	Sami Ullah	2123	Dir Lower	106

List of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2131	Muhammad Arif Khan	4717	Karak	107
L-2187	Sheryar	259	Charsadda	107

List of Lower College Course Term Ending 20.03.2014.

L-2729	Rizwan Ali	45	Haripur	108
L-2611	Shakir Ullah	4209	Kohat	109
L-2659	Hafeez Khan	2536	Haripur	110
L-2330	Ameen Khan	1193	Kohat	111
L-2715	Nasir Jameel	197	Nowshera	111
L-2329	Zia Ur Rehman	679	Dir Lower	112
L-2719	Sohail Aslam	490	Haripur	112
L-2622	Afzal Khan	1345	Mardan	112

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Comp#.	Name	Belt#.	District.	Merit No
L-2423	Javid Ahmad	2608	D.I.Khan	113
L-2462	Naseeb Zada	553	Swat	114
L-2432	Adnan Iqbal	3222	CCP Pesh:	115
L-2338	Imran Khan	103	Haripur	115
L-2323	Haroon Ali	302	Swabi Elite	115
L-2461	Ajmal Khan	2630	Swat	116

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2214	Muhammad Saleem	5536	Pesh E/F	117
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Lower College Course Term Ending 20.03.2014.

L-2463	Muhammad Irfan	1827	Swat	118
L-2655	Riaz Khan	1974	CCP Pesh:	119
L-2620	Nasir Khan	1450	Mardan	119
L-2614	Sadique	2351	Swat	119
L-2756	Muhammad Zahir	596	Dir Upper	120
L-2361	Sazbar Khan	334/4535	Dir Upper	121
L-2745	Muhammad Nawaz	832	Karak	122
L-2725	Umar Sher	116	Swabi	123
L-2454	Zard Ali	2276	Swabi	124
L-2584	Shah Khalid	326	Swabi	125

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2134	Sher daraz khan	2004	Bannu	126
L-2047	Abdul Amin	289	Battagram	126

Lower College Course Term Ending 20.03.2014.

L-2690	Sahir Ali Shah	1775	CCP Pesh:	127
L-2527	Muhammad Bakhtiar	298	Kohistan	127
L-2698	Tanveer Ahmad	3290	Nowshera	127
L-2701	Tahir Shah	321	Mardan	128
L-2709	Didar Ahmad	348	Shangla	129
L-2724	Shakeel Muhammad	1295	Nowshera	130
L-2476	Jehangir Khan	406	Mardan	131
L-2373	Sher Akbar	56	Dir Lower	132
L-2357	Rozi Muhammad	19	Dir Lower	132
L-2762	Noor Bibi	900	Chitral	133

Lower College Course Term Ending 20.03.2014.

L-2665	Khurram Rashid	54	Haripur	133
L-2478	Sheheryar	2082	Mardan	134
L-2740	Shahid Ali	4508	Swat	135
L-2502	Nazir Dad	618	Karak	136
L-2739	Imran Ullah	4814	CCP Pesh:	137
L-2320	Muhib Ullah	1597	Elite Kohat	138
L-2531	Naseeb Ullah	34	Karak	138
L-2451	Sajid Mehmood	500	Manselra	138
L-2428	Imran Zeb	1199	Abbottabad	139
L-2371	Mubeen Abbas	1838/4042	D.I.Khan	140
L-2348	Raved Ali	351	Elite Swabi	141
L-2757	Akhtar Ali	485	CCP Pesh:	142
L-2747	Bashir Jan	523	Tank	142
L-2335	Muhammad Umar	350	Tor Ghar	143
L-2383	Hassan Gul	2302	CCP Pesh:	144

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2117	Khuram Shahzad	284	Toor Ghar	145
L-2119	Masood Jan	1105	Charsadda	145

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of Lower College Course Term Ending 20.03.2014.

Comp#.	Name	Belt#.	District.	Merit No
L-2678	Zubair Shah	666	Bunir	146
L-2711	Muhammad Rustam	2488	Abbottabad	147
L-2420	Imran Ullah	3376	CCP Pesh:	147
L-2556	Asmat Ullah	94/2073	Bannu	148
L-2388	Ali Akbar	581	Bunir	148
L-2481	Aslam Ul Nas	508	Chitral	149
L-2706	Khalid Zaman	4818	Abbottabad	150
L-2298	Shahid Khan	282	Abbottabad	151
L-2352	Muhammad Ambar	300/292	Dir Upper	151
L-2382	Syed Shareef Ullah	1953	CCP Pesh:	152
L-2554	Kifayat Ullah	423	Kohistan	152
L-2434	Younas Khan	378	Lakki Marwat	152
L-2499	Adnan Khan	1283	Nowshera	153
L-2598	Habib Shah	725	Dir Upper	153

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2027	Murad Ali	4476	Swat	154
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of Lower College Course Term Ending 20.03.2014.

L-2465	Wajid Rehman	458	Hangu	155
L-2669	Ihsan Ullah Khan	424	Chitral	156

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2265	Shafi Ullah	888	Bannu	157
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of Lower College Course Term Ending 20.03.2014.

L-2746	Muhammad Sajid	1390	Abbottabad	158
L-2375	Bakht Akbar	810	Swat	158
L-2754	Atiq Ur Rehman	366	Lakki Marwat	159
L-2387	Shujah Uddin	631	Chitral	160
L-2559	Bakhtiar Amin	1698	Mardan	160
L-2448	Muhammad Asif	935	Manshera	161
L-2563	Zahid Ali	2862	Mardan	161
L-2710	Fayuz Ahmad	747	Charsadda	162
L-2688	Muslim Khan	434	Bunir	163
L-2370	Muhammad Hayat	2253/3498	Charsadda	164

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2226	Jameel Khan	2381	Nowshera	165
L-2126	Taj Malik	1650	Swat	166
L-2216	Asif Ali	2899	Mardan E/F	166

of Lower College Course Term Ending 20.03.2014.

L-2506	Naseem Ullah	1255	Charsadda	167
L-2736	Muhammad Zubair	267	Tank	167
L-2444	Abdul Wahab	4426	Swat	168
L-2600	Muhammad Anees	1171	Kohat	169
L-2355	Raheem Dad	219/RR	Swat	169
L-2458	Abdul Kareem	4498	Swat	169
L-2538	Muhammad Riasat	378	Haripur	170
L-2634	Sikandar Nadeem	28	Karachi	171

of Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2218	Shahid Ali Shah	1396	Abbottabad	172
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of Lower College Course Term Ending 20.03.2014.

L-2691	Muhammad Ismael	3695	CCP Pesh:	173
L-2532	Majid Khan	558	Karachi	173
L-2617	Muhammad Asif	4517	Swat	173

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Comp#.	Name	Belt#.	District.	Merit No
L-2565	Abid Ur Rehman	197	Swat	174
L-2572	Shah Zaib	1712	Mardan	175
L-2384	Shahbaz Ali Shah	907	Bannu	176
L-2652	Ashiq Ali	338	Hangu	176
L-2513	Amjid Ali	731/1104	Nowshera	176
L-2699	Fasih Ullah	1503	CCP Pesh:	177
L-2579	Wajid Ali	2293	Mardan	177
L-2305	Syed Wakeel Shah	244	Batagram	178
L-2324	Alunad Shah	1600	Elite Kohat	179
L-2535	Tariq	3141	Abbottabad	180
L-2394	Gul Zar Khan	1367	CCP Pesh:	181
L-2741	Abdul Hafeez	2272	CCP Pesh:	182
L-2459	Gul Muhammad	967	Swat	182
L-2377	Raheem Gul	1290	Dir Lower	183
L-2616	Darwish Khan	564	Dir Upper	183
L-2490	Waqar Ahmad	199	Tor Ghar	183
L-2714	Muhammad Shahzad	604	CCP Pesh:	184
L-2477	Mujahid Ameen	2974	Mardan	185
L-2467	Tahir Iqbal	758	Manselira	186
L-2526	Muhammad Fayaz	414	Karak	187
L-2393	Bakht Yar Hussain	1954	CCP Pesh:	188
L-2521	Hidayat Ullah	83	Karak	189
L-2662	Qaisar Khan	2530	CCP Pesh:	190
L-2374	Muhammad Riaz	396	Dir Lower	191
L-2485	Sheer Azam Baig	617	Chitral	192
L-2517	Hamid Jan	1257	Charsadda	193
L-2650	Akhtar Hussain	229	Chitral	194
L-2308	Haleem Ullah	93	Dir Lower	194
L-2738	Arshid Ali	2739	CCP Pesh:	195
L-2439	Tahir Hussain	195	Hangu	195
L-2425	Yousaf Khan	3588	CCP Pesh:	196

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2066	Iqbal	2969	Mardan	197
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Lower College Course Term Ending 20.03.2014.

L-2599	Wajid Ullah	561	CCP Pesh:	198
L-2409	Muhammad Zahid	3695	D.I.Khan	199
L-2585	Muhammad Arif	2949	Mardan	200
L-2664	Ghulam Farid	618	D.I.Khan	201
L-2695	Muzamil Shah	2554	Mardan	202

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-1998	Muhammad Sadique	323	Abbottabad	203
L-2127	Zahir Ullah	183	Bannu	203

Lower College Course Term Ending 20.03.2014.

L-2682	Muhammad Bahadur	530	Bunir	204
L-2668	Shoaraiz Khan	437	Haripur	205
L-2457	Nishad Hassan	2700	CCP Pesh:	206
L-2299	Zia Ur Rehman	4166	Dir Lower	206
L-2512	Muhammad Shah	5479	CCP Pesh:	207

Re-Appeared Candidates of Lower College Course, term ending 20.09.2013.

L-2169	Peer Zada	123	Shangla	208
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Lower College Course Term Ending 20.03.2014.

L-2618	Haneed Badshah	1261	Kohat	209
L-2564	Arshad	2135	Mardan	210

دفعہ ۱۱ کے تحت سرکاری نوکری کے لئے ۲۰۲۰ء "C"

POLICE DEPARTMENT

KARAK DISTRICT

SERVICE PARTICULAR OF C- I CONSTABLES FOR PROMOTION AS HEAD CONSTABLES

S.No.	Name & Numbers	Date of Birth	Date of Enlistment	Seniority Position according to Term Ending.	Order of Merit.	m.c.u.	Entries		
							Good	Bad	
								Maj:	Minor
1.	Wasif Ullah No.838/LHC	27.02.1981	10.11.2003	20.03.2013	83	MA	04	-	-
2.	Farman Ullah No.828/LHC	20.02.1982	12.02.2002	20.03.2013	382	10 th	01	-	02
3.	Amjad Ali No.506/LHC	13.08.1981	12.02.2002	20.03.2013	392	FA	-	-	01
4.	Abid Rehman No.54/LHC	02.01.1985	29.06.2007	20.09.2013	64	MA	14	-	-
5.	Najeeb Ullah No.46/E.F /LHC	11.04.1982	27.07.2007	20.09.2013	75	FA	-	-	01
6.	Muhammad Arif No. 4717/E.F/LHC	04.04.1986	27.07.2007	20.09.2013	107	B.A	-	-	01
7.	Umer Badshah No.690/LHC	14.01.1986	25.10.2004	20.09.2013	151	FA	05	-	-
8.	Muhammad Jabbar No.85/E.F /LHC	01.08.1983	12.06.2007	20.09.2013	162	BA	06	-	-
9. 1	Lal Rehman No. 729	02.08.1980	27.07.2007	20.12.2013	14	10 th	01	-	-
10. 2	Majid Khan No. 558	03.03.1984	12.06.2007	20.03.2014	13	B.A	02	-	-
11. 3	Mohib Ullah No.514	01.01.1986	12.06.2007	20.03.2014	44	B.A	02	-	-
12. 4	Yaqoob ur Rehman No. 773	16.01.1981	01.06.2006	20.03.2014	63	B.A	02	-	-
13. 5	L/Const: Gohar Kalsoom No. 557	10.04.1989	20.07.2009	20.03.2014	73	B.A	07	-	01
14. 6	Muhammad Zafran No. 276	10.02.1988	27.07.2007	20.03.2014	87	10 th	-	-	01
15. 7	Muhammad Nawaz No. 832	01.01.1984	10.11.2003	20.03.2014	122	F.A	01	-	-
16. 8	Naseeb Ullah No. 1136/CTD	03.03.1987	27.07.2007	20.03.2014	138	M.A	-	-	-
17. 9	Muhammad Fayaz No. 414	05.03.1981	12.06.2007	20.03.2014	187	F.A	04	-	-
18. 10	Hidayat Ullah No. 379	27.03.1988	12.06.2007	20.03.2014	189	F.A	04	-	02
19. 11	Umer Zada No:611	25.03.1987	12.06.2007	30.07.2014	18	BBA	01	-	01
20. 12	Arif Ullah No. 188	08.03.1985	12.06.2007	30.07.2014	22	FA	03	-	02

(10)

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Signature
SAC/Karak

Signature
OHC/Karak

(30)

~~Annexure A~~

4

ANXD

IN THE SUPREME COURT
(Appellate Jurisdiction)

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PRESENT:
Mr. JUSTICE ANWAR ZAHEER JAMALI
Mr. JUSTICE EJAZ AFZAL KHAN
Mr. JUSTICE QAZI FAEZ ISA

C.Ps NO. 21-P, 46-P to 48-P, 56-P, 105-P, 113-P, 120-P, 176-P, 177-P, 187-P to 191-P, 195-P to 199-P, 213-P, 264-P to 266-P and 274-P of 2014

(On appeal against the Judgment dated 31.10.2013, 12.12.2013, 21.11.2013, 10.12.2013, 11.12.2013, 12.11.2014, 28.01.2014, 11.3.2014 passed by Peshawar High Court, Peshawar in W.P.Nos. 2565-P, 2614-P, 2616-P, 1885-P, 758-P, 520-P, 2967-P, 2765-P, 2615-P, 2919-P, 3104-P, 3117-P, 3281-P, 3282-P, 3284-P, 2892-P, 3173-P, 3228-P, 3289-P, 3226-P, 2991-P, 2999-P, 3030-P, 1909-P, 2698-P of 2013)

Inspector General of police, Peshawar and others	(in 21-P/14)
Govt. of KPK thr. Chief Secy, and others	(in 46-P/14)
Provincial Police Officer, Govt of KPK Peshawar and others	(in all cases)
Govt. of KPK thr. Secy Home and Tribal Affairs	(in 48-P/14)
Govt. of KPK thr. Chief Secy, Peshawar and others	(in 56-P/14)
	Petitioner(s)

Versus

Fakhar ul Islam and others
 Shah Wali Khan and another
 Nasir Mehmood and others
 Burair Abbas
 Mazhar Ali Khan and others
 Inayatullah and others
 Sahid Alam
 Saleman Shah and others
 Mchhoob Alam and others
 Hazrat Ali and others
 Sajid Iqbal and another
 Ghani ur Rehman
 Muhammad Tariq
 Naqebullah
 Ibrar Hussain
 Yaqoob Khan
 Rasheed Ahmad
 Waheed Gul
 Hazrat Samad
 Riaz Khan
 Aziz ur Rehman
 Constable Gul Sahib Shah
 Shaukat Ali

(in 21-P/14)
(in 46-P/14)
(in all cases)
(in 48-P/14)
(in 56-P/14)
Petitioner(s)

Attested

[Signature]

SP Court & Litigation
For Inspector General of P
Khyber Pakhtunkhwa, Peshawar

[Signature]
ATTESTED

..... Respondents

For the Petitioners

Mr. Waqar Ahmad Khan ; Addl. AG KPK
 Mr. M. Younis S.P Legal (CPO, Pesh)
 Janis Khan, DSP (Legal) Abbottabad
 M. Ismail DSP, Karak

For the Respondents
(On Caveat)

Mr. Ghulam Nabi Khan, ASC. (in 177-P, 187-P, 188-P, 190-P, 191-P, 196-P to 199-P and 213-P of P; 188-P, 190-P, 191-P, 196-P to 199-P and 213-P of 2014.

Date of hearing: 23-09-2014

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Q1-A1

Annexure - A

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ORDER

ANWAR ZAHEER JAMALI, J: All the above titled petitioner for leave to appeal arise out of eight judgments of identical nature passed in Writ petitions Nos. 2565-P, 2614-P, 2616-P, 1885-P, 758-P, 520-D, 2967-P, 2765-P, 2615-P, 2919-P, 3104-P, 3117-P, 3281-P, 3282-P, 3284-P, 2892-P, 3173-P, 3228-P, 3289-P, 3226-P, 2991-P, 2999-P, 3030-P, 1909-P, 2698-P of 2013 whereby the grievance agitated by the petitioners before the Peshawar High Court, as regards their issue of age relaxation was redressed by the Court substantially in the following terms:

7. The petitioners in view of Rule 13.7 of Police Rules 1934, were entitled to be given preference in the matter of selection for undergoing training of the requisite course because of their ages, but juniors to them were selected, hence not only violation of rules is apparent in their cases but discriminatory treatment is also evident on the other hand. The cases of petitioners are similar to the cases of those petitioners, who have been given relief by this Court in the above mentioned writ petitions and the propriety thus demands giving similar relief to petitioners.

8. Accordingly, these writ petitions are accepted with directions to respondents to immediately arrange the sending of petitioners to Hangu Training College for the requisite course without fail and without loss of time No order as to costs.

2. The learned Addl. A.G. KPK has appeared before the Court and made reference to the standing order dated 11.03.2014 to show that this standing order has further addressed the issue of age relaxation agitated by the petitioner before the High Court. He, therefore, submits that to this extent now the petitioners have no grievance against the impugned judgment. He further submits that, however, while passing the impugned judgments learned Division Benches of the Peshawar High court have not taken into account the spirit and application of standing order No. 3 of 2011 which provides for the mode of eligibility for examination etc. He submits that petitioners will be satisfied with the disposal of all these petitions in the terms that the impugned judgments are modified only to the extent that after the age relaxation allowed by the Peshawar High Court as affirmed by the department vide police policy Board decision dated 12.02.2014. The Selection of the candidate for A1 and B1 examination will be made on merit

Attested

N. Humayun

SPICourt & Litigation
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Attested

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As per criteria laid down in PPB 13 of 2014 and that for this purpose a committee will be constituted who will examine the merit list dated 11.7.2013 afresh as a whole.

3. In reply to the above, Mr. Ghulam Nabi Khan, ASC has insisted that the selection of remaining candidates should be taken up on merit on the basis of the merit lists already prepared at the departmental level in July, 2013. We are not much impressed with his submission of the reason that the list of candidates who are to be selected for the forthcoming training programme is to be prepared by the department on an annual basis. There remains no doubt in this regard especially in the light of the statement to this effect made by the learned Addl A.G that after the decision on the issue of age relaxation the merit criteria in terms of standing order by PPB Order No. 13 of 2014 will be followed strictly across the board and for that purpose treatment to all the petitioners before the High court and others in similar position will be just, fair, equitable and without any discrimination.

Attended
N. Hussain

4. We accordingly propose to dispose of these petitions with the observation that the persons, who after age relaxation are qualified to appear in A1 and B1 examination shall be eligible to undergo the training and for that purpose a Committee shall be constituted by the competent authority who shall determine their merit along with other candidates strictly in terms of the standing order PPB as mentioned above.

5. In view of the above, the delay in the filing of these petitions is condoned and all these petitions are converted into appeal and disposed of as such along with other pending applications. Henceforth, if the respondents or the petitioners herein have any other grievance, they may agitate the same before the proper forum.

Sd/- Anwar Zaheer Jamali

Sd/- Ejaz Afzal Khan

Sd/- Qazi Fiaz Isa

[Handwritten signature]

ATTESTED

Islamabad

23-09-2014

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Annexure "B"

ANNEXURE

MINUTES OF THE MEETING HELD ON 06.11.2014 AT 14:00 HRS AT CPO, PESHAWAR.

1. A meeting of the committee was held in CPO, Peshawar on 06.11.2014 to examine the case of constables of various districts for selection to lower college course.

The following attended the meeting:

- 1. Mr. Shoukat Hayat
Addl: Inspector General of Police,
Special Branch KPK, Peshawar. Chairman
- 2. Mr. Mubarak Zeb
Deputy Inspector General of Police,
HQs KPK, Peshawar. Member
- 3. Syed Fida Hassan Shah
Assistant Inspector General of Police,
Establishment CPO, Peshawar. Member
- 4. Mr. Mushtaq Ahmad,
Assistant Inspector General of Police,
Legal, CPO Peshawar. Member

REGISTERED

3. As per the recommendation of Commandant PTC Hangu 180 Constables of various Districts who were becoming overage for lower college course were selected for lower college course in the term 01.10.2013.

4. The constables mentioned at Annexure "C" who were overaged for lower college course in the term 01.10.2013 made writ petitions in the Peshawar High Court Peshawar for selection to lower college course.

5. Their writ petitions were accepted by the Honorable Peshawar High Court Peshawar with the direction that the petitioners may be selected to the lower college course in the term 01.10.2013.

6. In compliance with the court orders 27 constables at Annexure "A" were selected to lower college course while 03 constables at Annexure "B" appeared in B-1 examination 2014 and were selected to lower college course on their own merit.

7. The Police Department moved 25 CPLAs in the Honorable Supreme Court of Pakistan against the orders of Peshawar High Court Peshawar directing unfit Police personnel for lower college course at Annexure "C". All CPLAs have been accepted in terms of recognizing directives / decisions of Police Policy Board (PPB No. 13/2014) in which the age for B-1 examination was relaxed from 33 years to 40 years and it has been ordered to constitute committee to determine the merits of petitioners alongwith others strictly in accordance with PPB/Standing Order.

8. In compliance with the Honorable Supreme Court of Pakistan order, the worthy IGP KPK Peshawar constitute a committee comprising the above officers to determine the merit of the petitioners alongwith others for selection to lower college course.

9. The upshot of the Honorable Supreme Court consolidated judgment dated 23.09.2014, passed in Civil Petitions No. 21-P, 46-P to 48-P, 56-P, 105-P.

SP/Court & Litigation
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

113-P, 120-P, 176-P, 177-P, 187-P, to 191-P, 195-P to 199-P, 213-P, 264-P to 266-P and 274-P of the year 2014 is that a committee constituted by competent authority shall determine the merit of the person, alongwith other candidates who after age relaxation are qualified to appear in A-I and B-I examination. The Honourable Court has based the order on the proposal submitted by Additional Advocate General as mentioned in Para 2 of the judgment that a committee will be constituted who will examine the merit list dated 11.07.2013 afresh as a whole.

10. There is no merit list dated: 11.07.2013 and the Honourable Court has referred to letter No. 8983/EC dated: 11.07.2013 of District Police Officer Karak addressed to Commandant Police College Hangu allegedly produced by the respondents before the Court during hearing of the case wherein 21 candidates of district Karak were recommended for selection to lower college course in addition to selection of candidates already made on merit of B-I examination of the year 2013. Copy of the letter is enclosed. It merits mention here that Commandant PTC Hangu made recommendation for selection of 180 candidates for lower college course of different district who were becoming overage for B-I examination on 01.10.213 and 31.03.2014 and CPO accorded sanction accordingly.

1. The list of 180 candidates selected for lower college course in placed on file which also shows district wise merit of the candidates. Discussing and mentioning merit of the individual candidate is difficult for the committee however, to exemplify the matter it is pointed out that Imran Constable No. 1119 of District Abbottabad is at S.No. 01 of the list and his merit position in the district is at S.No. 63. Total 09 seats of lower college course were allotted to district Abbottabad in the year 2013 and a person at S.No. 63 of the merit succeeded in getting selection for lower college course and crossed 54 candidates. The same is the case of remaining 179 candidates of the list as their merit was also very low in the district but they were selected to lower college course. Furthermore, let alone merit of the candidates of the list, the bulk of the candidates did not even qualify the B-I examination but find way to lower college course.

2. The selection of 180 candidates opened a flood gate for filing writ petitions by the other candidates including overage and within age and the Honourable High Court accepted the writ petitions on ground that the petitioners have been discriminated. CPO selected 27 candidates for lower college course in compliance with the judgments of Honourable High Court and legal branch filed 25 CPLA against such orders of Peshawar High Court and the same were disposed of by the Honourable Supreme Court vide order mentioned above.

The examination of the record reveals that the candidates who succeeded in grant of relief from the Honourable High Court were also not on merit of the promotion list B-I and most of them had not qualified B-I examination. This is worth mentioning that Ghani-ur-Rehman FC No. 274 district Karak and Yaqoob Khan FC No. 2025 district Mardan even did not appear in B-I examination but succeeded in grant of relief from the Honourable High Court. It is proved from the record that the 180

Affected
N. Hammad
SP/Court & Litigation
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

candidates as well as the candidates who succeeded in grant of relief from High Court were not approved for promotion list B-1 in accordance with laid down procedure and criteria as envisaged in Police Rules 13-7 read with Standing Order No. 03/2011. Therefore, their selection for lower college course was illegal ab-initio.

In view of the position explained above, the committee makes the following recommendations.

1. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated 12.02.2014 as observed in the Honourable Supreme Court order mentioned above. Therefore, all the 180 candidates and candidates who have managed relief from the High Court are eligible for appearing in the coming B-1 examination. As such all the 180 candidates who had undergone lower college course in the 2nd term of 2013 and those candidates who had gone for lower college course without passing the mandatory B-1 examination shall re-appear in the forth coming B-1 examination to be held on 08th March 2015. However, the seniority of the all those candidates who qualify the B-1 examination shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.
2. As regard the case of petitioners/candidates who want to lower college course in violation of Police Rules, for not qualifying B-1 test, but managed through courts/tribunal and completed lower college course shall also appear in forth coming B-1 examination to be held on 08th March 2015. After qualifying B-1 examination, they will not undergo lower college course again and their seniority shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.

Submitted for approval please.

(SHOUKAT HAYAT)
Chairman

Add: Inspector General of Police,
Special Branch Khyber Pakhtunkhwa Peshawar

STED

(MUBARAK ZEB)
Member

Deputy Inspector General of Police,
Khyber Pakhtunkhwa Peshawar

(SYED FIDA HASSAN SHAH)
Member

Assistant Inspector General of Police,
Establishment CPO Peshawar

(MUSHTAQ AHMAD)
Member

Assistant Inspector General of
Legal CPO Peshawar

Handwritten signatures and initials at the bottom right of the page.

MINUTES OF THE MEETING HELD ON 06.11.2014 AT 14:00 HRS AT CPO, PESHAWAR.

A meeting of the committee was held in CPO, Peshawar on 06.11.2014 to examine the case of constables of various districts for selection to lower college course.

The following attended the meeting:-

- | | |
|---|----------|
| 1. Mr. Shoukat Hayat
Addl: Inspector General of Police,
Special Branch KPK, Peshawar. | Chairman |
| 2. Mr. Mubarak Zeb
Deputy Inspector General of Police,
HQrs KPK Peshawar | Member |
| 3. Syed Fida Hassan Shah
Assistant Inspector General of Police,
Establishment CPO, Peshawar | Member |
| 4. Mr. Mushtaq Ahinad
Assistant Inspector General of Police,
Legal, CPO Peshawar | Member |

3. As per the recommendation of Commandant PTC Hangu 180 Constables of various Districts who were becoming overage for lower college course were selected for lower college course in the term 01.10.2013.

4. The constables mentioned at Annexure "C" who were overaged for lower college course in the term 01.10.2013 made writ petitions in the Peshawar High Court Peshawar for selection to lower college course.

5. Their writ petitions were accepted by the Honorable Peshawar High Court Peshawar with the direction that the petitioners may be selected to the lower college course in the term 01.10.2013.

6. In compliance with the court orders 27 constables at Annexure "A" were selected to lower college course while 03 constables at Annexure "B" appeared in B-1 examination 2014 and were selected to lower college course on their own merit

7. The Police Department moved 25 CPLAs in the Honorable Supreme Court of Pakistan against the orders of Peshawar High Court Peshawar directing unfit Police personnel for lower college course at Annexure "C". All CPLAs have been accepted in terms of recognizing directives / decisions of Police Policy Board (PPB No. 13/2014) in which the age for B-1 examination was relaxed from 33 years to 40 years and it has been ordered to constitute committee to determine the merits of petitioners alongwith others strictly in accordance with PPB/Standing Order.

8. In compliance with the Honorable Supreme Court of Pakistan order, the worthy IGP KPK Peshawar constitute a committee comprising the above officers to determine the merit of the petitioners alongwith others for selection to lower college course.

9. The upshot of the Honorable Supreme Court consolidated judgment dated 23.09.2014, passed in Civil Petitions No. 21-P, 46-P to 48-P, 56-P, 105-P.

113-P, 120-P, 176-P, 177-P, 187-P, to 191-P, 195-P to 199-P, 213-P, 264-P to 266-P and 274-P of the year 2014 is that a committee constituted by competent authority shall determine the merit of the person, alongwith other candidates who after age relaxation are qualified to appear in A-I and B-I examination. The Honourable Court has based the order on the proposal submitted by Additional Advocate General as mentioned in Para 2 of the judgment that a committee will be constituted who will examine the merit list dated 11.07.2013 afresh as a whole.

10. There is no merit list dated: 11.07.2013 and the Honourable Court has referred to letter No: 8983/EC dated: 11.07.2013 of District Police Officer Karak addressed to Commandant Police College Hangu allegedly produced by the respondents before the Court during hearing of the case wherein 21 candidates of district Karak were recommended for selection to lower college course in addition to selection of candidates already made on merit of B-I examination of the year 2013. Copy of the letter is enclosed. It merits mention here that Commandant PTC Hangu made recommendation for selection of 180 candidates for lower college course of different district who were becoming overage for B-I examination on 01.10.213 and 31.03.2014 and CPO accorded sanction accordingly.

11. The list of 180 candidates selected for lower college course is placed on file which also shows district wise merit of the candidates. Discussing and mentioning merit of the individual candidate is difficult for the committee however, to exemplify the matter it is pointed out that Imran Constable No. 1119 of District Abbottabad is at S.No. 01 of the list and his merit position in the district is at S.No. 63. Total 09 seats of lower college course were allotted to district Abbottabad in the year 2013 and a person at S.No. 63 of the merit succeeded in getting selection for lower college course and crossed 54 candidates. The same is the case of remaining 179 candidates of the list as their merit was also very low in the district but they were selected to lower college course. Furthermore, let alone merit of the candidates of the list, the bulk of the candidates did not even qualify the B-I examination but find way to lower college course.

12. The selection of 180 candidates opened a flood gate for filing writ petitions by the other candidates including overage and within age and the Honourable High Court accepted the writ petitions on ground that the petitioners have been discriminated. CPO selected 27 candidates for lower college course in compliance with the judgments of Honourable High Court and legal branch filed 25 CPLA against such orders of Peshawar High Court and the same were disposed of by the Honourable Supreme Court vide order mentioned above.

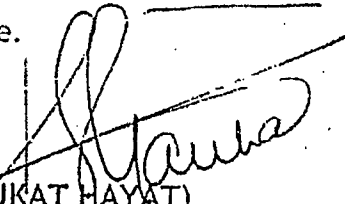
13. The examination of the record reveals that the candidates who succeeded in grant of relief from the Honourable High Court were also not on merit of the promotion list B-I and most of them had not qualified B-I examination. This is worth mentioning that Ghani-ur-Rehman FC No. 274 district Karak and Yaqoob Khan FC No. 2025 district Mardan even did not appear in B-I examination but succeeded in grant of relief from the Honourable High Court. It is proved from the record that the 180

candidates as well as the candidates who succeeded in grant of relief from High Court were not approved for promotion list B-I in accordance with laid down procedure and criteria as envisaged in Police Rules 13-7 read with Standing Order No. 03/2011. Therefore, their selection for lower college course was illegal ab-initio.

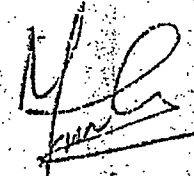
14. In view of the position explained above, the committee makes the following recommendations.

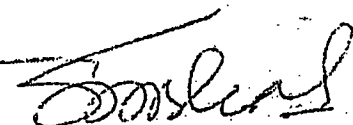
1. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated; 12.02.2014 as observed in the Honourable Supreme Court order mentioned above. Therefore, all the 180 candidates and candidates who have managed relief from the High Court are eligible for appearing in the coming B-I examination. As such all the 180 candidates who had undergone lower college course in the 2nd term of 2013 and those candidates who had gone for lower college course without passing the mandatory B-I examination shall re-appear in the forth coming B-I examination to be held on 08th March 2015. However, the seniority of the all those candidates who qualify the B-1 examination shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.
2. As regard the case of petitioners/candidates who want to lower college course in violation of Police Rules, for not qualifying B-1 test, but managed through courts/tribunal and completed lower college course shall also appear in forth coming B-1 examination to be held on 08th March 2015. After qualifying B-1 examination, they will not undergo lower college course again and their seniority shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.


Submitted for approval please.


 (SHOUKAT HAYAT)
 Chairman

Add: Inspector General of Police,
Special Branch Khyber Pakhtunkhwa Peshawar


 (MUBARAK ZEB)
 Member
 Deputy Inspector General of Police,
 HQs Khyber Pakhtunkhwa Peshawar


 (SYED FIDA HASSAN SHAH)
 Member
 Assistant Inspector General of Police,
 Establishment CPO Peshawar


 (MUSHFAQ AHMAD)
 Member
 Assistant Inspector General of
 Legal CPO Peshawar

ANX-F

39

LETTER OF THE INSPECTOR GENERAL OF POLICE PESHAWAR

No. ~~100/015~~ 19/015 dated Peshawar the 19/01/15

Copy of above is forwarded for necessary compliance to the:-

1. Capital City Police Officer Peshawar for availability mentioned above as the contractors will start their arrangements on 05.06.2015.
2. All DPOs in RPK except DPOs Dikhan, Torghar and ... nomination their local persons and deposit Rs. 350/- ... with ETEA authority before Examination. The candidates in the attached list may please be informed. Roll ... the candidates will be issued/prepared by the ETEA ... due course.
3. Director ETEA RPK Peshawar for information List of ... for appearing in the special B-I Examination ... list sent vide this office ... may please be treated as cancelled.

500/0151
for necessary

[Signature]
District Police Officer

[Signature]

(PERVEZ ILLAH)
Registrar
For Inspector General of Police
Khyber Pakhtunkhwa
Peshawar.

[Stamp]

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OF LHCS WHO QUALIFIED LOWER SCHOOL COURSE IN THE YEAR 2013
COMPLIANCE WITH THE ORDER OF PESHAWAR HIGH COURT PESHAWAR

DISTRICT MARDAN

1. LHC Nasir Khan No. 1450
2. LHC Sharif Ullah No. 1814
3. LHC Sulaman Shah No. 250
4. LHC Noor Ul-Haq No. 1805
5. LHC Gul Amin No. 1825
6. LHC Zahid Shah No. 1442/1892

DISTRICT NOWSHERA

7. LHC Shah Wali No. 1238
8. LHC Muhammad Kazim No. 1227

DISTRICT KOHAT

9. LHC Hussain Shah
10. LHC Hasam Khan No. 269
11. LHC Faridoo Khan
12. LHC Sikandar Nadeem No.
13. LHC Abbas Khan No. 1254
14. LHC Burair Abbas
15. LHC Tufail Khan No. 1296

DISTRICT HANGU

16. LHC Mehboob Alam No. 60
17. LHC Muhammad Jasin No. 181
18. LHC Zeenat Gul No. 35
19. LHC Noor Wazir No. 826

DISTRICT TARRAK

20. LHC
21. LHC
22. LHC

(41)

DISTRICT KOHAT	
37	LHC Amrooz Gul No. 234
38	LHC Muhammad Nasir Qureshi No. 356
39	LHC Khan Akbar No. 1088
40	LHC Hamid Badshah No. 1261
41	LHC Muhammad Anees No. 1092
42	LHC Muhammad Arshad No. 1078
43	LHC Jandad Khan No. 1270
44	LHC Ahmad Shah No. 401/1600/EF
45	LHC Shabeer Ahmad No. 1141
46	LHC Sagheer Hussain No. 213
47	LHC Muhammad Tariq No. 1603/EF
48	LHC Asif Khan No. 891
49	LHC Azmor Gul No. 234
DISTRICT HANGU	
50	LHC Ashgar Ghulam No. 1113
51	LHC Kashif Ali No. 4079/EF
52	LHC Zahoor Khan No. 328
53	LHC Shakoor Ahmad No. 332
54	LHC Farman Ali No. 312
55	LHC Asmat Ullah No. 2499/EF
56	LHC Zahoor Khan No. 1078
57	LHC Muqtader Ali No. 528
58	LHC Jamil Khan No. 441
59	LHC Abdur Raheem No. 126/IBH
60	LHC Safdar Ali No. 124/EF
DISTRICT PESHAWAR	
61	LHC Khalid Khan No. 615
62	LHC [Redacted] No. 364
63	LHC [Redacted] No. 1282/87
64	LHC [Redacted] No. 96/EF
65	LHC [Redacted] No. 1182/EF
66	LHC [Redacted] No. 759
67	LHC [Redacted] No. 579
68	LHC [Redacted] No. 836/1117/EF
69	LHC [Redacted] No. 30/7/EF

(42)

DISTRICT BANNU

- LHC Miamat Ur Rehman
- LHC Muhammad Ilyas
- LHC Feroz Khan No. 1806/EF
- LHC Inam Ullah No. 1523/930
- LHC Raza Ullah No. 1058
- LHC Zaheer Ullah No. 183
- LHC Niamat Ullah No. 431
- LHC Mati Ullah No. 24
- LHC Kamran Khan No. 1421

DISTRICT LAKKI MARWAT

- 86. LHC Inayat Ullah No. 194
- 87. LHC Noor Aslam No. 395
- 88. LHC Sahar Gul No. 543/1900/EF
- 89. LHC Inam Ullah No. 1946/EF
- 90. LHC Faza Ahmad No. 407
- 91. LHC Atiq Ur Rehman No. 366
- 92. LHC Muhammad Mustafa No. 41
- 93. LHC Younas Khan No. 378
- 94. LHC Shah Ullah No. 347/762/EF

DISTRICT SHANGLA

- 95. LHC Qamr Ullah No. 430
- 96. LHC Umar Rehman No. 62
- 97. LHC Khair Ur Rehman No. 266
- 98. LHC Saib Hayat No. 935
- 99. LHC Fakhar Ud Din
- 100. LHC Gul Zaman No. 365
- 101. LHC Mukamill Shah
- 102. LHC Talib Hussain No. 300
- 103. LHC MURSHID
- 104. LHC Tahir Hussain No. 272/388
- 105. LHC SIVA
- 106. LHC HIRA

- 107. LHC
- 108. LHC
- 109. LHC
- 110. LHC
- 111. LHC
- 112. LHC
- 113. LHC
- 114. LHC



B.I
13/6/15

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43

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

No. 7749-66 /E-IV dated: 12/6 /2015

To : The District Police officers,
Mardan, Charsadda, Swabi, Nowshera, Kohat,
Hangu, Karak, Bannu, Lakki, Shangla, Suner, Chitral,
Dir Upper, Dir Lower, Abbottabad, Haripur, Mansehra,
Upper Kohistan, Battagram and Tank.

Subject: RESULT OF SPECIAL B-I EXAMINATION HELD ON 06.06.2015 AT PESHAWAR.

Memo:

Enclosed please find herewith result of Special B-I Examination held on 06.06.2015 at Peshawar for further necessary action:-

Encls:- (08)

(PERVEZ ILLAHI)

Registrar

For Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar.

13/6/15

[Signature]

(44)

SPECIAL B-1 EXAM: FOR KP-POLICE DEPARTMENT (06-06-2015)

[PROVINCIAL MERIT-LIST]

ROLL NO	NAME	BELT NO	DISTRICT/ UNIT	MARKS/ 350	%AGE	
1	00084	TANVEER AHMAD	3293	NOWSHERA	324	90.00
2	00125	ISAM KHAN	469	HANGU	320	88.89
3	00085	AMJAD ALI	731	NOWSHERA	315	87.78
4	00003	NASIR MEHMOOD	1173	KARAK	312	86.67
5	00039	ZAHID UL HAQ	2131	SWABI	308	85.56
6	00079	MUHAMMAD HAYAT	2253	CHARSADDA	304	84.44
7	00099	MUSADDIQ SHAH	484/1435	HARIPUR	295	82.22
8	00048	MUHAMMAD IBRAHIM	325/1044	SWABI	288	80.00
9	00005	HAZEER DAD	618	KARAK	284	78.89
10	00043	SHER ALI KHAN	2173	SWABI	272	75.56
11	00023	MUHAMMAD ARSHAD	178	KOHAT	268	74.44
12	00001	SHER MOHAMMAD	67	KARAK	264	73.33
13	00038	SHAH KHALID	326	SWABI	264	73.33
14	00086	MURAD KHAN	2281	NOWSHERA	260	72.22
15	00100	IMRAN KHAN	103	HARIPUR	260	72.22
16	00118	ASGHAR GHULAM	1113/358	HANGU	260	72.22
17	00119	SAFDAR ABBAS	1114/10	HANGU	260	72.22
18	00011	ZIA UR RAHMAN	759	KARAK	255	71.11
19	00040	ARSHAD ALI KHAN	1020/1370	SWABI	255	71.11
20	00094	ISHTIAQ HUSSAIN SHAH	2712	HARIPUR	256	71.11
21	00034	KHAN AKBAR	1098	KOHAT	252	70.00
22	00065	MARIA ANWAR	305	MARDAN	252	70.00
23	00020	SIKANDAR NADEEM	25	Kohat	248	68.89
24	00055	NASIR KHAN	1450	MARDAN	248	68.89
25	00127	ASMAT ULLAH KHAN	2499EF	HANGU	248	68.89
26	00010	ARSHAD HABIB ULLAH	1182	KARAK	244	67.78
27	00026	BURAIR ABBAS	1573	KOHAT	240	66.67
28	00044	IFTIKHAR ALI	141	SWABI	240	66.67
29	00045	ZARD ALI KHAN	2276	SWABI	240	66.67
30	00092	MUHAMMAD ASIF	456	HARIPUR	240	65.67
31	00123	MAHBOOB ALAM	66	HANGU	240	65.67
32	00009	MOHAMMAD JAMIL	96	KARAK	236	65.56
33	00061	SALEMAN SHAH	250	MARDAN	236	65.56
34	00064	ZAHID SHAH	462	MARDAN	236	65.56
35	00097	MUHAMMAD TUQSER	2585	HARIPUR	236	65.56
36	00002	UMAR HAYAT KHAN	589	KARAK	232	64.44
37	00006	ARSHAD IQBAL	1364/169	KARAK	232	64.44

(45)

SPECIAL B-1 EXAM: FOR KP-POLICE DEPARTMENT (06-06-2015)
[PROVINCIAL MERIT-LIST]

ROLL NO	NAME	BELT NO	DISTRICT/ UNIT	MARKS/ 360	%AGE
38	00013	743	KARAK	232	64.44
39	00059	1814	MARDAN	228	63.33
40	00095	2556	HARIPUR	228	63.33
41	00012	579	KARAK	224	62.22
42	00022	1295	KOHAT	224	62.22
43	00024	1603	KOHAT	224	62.22
44	00073	185	TANK	224	62.22
45	00083	197	NOWSHERA	224	62.22
46	00090	378	HARIPUR	224	62.22
47	00120	232	HANGU	220	61.11
48	00004	615	KARAK	220	61.11
49	00028	891	KOHAT	220	61.11
50	00058	1873	MARDAN	220	61.11
51	00068	45	HARIPUR	216	60.00
52	00008	19	KARAK	216	60.00
53	00030	1600/401(OLD)	KOHAT	216	60.00
54	00049	781	SWABI	216	60.00
55	00076	1313	CHARSADDA	212	58.89
56	00054	350	MARDAN	212	58.89
57	00057	421	TANK	212	58.89
58	00081	1227	NOWSHERA	212	58.89
59	00115	349/16H	HANGU	208	57.78
60	00031	38	KOHAT	208	57.78
61	00037	1092	KOHAT	208	57.78
62	00077	2258	CHARSADDA	208	57.78
63	00105	229	CHITRAL	204	56.67
64	00007	87	KARAK	204	56.67
65	00018	502	KARAK	204	56.67
66	00091	372	HARIPUR	204	56.67
67	00093	54	HARIPUR	196	54.44
68	00029	451 ELITE	KOHAT	196	54.44
69	00036	1261	KOHAT	196	54.44
70	00069	45	TANK	196	54.44
71	00117	328	HANGU	192	53.33
72	00016	418	KARAK	192	53.33
73	00021	1270	KOHAT	192	53.33
74	00042	563	SWABI	192	53.33

(7)

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SPECIAL B-1 EXAM: FOR KP-POLICE DEPARTMENT (06-06-2015)
[PROVINCIAL MERIT-LIST]

ROLL NO	NAME	BELT NO	DISTRICT/ UNIT	MARKS/ 360	%AGE	
75	00087	SHOARAZ KHAN	437	HARIPUR	192	53.33
76	00052	SYED SHERYAR ALI	1040	SWABI	188	52.22
77	00104	FAZAL ELAHI	616E/755	CHITRAL	188	52.22
78	00025	FARIDOO KHAN	1579	KOHAT	184	51.11
79	00032	SHABIR AHMED	1141	KOHAT	184	51.11
80	00047	MURAD ALI	805	SWABI	184	51.11
81	00121	FARMAN ALLI	12	HANGU	184	51.11
82	00017	QISMAT ULLAH	192	KARAK	180	50.00
83	00053	GUL AMIN	1825	MARDAN	180	50.00
84	00089	SAFEEL KHAN	700	HARIPUR	180	50.00
85	00106	ISRAR ALI	606/561	CHITRAL	180	50.00
86	00019	GULL HALEEM	1380/254	KARAK	164	45.56
87	00035	MUHAMMAD NASIR	355	KOHAT	164	45.56
88	00082	SHAH WALI KHAN	1238	NOWSHERA	164	45.56
89	00015	SHAHEED UR RAHMAN	826/1176	KARAK	160	44.44
90	00014	IHSAN ULLAH KHAN	04	KARAK	156	43.33
91	00033	SAGHEER HUSSAIN	55	KOHAT	156	43.33
92	00057	IMRAN KHAN	1846	MARDAN	156	43.33
93	00060	NOOR UL HAQ	1805	MARDAN	156	43.33
94	00096	TANVEER AHMED	628	HARIPUR	152	42.22
95	00107	ZAHDOOR AHMAD	143	CHITRAL	152	42.22
96	00116	KASHIF ALI	4079	HANGU	152	42.22
97	00122	ABDUR RAHIM	126/15H	HANGU	152	42.22
98	00098	AAMIR HUSSAIN	445	HARIPUR	148	41.11
99	00050	AMJAD ALI SHAH	159	SWABI	144	40.00
100	00114	JAMIL KHAN	441	HANGU	136	37.78
101	00101	AFTAB AHMED	551/3245	HARIPUR	128	35.56
102	00073	SABEEH ULLAH	1270	CHARSADDA	120	33.33
103	00124	MUQTADAR ALI	528	HANGU	120	33.33
104	00027	ABBAS KHAN	1254	KOHAT	116	32.22
105	00066	USMAN ULLAH	300	TANK	108	30.00
106	00103	QAZI SHEHZAD	672	HARIPUR	88	24.44

3

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ANX G

IN THE PESHAWAR HIGH COURT PESHAWAR



W. P No. 1952-P /2015

1. Amjid Ali, 2443/HC, District Mardan.
2. Haleem Khan, 2208 / HC, District Mardan.
3. Arshad Ali, 2135 / HC, District Mardan.
4. Sharif Ullah 1814 / HC, District Mardan.
5. Zahid Shah, 462/HC, District Mardan.
6. Aftab, 1873/HC, District Mardan.
7. Salman Shah 250/HC, District Mardan.
8. Nasir, 1450/HC, District Mardan.
9. Imran, 1846/HC, District Mardan.
10. Gul Amin, 1825/HC, District Mardan.
11. Noor Ul Haq, 1805/HC, District Mardan.
12. Fayaz Ahmed No.747 / LHC, District Charsadda.
13. Mustafa Kamal, 1415/ LHC, District Charsadda.
14. Hayat Ullah 1310 / LHC, District Charsadda.
15. Sardar Alam 249/ HC, District Charsadda.
16. Asad Hussian, 851 / HC, District Swabi.
17. Muhammad Fayaz, 729 / HC, District Swabi.
18. Amjid, 1131/HC, District Lower Dir.
19. Sher akbar, 56/HC, District Lower Dir.
20. Tufail, 1147/HC, District Lower Dir.
21. Amir Zeb, 480/HC, District Lower Dir.
22. Ismail, 1122/HC, District Lower Dir.
23. Muhammad Zeb, 337/HC, District Upper Dir.
24. Yaseen Khan, 726/HC, District Upper Dir.
25. Muslim Zada, 583/HC, District Upper Dir.
26. Muhammad Zahir, 596/HC, District Upper Dir.
27. Muhammad Ambar, 300/292/HC, District Upper Dir.
28. Darwaish Khan, 564/HC, District Upper Dir.

FILED TODAY
Deputy Registrar
28 MAY 2015

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EXAMINED
Peshawar High Court
13 FEB 2018

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- 29. Aziz Ud Din, 35/HC, District Upper Dir.
- 30. Iqbal, 592/HC, District Upper Dir.
- 31. Mehboob Ali, 220/HC, District Bunner.
- 32. Ali Akbar, 582/HC District Bunner.
- 33. Sher Aman, 406/HC, District Bunner.
- 34. Muhammad Bahar, District Bunner.
- 35. Qarib Ullah, 430/HC, District Shangla.
- 36. Umer Rehman, 621/HC, District Shangla.
- 37. Khairo Rehman, 266/HC, District Shangla.
- 38. Said Hayat, 935/HC, District Shangla.
- 39. Fakhar ud din, District Shangla.
- 40. Gul Zaman, 365/HC, District Shangla.
- 41. Mukamal Shah, LHC, District Shangla.
- 42. Taimur Hussain, 300/HC, District Shangla.
- 43. Muhammad Sheikh, 259/HC, District Shangla.
- 44. Siyar Ahmed, 223/1/HC, District Shangla.
- 45. Tanseem Ali, 247/3518/LHC, District Shangla.
- 46. Habib Ul Hameed, 327/HC, District Shangla.
- 47. Ayaz Ur Rehman, 85/RR/HC, District Swat.

48:- Atiq ur Rehman
Constable No 366

49:- Imayal Ullah
Constable No 194

50:- Noor Aslam
Constable No 595

51:- Bahar Gul
Constable No 543/EF

52:- Imam Ullah
Constable No 1946/EF

53:- Fazal Ahmad
Constable 407

54:- Mustafa Kamal
Constable 413

55:- Yousaf Kamal
Constable 378

56:- Shafiq Ullah
Constable 762/347
EF

ALL - District Police
TARKI Mardan
(Petitioners)

VERSUS

- 1. Govt. Of Khyber Pakhtunkhwa through Chief Secretary KPK, Civil Secretariat Peshawar.
- 2. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 3. Additional Inspector General of Police, Establishment Khyber Pakhtunkhwa Police Lines Peshawar.
- 4. Deputy Director ETEA. Khyber Pakhtunkhwa, Peshawar.
- 5. District Police Officer, Mardan.
- 6. District Police Officer, Charsadda
- 7. District Police Officer, Swabi.
- 8. District Police Officer, Lower Dir.
- 9. District Police Officer, Upper Dir.
- 10. District Police Officer, Bunner
- 11. District Police Officer, Shangla.
- 12. District Police Officer, Swat.

FILED TODAY
Deputy Registrar
28 MAY 2015

ATTESTED
EXAMINER
Peshawar High Court (Respondents)
13 FEB 2016

Petitioners
No 48 to 56
impleaded
in case
of orders 9-16
15-3-16

(49)

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

PRAYER IN WRIT PETITION:

On acceptance of this Writ Petition an appropriate Writ may please be issued declaring the decision of the committee dated 24.02.2015, whereby the Petitioners are required to again appear in B-I examination scheduled to be held on 06.06.2015; is illegal unlawful without lawful authority and of no legal effect, the Petitioners having undergone the B-I examination besides qualified the lower course from PTC Hangu and have been promoted as Head Constables, are not required to again appear in B-I examination.

Or any remedy deems just and proper may also be awarded in favour of the petitioner and against the respondents.

INTERIM RELIEF:

The Operation of the report dated 24.02.2015, and letter dated 18.05.2015 may please be suspended till the decision of the titled petition.

Respectfully Submitted:

1. That the petitioners were initially enlisted as Constables in the Police Department in their respective districts.
2. That the next post in the Channel of Promotion to the Post of Constable is Head Constable, however, in order to come up for the eligibility criteria, a Police Constable is required to qualify A-I and B-I examinations. Those constables who have qualified A-I and B-I, are thereafter selected for lower school course of 6 months at Police Training College (PTC) Hangu.

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28 MAY 2015

TESTED
EXAMINER
Lahore High Court
13 FEB 2018

(50)

3. That the Petitioners have qualified A-I examination, unfortunately, when they have applied for the B-I examination at the relevant time they crossed the maximum age limit of 33 years specified of that course. Besides some of the Petitioners have their last Chance to qualify the B-I examination.
4. That in view of the above the Provincial Police Office, allocated additional seats for those candidates / Petitioners. The respondents arranged B-I examination in the year 2013, through the testing Agency ETEA. Accordingly the Petitioners appeared in the B-I examination and thereafter the then Provincial Police Officer nominated the Petitioners for Lower Course by allotting 180 additional seats vide order dated 01.10.2013. *(Copy of the B-I examination Result and order dated 01.10.2013, are attached as Annexure A and B)*
5. That thereafter the Petitioners duly undergone the 6 months Lower Course at PTC, Hangu and on completion of the Lower Course the Petitioners also qualified the Lower Course final Examination again held by testing agency ETEA. *(Copy of the Lower Course Result Sheet is attached as Annexure C)*
6. That after qualifying the lower course the Petitioners were again sent to their respective districts, they started performing their duties since the Petitioners have full filled the prescribed qualification to the Post of Head Constable, they were duly considered by the respective Departmental Promotion Committees at their respective Districts, accordingly the petitioners were promoted as Head Constables except few who were of District Charssadda. *(Copies of the Promotion orders are attached as Annexure D)*
7. That recently a committee was constituted to examine the cases of overage candidates selected by the department for lower course. Allegedly the said committee was made in pursuance of the decision of the judgments of the Honourable High Court Peshawar and Supreme Court of Pakistan. The committee while submitting its report dated 24.02.2015, held that the said 180 constables (including the

ATTESTED
 EXAMINER
 Peshawar High Court
 13 FEB 2018

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petitioners) wrongly selected for lower Course. It was also wrongly held by the committee that the Petitioners did not qualify B-I Exam before their selection for lower course and recommended that they shall appear for B-I Examine. (Copy of the report dated 24.02.2015, is attached as Annexure E)

8. That to the great surprise of the petitioners, the respondents issued letter dated 18.05.2015, whereby a test of B-I Examination has been scheduled on 06.06.2015, the petitioners are also directed to appear on the test though they have duly undergone the said examination and have qualified the lower course and are promoted to next higher posts. (Copy of the letter dated 18.05.2015, is attached as Annexure F)
9. That aggrieved from the decision of the respondents, the petitioners having left with no other adequate and efficacious remedy available in law is constrained to invoke the Constitutional Jurisdiction of this Honourable Court inter alia on the following grounds:-

GROUND OF WRIT PETITION:

- A. That the petitioner has not been treated in accordance with law hence his rights secured and guaranteed under the law are badly violated.
- B. That the judgment of the Honourable High Court has wrongly been interpreted to the disadvantage of the Petitioners; the present Petitioners were not party to any of the proceedings besides the matter was referred to the department for determination of the merit and not to dislodge or disturb those who have already undergone the course.
- C. That the petitioners have been selected for lower course by the competent authority, they never manipulated any order, nor introduced any pressure and qualified the same courses. Thus how can the petitioners be again directed to appear in the B-I examination.

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Deputy Registrar
28 MAY 2015

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Postgraduate High Court
13 FEB 2018

(52)

- D. That the creation of 180 seats was due to the hardships faced by the petitioners or their consequence, thus order was issued in order to have service career of the petitioners, because if the petitioners were not allowed and under the lower course, would have been deputed of their promotions for all times to come, thus the decision of the committee is uncalled for and illegal.
- E. That the holding fresh B-I Examination is in fact required for those constable candidates who are deprived of their selection for the lower course, the same can under no circumstance be applicable and the petitioners.
- F. That petitioners also seek permission of this Honourable Court and rely on additional grounds at the time of hearing of the instant petition.

It is, therefore, prayed that on acceptance of this Writ Petition an appropriate Writ may please be issued as prayed for in the heading of this Petition.

INTERIM RELIEF:

The operation of the report dated 24.02.2015, and letter dated 18.05.2015 may please be suspended till the decision of the titled petition.

Through

AB Qureshi
Petitioners

IJAZ ANWAR

&

Sajid Amin
SAJID AMIN

Advocates, Peshawar

List of Books:

1. Constitution, 1973.
2. Books according to need.

CERTIFICATE

Certified that no Writ Petition on the same subject and between the same parties has been filed previously or concurrently.

AB Qureshi
Petitioners

ATTESTED

EXAMINER
Peshawar High Court

13 FEB 2015

(53)

IN THE PESHAWAR HIGH COURT PESHAWARW. P No. 1952-P /2015

AMJID ALI & OTHERS
VERSUS
GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

ADDRESSES OF PARTIESPETITIONERS:

1. Amjid Ali, 2443/HC, District Mardan.
2. Haleem Khan, 2208 / HC, District Mardan.
3. Arshad Ali, 2135 / HC, District Mardan.
4. Sharif Ullah 1814 / HC, District Mardan.
5. Zahid Shah, 462/HC, District Mardan.
6. Aftab, 1873/HC, District Mardan.
7. Salman Shah 250/HC, District Mardan.
8. Nasir, 1450/HC, District Mardan.
9. Imran, 1846/HC, District Mardan.
10. Gul Amin, 1825/HC, District Mardan.
11. Noor UI Haq, 1805/HC, District Mardan.
12. Fayaz Ahmed No.747 / LHC, District Charsadda.
13. Mustafa Kamal, 1415/ LHC, District Charsadda.
14. Hayat Ullah 1310 / LHC, District Charsadda.
15. Sardar Alam 249/ HC, District Charsadda.
16. Asad Hussian, 851 / HC, District Swabi.
17. Muhammad Fayaz, 729 / HC, District Swabi.
18. Amjid, 1131/HC, District Lower Dir.
19. Sher akbar, 56/HC, District Lower Dir.
20. 2Tufail, 1147/HC, District Lower Dir.
21. Amir Zeb, 480/HC, District Lower Dir.
22. Ismail, 1122/HC, District Lower Dir.
23. Muhammad Zeb, 337/HC, District Upper Dir.
24. Yaseen Khan, 726/HC, District Upper Dir.
25. Muslim Zada, 583/HC, District Upper Dir.
26. Muhammad Zahir, 596/HC, District Upper Dir.
27. Muhammad Ambar, 300/292/HC, District Upper Dir.
28. Darwaish Khan, 564/HC, District Upper Dir.
29. Aziz Ud Din, 35/HC, District Upper Dir.
30. Iqbal, 592/HC, District Upper Dir.
31. Mehboob Ali, 220/HC, District Bunner.
32. Ali Akbar, 582/HC District Bunner.
33. Sher Aman, 406/HC, District Bunner.
34. Muhammad Bahar, District Bunner.
35. Qarib Ullah, 430/HC, District Shangla.

ATTESTEDEXAMINER
Peshawar High Court

13 FEB-2018

23 MAY 2015

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36. Umer Rehman, 621/HC, District Shangla.
37. Khairo Rehman, 266/HC, District Shangla.
38. Said Hayat, 935/HC, District Shangla.
39. Fakhar ud din, District Shangla.
40. Gul Zaman, 365/HC, District Shangla.
41. Mukamal Shah, LHC, District Shangla.
42. Taimur Hussain, 300/HC, District Shangla.
43. Muhammad Sheikh, 259/HC, District Shangla.
44. Siyar Ahmed, 223/1/HC, District Shangla.
45. Tanseem Ali, 247/3518/LHC, District Shangla.
46. Habib Ul Hameed, 327/HC, District Shangla.
47. Ayaz Ur Rehman, 85/RR/HC, District Swat.

RESPONDENTS:

1. Govt. Of Khyber Pakhtunkhwa through Chief Secretary KPK, Civil Secretariat Peshawar.
2. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
3. Additional Inspector General of Police, Establishment Khyber Pakhtunkhwa Police Lines Peshawar.
4. Deputy Director ETEA. Khyber Pakhtunkhwa, Peshawar.
5. District Police Officer, Mardan.
6. District Police Officer, Charsadda.
7. District Police Officer, Swabi.
8. District Police Officer, Lower Dir.
9. District Police Officer, Upper Dir.
10. District Police Officer, Bunner
11. District Police Officer, Shangla.
12. District Police Officer, Swat.

A. Ahmad
Petitioner

Through

Ijaz Anwar
IJAZ ANWAR
Advocate Peshawar

~~FILED TODAY~~
Deputy Registrar
28 MAY 2015

~~ATTESTED~~
EXAMINER
Peshawar High Court
13 FEB 2018

49 55

IN THE PESHAWAR HIGH COURT PESHAWAR

W. P No. 1952P 2015

AMJID ALI & OTHERS
VERSUS
GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

AFFIDAVIT

I, **AMJID ALI S/o Gul Nawaz R/o P.O Dheri Lakpani, Murdan**, do hereby solemnly affirm and declare that the contents of the above Writ Petition are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Court.

[Signature]
Deponent

4241-3147801-3

Identified by:-

[Signature]
IJAZ ANWAR
Advocate, Peshawar.

No: <u>16368</u>
Certified that the above was verified on solemnly affirmation before me in office, this <u>27th</u> day of <u>May</u> 200 <u>15</u> by <u>Amjad Ali</u> s/o <u>Gul Nawaz</u> R/o <u>Murdan</u> who was identified by <u>Ajaz Anwar</u> who is personally known to me: <u>27/5/2015</u>
Oath Commissioner Peshawar High Court, Peshawar.

FILED TODAY
[Signature]
Deputy Registrar
28 MAY 2015

ATTESTED
[Signature]
EXAMINER
Peshawar High Court
13 FEB 2018

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

WP No. 1952-P/2015

JUDGMENT.



Date of hearing: 24.01.2018.

Petitioner: (Amjid Ali and others) by Mr. Zartaj Anwar, Advocate.

Respondent: (Govt. of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others) by Mr. Mujahid All Khan, AAG, along with Abdul Rehman, DSP/CPO.

WAQAR AHMAD SETH, J:- Through the instant

Writ Petition, petitioners have prayed for issuance of an appropriate writ with the following prayer:-

"On acceptance of this Writ Petition an appropriate Writ may please be issued declaring the decision of the committee dated 24.02.2015, whereby the petitioners are required to again appear in B-1 examination scheduled to be held on 06.06.2015, is illegal unlawful without lawful authority and of no legal effect, the petitioners having undergone the B-1 examination besides qualified the lower course from PTC Hangu and have been promoted as Head Constables, are not required to again appear in B-1 examination".

2. In essence, case of the petitioners is that initially, they were enlisted as Constables in the police department and subsequently, promoted to the post of Head Constables by the departmental promotion committee at their respective districts, after qualifying B-1 examination and lower course from PTC

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(57)

Hangu. However, recently a committee was constituted in pursuance of judgments of this Court as well as Supreme Court of Pakistan to examine the cases of overage candidates selected by the department for lower course, who vide report dated 24.02.2015 held that 180 constables including the petitioners were wrongly selected for lower course and as such, the respondents issued a letter dated 18.05.2015, whereby the petitioners were directed to appear for B-1 examination on 06.06.2015; hence, the instant Writ Petition.

3. Respondents No. 2 & 3 have furnished comments and denied the assertion of petitioners by stating that petitioners were not on the merit of B-1 examination of their respective districts and they were selected for lower school course as they were becoming overage. Subsequently, age was enhanced upto forty (40) years and the matter was reconsidered in light of judgment of Hon'ble Apex Court wherein the selection of petitioners and others were found against rules and merit policy, thus, they were directed to appear in special B-1 examination.

4. Arguments heard and record perused.

5. For the purpose of promotion of constables to the post of Head Constables one has to qualify A-1 and B-1

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Peshawar High Court
13 FEB 2018

examinations and thereafter, their selection for lower school course of six months at Police Training College, Hangu is mandatory. Record suggests that petitioners have qualified A-1 examination but at the time when they applied for B-1 examination, they had crossed the maximum age limit of 33 years, specified for that course. It is important to mention here that it's the department who is supposed to allow them in time for B-1 examination and in the instant case there is no allegation against the petitioners that they themselves avoided or delayed for B-1 examination and crossed the maximum age limit of 33 years. The Provincial Police Officer allocated additional seats for all those who have crossed the age limit for B-1 and accordingly arranged B-1 examination in the year 2013 through testing agency ETA. All the petitioners appeared in the B-1 examination and subsequently they were nominated for lower course by allotting 180 additional seats vide order dated 1.10.2013 of Provincial Police Officer. Petitioners have undergone the six months lower course at Police Training College, Hangu and thus qualified the lower course final examination again held by ETA. After qualifying the same petitioners became fully eligible for promotion to the post of HC and the Departmental Promotion Committee promoted to

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Peshawar High Court
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them to the post of Head Constable, vide promotion order dated 8.5.2014, 27.5.2014, 30.5.2014, 10.6.2014, 19.11.2014 & 18.12.2014.

6. Record suggests that this Court on different dates allowed certain writ petitions, the date and numbers of writ petitions are given in the comments filed by respondents No.2 and 3 wherein relief was granted to the petitioners in those writ petitions for selection to lower school course, against that order, the Government of Khyber Pakhtunkhwa filed CPs before the apex Court and the apex Court while allowing the petitions and converting into appeals directed the Government / Department with following observations:-

"We accordingly, propose to dispose of these petitions with the observations that the person, who after age relaxation are qualified to appear in A-1 and B-1 examination shall be eligible to undergo the training and for that purpose a Committee shall be constituted by the competent authority who shall determine their merit alongwith other candidates strictly in terms of the standing order / P.P.B as mentioned above."

7. Accordingly, Committee was constituted and following recommendations were made:-

1. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated

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Peshawar High Court
13 FEB 2018

12.2.2014 as observed in the Honourable Supreme Court order mentioned above. Therefore, all the 180 candidates and candidates who have managed relief from the High Court are eligible for appearing in the coming B-1 examination. As such all the 180 candidates who had undergone lower college course in the 2nd term of 2013 and those candidates who had gone for lower college course without passing the mandatory B-1 examination shall reappear in the forth coming B-1 examination to be held on 8th March 2013, However, the seniority of the all those candidates who qualify the B-1 examination shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.

2. As regard the case of petitioners / candidates who want to lower college course in violation of Police Rules, for not qualifying B-1 test, but managed through courts / tribunals and completed lower college course shall also appear in forth coming B-1 examination, they will not undergo lower college course again and their seniority shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014."

8. In the observations, so quoted above, it was not directed to put the petitioners for fresh course, rather a Committee was directed to determine their merit alongwith other candidates, strictly in terms of the standing order / PPB, but the committee instead of determining merits etc alongwith other candidates, vide impugned recommendations put the

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Peshawar High Court

13 FEB 2018

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petitioners for reappearing in B-1 examination. The judgment of the apex Court is dated 23.9.2014 and the recommendations of the Committee are dated 6.11.2014. The petitioners never approached this Court nor any appeal has been filed in the cases of petitioners before the apex Court of the country, the overage 180 candidates were sent for lower school course under the orders of any court of law rather due to hardship cases duly realized by the department itself, they qualified the same and it was implemented even before the judgment of the apex Court what to say of the recommendations.

9. The order / result of B-1 examination and order dated 1.10.2013, whereby 180 extra sheets were allowed to lower school course, were never / ever challenged before any forum. Moreover, qualifying a test successfully, permitted by the departmental authorities could not be recalled requiring that successful candidates to do the same freshly. Under the law of locus poenitentiae they have the protection, as petitioners were allowed to undergo all the courses, which they successfully completed and they were promoted to the post of Head Constables BPS-7 much before the judgment of apex Court as well as the impugned recommendations and the impugned order dated 24.2.2015. The order of promotion of

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Peshawar High Court
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(62)

the petitioners of the year 2014 have been acted upon and as such cannot be withdrawn through a single order in general. Even otherwise, by now the age limit has been increased from 33 to 40 years and all the petitioners are now within age and asking them to reappear in all the courses / examinations, seem to be not a reasonable order, in view of which this writ petition is allowed as prayed for.

Dr. Jagan Mohan Singh
Dr. Manoj Kumar

ANNOUNCED.
Dated: 24.01.2018.

[Signature]
JUDGE
[Signature]
JUDGE

No. 10295
 Date of Presentation of Application 13/2/18
 No of Pages 4
 Copying 1
 Urgent Yes
 Total 5
 Date of Preparation of Copy 13/2/18
 Date of Delivery of Copy 13/2/18
 Received By M. Raj

[Signature]
CERTIFIED TO BE TRUE COPY
13 FEB 2018

ANX H

درجہ اولیٰ سپرنٹنڈنٹ پولیس 2020ء

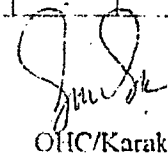
POLICE DEPARTMENT

KARAK DISTRICT

SERVICE PARTICULAR OF C-1 CONSTABLES FOR PROMOTION AS HEAD CONSTABLES

S.No.	Name & Numbers	Date of Birth	Date of Enlistment	Seniority Position according to Term Ending.	Order of Merit.	edu:	Entries		
							Good	Bad	
								Maj:	Minor
1.	Wasif Ullah No.838/LHC	27.02.1981	10.11.2003	20.03.2013	83	MA	04	-	-
2.	Farman Ullah No.828/LHC	20.02.1982	12.02.2002	20.03.2013	382	10 th	01	-	02
3.	Amjad Ali No.506/LHC	13.08.1981	12.02.2002	20.03.2013	392	FA	-	-	01
4.	Abid Rehman No.54/LHC	02.01.1985	29.06.2007	20.09.2013	64	MA	14	-	-
5.	Najeeb Ullah No.46/E.F /LHC	11.04.1982	27.07.2007	20.09.2013	75	FA	-	-	01
6.	Muhammad Arif No. 4717/E.F/LHC	04.04.1986	27.07.2007	20.09.2013	107	B.A	-	-	01
7.	Umer Badshah No.690/LHC	14.01.1986	25.10.2004	20.09.2013	151	FA	05	-	-
8.	Muhammad Jabbar No.85/E.F /LHC	01.08.1983	12.06.2007	20.09.2013	162	BA	06	-	-
9. 1	Lal Rehman No. 729	02.08.1980	27.07.2007	20.12.2013	14	10 th	01	-	-
10 2	Majid Khan No. 558	03.03.1984	12.06.2007	20.03.2014	13	B.A	02	-	-
11 3	Mohib Ullah No.514	01.01.1986	12.06.2007	20.03.2014	44	B.A	02	-	-
12. 4	Yaqoob ur Rehman No. 773	16.01.1981	01.06.2006	20.03.2014	63	B.A	02	-	-
13. 5	L/Const: Gohar Kalsoom No. 557	10.04.1989	20.07.2009	20.03.2014	73	B.A	07	-	01
14 6	Muhammad Zafran No. 276	10.02.1988	27.07.2007	20.03.2014	87	10 th	-	-	01
15. 7	Muhammad Nawaz No. 832	01.01.1984	10.11.2003	20.03.2014	122	F.A	01	-	-
16. 8	Naseeb Ullah No. 1136/CTD	03.03.1987	27.07.2007	20.03.2014	138	M.A	-	-	-
17. 9	Muhammad Fayaz No. 414	05.03.1981	12.06.2007	20.03.2014	187	F.A	04	-	-
18. 10	Hidayat Ullah No. 379	27.03.1988	12.06.2007	20.03.2014	189	F.A	04	-	02
19. 11	Umer Zada No:611	25.03.1987	12.06.2007	30.07.2014	18	BBA	01	-	01
20. 12	Arif Ullah No. 188	08.03.1985	12.06.2007	30.07.2014	22	FA	03	-	02


SRC/Karak


OHC/Karak

ANX-H
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ANX I (64)

From: The District Police Officer, Karak.

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

No. 581 /EC, dated Karak the 24/01/2020

Subject: GUIDANCE

Memo:

Kindly refer to the report of DSP Legal vide No. 19656/LB dated 04.11.2019 regarding seniority of lower School Course of the following Police officials of this district Police (copy enclosed).

1. LHC Muhammad Fayaz No. 414
2. LHC Yaqoob Ur Rehman No. 773
3. LHC Muhammad Nawaz No. 832

It is submitted that in compliance with judgment /orders of the hon'able Apex Court, a committee was constituted by the competent authority to determine the merit of the petitioner alongwith others for selection to lower school course. The committee submitted detail report regarding selection for lower School Course. The Worthy IGP KP has accorded approval to the decision of the committee vide letter No. 2288-2320/E-IV dated 24.02.2015, wherein 180 candidates and those who were granted relief by the hon'able High court shall appear in B-1 examination and their seniority shall be fixed accordingly. As per letter No. 2288-2320/E-IV dated 24.02.2015, their seniority shall be fixed with the candidates who qualified lower school course in the last term of 2014.

Furthermore, the above mentioned officials have qualified B-1 examination before qualifying lower school course. It is pointed out that the reserve quota for lower school course for this district was 10 seats in 2013 wherein the above named officials were not selected for lower school course due to merit. Later on, they were selected for lower school course vide W/IGP KP order Endst: No. 24555-82/E-I dated 01.10.2013 allotted 180 extra seats to lower school course for the forthcoming term commencing from 01.10.2013 who were incoming overage from lower school course wherein the name of applicants are included.

The above named officials requested that they have qualified B-1 exam before qualifying lower school course so that their case does not fall under the ambit of para-14 of the committee minutes and further requested that their seniority may be fixed with their colleagues/batch mates instead of placing their names according to the Committee decision and order of the W/IGP Khyber Pakhtunkhwa Peshawar.

In view of the position explained above, it is therefore, requested that this office may kindly be favoured with guidance regarding fixation of their seniority, please.

Either

(a) *Their seniority may be fixed with their colleagues with whom they undergone lower school course.*

OR

(b) *Their seniority may be fixed with the candidates who qualified lower school course in last term of 2014 vide CPO letter No. 2288-2320/E-IV dated 24.02.2015.*

(All references are enclosed)


District Police Officer, Karak

03/06 15:09

(FAX)

P.001/001

ANX-J

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

No. 1427 /Legal dated Peshawar, the 01/3/2020.

To: - The District Police Officer,
Karak.

Subject:- GUIDANCE

Memo:-

Please refer to your office letter No. 1381/EC, dated 24.02.2019, on the subject cited above.

As per Police Rules 13-18, the seniority of Lower School Course is according to merit list of term (amongst the colleagues). From the perusal of letter it is not clear as to whether the officials named therein have undergone lower school course in compliance of the Committee decision, in 2015 or have passed B-1 examination earlier.

If the officials have participated in the lower school course as per committee decision, their seniority will be as per committee decision with the candidates who qualified lower school course for the last term of 2014, otherwise with their colleagues with whom they had undergone lower school course.

AIG/Legal

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

03.03.2020

ANX-K

(66)

From: The District Police Officer Karak

To: The AIG Legal,
Khyber Pakhtunkhwa, Peshawar

No. 1836 /GC, dated Karak the 19/03/2020

Subject: GUIDANCE

Memo:

Kindly refer to your gracious officer letter No. 1427/Legal dated 05.03.2020 and in continuation of this office letter No. 1381/EC dated 24.02.2020, on the subject noted above.

1. LHC Muhammad Fayaz No. 414.
2. LHC Yaqoob Ur Rehman No. 773.
3. Muhammad Nawaz No. 832.

It is submitted that in response to your gracious office letter No. 1381/EC dated 24.02.2020, all the above mentioned applicants passed ETEA B-I exam in 2013 and undergone Lower School Course in 2013 with their colleagues.

They have not participated in the Special B-I exam because their names were not included in the list of candidates for Special B-I. Moreover, according to Police Rules 13-8, the Seniority of Lower School Course is according to merit list of term (amongst the colleagues).

Submitted for favor of perusal, please.


DISTRICT POLICE OFFICER,
KARAK



ANX-2

(67)

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

No. 1836 /Legal dated Peshawar, the 16/04/2020.

To: - The District Police Officer,
Karak.

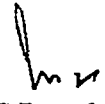
04

Subject:- Guidance

Memo:-

In continuation to this office letter No. 1427/Legal dated 05.03.2020 and your office letter No. 1836/GC, dated 19.03.2020 on the subject cited above.

The seniority of officials named therein will be fixed with their colleagues with whom they undergone Lower School Course in 2013, as per order of merit of result. (Para (a) of your office letter vide No. 1381/EC dated 24.02.2020).


AIG/Legal,

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

06.03.2020

ANX-M

68

POLICE DEPTT:

KARAK DISTT:

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE
HELD ON 02.04.2021, IN DISTRICT POLICE OFFICE KARAK

On 02.04.2021, a meeting of Departmental Promotion Committee was held in the Office under the Chairmanship of the undersigned. The following Police Officers participated in the subject meeting. Due to the transfer of DSP HQrs Karak, Head Clerk Waheed Zaman attended the meeting.

- | | |
|-------------------------|-----------------------------------|
| 1. Mr. Zahir Shah | SP, Investigation Wing Karak |
| 2. Mr. Abid Khan Afridi | DSP Takthe Nasrati |
| 3. Mr. Ghulam Murtaza | Inspector, I/C Legal Branch Karak |
| 4. Mr. Waheed Zaman | Head Clerk DPO Office Karak |
| 5. Mr. Ghulam Farid | OASI Karak |

There are 10 vacancies of Head Constables are available for promotion in this district. The cases of senior most Lower College Course passed Constables were considered for promotion to the rank of C-I Head Constables. The promotions have been done on the basis of seniority according to Police Rules. Moreover, LHC Arif Ullah No. 188 & 09 other LHCs preferred written applications requesting therein that their seniority is affected vide the AIG Legal CPO Peshawar letter No. 1836/Legal dated 16.04.2020, in which the following LHCs have been brought senior from them. They requested for fixation of their seniority as per guidelines laid down by CPO committee and Police Rules:-

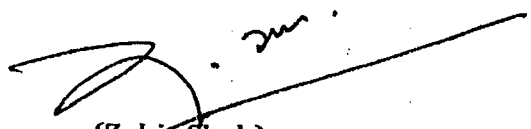
1. Muhammad Fayaz No. 414.
2. Muhammad Nawaz No. 832.
3. Muhammad Yaqoob No. 773


The committee thoroughly perused their cases on merit. Earlier the seniority of above mentioned 03 Police officials were fixed as per official correspondences made in this regard with CPO Peshawar, seeking guidance vide letter No. 1381/EC dated 24.02.2020, letter No. 1427/Legal dated 05.03.2020, letter No. 1836/GC dated 19.03.2020 and letter No. 1836/Legal dated 16.04.2020. After going through official correspondences issued by CPO Peshawar about overage Constables selected for the Lower College Course and approval of the committee decision vide letter No. 2288-2320/E-IV dated 24.02.2015, wherein the seniority of 180 (21 officials of this district) Lower Passed Constables (including the above mentioned 03 officials) are fixed in the last term of 2014.


69

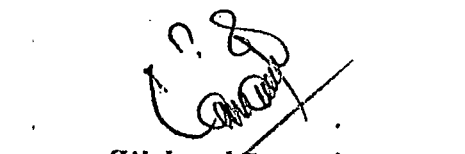
The committee thoroughly reviewed the cases of all Lower College Course passed constables. The seniority List was rechecked and fresh seniority list is prepared in the light of letter No. 2288-2320/E-IV dated 24.02.2015. The Police Officials mentioned above at S. No. 1 to 3, who got seniority from the CPO, their names are brought to their original positions in the seniority list as per letter No. 2288-2320/E-IV dated 24.02.2015.

Moreover, the date is fixed i.e. 08 /04/2021 for promotion of lower passed officials to the next rank of Head Constables as per letter received from the W/RPO Kohat letter No. 3892-94/EC dated 24.03.2021.


(Zahir Shah)
SP, Investigation Wing Karak


(Abid Khan Afridi)
SDPO Takth-e-Nasrati


(Ghulam Murtaza)
Inspector, I/C Legal Branch Karak


(Waheed Zaman)
Head Clerk DPO Office Karak


(Ghulam Farid)
OASI Karak


(Tariq Habib)
District Police Officer Karak

(70)

From: The District Police Officer Karak

To: The AIG Legal,
Khyber Pakhtunkhwa, Peshawar

No. 1836 /GC, dated Karak the 19 / 03 / 2020

Subject: GUIDANCE

Memo:

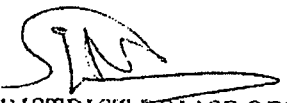
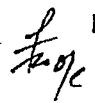
Kindly refer to your gracious officer letter No. 1427/Legal dated 05.03.2020 and in continuation of this office letter No. 1381/EC dated 24.02.2020, on the subject noted above.

1. LHC Muhammad Fayaz No. 414.
2. LHC Yaqoob Ur Rehman No. 773.
3. Muhammad Nawaz No. 832.

It is submitted that in response to your gracious office letter No. quoted above, all the above mentioned applicants passed ETEA B-I exam in 2013 and undergone Lower School Course in 2013 with their colleagues.

They have not participated in the Special B-I exam because their names were not included in the list of candidates for Special B-I. Moreover, according to Police Rules 13-8, the Seniority of Lower School Course is according to merit list of term (amongst the colleagues).

Submitted for favor of perusal, please.


DISTRICT POLICE OFFICER,
KARAK


Handwritten text in a cursive script, possibly a ledger or account book. The text is arranged in several columns and rows, with some entries circled or underlined. The script is dense and difficult to decipher due to the image quality.

(H)
N-X-N

7

ANY-O

72

BEFORE THE WORTHY INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA

SUBJECT: DEPARTMENTAL APPEAL.

Through : Proper Channel.

Dy: No.	2410	/E-IV
Dt:	09/04/2021	

Respectfully Sheweth,

With due respect, the appellant submits the instant Departmental Appeal against the decision of the District Police Officer (D.P.O). Karak whereby the seniority of the appellant on promotion list C1 was removed vide DPC meeting dated 02-04-2021 without any plausible reasons / grounds and junior to him have been promoted to the rank of Head Constable on regular basis.

Facts:

1. That the appellant joined Police Department as Constable in the year 2006 and qualified basic course and other professional courses. Appellant also qualified promotion course of A-1 and B-1 and qualified Lower School Course in the 2nd term of 2013.
2. That on qualifying Lower School Course in the term ending 2013 through EATA, appellant name was brought on promotion list C-I with colleague Constables as per law and rules.
3. That certain junior Constables raised objection on the seniority of appellant, therefore, the matter was referred to Central Police Officer (C.P.O), Peshawar and written opinion of C.P.O vide letter No.1836/Legal dated 16.4.2020 was received wherein merit of C-I list was ordered to be maintained in accordance with term of year of qualifying Lower Course and merit of Lower School. (Copy of opinion is enclosed).
4. That seniority of the appellant remained intact till the D.P.C conducted on 02.4.2021 by the learned D.P.O Karak.
5. That vide D.P.C dated 02.4.2021, appellant was supposed to be promoted, however, certain junior Police Officers were recommended for promotion as Head Constables by removing the appellant from his original seniority of C-I promotion list.
6. That the learned D.P.O Karak made the decision dated 02.4.2021 at the back of appellant wherein the appellant's seniority was wrongly placed with lower qualified of last term of 2014.

73

7. That DPC meeting was held on 08-04-2021 and promoted juniors to the appellant.
8. That feeling aggrieved, the appellant prefers the instant departmental appeal on the following grounds.

Grounds:

- i. That the appellant has been treated discriminatory and was placed junior in the seniority list despite of the fact that appellant passed B-1 Exam in the year 2013 while the police officials who have passed B-1 Exam in the year 2014 were placed senior to the appellant and have been promoted.
- ii. That the impugned decision was made at the back of appellant and the appellant was not heard and was completely condemned unheard.
- iii. That C.P.O Peshawar has furnished opinion twice in favour of the appellant but the orders/directions of C.P.O, Peshawar were ignored without advancing any plausible reasons and grounds.
- iv. That the decision is arbitrary and against the law & rules and appellant's seniority was disturbed after long period of seven years.
- v. That the impugned decision is one sided and ex-parte in nature and therefore, worth set aside.

It is very humbly prayed that the impugned decision passed by learned D.P.O Karak may please be set aside and the seniority of the appellant may kindly be restored to its original position i.e, as per merit of qualifying result course in the year 2013 of lower school course at P.T.C' Hangu and also promote him to the rank of Head Constable on regular basis w.e.f the dated juniors to him have been promoted.

Dated:09/04/2021


Appellant

Muhammad Faiz No.414/LHC

District Police, Karak

0344-9803489

(74)

**BEFORE THE WORTHY DEPUTY INSPECTOR GENERAL OF
POLICE, KOHAT**

SUBJECT: DEPARTMENTAL APPEAL.

Through : Proper Channel.

Respectfully Sheweth,

With due respect, the appellant submits the instant Departmental Appeal against the decision of the District Police Officer (D.P.O), Karak whereby the seniority of the appellant on promotion list C-I was removed vide DPC meeting dated 02-04-2021 without any plausible reasons / grounds and junior to him have been promoted to the rank of Head Constable on regular basis.

Facts:

1. That the appellant joined Police Department as Constable in the year 2006 and qualified basic course and other professional courses. Appellant also qualified promotion course of A-I and B-I and qualified Lower School Course in the 2nd term of 2013.
2. That on qualifying Lower School Course in the term ending 2013 through EATA, appellant name was brought on promotion list C-I with colleague Constables as per law and rules.
3. That certain junior Constables raised objection on the seniority of appellant, therefore, the matter was referred to Central Police Officer (C.P.O), Peshawar and written opinion of C.P.O vide letter No.1836/Legal dated 16.4.2020 was received wherein merit of C-I list was ordered to be maintained in accordance with term of year of qualifying Lower Course and merit of Lower School. (Copy of opinion is enclosed).
4. That seniority of the appellant remained intact till the D.P.C conducted on 02.4.2021 by the learned D.P.O Karak.
5. That vide D.P.C dated 02.4.2021, appellant was supposed to be promoted, however, certain junior Police Officers were recommended for promotion as Head Constables by removing the appellant from his original seniority of C-I promotion list.
6. That the learned D.P.O Karak made the decision dated 02.4.2021 at the back of appellant wherein the appellant's seniority was wrongly placed with lower qualified of last term of 2014.

- (75)
7. That DPC meeting was held on 08-04-2021 and promoted juniors to the appellant.
8. That feeling aggrieved, the appellant prefers the instant departmental appeal on the following grounds.

Grounds:

- i. That the appellant has been treated discriminatory and was placed junior in the seniority list despite of the fact that appellant passed B-I Exam in the year 2013 while the police officials who have passed B-I Exam in the year 2014 were placed senior to the appellant and have been promoted.
- ii. That the impugned decision was made at the back of appellant and the appellant was not heard and was completely condemned unheard.
- iii. That C.P.O Peshawar has furnished opinion twice in favour of the appellant but the orders/directions of C.P.O, Peshawar were ignored without advancing any plausible reasons and grounds.
- iv. That the decision is arbitrary and against the law & rules and appellant's seniority was disturbed after long period of seven years.
- v. That the impugned decision is one sided and ex-parte in nature and therefore, worth set aside.

It is very humbly prayed that the impugned decision passed by learned D.P.O Karak may please be set aside and the seniority of the appellant may kindly be restored to its original position i.e, as per merit of qualifying result course in the year 2013 of lower school course at P.T.C Hangu and also promote him to the rank of Head Constable on regular basis v.e.f the dated juniors to him have been promoted.

Dated:09/04/2021


Appellant

Muhammad Faiz No.414/LHC
District Police, Karak
0344-9803489

(76)

HNX - 0

بخدمت جناب انسپکٹر جنرل آف پولیس خیبر پختونخواہ سی پی او پشاور

جناب عالی!

ساتھ ذیل عرض رساں ہیں کہ

(۱) ساتھان نے سال 2013 میں B-1 امتحان بذریعہ ایٹا پاس کیا ہے اور سال 2013 میں لوئر کورس PTC سے پاس کیا ہے چونکہ ویکنسی محدود ہونے کی وجہ سے ساتھان میرٹ لسٹ میں منتخب نہ ہو سکے۔
(۲) صوبہ بھر سے جناب آئی جی پی صاحب کے احکامات پر 180 امیدواران کو لوئر کورس PTC ہنگو منتخب ہوئے۔
(۳) ساتھان کے نام بھی ان کے ساتھ فہرست میں شامل تھے بعد اختتام لوئر کورس سال 2014 میں جناب آئی جی پی صاحب نے احکام جاری کئے کہ جن امیدواران نے جو 180 کسان میں لوئر کورس کر چکے ہیں اور B-1 امتحان پاس نہ کیا ہو وہ دوبارہ اپنیشل B-1 امتحان پاس کریں گے چونکہ ساتھان نے سال 2013 میں لوئر کورس سے پہلے B-1 امتحان پاس کیا تھا بدیں وجہ ساتھان کے نام اپنیشل B-1 امتحان فہرست میں شامل نہ تھے اب چونکہ ضلع میں پروموشن DPC مورخہ 08.04.2021 کو ہو چکی اور ساتھان DPC میں شامل نہیں کئے گئے اس سے پہلے سال 2020 میں جو پروموشن DPC ہوئی تھی ساتھان اس میں شامل تھے اور ساتھان نے بعد میں لوئر کورس پاس ہونے والے امیدواران HG پروموشن ہوئے۔

لہذا بذریعہ درخواست استدعا ہے کہ ساتھان کو انصاف فراہم کیا جا کر مشکور فرمائیں۔

العارض

آپ کے تابع فرمان

(۱) یعقوب رحمن نمبر 773/LHC

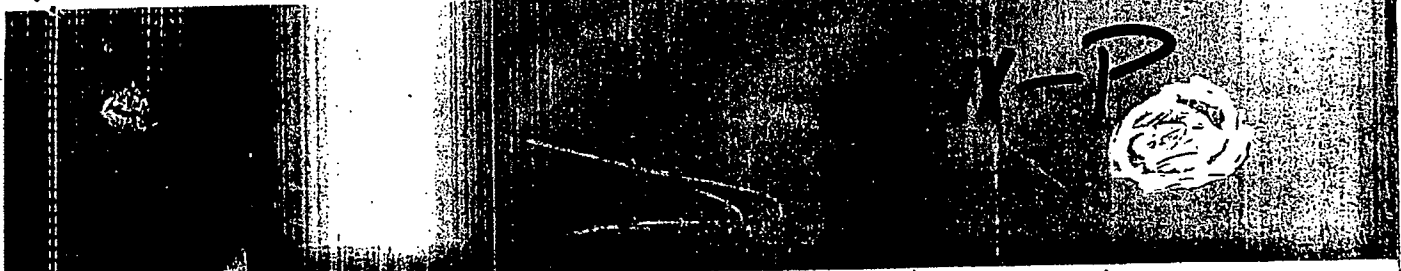
(۲) محمد نواز نمبر 719/LHC

(۳) فیاض نمبر 414/LHC

آمدہ ضلع کرک

Dy. No. 2410 IE-IV
Dt: 09/04/20

L
ANX-P (77)



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

No. 4200 E-IV, dated Peshawar, the 09/04/2021

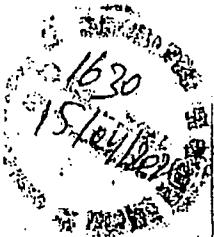
To : The District Police Officer,
Karak.

Subject: APPLICATION.

Memo.

Enclosed find herewith an application submitted by LHC Yaqoob Rehman No. 773, LHC Muhammad Nawaz No. 719 and LHC Fayaz No. 414 of your district which is self explanatory.

Please furnish detail report in this regard.



OTHC/SRC

Per MLG

[Signature]
District Police Officer,
15/4 Karak

[Signature]
(IRFAN ULLAH KHAN)PSP
AIG Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Issue charge sheet
to all the Home delinquent
Police Officer by Exalted
Chairs of Command

[Signature]
District Police Officer
(Karak)

ANY ⑦

78

From: The District Police Officer, Karak.
To: The Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

No. 1375 /EC, dated Karak the 29-4 /2020

Subject: APPLICATION

Memo:

Kindly refer to your office letter No. 4200/E-IV dated 09.04.2021 on the subject noted above.

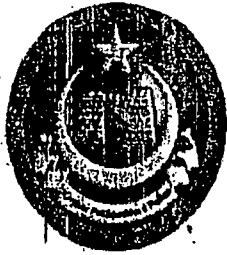
It is submitted that LHC Yaqoob Ur Rehman No. 773; LHC M. Nawaz No. 719 and LHC Fayaz No. 414 were selected in overage quota for lower School course vide the W/IGP KP letter Endst: No. 24555-82/E-I dated 01.10.2013. The colleagues/batch-mats of above-named officials are the same who passed Lower School course with them and their seniority were fixed in the last term of 2014 as per letter issued by the W/IGP KP Peshawar vide letter No. 2288-2320/E-IV dated 24.02.2015, wherein 180 candidates and those who were granted relief by the hon'able High court shall appear in special B-1 examination and their seniority will be fixed with the candidates who qualified lower school course in the last term of 2014. Furthermore, the above mentioned officials have qualified B-I examination before qualifying lower school course. It is pointed out that the reserve quota for lower school course for this district was 10 seats in 2013 wherein the above named officials were not selected for lower school course due to merit. Later on, they were selected for lower school course vide W/IGP KP order Endst: No. 24555-82/E-I dated 01.10.2013 allotted 180 extra seats to lower school course for the forthcoming term commencing from 01.10.2013 who were becoming overage from lower school course wherein the name of applicants are included.

Moreover, DPC meeting was held in this office wherein the seniority of above named officials are fixed as per committee decision constituted at CPO level and approval by the W/IGP KP Peshawar vide letter No. 2288-2320/E-IV dated 24.02.2015 accordingly, please.

District Police Officer, Karak.

ANXR (79)

R



2069
17-05-2021

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

No. 4905 /E-IV, dated Peshawar, the 27/05/2021

To The District Police Officer,
Karak.

Subject: APPLICATION

Memo.

Please refer to your Memo No. 1375/EC dated; 29.04.2021 on the subject noted above.

As opined by AIG/Legal CPO, Peshawar that seniority of officials may be fixed with their batchmates undergone Lower School Course as per merit of qualifying result course in the year 2013.

OHC/SAC

(NOORAFGHAN)

Registrar

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

District Police Officer,
Karak

ANX-S (80)

From: The District Police Officer, Karak.
To: The Dy. Inspector General of Police,
Kohat Region Kohat.
No. 5040 /EC, dated Karak the 07/07 /2021.
Subject: APPLICATION
Memo:

Kindly refer to your office letter Endst: No. 8615/EC dated 08.06.2021 on the subject noted above.

It is submitted that in compliance with judgment /orders of the hon'able apex court, the W/Commandant, PTC Hangu has asked for the provision of name of those constables who becoming overage before 01.04.2014 on the prescribed proforma vide Signal No. 1652-1700/GC dated 10.06.2013 under the following criteria:- (copy is annexed at "A")

- A. Who have passed B-1 exam 2013 but not selected for Lower Course on merit and are becoming overage before 01.04.2014 i.e starting Lower Course next year.
- B. Who have passed B-1 exam 2013 but not selected for Lower Course on merit and they have no more chance to appear in B-1 exam.

This office provided the requisite information vide Signal No. 2905-06/EC dated 11.06.2013 wherein FC Yaqoob Ur Rehman No. 1529/FRP (now belt No. 773), FC Muhammad Fayaz No. 414 & FC Muhammad Nawaz No. 832 (now belt No. 719) were also in the list of becoming overage Constables (Total 21 FCs) (copy is annexed at "B").

The W/Commandant PTC Hangu recorded observation and asked for provision of name of those FCs who availed 03 chances under the overage quota vide letter No. 2018-42/GC dated 09.07.2013 wherein the name of FC M. Nawaz No. 832/719 was sent to the W/Commandant PTC Hangu vide this office letter No. 8983/EC dated 11.07.2013 included the above mentioned both FCs i.e. FC Yaqoob Ur Rehman & FC M. Fayaz and Signal No. 3742/EC dated 20.08.2013. (copies are annexed at "C", "D" & "E")

The Worthy IGP KP allotted 180 extra seats to Lower School Course for the forthcoming term commencing from 01.10.2013 as per recommendation of the Commandant PTC Hangu vide order Endst: No. 24555-82/E-I dated 01.10.2013 wherein 180 FCs from all over the province and 21 FCs from this district included above mentioned 03 FCs were selected for Lower School Course. (copy is annexed at "F")

A committee meeting was held in CPO Peshawar on 06.11.2014 to examine the case of Constables of various districts for selection to lower College Course under the overage quota wherein the following recommendations were made:-

1. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated: 12.02.2014 as observed in the Honorable Supreme Court order mentioned above. Therefore, all the 180 candidates and candidates who have managed relief from the High Court are eligible for appearing in the coming B-1 examination. As such all the 180 candidates who had gone for lower college course in the 2nd term of 2013 and those candidates who had gone for lower college course without passing the mandatory B-1 examination shall re-appear in the forth-coming B-1 examination to be held on 08th March 2015. However, the seniority of the all those candidates who qualify the B-1 examination shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014.
2. As regard, the case of petitioners/candidates who want to lower college course in violation of Police Rules, for not qualifying B-1 test, but managed through courts/tribunal and completed lower college course shall also appear in forth coming B-1 examination to be held on 08th March 2015. After qualifying B-1 examination, they will not undergo lower college course again and their seniority shall be placed at the bottom of candidates who qualified lower college course in the last term of 2014. (copy is annexed at "G").

The W/IGP KP Peshawar has accorded approval to the decision of the committee vide letter No. 2288-2320/E-IV dated 24.02.2015. (copy is annexed at "H").

Therefore, 180 all over province and 21 lower passed candidates of this district were put at the bottom of last term of 2014 as per instructions of the W/IGP KP Peshawar letter No. 2288-2320/E-IV dated 24.02.2015 (copy already annexed above).

Moreover, in the year 2019, in compliance with the W/IGP KP Peshawar letter No. 8653-57/E-IV dated 30.08.2019 directives issued regarding sanctioned of posts of 08 HCs by the Finance department KP Peshawar for PS SNGPLs, a committee was constituted vide order Endst: No. 10898-903/EC dated 12.08.2019 wherein 08 senior most Lower passed officials were recommended by the committee for promotion vide minutes letter Endst: No. 5399-5404/EC dated 30.12.2019. (copy is annexed at "I").

On the recommendations of the Departmental Promotion Committee, 08 senior most lower passed officials were promoted to the next rank of Head Constable vide Order Bpok No, 565 dated 30.12.2019. (copy is annexed at "J").

Meanwhile, LHC Yaqoob Ur Rehman, LHC Muhammad Fayaz and LHC Muhammad Nawaz preferred combined applications for resolving of their seniority at Range level which was sent to your good office vide this office letter No. 11970/EC dated 14.10.2019 which was marked to DSP Legal Kohat for comments. The comments of DSP Legal Kohat was received from your good office vide letter No. 10551/EC dated 15.11.2019.

The above named officials again submitted combined application for resolving their issue at CPO level. Therefore, this district sent guidance letter to CPO vide letter No. 1381/EC dated 24.02.2020 wherein W/AIG Legal recorded the following remarks:-


"If the officials have participated in the lower school course as per committee decision, their seniority will be as per committee decision with the candidates who qualified lower school course for the last term of 2014, otherwise with their colleague with whom they had undergone lower school course (copy is annexed at "K")."

Meanwhile, LHC Akhtar Hayat No. 639, LHC Khalid Zaman No. 526, LHC Altaf Hameed No. 626, LHC Siraj Ud Din No. 519, LHC Nasir Iqbal No. 567, LHC Arif Ullah No. 188, LHC M. Asif No. 372, LHC Bahadar Nawaz No. 483 and LHC M. Atif No. 464/EF have preferred combined application requesting therein that their seniority is effected if seniority is given to the above mentioned officials.

Therefore, a Departmental Promotion Committee was constituted vide Order Endst: No. 2399-03/EC dated 25.03.2021 wherein the committee members were directed to review all types of cases regarding seniority before promotion and submit detail report (copy is annexed at "L").

The committee called and heard in person all the Police officials included those 03 officials as well as thoroughly reviewed/perused the relevant record and unanimously recommended that fresh seniority list be prepared in the light of the W/IGP KP Peshawar letter No. 2288-2320/E-IV dated 24.02.2015 and those officials who got seniority from the CPO, their names are brought to their original positions in the seniority list as per letter quoted above. (copy is annexed at "M").

Submitted, please.


District Police Officer, Karak.

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Regional Police Officer,
Kohat Region

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After perusal of the relevant record and comments offered by you
office, it has been noticed that the guidelines offered by AIG/Legal CPO vide 127/1-legal, dated 05.07.2020 are self-explanatory on the subject-matter.
It is, therefore, directed to fix the seniority of the applicants as per
the guidelines of AIG/Legal, CPO Peshawar accordingly, please.

APPLICATIONS

No. 11583
EC, Dated Kohat the 3 / 8 / 2021.

To: -
The District Police Officer, Kohat.

From: -
The Regional Police Officer,
Kohat Region, Kohat.

Phone No: 9260112
Fax No: 9260114

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15/12/21
U
The District Police Officer, Katak.

To The Dy: Inspector General of Police,
Kohat Region, Kohat.

No 7352 /EC, dated Karak the 13/12 /2021

Subject: APPLICATION FOR RE-APPEARANCE

Memo:

The following LHCs of this district Police have re-submitted applications for appearance before your good-self is enclosed herewith for further action, please.

The details of their grievances are as under: -

The following LHCs of this district Police have preferred several applications to CPO Peshawar, RPO Kohat regarding their lower school course seniority with their batch-mate term ending 01.10.2013 to 20.03.2014 as they have passed B-I Examination in year-2013 conducted by ETEA but they were not selected for lower school course on merit due to allocation of ten (10) seats for this district in the year-2013 as per past practice sanctioned quota.

GROUNDS

S.No.	Name & Rank	Detail
1.	LHC Yaqoob Ur Rehman No. 773	Who has passed B-I exam in the year-2013 but he stood on merit order No. 12 and he was not selected for lower school course on merit due to allocation of ten (10) seats for this district and he was becoming overage before 01.04.2014 i.e. starting lower school course next year commenced w.e.f. 01.10.2013 in compliance of Standing Order 03/2011
2.	LHC Muhammad Fayaz No. 414	Who has passed B-I exam in the year-2013 but he stood on merit order No. 32 and he was not selected for lower school course on merit due to allocation of ten (10) seats for this district and he was becoming overage before 01.04.2014 i.e. starting lower school course next year commenced w.e.f. 01.10.2013 in compliance of Standing Order 03/2011
3.	LHC Muhammad Nawaz No. 832	Who has passed B-I exam in the year-2013 but he stood on merit order No. 19 and he was not selected for lower school course on merit due to allocation of ten (10) seats for this district and he has already availed three chances and have no more chance to appear in upcoming B-I Exam in compliance of Standing Order 03/2011

EC
15/12/21

The particulars of thirty five (35) ETEA test passed B-I candidates including the name of above mentioned three Police officials were sent to your office vide this office letter No. 3444/EC, dated 22.03.2013 & your good office has Notified top ten (10) B-I amongst the 35 pass candidates of this district Police on the basis of allocation of ten (10) reserve seats for lower school course for this District Police during the year-2013 vide Notification No. 2366-70/EC, dated 03.04.2013. (Copy is annexed at "A")

in the following criteria before 15.06.2013 on the prescribed format given below vide Signal No. 1652-1700/GC dated 10.06.2013 (Copy is annexed at "B")

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- A Who have passed B-1 exam 2013 but not selected for Lower Course on merit and are becoming overage before 01.04.2014 i.e. starting Lower Course next year.
- B Who have passed B-1 exam 2013 but not selected for Lower Course on merit as per allotted quota and they have no more chance to appear in B-1 exam

In response to the above quoted reference, the name of twenty one (21) constables (including the names of above mentioned three officials) of this district Police were sent to the Commandant, PTC Hangu vide this office Signal No. 2905-06/EC, dated 11.06.2013 as per criteria mentioned above (Copy is annexed at "C")

Upon which the Worthy IGP KP has allotted 180 extra seats to Lower School Course for the forthcoming term commencing w.e. from 01.10.2013 vide order Exdt. No. 24555-82/E-I dated 01.10.2013 (Copy is annexed at "D") as per the recommendation of the Commandant PTC Hangu wherein 180 FCs from all over the province including twenty one (21) FCs from this district including FC Yaqoob Ur Rehman No. 773 mentioned at serial No. 66, FC Muhammad Fayaz No. 414 mentioned at serial No. 67 (who becoming overage before 01.04.2014) & FC Muhammad Nawaz No. 719 mentioned at serial No. 156 (who already availed three chances & has no more chance to appear in upcoming B-1 exam) were also selected for Lower School Course and took benefit of Signal No. 1652-1700/GC dated 10.06.2013 (already annexed above) under the overage quota.

In order to determine the merit/seniority of twenty seven (27) petitioners who succeeded in grant of relief from Peshawar High Court/Service Tribunal as well as others 180 overage Police officials who were selected for lower school course by the department, a committee chaired by Addl. IGP Special Branch, KP Peshawar, comprising of W/DIG HQ's, AIG Establishment & AIG Legal CPO Peshawar was constituted and a meeting was held in CPO Peshawar on 06.11.2014 to examine the cases of Constables of various districts who were selected for lower College Course under the overage quota as well as who were sent to lower school course by the order of PHC Peshawar/service Tribunal wherein the following recommendations were made vide Para 14 of the Committee decision - (Copy is annexed at "E")

1. Upper age limit has already been increased from 33 years to 40 years vide decision of Police Policy Board dated: 12.02.2014 as observed in the Honorable Supreme Court order mentioned above. Therefore, all the 180 candidates and candidates who have managed relief from the High Court are eligible for appearing in the coming B-1 examination. As such all the 180 candidates who had undergone for lower college course in the 2nd term of 2013 and those candidates who had gone for lower college course without passing the mandatory B-1 examination shall re-appear in the forthcoming B-1 examination to be held on 08th March 2015. However, the seniority of the all those candidates who qualify the B-1 examination shall be placed at the bottom of candidates who qualified lower college course in the last term of 30.11.2014.
2. As regard the case of petitioners/candidates who want to lower college course in violation of Police Rules, for not qualifying B-1 test, but managed through PHC/Service Tribunal and completed lower college course shall also appear in forthcoming B-1 examination to be held on 08th March-2015, after qualifying B-1 examination, they will not undergo lower college course again qualified lower college course in the last term of 2014.

(86)

On the recommendation of committee, the W/IGP KP Peshawar has accorded approval to the decision of the committee vide letter No. 2288-2320/E-IV dated 24.02.2015. (Copy is annexed at "F").

Therefore, 180 candidates from all over the province including twenty one (21) Police officials of this district who had undergone to Lower School Course (becoming overage before 01.04.2014 i.e. starting Lower Course in next year & those who have already availed three chances for B-I and have no more chance to appear in B-1 exam and those twenty seven (27) petitioners who succeeded in grant of relief from Peshawar High Court/Service Tribunal including three (03) Police officials of this district) were put their seniority in the last term of 2014 as per instructions of the W/IGP KP Peshawar letter No. 2288-2320/E-IV dated 24.02.2015 (copy already annexed above) and beneficiary of Commandant PTC vide Signal No. 1652-1700/GC dated 10.06.2013 (copy already annexed above).

A committee headed by the then DPO Karak comprising of the SP Inv: Karak, SDPO, Karak, SDPO Takht-e-Nasrati, Inspector Legal etc: was constituted to review the seniority of C-I Constables and all types of cases pertaining the seniority of LHC and their grievances vide this office order No. 2399-2403/EC, dated 25.03.2021. (Copy is annexed at "G").

On 08.04.2021, DPC meeting was held in this office in which LHC Arif Ullah No. 188 & nine (09) other have preferred written joint application stating therein that their seniority is not according to the committee decision held on 06.11.2014 at CPO Peshawar and approved by worthy IGP KP Peshawar vide No. 2288-2320/E-IV, dated 24.02.2015 and made request for reviewing / fixation of their seniority.

The committee thoroughly perused their cases on merit, checking their relevant records & after threadbare discussion, the committee unanimously agreed to implement the committee decision held at PCO Peshawar on 06.11.2014 and accorded/ approval by worthy IGP KP Peshawar vide No. 2288-2320/E-IV, dated 24.02.2015, therefore out of 180 overage candidates from the whole province who were selected for lower school by the department, twenty one (21) LHCs of this district (including the above mentioned three (03) officials in 21) and out of 27 petitioners who were granted relief by Peshawar High Court for lower school course, three (03) officials of this district were fixed their seniority in the last term of 2014 in the light of above quoted reference.

The above mentioned three (03) applicants submitted application against the DPC decision which were sent to your good-office vide this office letter No. 4492/EC, dated 04.06.2021, upon which your good office has directed to fix the seniority of the applicants as per the guideline of AIG/Legal CPO Peshawar vide letter No. 1427/Legal dated 05.03.2020 which is self-explanatory on the subject matter be complied accordingly vide your office letter No. 11983/EC, dated 03.08.2021 (copy is annexed at "G")

In response of your above quoted reference para-wise comments were re-submitted by dealing hand which was entrusted to SDPO Takht-e-Nasrati for thorough probe & opinion. The report of SDPO Takht-e-Nasrati which is in detail and self explanatory. (Copy is annexed at "H")

submit applications time to time to every newly posted DPO/RPO to gain their own desire. It is pointed out that out of 21 Police officials of this district Police (who were selected for lower course in overage quota by the department in the year-2013) 18 are satisfied and obeying the decision of the worthy IGP as well as the district Committee decision while these three (03) officials are agitating/neglecting continuously, the decision of the committee held at CPO level as well as district committee. (87)

Moreover, except of the above mentioned committee decisions held at CPO level and approved by worthy IGP KP Peshawar, if any other new instructions/order issued by worthy IGP KP Peshawar regarding the seniority of 180 (overage Police officials who were selected for lower school course by the department) and 27 petitioners (who succeeded in grant of relief from Peshawar High Court/Service Tribunal) is available may kindly be provided as documentary proof for guidance and for the record of this office, please.

Encl = (32)

District Police Officer, Karak

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DPO/Karak

Recommendations of the committee constituted at CPO level are prima-facie, plausible and in accordance with law/rules. The matter has already been disposed of, therefore, their applications are contrary to law/rules. They may be returned accordingly.

EC/DA
For strict compliance.

20/12/2021