

5.

04.03.2015

None present. Notice to appellant and his counsel had already been issued through registered post but neither the appellant nor his counsel is in attendance as such the appeal is dismissed. File be consigned to the record.

ANNOUNCED
4.3.2015

Chairman
Camp Court Swat

04.03.15

in-21

04-03-2015

... ..

...

...





...

...

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1283/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/10/2014	<p>The appeal Mr. Imran Ullah presented today by Mr. Mushtaq Ahmad Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	16-1-15	<p>This case is entrusted to touring Bench Swat for preliminary hearing to be put up there on <u>03-02-2015</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
03	03.02.2015	<p>None present for appellant. The case be relisted for preliminary hearing to</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>
4	6.2.2015	<p>None present. Let notice be issued to the appellant and his counsel for preliminary hearing for 4.3.2015 at camp court Swat.</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>

**Before the Khyber Pakhtunkhwa Service
Tribunal Peshawar.**

Service Appeal No. 1283 of 2014.

Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police Department
District Buner.

..... Appellant.

VS

Govt: of Khyber Pakhtunkhwa through Secretary Home
& Tribal Affairs Civil Secretariat, Peshawar & Others.

..... Respondents

I N D E X

S. No.	Description of Documents	Annexure	Page
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8.	Copy of Notification No. 4125/E-II, dated 11/02/2014 along with better copy	"D"	19
9.	Copy of Notification No. 4132/E-II, dated 11.02.2014	"E"	20
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Appellant

Through



**(Mushtaq Ahmad Khan Advocate)
High Court
Cell No. 0346-9014199**

(1)

**Before the Khyber Pakhtunkhwa Service
Tribunal Peshawar.**

Service Appeal No. 1283 of 2014.

1318
28/10/2014

Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police Department
District Buner.

..... **Appellant.**

VS

1. Govt: of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Civil Secretariat, Peshawar.
2. The Provincial Police Officer, at Central Police Office Peshawar.
3. The Addl: Inspector General of Police, Headquarters, CPO Peshawar.
4. The Deputy Inspector General of Police Headquarter CPO Peshawar.
5. The Assistant Inspector General of Police, Establishment at CPO Peshawar.
6. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
7. The District Police Officer, Buner.
8. Inspector Legal Rashid Ahmad Presently Posted as Incharge Legal Branch Police Deptt: District Dir Upper . (Through DPO Dir Upper)
9. Inspector Legal Syed Amir Abbas presently Posted at CTD (Counter Terrorism Deptt:) Peshawar. (Through DIG CTD Peshawar)
10. Inspector Legal Muhammad Farooq Presently Posted at Legal Branch Police Deptt: District Bannu (Through DPO Bannu)
11. Inspector Legal Akhlaq Hussain Shah presently Posted as Incharge Legal Branch Police Deptt: District Mansehra. (Through DPO Mansehra)
12. Inspector Legal Malak Habib Khan presently Posted as PSO to SSP Operation CCP Peshawar (Through SSP Operation Peshawar)

28/10/14.

- 13. Inspector Legal Wisal Ahmad Presently Posted at Legal Branch Police Deptt: District Abbottabad (Through DPO Abbottabad)
- 14. Inspector Legal Usman Ali Khan Presently Posted as Incharge Legal Branch Police Deptt: District Charsadda (Through DPO Charsadda).
- 15. Inspector Legal Muhammad Shafiq Presently Posted at Legal Branch Police Deptt: District Mardan (Through DPO Mardan).
- 16. Inspector Legal Muhammad Zahoor Presently Posted at Legal Branch Police Deptt: District Haripur (Through DPO Haripur).
- 17. Sub Inspector Legal Siraj-ud- Din Presently Posted as Incharge Legal Branch Police Deptt: District Kohistan (Through DPO Kohistan)
- 18. Sub Inspector Legal Naeem Hussain Presently Posted as Incharge Legal Branch Police Deptt: District Batagram (Through DPO Batagram).
- 19. Sub Inspector Legal Faheem Khan Presently Posted as Incharge Legal Branch Police Deptt: District Swabi (Through DPO Swabi).

..... Respondents

SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT - 1974 AGAINST NOTIFICATION NO. 4125/E-II, DATED 11.02.2014, SENIORITY LIST 'F' NO. 1065-1115/E-III, DATED 24.06.2014 AND PROMOTION ORDER OF THE RESPONDENTS NO. 8 TO 16 NOTIFICATION NO. 4132/E-II, DATED 11.02.2014 WHERE BY THE APPELLANT WAS ILLEGALLY PLACED AT THE BOTTOM OF SENIORITY LIST "F" AND

(3)

IGNORED FROM PROMOTION TO THE RANK
OF INSPECTOR LEGAL

Respectfully sheweth:

It is very respectfully submitted as under:-

Facts:-

1. That the Appellant was appointed as Sub-Inspector Legal on 02/12/2009 on the recommendation of Public Service Commission, and placed at the strength of District Buner, Malakand Region-III. Vide Order of Respondent No. 2, Memo: No. 29070-75/E-II, dated 02.12.2009 as annex: "A"
2. That Respondents No. 8 to 15 were also appointed alongwith the appellant by the Respondent No. 2 vide his office order / Memo: No. 29070-75/E-II, dated 02.12.2009, whereas the appointment order of Respondents No. 15 to 19 was issued separately on 09.12.2009 by Respondent No. 2 vide Order / Memo: No. 29769-71/E-II.
3. That soon after appointment the Appellant took over charge of responsibilities on ⁰⁴⁻¹²⁻²⁰⁰⁹ ~~04.09.2012~~ in District Police Buner, where after the Appellant was sent for medical checkup by the District Police Officer, Buner to Medical Superintendent DHQ Hospital Daggar, Buner.
4. That the Appellant alongwith Respondents No. 8 to 19 were deputed for SIs Legal Course held with effect from April-2010 to September-2010. The Appellant passed the respective examination with credit and secured 7th position

Corrected
vide order
sheet dated
13/7/2016

in the merit vide PTC Hangu Merit list Notification No. 1297/S/Result dated 28.03.2011 as annex: "B".

5. That after successful completion of probation period on 01/07/2013 DPC was held at Regional Police Officer's Malakand Office and on the recommendation of DPC the Respondent No. 6 confirmed the appellant along with Respondent No. 8 from the date of appointment. Vide Respondent No. 6 Memo: No. 8587-88/E, dated 17.07.2013 as annex "C".

6. That the Appellant alongwith Respondents No. 8 to 19 were promoted to List-"F" on the recommendation of DPC held on 07/02/2014 and the Appellant was placed at last position i-e 13th in the seniority List-"F". Vide Notification No. 4125/E-II, dated 11/02/2014 as annex "D".

7. That after promotion to list-"F" Respondents No. 8 to 16 were promoted to the Rank of Inspectors Legal, whereas the Appellant was ignored. Vide notification No. 4132/E-II, dated 11.02.2014 as annex: "E".

8. That instead of good service record, better merit position and absolute efficiency, the Appellant was deprived of deserving seniority position as well as promotion to the Rank of Inspector Legal.

9. The after issuance of seniority list of Appellant alongwith Respondents No. 17 to 19, directions were issued that the

officers named in the seniority list may prefer departmental representation for correction of the seniority position. Vide Seniority list No. 1065-1115/E-III, dated 24.06.2014 as annex: "F".

10. That after going through the aforementioned seniority list, the appellant came to know that incorrect date of confirmation (17.07.2013) was entered in column No. 07 of the seniority list "F", therefore on 30.06.2014 the Appellant preferred departmental representation before the Respondent No. 2 which was forwarded by Respondent No. 7 to 6 on 03.07.2014 and Respondent No. 6 forwarded the same to Respondent No. 2 on 17.07.2014. Vide departmental representation as annex: "G".

11. That the statutory period has been expired, whereas the Respondent No. 2 has still not issued any orders on the departmental representation of the Appellant. Therefore, the appellant being aggrieved prefers this Service Appeal Inter Alia on the following grounds:-

Grounds:-

a. That the Seniority List 'F' prepared for confirmed SIs Legal carries gross clerical mistakes and wrong entries to extent of appellant. At Serial No.04, date of confirmation against the name of the Appellant has been recorded/ entered as 17.03.2013, whereas 17.03.2013 is that date on which Respondent No. 6 issued orders regarding confirmation of the appellant along with Respondent No. 8 on the

recommendation of DPC held on 01.07.2013. Vide annex: "C".

b. That during preparation of Seniority list facts, service record and documents of the appellant have not been properly perused. Incorrect date of confirmation i.e. 17.07.2013 has been settled and entered as date of confirmation of the appellant. The Respondent No. 6 confirmed the appellant from the date of appointment and 17.07.2013 is not the date of appointment of the appellant. The correct date of appointment of the appellant recorded in service record is 02.12.2009. The date of confirmation of the appellant should therefore have been recorded/entered as 02.12.2009 instead of 17.07.2013. Vide again annex: "D".

c. That due to the aforementioned mistake the appellant was placed at Serial No.13 of the initial seniority list 'F' i.e. the very last position, consequently Respondents No. 8 to 16 were promoted to the rank of Inspector legal , whereas the appellant was deprived of his due right and now the appellant has been placed at Serial No.04 i.e. the very last position of seniority list "F" No. 1065-1115/E-III, dated 24.06.2014 maintained for confirmed Sub Inspectors Legal on the basis of incorrect entries.

d. That the Appellant has been discriminated, because his colleagues junior to him were placed at the top of seniority List-"F" and promoted to the Rank of Inspectors Legal as well, whereas on the basis of incorrect entries the Appellant has been deprived of his departmental, legal and constitutional rights.

- e. *That the seniority list mentioned above contains dates each against the names of respondents No. 8 to 19 from which they were confirmed as their dates of confirmation, whereas incorrect date i.e 17.07.2013 has been recorded / entered as the date of confirmation against the name of the Appellant which is not correct because on that very date (17.07.2013) the Respondent No. 6 ordered confirmation of the Appellant from the date of appointment i.e 02.12.2009 (Date of appointment of the Appellant).*

- f. *That the Respondents No. 8 to 19 have been treated in one way by recording / entering their actual date of confirmation noted against each of their names on the seniority list "F", whereas the appellant has been treated differently by entering his incorrect date of confirmation in the seniority list "F". The appellant therefore needs the same treatment.*

- g. *That the illegal actions of the official Respondents have adversely affected the vested legal and constitutional rights of the appellant.*

- h. *That the appellant has not been treated in accordance with law, rules and policy of the respondent Department.*

- i. *That the appellant has severely been discriminated and has been deprived of his rightful seniority, promotion and*

all other ancillary matter thereto on the basis of gross mistake.

- j. That the principles of natural justice have been violated.
- k. That Article-9 and 25 of the constitution of Islamic Republic of Pakistan provides that there shall be no discrimination. Similarly placed persons shall be treated similarly and everyone should have been provided equal opportunities.
- l. That the seniority List-"F" vide Notification No. 4125/E-II, dated 11/2/2014 was prepared without observing facts, Law, Rules and Judgments of the superior Courts.
- m. That the appellant seeks the permission of this August Tribunal to adduce more grounds at the time of hearing / arguments of this service appeal.

Prayer:-

In view of the above facts and grounds it very respectfully prayed from this august Tribunal that clerical mistake and wrong entry i.e. entry of 17.07.2013 as date of confirmation noted against the name of the appellant within the seniority list Notification No.4125/E-II, dated 11.02.2014 followed by Seniority list No.1065/E-III, dated 24.06.2014 may be rectified and corrected.

The appellant may be placed at the deserving position in the seniority list "F" on the top of Respondents No. 8 and also be promoted to the Rank of Inspector Legal with all back benefits.

④

The respondents may be directed to issue new notifications and seniority list "F" maintained for confirmed Inspectors / Sub Inspectors legal to the extent of placement of the appellant on the requested position.

Moreover, Notification No. 4132/E-II, dated 11.02.2014 may be declared as null and void, because the appellant has illegally been ignored from promotion by the respondents on which score the actions and inactions of the respondents are against law, rules and natural justice.

Or

Any other relief which this august Tribunal deems appropriate may kindly be awarded to meet the ends of justice.


Appellant

Dated: 27 / 11 / 2014

Through



(Mushtaq Ahmad Khan Advocate) BumeX
High Court
Cell No. 0346-9014199

(10)

**Before the Khyber Pakhtunkhwa Service
Tribunal Peshawar.**

Service Appeal No. of 2014.

*Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police Department
District Buner.*

..... Appellant.

VS

*Govt: of Khyber Pakhtunkhwa through Secretary Home
& Tribal Affairs Civil Secretariat, Peshawar & Others.*

..... Respondents

APPLICATION FOR INTERIM RELIEF

Respectfully shewith

1. That the appellant / applicant has filed the instant application alongwith Service Appeal in which no date of hearing has yet been fixed.
2. That facts and grounds of the appeal may kindly be considered as part and parcel of this application.
3. That prima facie the appellant has good case and hopeful about its successes because the applicant has been discriminated and wrong date of confirmation has been entered in the seniority list, whereas Junior Officers to the applicant in terms of arrival for duty, date of appointment and date of confirmation have been promoted to the rank of Inspector Legal and the applicant has been ignored.
4. That the seniority list and notification mentioned in the Memo: of Appeal needs suspension to avoid irreparable loss to the applicant / appellant in the long run.
5. That balance of convenience is also in favour of the appellant.

Prayer

On acceptance of this application the seniority list and notifications referred to in Memo: of Service Appeal may kindly be suspended till the decision of the Service Appeal of the applicant / appellant.

Appellant

Through



**(Mushtaq Ahmad Khan Advocate) Buner
High Court
Cell No. 0346-9014199**

(11)

**Before the Khyber Pakhtunkhwa Service
Tribunal Peshawar.**

Service Appeal No. of 2014.

*Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police Department
District Buner.*

..... Appellant.

VS

*Govt: of Khyber Pakhtunkhwa through Secretary Home
& Tribal Affairs Civil Secretariat, Peshawar & Others.*

..... Respondents

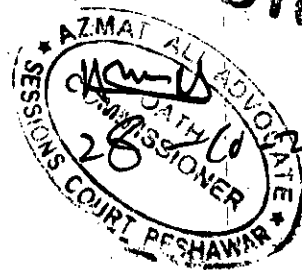
AFFIDAVIT

*I, Mushtaq Ahmad Khan Advocate High Court as per
instructions of my client / appellant, do hereby solemnly
affirm and declare on oath that the contents of the Service
Appeal / Application are correct to the best of my
knowledge & belief and nothing has been kept secret from
this August Tribunal.*



Deponent

ATTESTED



(12)

**Before the Khyber Pakhtunkhwa Service
Tribunal Peshawar.**

Service Appeal No. of 2014.

Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police Department
District Buner.

..... **Appellant.**

VS

Govt: of Khyber Pakhtunkhwa through Secretary Home
& Tribal Affairs Civil Secretariat, Peshawar & Others.

..... **Respondents**

ADDRESSES OF THE PARTIES

A. APPELLANT

Imranullah s/o Ikram Shah Sub Inspector Legal No. 450/M
Presently Posted as Incharge Legal Branch Police
Department District Buner.

B. RESPONDENTS

1. Govt: of Khyber Pakhtunkhwa through Secretary Home
& Tribal Affairs Civil Secretariat, Peshawar.
2. The Provincial Police Officer, at Central Police Office
Peshawar.
3. The Addl: Inspector General of Police, Headquarters,
CPO Peshawar.
4. The Deputy Inspector General of Police Headquarter
CPO Peshawar.
5. The Assistant Inspector General of Police, Establishment
at CPO Peshawar.
6. The Regional Police Officer, Malakand Region at Saidu
Sharif Swat.
7. The District Police Officer, Buner.
8. Inspector Legal Rashid Ahmad Presently Posted as
Incharge Legal Branch Police Deptt: District Dir Upper .
(Through DPO Dir Upper)
9. Inspector Legal Syed Amir Abbas presently Posted at
CTD (Counter Terrorism Deptt:) Peshawar. (Through DIG
CTD Peshawar)

10. Inspector Legal Muhammad Farooq Presently Posted at Legal Branch Police Deptt: District Bannu (Through DPO Bannu).
11. Inspector Legal Akhlaq Hussain Shah presently Posted as Incharge Legal Branch Police Deptt: District Mansehra. (Through DPO Mansehra)
12. Inspector Legal Malak Habib Khan presently Posted as PSO to SSP Operation CCP Peshawar (Through SSP Operation Peshawar)
13. Inspector Legal Wisal Ahmad Presently Posted at Legal Branch Police Deptt: District Abbottabad (Through DPO Abbottabad)
14. Inspector Legal Usman Ali Khan Presently Posted as Incharge Legal Branch Police Deptt: District Charsadda (Through DPO Charsadda).
15. Inspector Legal Muhammad Shafiq Presently Posted at Legal Branch Police Deptt: District Mardan (Through DPO Mardan).
16. Inspector Legal Muhammad Zahoor Presently Posted at Legal Branch Police Deptt: District Haripur (Through DPO Haripur).
17. Sub Inspector Legal Siraj-ud- Din Presently Posted as Incharge Legal Branch Police Deptt: District Kohistan (Through DPO Kohistan)
18. Sub Inspector Legal Naeem Hussain Presently Posted as Incharge Legal Branch Police Deptt: District Batagram (Through DPO Batagram).
19. Sub Inspector Legal Faheem Khan Presently Posted as Incharge Legal Branch Police Deptt: District Swabi (Through DPO Swabi).



ADVOCATE
(MUSHTAQ AHMAD KHAN)

(14)

Annex - 1

4038/E
8/12/09

- From : The Provincial Police Officer, NWFP, Peshawar.
- To : 1. The Capital City Police Officer, Peshawar.
2. The Deputy Inspector General of Police, Mardan Region-I, Mardan
3. The Deputy Inspector General of Police, Malakand Region-III, Swat.
4. The Deputy Inspector General of Police, Kohat Region.
5. The Deputy Inspector General of Police, Bannu Region.
6. The Deputy Inspector General of Police, Hazara Region Abbottabad.

EC
ML
Deputy Inspector General of Police
Malakand Region Saidu Sharif Swat
07/12/09

No. 29070-75 A-II, Dated Peshawar the 02/12 /2009.

Subject: RECRUITMENT OF (18) POSTS OF SUB INSPECTORS, LEGAL (BPS-14) IN PROVINCIAL POLICE DEPARTMENT

Memo.

Consequent upon recommendation of NWFP Public Service Commission Peshawar vide letter NWFP/PSC/SR-V/SI(Legal)/53420 dated 12.11.2009, the appointment of the following candidates are hereby approved as Sub Inspectors-Legal (BPS-14 (4920-380-16320))

S/NO	NAME & PARENTAGE	RESIDENCE
1.	Akhlaq Hussain Shah s/o Farzand Ali Shah	District and Tehsil Mardan and P/O Bherkeri
2.	Ghulam Haraid s/o Ghulam Noman	Village & Post Office Bannu Tehsil & District Swat.
3.	Imranullah s/o Ikram Shah	Village & P/O Nawagan Mohi Akpzu Tehsil Daggar District Bunir.
4.	Malik Habib Khan s/o Malik Fatch Khan	Malik House, H No. 372, St. No. 05 Ashrafia Colony Eid Gah Road Peshawar.
5.	Muhammad Farooq Khan s/o Muhammad Banoor Khan	Kotka Buland Dakhali Fatima Khil Tehsil and District Bannu.
6.	Rashid Ahmad s/o Munawar Khan	Village Tehsil and P/O Wari District Upper Dir, new forest Check Post (old) Wari Payeen.
7.	Samiullah Khan s/o Saidat Khan	House No. 477, Street New Abadi Jangle Khel Tehsil & District Kohat.
8.	Syed Amir Abbas s/o Syed Jamil Hussain	Village and P/O Usterzal Payan Tehsil and district Kohat.
9.	Usman Ali Khan s/o Sher Ali	Sher Ali, Bolier Engineer, Khyber Teaching Hospital Peshawar.
10.	Wisal Ahmad s/o Amanullah	Shop No. 6 Hafoz-e-Kitab Peshawar
11.	Muhammad Shafiq Khan Mohmand s/o Muhammad Aslam Khan Mohmand	Junat P/O University Town Peshawar. C/O Bakhat Zoha Durr P/O Baghdadi District Angaran

Attested
[Signature]

(95)

On appointment they are posted/allotted to the Region/District as noted against their names:-

S/NO	NAME & PARENTAGE	Region/District
1.	Akhlaq Hussain Shah	Hazara Region / Manshara District
✓ 2.	Ghulam Hamid	Malakand Region / Swat District
✓ 3.	Imranullah	Malakand Region / Buner District
4.	Malik Habib Khan	CCP/Peshawar
5.	Muhammad Farooq Khan	Bannu Region / Bannu District
6.	Rashid Ahmad	Malakand Region / Dir Upper District
7.	Samiullah Khan	Kohat Region
8.	Syed Amir Abbas	Kohat Region
9.	Usman Ali Khan	CCP/Charsadda District
10.	Wisal Ahmad	CCP/Peshawar
11.	Muhammad Shafiq Khan Mohmand	Mardan Region / Mardan District

Necessary Notification regarding their appointment may please be issued subject to Medical Test under the relevant rules and prescribed manner under intimation to all concerned. Their applications together other relevant documents are also sent herewith for placing in their Character Roll/ Service Roll.

Amir Kalam Shah
Director

(ABDUL MAJEED KHAN MARWATI)
PSP

Add: IGP/Headquarters,
For Provincial Police Officer,
NWFP Peshawar

AHester No. _____

AB-II, Dated Peshawar the _____/2009

Copy of above is forwarded for information and necessary action to Mr Amir Kalam Shah, Director Examination, NWFP, Public Service, Commissioner Bungalow No. 51, Street No. 03, Sector No. E-1, Phase No. 01, Hayatabad Peshawar w/r to his letter No. NWFP PSC ASI 2005-06/39690, dated: 11.08.2006.

(ABDUL MAJEED KHAN MARWATI)
PSP

Add: IGP/Headquarters,
For Provincial Police Officer,
NWFP Peshawar

(14)

BETTER COPY

From: The Provincial Police Officer,
NWFP, Peshawar.

To: 1. The Capital City Police Officer,
Peshawar.
2. The Deputy Inspector General of Police,
Mardan Region-I, Mardan.
3. The Deputy Inspector General of Police,
Malakand Region-III, Swat.
4. The Deputy Inspector General of Police,
Kohat Region.
5. The Deputy Inspector General of Police,
Bannu Region.
6. The Deputy Inspector General of Police,
Hazara Region Abbotabad.

No. 29070-75 /E-II, Dated Peshawar the 02 / 12 / 2009.

Subject: **RECRUITMENT OF (18) POSTS OF SUB INSPECTORS
LEGAL (BPS-14) IN PROVINCIAL POLICE DEPARTMENT.**

Memo:-

Consequent upon recommendation of NWFP Public Service Commission Peshawar vide letter NWFP/PSC/SR-V/SI(Legal)/53420, dated 12.11.2009, the appointment of the following candidates are hereby approved as Sub Inspector Legal BPS-14 (4920-380-16320).

S/NO	NAME & PARENTAGE	ADDRESS
1.	Akhlaq Hussain Shah s/o Farzand Ali Shah	District and Tehsil Mansehra Village & Post Office Bherkund.
2.	Ghulam Hamid s/o Ghulam Noman	Village & Post Office Behrain Tehsil & District Swat
3.	Imranullah s/o Ikram Shah	Village & P/O Nawagai Moh: Akazai Tehsil Daggar, District Buner
4.	Malik Habib Khan s/o Malik Fateh Khan	Malik House 11 No. 372 St: No. 05 Ashrafia Colony Eid Gah Road Peshawar
5.	Muhammad Farooq Khan s/o Muhammad Banoor Khan	Kotka Buland Dakhali Fatima Khil Tehsil and District Bannu
6.	Rashid Ahmad s/o Munawar Khan	Village Tehsil and P/O Wari District Upper Dir, new Forest Check Post (old) Wari Payeen
7.	Sami Ullah Khan s/o Saidal Khan	House No. 477, Street New Abadi Jangle Khel Tehsil & District Kohat
8.	Syed Aamir Abbas s/o Syed Jamil Hussain	Village and P/O Usterzai Payan Tehsil and district Kohat
9.	Usman Ali Khan s/o Sher Ali	Sher Ali, Bolier Engineer, Khyber Teaching Hospital Peshawar
10.	Wisal Ahmad s/o Amanullah	Shop No. 06, Hafeez Medicose Jumat P/O University Town Peshawar.
11.	Muhammad Shafiq Khan Mohmand s/o Muhammad Aslam Khan Mohmand	C/o Bakht Zada P/O Baghdada District Mardan.

25

Better copy

On appointment they are posted/allotted to the Region/District as noted against their names:-

S/NO	NAME & PARENTAGE	Region / District
1.	Akhlaq Hussain Shah	Hazara Region/Mansehra District
2.	Ghulam Hamid	Malakand Region/ Swat District
3.	Imranullah	Malakand Region/Buner District
4.	Malik Habib Khan	CCP/Peshawar
5.	Muhammad Farooq Khan	Bannu Region/ Bannu District
6.	Rashid Ahmad	Malakand Region/Dir Upper District
7.	Sami Ullah Khan	Kohat Region
8.	Syed Aamir Abbas	Kohat Region
9.	Usman Ali Khan	CCP/Charsadda District
10.	Wisal Ahmad	CCP/Peshawar
11.	Muhammad Shafiq Khan Mohmand	Mardan Region/Mardan District

Necessary Notification regarding their appointment may please be issued subject to Medical Test under the relevant rules and prescribed manner under intimation to all concerned. Their applications together other relevant documents are also sent herewith for placing in their Character Roll/Service Roll.

-sd-

(Abdul Majeed Khan Marwat)
PSP

Addl: IGP Headquarters,
For Provincial Police Officer,
NWFP, Peshawar.

No. _____/E-II, Dated Peshawar the / /2009.

Copy of the above is forwarded for information and necessary action to Mr. Amir Kalam Shah, Director Examination, NWFP, Public Service Commission Bungalow No. 51, Street No. 03, Sector No. E-I, Phase No. 01, Hayatabad Peshawar w/r to his letter No. NWFP PSC ASI 2005-06/39690, dated 11.08.2006.

-sd-

(Abdul Majeed Khan Marwat)
PSP

Addl: IGP Headquarters,
For Provincial Police Officer,
NWFP, Peshawar.



POLICE TRAINING COLLEGE HANGU
Estbd: 1935.

(6)

Amir Abbas B

POLICE DEPARTMENT

PTC HANGU

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

NOTIFICATION
Dated 28-03-2011.

No. 1297 /S/RESULT: The following under training candidates of your Dustt;/Units appeared in the final examinations of Probationer Sub-inspectors Legal Course, held at PTC Hangu, for the term ending 20.09.2010. Their result is hereby announced & notified. Their Order of Merit is noted against each their name. The original DMC,s/History Sheets shall be issued & sent separately.

S/No.	Comp#	Name	Region No.	Distt:	Remarks	Merit No.
1.	PPSI-10	Fahim Khan	85/MR	Swabi	Passed with Credit	1
2.	PPSI-11	Muhammad Zahoor	9/H	Haripur	Passed with Credit	2
3.	PPSI-4	Ikhlaq Hussain Shah	8/H	Mansehra	Passed with Credit	3
4.	PPSI-12	Muhammad Shafiq	44/MR	Mardan	Passed with Credit	4
5.	PPSI-6	Sher Mohsin-ul-Mulk	449/M	Chitral	Passed with Credit	5
6.	PPSI-9	Malik Habib Khan	668/P	Peshawar	Passed with Credit	6
7.	PPSI-1	Imran Ullah	450/M	Buner	Passed with Credit	7
8.	PPSI-5	Muhammad Farooq Khan	35/B	Bannu	Passed with Credit	8
9.	PPSI-2	Naeem Hussain Khan	10/H	Battagram	Passed with Credit	9
10.	PPSI-3	Syed Amir Abbas	Nil	Kohat	Passed with Credit	10
11.	PPSI-14	Wisal Ahmad	670/P	Nowsehra	Passed with Credit	11
12.	PPSI-7	Rashid Ahmad	448/M	Dir upper	Passed with Credit	12
13.	PPSI-8	Siraj-ud-Din	11/H	Kohistan	Passed with Credit	12
14.	PPSI-13	Usman Ali Khan	669/P	Charsadda	Passed with Credit	13

Amir Abbas



(Syed Abdul Wadood Shah)
Addl: Inspector General of Police,
Commandant,
Police Training College Hangu.

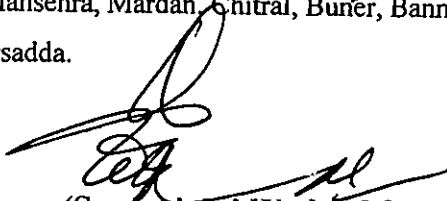
OB No 6
8.4.11
OB/EC
DPD/Bannu
8/4/11

No. 1298-1319 /S, dated Hangu, the 28-03-2011.

Copy of above is submitted for information and necessary action to:

17

1. The Provincial Police Officer, Khyber Pukhtunkhwa, Peshawar.
2. The Addl. IGP Investigation Khyber Pukhtunkhwa, Peshawar, for publication in Police Gazette.
3. The Addl: IGP Training, Khyber Pakhtunkhwa, Peshawar.
4. The Capital City Police Officer, Capital City District, Peshawar.
5. The Deputy Inspectors General of Police, Hazara, Mardan, Malakand, Bannu & Kohat Regions.
6. The District Police Officers, Swabi, Haripur, Mansehra, Mardan, Chitral, Buner, Bannu, Battagram, Kohat, Nowshera, Dir Upper, Kohistan & Charsadda.


(Syed Abdul Wadood Shah)
Addl: Inspector General of Police,
Commandant,
Police Training College Hangu.

*Attested
By*

98

Annex - C

From : The Regional Police Officer,
Malakand, at Saidu Sharif, Swat.

To : The District Police Officers, Buner,
The District Police Officer, Dir Upper

No. 5887-88/E, dated Saidu Sharif, the 17/7/2013.

Subject: CONFIRMATION

Memorandum:

Consequent upon recommendation by the DPC held in this office on 01/07/2013, the following Sub-Inspectors Legal are hereby confirmed in the rank of Sub-Inspectors Legal from the date of their appointment:-

1. SI Imranullah No. 450/M of Buner District.
2. SI Legal Rashid Ahmad No. 448/M of Dir Upper District

[Signature]
Regional Police Officer,
Malakand, at Saidu Sharif Swat
Naqi

No. 5887-88/E,

Copy to Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar for favour of information.

[Signature]
Police Officer

Attest.
[Signature]

Signal
Governme

last

33/s,

[Handwritten marks]

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(78)

**From: The Regional Police Officer,
Malakand, at Saidu Sharif Swat.**

**To: The District Police Officer, Buner.
The District Police Officer, Upper Dir.**

No. 5887-88/E, dated Saidu Sharif, the 17/07/2013.

Subject: CONFIRMATION

Memorandum:

Consequent upon recommendation by the DPC held in this office on 01/07/2013, the following Sub-Inspectors Legal are hereby confirmed in the rank of Sub-Inspector Legal from the date of their appointment:-

1. SI Imranullah No. 450/M of Buner District.
2. SI Legal Rashid Ahmad No. 448/M of Dir Upper District.

-sd-

**Regional Police Officer,
Malakand, at Saidu Sharif Swat.**

No. 5889/E,

Copy to Provincial Police Officer, Khyber
Pakhtunkhwa Peshawar for favour of information.

-sd-

**Regional Police Officer,
Malakand, at Saidu Sharif Swat.**

29

Annex - D

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II ORDERS BY THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA, PESHAWAR.


NOTIFICATION

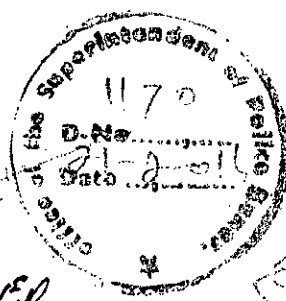
Dated: 11/12/2014


No. 4125 E-II PROMOTION LIST-F

As per recommendation of the DPC in its meeting held on 07.02.2014 duly approved by the W/IGP Khyber Pakhtunkhwa the names of the following confirmed Sub-Inspectors Legal of Khyber Pakhtunkhwa Police are hereby brought on list "F" with immediate effect:-

S/NO	NAME & RANK	REGION/UNIT
1.	SI/Legal Rashid Ahmad No. 442/M	Malakand Region
2.	SI/Legal Syed Amir Abbas	Kohat Region
3.	SI/Legal Muhammad Farooq Khan No. B/35	Bannu Region
4.	SI/Legal Akhlaq Hussain Shah No. H/50	Hazara Region
5.	SI/Legal Malik Habib Khan No. P/168	CCP, Peshawar
6.	SI/Legal Wisal Ahmed No. P/200	CCP, Peshawar
7.	SI/Legal Usman Ali Khan No. P/197	CCP, Peshawar
8.	SI/Legal Muhammad Shafiq No. M/149	Mardan Region
9.	SI/Legal Muhammad Zahoor No. H/51	Hazara Region
10.	SI/Legal Siraj-ud-Din No. H/53	Hazara Region
11.	SI/Legal Naeem Hussain No. H/52	Hazara Region
12.	SI/Legal Faheem Khan No. MR/13	Mardan Region
13.	SI/Legal Imranullah No. 450/M	Malakand Region

EC

 DPO/BUNER




 (MIAN MUHAMMAD ASIF)
 Addl. IGP/Headquarters
 For Inspector General of Police,
 Khyber Pakhtunkhwa
 Peshawar

No. 4126-31 /E-II dated Peshawar the 11/12/2014

1. Addl: IGP/HQRs Khyber Pakhtunkhwa, Peshawar
2. Capital City Police Officer, Peshawar.
3. Deputy Inspectors General of Police, Hazara, Malakand, Bannu, Kohat & Mardan Regions.
4. Deputy Inspector General of Police, CTD Khyber Pakhtunkhwa, Peshawar.
5. Office Supdt: Secret CPO alongwith their original Character Rolls for record in his office.
6. U.O.P File.

No 1441-24E
 Dt 18-02-2014
 DPO Dimples
 and Bunier
 EC
 For promotion

A Hester
 M. al.

Office of the
 Regional Police Officer,
 Malakand, at Saidu Sharif Suat

11/12

(19)

BETTER COPY

**FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE
GAZETTE PART-II ORDERS BY THE INSPECTOR GENERAL OF
POLICE KHYBER PAKHTUNKHWA, PESHAWAR.**

NOTIFICATION

Dated 11 / 02 / 2014

No. 4125 E-II **PROMOTION LIST "F"**

As per recommendation of the DPC in its meeting held on 07.02.2014 duly approved by the W/IGP Khyber Pakhtunkhwa the names of the following confirmed Sub Inspectors Legal of Khyber Pakhtunkhwa Police are hereby brought on list "F" with immediate effect:-

S/No.	NAME & RANK	REGION / UNIT
1.	SI/Legal Rashid Ahmad No. 448/M	Malakand Region
2.	SI/Legal Syed Amir Abbas	Kohat Region
3.	SI/Legal Muhammad Farooq Khan No. B/35	Bannu Region
4.	SI/ Legal Akhlaq Hussain Shah No. H/50	Hazara Region
5.	SI/Legal Malik Habib Khan No. P/168	CCP Peshawar
6.	SI/Legal Wisal Ahmad No. P/200	CCP Peshawar
7.	SI/Legal Usman Ali Khan No. P/199	CCP Peshawar
8.	SI/Legal Muhammad Shafiq No. MR/49	Mardan Region
9.	SI/Legal Muhammad Zahor No. H/51	Hazara Region
10.	SI/Legal Siraj-ud- Din No. H/53	Hazara Region
11.	SI/Legal Naeem Hussain No. H/52	Hazara Region
12.	SI/Legal Faheem Khan No. MR/13	Mardan Region
13.	SI/Legal Imranullah No. 450/M	Malakand Region

-sd-

(MIAN MUHAMMAD ASIF)

Add: IGP/Headquarters

For Inspector General of Police,

Khyber Pakhtunkhwa,

Peshawar.

No. 4126-31/E-II, dated Peshawar the 11 / 02 / 2014.

1. Addl: IGP / HQRs Khyber Pakhtunkhwa Peshawar.
2. Capital City Police Officer, Peshawar.
3. Deputy Inspector General of Police, Hazara, Malakand, Bannu, Kohat & Mardan Regions.
4. Office Supdt: Secret CPO alongwith their original Character Rolls for record in his office.
5. U.O.P File

(20)

Annex

2
11

FOR PUBLICATION IN THE KHYBER
PAKHTUNKHWA POLICE GAZETTE PART-II,
ORDERS BY THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION

Dated: 11 / 02 / 2014

No. 4132 E-II PROMOTION AS OFFG: INSPECTOR LEGAL:

As per recommendation of the DPC in its meeting held on 07.02.2014 duly approved by the W/IGP Khyber Pakhtunkhwa the following confirmed Sub-Inspectors Legal on list "F" are hereby promoted to the rank of Offg: Inspectors Legal BPS-16 (10000-800-34000) with immediate effect:-

S/NO	NAME & RANK	REGION/UNIT
1.	SI/Legal Rashid Ahmad No. 448/M	Malakand Region
2.	SI/Legal Syed Amir Abbas	Kohat Region
3.	SI/Legal Muhammad Farooq Khan No. B/35	Bannu Region
4.	SI/Legal Akhlaq Hussain Shah No. H/50	Hazara Region
5.	SI/Legal Malik Habib Khan No. P/168	CCP, Peshawar
6.	SI/Legal Wisal Ahmad No. P/200	CCP, Peshawar
7.	SI/Legal Usman Ali Khan No. P/199	CCP, Peshawar
8.	SI/Legal Muhammad Shafiq No. MR/49	Mardan Region
9.	SI/Legal Muhammad Zahoor No. H/51	Hazara Region

Their promotion will take effect from the date, they actually take over charge of their higher responsibilities.

Necessary Gazette Notification may be issued accordingly.

Their posting order will be issued separately.

(MIAN MUHAMMAD ASIF)

Add: IGP/Headquarters
For Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar

Attested
M. A.

No. 4133-40 /E-II

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

1. Capital City Police Officer, Peshawar.
2. Deputy Inspectors General of Police, Hazara, Malakandi, Kohat, Bannu & Mardan Regions.
3. Deputy Inspector General of Police, CTD Khyber Pakhtunkhwa, Peshawar.
4. Office Supdt: Secret CPO alongwith their original Character Rolls for record in his office.
5. U.O.P File.

SENIORITY LIST OF SUB INSPECTOR LEGAL ON LIST "F" OF KPK POLICE AS STOOD ON 18.06.2014

No. _____ /E-III, Seniority List:- The seniority list of Sub Inspector Legal on List "F" of KPK Police as it stood on 18.06.2014 is hereby published for information to all concerned.

S#	NAME & NO	DATE OF BIRTH	DATE OF RETIREMENT	DOMICILE	EDUCATION	DATE OF CONFIRMATION SI LEGAL	DATE OF PROMOTION TO LIST F	REFERENCE OF NOTIFICATION
1.	Siraj-ud-Din H/53	03.04.1982	02.04.2042	Distt: Kohistan	MA Political Science, MA IR LLB	21.12.2009	11.02.2014	Notification No: 4155/E-II, dated 11.02.2014.
2.	Naeem Hussain H/52	21.04.1984	20.04.2044	Distt: Mardan	BA, LLB	21.12.2009	11.02.2014	-do-
3.	Fahcem Khan MR/13	02.08.1983	01.08.2043	Distt: Swabi	B.SC/LLB	12.01.2010	11.02.2014	-do-
4.	Imran Ullah 450/M	15.04.1983	14.04.2043	Distt: Buner	BA/LLB	17.07.2013	11.02.2014	-do-

(Signature)
(MUBARAK ZEB)PSP
DIG/HQs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Attested -
(Signature)

No. 1065-1115 /E-III, dated Peshawar, the 24/6/2014.

Copy of above is forwarded for information and necessary action to the all heads of Police in Khyber Pakhtunkhwa

NOTE: They are requested to please inform all Officers serving under their command. Any Officer who have objection on his Seniority/correction, he should submit his representation within one month after the issue of the list otherwise no representation will be accepted.

Annex - 21



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BETTER COPY

SENIORITY LIST OF SUB INSPECTOR LEGAL ON LIST "F" OF KPK POLICE AS STOOD ON 18.06.2014.

No. /E-III, Seniority List:- The seniority list of Sub Inspector Legal on List "F" of KPK Police as it stood on 18.06.2014 is hereby published for information to all concerned.

S. #	NAME & NO	DATE OF BIRTH	DATE OF RETIREMENT	DOMICILE	EDUCATION	DATE OF CONFIRMATION SI LEGAL	DATE OF PROMOTION TO LIST F	REFERENCE OF NOTIFICATION
1	Siraj-ud-Din H/53	03-04-1982	02-04-2042	Distt: Kohistan	MA, Political Science, MA, IR, LLB	21-12-2009	11-02-2014	Notification No 4155/E-II dated 11-02-2014
2	Naeem Hussain H/52	21-04-1984	20-04-2044	Distt: Mardan	BA, LLB	21-12-2009	11-02-2014	-do-
3	Faheem Khan MR/13	02-08-1983	01-08-2043	Distt: Sawabi	BSC,LLB	12-01-2010	11-02-2014	-do-
4	Imran Ullah 450/M	15-04-1983	14-04-2043	Distt: Buner	BA, LLB	17-07-2013	11-02-2014	-do-

-sd-

**(MUBARAK ZEB)PSP
DIG/HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.**

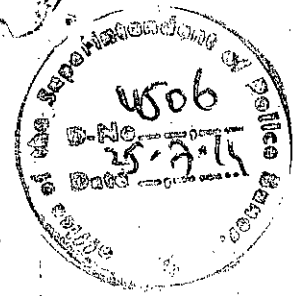
No 1065-1115 /E-III, dated Peshawar, the 24 / 06 /2014.

Copy of above is forwarded for information and necessary action to the all heads of Police in Khyber Pakhtunkhwa.

Note:- They are requested to please inform all Officers serving under their command. Any Officer who have objection on his Seniority/correction. He should submit his representation within one month after the issue of the list otherwise no representation will be accepted.

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Annex-3



From : The Regional Police Officer,
Malakand, at Saidu Sharif, Swat.

To : The Provincial Police Officer,
Khyber Pukhtunkhwa, Peshawar.

No. _____ /E, dated Saidu Sharif, the 17-7 /2014.

Subject: DEPARTMENTAL REPRESENTATION / APPEAL.


Memorandum:

Enclosed please find herewith a representation submitted by Imranullah No.450/M SI Legal Buner for favour of consideration please.


Regional Police Officer,
Malakand, at Saidu Sharif, Swat.

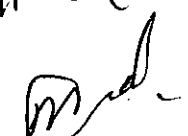
No. 5839 /E, _____

Copy to District Police Officer, Buner with reference to his office memo: No. 13572/E, dated 03/07/2014.


Regional Police Officer,
Malakand, at Saidu Sharif, Swat.

EC
inform SI/legal


DPO/Buner

Attested


23

Phone No. 0939510473
Fax No. 0939510501
dpobuner@gmail.com

From: The District Police Officer,
Buner.

To: The Regional Police Officer,
Malakand Region at Saidu Sharif
Swat.

No. 13572 /E, dated Daggar the 3/ 7 /2014.

Subject: DEPARTMENTAL REPRESENTATION/ APPEAL.

Memo:-

Please enclosed find herewith departmental representation submitted by Imran Ullah SI Legal Buner is hereby forwarded to you for onward submission to the Worthy PPO Khyber Pakhtunkhwa, Peshawar , please.

Enclosed: (05)



District Police Officer,
Buner

Attested
Mud

To,

(24)

The Worthy, Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.

Through:- Proper Channel.

Subject: DEPARTMENTAL REPRESENTATION / APPEAL AGAINST
NOTIFICATION NO.4125/E-II, DATED 11.02.2014 AND
SENIORITY LIST 'F' NO.1065-1115/E-III, DATED 24.06.2014.

Dear Sir,

It is very respectfully submitted as under:-

Facts:-

1. That I was appointed as Sub-Inspector Legal on 02/12/2009 on the recommendation of Public Service Commission, and placed at the strength of District Buner, Malakand Region-III. Vide CPO Memo: No.29070-75/E-II, dated 02.12.2009.
2. That 13 other candidates belonging to different district / Regions were also appointed as SIs Legal on the recommendation of the Provincial Public Service Commission wherein the applicant/appellant stood at Merit List on Serial No. 3.
3. That soon after appointment I took over charge of responsibilities in District Police Buner, where after I was sent for medical check up on 08.02.2009 by the District Police Officer, Buner to Medical Superintendent DHQ Hospital Daggar, Buner.
4. That I alongwith the other 13 SIs Legal were deputed for SIs Legal Course held with effect from April-2010 to September-2010. I passed the respective examination with credit and secured 7th position in the merit.
5. That after successful completion of probation period on 01/07/2013 DPC was held at Region Office Malakand and on the recommendation of DPC the respected Regional Police Officer, Malakand Region-III confirmed the applicant/ appellant along with SI Legal Dir Upper Mr. Rashid Ahmad from the date of appointment vide RPO Malakand Memo: No.8587-88/E, dated 17.07.2013.
6. That I alongwith other 12 SIs Legal were promoted to List-"F" on the recommendation of DPC held on 07/02/2014 and I was placed at last position i-e 13th in the seniority List-"F". Vide Notification No. 4125/E-II, dated 11/02/2014.
7. That after promotion to list-"F" 9 SIs Legal from S.No. 1 to 9 of different Regions / Units were promoted to the Rank of Inspectors Legal, whereas I was ignored.
8. That instead of good service record, better merit position and absolute efficiency, I was deprived of deserving seniority position and promotion to the Rank of Inspector Legal, therefore, this Departmental Representation/ Appeal inter-alia on the following grounds.

Grounds:-

- a. That the Seniority List 'F' prepared for confirmed SIs Legal carries gross clerical mistakes. At Serial No.04, date of confirmation against the name of the applicant has been recorded/ entered as 17.03.2013, whereas

Attested
[Signature]

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17.03.2013 is that date on which RPO Malakand issued orders regarding confirmation of the applicant/ appellant along with SI Legal Rashid Ahmad on the recommendation of DPC held on 01.07.2013.

- b. That during preparation of Seniority list facts, service record and documents have not been properly perused. Incorrect date of confirmation i.e. 17.07.2013 has been settled and entered as date of confirmation of the applicant/ appellant. The RPO Malakand confirmed the applicant from the date of appointment and 17.07.2013 is not the date of appointment of the applicant. The correct date of appointment of the applicant recorded in service record is 02.12.2009. The date of confirmation of the applicant should therefore have been recorded/entered as 02.12.2009 instead of 17.07.2013 vide Memo of RPO Malakand No.5887-88/E, dated 17.07.2013. (Memo Attached).
- c. That due to the aforementioned mistake the applicant/ appellant was placed at Serial No.13 of the initial seniority list 'F' i.e. the very last position, consequently SIs Legal from serial No.1 to 9 were promoted to the rank of Inspector, whereas the applicant/ appellant was deprived of his due right and now the applicant/ appellant has been placed at Serial No.04 i.e. the very last position of seniority list No.1065-1115/E-III, dated 24.06.2014 on the basis of incorrect entries.
- d. That I have been discriminated, because my colleagues junior to me were placed at the top of seniority List-"F" and promoted to the Rank of Inspectors Legal as well, whereas on the basis of incorrect entries I have been deprived of my departmental, legal and constitutional rights.
- e. That Article-9 and 25 of the constitution of Islamic Republic of Pakistan provides that there shall be no discrimination. Similarly placed persons shall be treated similarly and everyone should have been provided equal opportunities.
- f. That the seniority List-"F" vide Notification No. 4125/E-II, dated 11/2/2014 was prepared without observing facts, Law, Rules and Judgments of the superior Courts.

Prayer:-

In view of the above facts and grounds it very respectfully prayed from your good self that clerical mistake i.e. entry of 17.07.2013 as date of confirmation noted against the name of applicant/ appellant within the seniority list Notification No.4125/E-II, dated 11.02.2014 followed by Seniority list No.1065/E-III, dated 24.06.2014 may be rectified and corrected.

I may be placed at the deserving position in the seniority list and promoted to the Rank of Inspector Legal with back benefits, please.

Attested
Mud.

Dated: 30 / 06 / 2014

Your's Obediently,

(IMRANULLAH NO. 450-M)
Sub-Inspector Legal Buner
Malakand Region-III.

BERORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1283/2014

Imran Ullah Son of Ikram Shah
Inspector Legal No. 450/M District Swat
..... Appellant

VERSUS

Govt of Khyber pakhtunkhwa
Through secretary Home & Tribal Affairs
Civil Secretariat Peshawar and others
..... Respondents

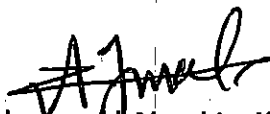
INDEX

S.No	Description of Documents	Annexure	Pages
1.	Written Reply		1-4
2.	Affidavit		5
3.	Copy of Appointment order of Respondent No. 9	"A"	6
4.	Copy of Appointment order and Notification of R-No. 10	"B"	7
5.	Copy of Appointment order of R-No.12, 13, 14	"C"	8
6.	Copy of Appointment order of respondent No. 11	"D"	9
7.	Copy of letter of DIG Swat to DPOs Buner etc for Appointment	"E"	10
8.	Copy of Notification of Appellant etc		
9.	Wakalat Nama	"F"	11

Dated:08/09/2016

Respondent No. 10

Through


Muhammad Ajmal Latif
Advocate, High Court,
Peshawar
Cell: 0333-9244033

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1283/2014

Imran Ullah Son of Ikram Shah
Inspector Legal No.450/M District Swat.
..... **Appellant**

VERSUS

Govt of Khyber Pakhtunkhwa
through Secretary Home & Tribal Affairs
Civil Secretariat Peshawar and others
..... **Respondents**

**WRITTEN REPLY ON BEHALF OF RESPONDENT NO.10
IN RESPONSE TO APPEAL NO.1283/2014**

Respectfully Sheweth:

Preliminary objections:

- 1- That the appellant has got no cause of action to file the instant appeal.
- 2- That the appeal of the appellant is incompetent, baseless and not sustainable in the eyes of law, equity and justice.
- 3- That the appellant dishonestly and malafidely concealed / suppressed the material facts from this Hon'ble Tribunal, so as to get undue benefits.
- 4- That the appellant did not approach this Hon'ble Tribunal with clean hands.
- 5- That the appeal of the appellant is hopelessly time barred.
- 6- That the appellant is estopped by his own acts, conduct and deeds.
- 7- That the appeal of the appellant is not maintainable due to misjoinder and non-joinder of necessary party.
- 8- That this Hon'ble Tribunal has got no jurisdiction to entertain hear and adjudicate the instant appeal.
- 9- That the appellant has no locus standi to file the instant appeal.
- 10- That the appeal of the appellant is against law and facts.

ON FACTS:

- 1) That Para No.1 of the appeal is absolutely incorrect, false, factitious and based on misstatement of the appellant. The appellant as well as the respondents were approved vide the same approval letter No.29070-75/E-II dated 02/12/2009, which is not the date of appointments rather the same is the date of approval. It is pertinent to mention here the appointing authority of the appellant and respondents are RPOs (DIG) of concerned regions. The appellant purposely and deliberately not annexed his appointment letter / notification issued by competent authority so as to suppressed the date of his appointment where from his seniority is commenced, (Copies of respondents, Appointment Letters / Notifications issued by the competent authorities are Annexure "A,B,C,D&E " respectively.
- 2) That Para No.2 of the appeal is also incorrect, false and against the real facts. The detail reply has already given in the preceding paras.
- 3) That Para No.3 of the appeal is also incorrect, factitious, false and against the real facts, the appellant did not annex any supporting documents with the appeal which shows the actual date of appointment and arrival in the concerned quarter.
- 4) That Para No.4 of the appeal is not relevant, hence needs no replication.
- 5) That Para No.5 of the appeal pertains to record, hence needs no reply.
- 6) That Para No.6 of the appeal pertains to record, hence needs no replication.
- 7) That Para No.7 of the appeal is correct to the extent, that respondents No.8 to 16 were promoted to the rank of inspector legal but the remaining para is incorrect, false and based on misstatement. It is worth mentioning here that according to the seniority list respondents No.8 to 16 being senior and fit, promoted to the rank of Inspector Legal on the available post / vacancies. But the appellant could not promoted being junior according to seniority list and non-availability of post.

- 8) That Para No8 of the appeal is incorrect, false and against the real facts. The appellant was not included in the DPC meeting due to non-availability of other posts / vacancies. The respondents No.8 to 16 were at the top of the seniority list, therefore, they were promoted on the available posts/vacancies.
- 9) In response to Para No.9, it is submitted that seniority list was issued by the competent authority in accordance with law, rules and regulations, no directions were issued.
- 10) In response to Para No.10 of the appeal, it is submitted that the appellant was confirmed on 17/07/2013 in his substantive rank of SI Legal by respondent No.6 RPO Malakand and thereafter an official notification has been issued by concerned quarter. But the appellant kept mum for long period i.e. one year and now with malafide intention filed a badly time barred appeal, which not in consonance with law/rules and not sustainable in the eyes of law.
- 11) In response to Para No.11 of the appeal, it is submitted the appeal of the appellant is badly time barred and not sustainable in the eyes of law.

OBJECTIONS ON GROUNDS:

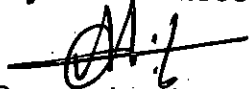
- A) Ground A of the appeal is baseless and not sustainable in the eyes of law. The seniority list has been prepared in accordance with law / rules and regulations and neither clerical mistake nor any wrong entry was made therein.
- B) Ground B of the appeal is also incorrect, factitious and the result of misrepresentation.
- C) Ground C of the appeal is whimsical, false and the result of misrepresentation, as the appellant dishonestly concealed certain material facts.
- D) Ground D of the appeal is also false, baseless and based on misstatement of the appellant. The seniority list has been prepared in accordance with law/rules and regulations on merits.


- E) Ground E of the appeal is incorrect the appellant has mentioned irrelevant references accumulated in his service appeal to get promotion one way or the other and hence has targeted respondent No.1 to 19.
- F) Ground F of the appeal pertains to record, hence no comments.
- G) Ground G of the appeal pertains to record, hence no comments.
- H) Ground H of the appeal incorrect as per the available record. The appellant was treated according to law / rules.
- I) Ground I of the appeal as per the available record, no gross mistakes has committed with the appellant, has never been deprived from any legal right.
- J) Ground J of the appeal is incorrect, explained as above.
- K) Ground K of the appeal is incorrect, no constitutional / legal right has ever been violated.
- L) Ground L of the appeal incorrect, the concerned branches of CPO Peshawar after observing facts, law / rules and judgments of the apex Supreme Court of Pakistan strictly followed while preparing seniority list etc.
- M) Ground M of the appeal, no comments, respondents also seek permission of this Hon'ble Tribunal for advancing further grounds during final hearing.

It is, therefore, most humbly prayed that the appeal of the appellant, being baseless and hopelessly time barred may graciously be dismissed with special costs.

Dated 08/09/2016

Through


Respondent No.10


Muhammad Ajmal Latif
Advocate, High Court,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1283/2014

Imran Ullah Son of Ikram Shah
Inspector Legal No.450/M District Swat.
..... **Appellant**

VERSUS

Govt of Khyber Pakhtunkhwa
through Secretary Home & Tribal Affairs
Civil Secretariat Peshawar and others
..... **Respondents**

AFFIDAVIT

I, Muhammad Farooq Khan Respondent No.10 do hereby solemnly affirm and declare on oath that the contents of the accompanied written reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



DEPONENT

11101-14183421-1

P-6

Annexure "A"

2257251
9/12
KOHAT REGION

POLICE DEPARTMENT

ORDER.

In pursuance to the recommendation of NWFP Public Service Commission pertaining to the appointment of Sub Inspectors Legal in Police Department vide No.NWFP/ P.S.C / SR-V/S(Legal / 53420) dated 12.11.2009 and Provincial Police Officer, NWFP Peshawar Orders vide Memo: No.2970-75/E-II, dated 02.12.2009 Mr. Syed Aamir Abbas S/o Syed Jamil Hussain R/o Usterzai Payan District Kohat is hereby appointed as Sub Inspector Legal. He is attached for the purpose of pay and allowances with Police Training College Hangu against the existing vacancy of S.I. Legal and posted in Kohat District for training.

accordingly.

Necessary gazzatte notification may be issued

17423/EC
9/12/09

(ABDULLAH KHAN) P.S.P
Dy: Inspector General of Police
Kohat Region, Kohat.

No. 10654-6/EC, dated Kohat the 05/12/2009.

Copy of above is submitted to the:-

1. Provincial Police Officer, NWFP Peshawar.
2. Addl: Inspector General of Police, Hqrs: NWFP Peshawar.

For favour of inform
w/r to Memo:
No.2970-75/E-II
Dt: 02.12.2009

3. Commandant, PTC Hangu for further necessary action and with the reqd intimate their training program please.

4. Mr. Amir Kalam Shah, Director Examination, NWFP, Public Service Commission Bungalow No.51 Street No.3 Sector No.F-I, Phase No.01 Hayatabad Peshawar

5. District Police Officer, Kohat.

For information & necessary ac

6. District Account Officer Kohat.
7. District Account Officer Hangu.

8. Assistant Secret Region Office, Kohat.

(ABDULLAH KHA
Dy: Inspector Gener
Kohat Region,

SPL
FAM
RTH
87
12

Annexure "B" ^a ^e

P. 7

22/11/09

15/12

DISTRICT BANNU.

POLICE DEPARTMENT.

**FOR PUBLICATION IN THE NWFP POLICE GAZETTE PART-II
ORDERED BY THE DISTRICT POLICE OFFICER, BANNU.**

NOTIFICATION

Dated Bannu, the ____ / 12/2009.

No. _____ / APPOINTMENT: Sub-Inspector Legal Muhammad Farooq Khan is hereby appointed as SI Legal (BPS-14) (4920-380-16320) through Public Service Commission vide his Letter No. PSC/NWFP/R-V/SI(Legal)/53420 dated 12.11.2009, PPO, NWFP, Peshawar Letter No. 29070-75/E-II dated 02.12.2009 and Regional Police Officer, Bannu Region, Bannu Memo: No. 4302/EC dated 08.12.2009. He submits an arrival on 08.12.2009 in the office of the undersigned.

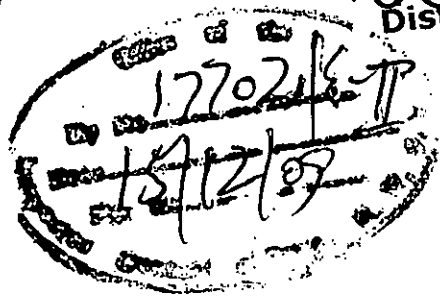
Allotted Range No. B/35.

**District Police Officer,
Bannu.**

**No. 21579-81 / Dated 12/12/2009.
Copy of above is submitted to:-**

1. The Provincial Police Officer, NWFP, Peshawar for favour of information with reference to his order Endst: No. 29070-75/E-II dated 02.12.2009.
2. The Additional Inspector General of Police, Investigation, NWFP, Peshawar for information alongwith two spare copies for publication in Gazette Notification please.
3. The Regional Police Officer, Bannu Region, Bannu for favour of information with reference to his Memo: No. 4302/EC date 08.12.2009 please.

Handwritten notes:
S2K/12
14/12



Signature of District Police Officer
**District Police Officer,
Bannu.**

P: 8

POLICE DEPARTMENT

CAPITAL CITY POLICE, PESHAWAR

FOR PUBLICATION IN THE NWFP POLICE GAZETTE PART-
ORDERS BY THE CAPITAL CITY POLICE OFFICER, PESHAWAR

NOTIFICATION

Dated Peshawar, the 12/12/2009

(Annexure "c")

NO: 17283 / EC-I: APPOINTMENT AS Sub: Inspectors

Consequent upon recommendations of NWFP Public Commission, Peshawar vide Letter NWFP-PSC/SR-V/SI (Legal dated 12.11.2009 and PPO NWFP, Peshawar Memo No. 29070 dated 02.12.2009, the following candidates are hereby appointed Sub Inspectors legal BPS-14(4920-380-16320)

On appointment they are allotted CCP Numbers as noted each name:-

S.NO	NAME & ADDRESS OF CANDIDATES	C
1.	Malik Habib Khan s/o Malik Fateh Khan r/o Malik House, H No 372 st: No 5 Ashrafia colony Eid Gah Road Peshawar	
2.	Usman Ali Khan s/o Sher Ali r/o Sher Ali, Boiler Engineer, Khyber Teaching Hospital Peshawar	
3.	Wisal Ahmad S/O Aman Ullah r/o Shop No. 6 Hafeez Medicose Spin Jumat P/O University Town Peshawar.	

**CAPITAL CITY POLICE OFFICER
PESHAWAR.**

No: 17284 / EC-I, dated Peshawar the 12/12/2009.

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

- 1/ The Provincial Police Officer NWFP, Peshawar with office Memo: No. 29070-75/E-II, dated 02.12.2009
- 2/ The Addl: Inspector General of Police Investigation Peshawar with 2 spare copies of Notification for publication in the NWFP Police Gazette Part-II.
- 3/ The SSsP/Operation & Investigation, CCP, Peshawar
- 4/ The District Police Officer, Charsadda.
- 5/ The Commandant Police Training College. Han
- 6/ The Superintendent of Police Hqrs, DSP/Hqrs, DSP/Legal Peshawar.
- 7/ EC-II Branch, CCP, Peshawar with Medical Certificate applications forms of the above SIs Legal.
- 8/ Assistant Secret CCP, Peshawar.
- 9/ Pay Officer CCP, Peshawar.
- 10/ Fauji Missal Branch CCP, Peshawar Applications other relevant papers of the above named SIs record.
- 11/ All Sub Inspectors legal concerned.

Handwritten signatures and initials:
837/1511
7/4
14/12

17726/EC-I

Handwritten signature

CAPITAL CITY POLICE

(Annexure "D")

17.9

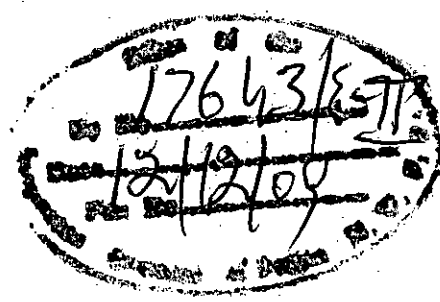
Phone No. 0992-9310021
Fax No. 0992-9310023

227259/14
12/12

ORDER

In pursuance of Provincial Police Officer NWFP Peshawar Memo No. 29070-75/E-II dated 02-12-2009. Mr. Akhlaq Hussain Shah s/o Farzand Ali Shah is hereby appointed as Sub-Inspector Legal (BPS-14) (4920-380-16320) against the existing vacancy of Sub-Inspector Legal with effect from the date when he assume the charge of his responsibilities subject to his medical fitness.

He is allotted Region No. 8/H and posted to District Mansehra. He should be deputed to P.T.C Hangu for training in accordance with Police rule-19-25.



[Signature]
Deputy Inspector General of Police,
Hazara (Abbottabad)

No. 15389-91/E, Dated Abbottabad the 09/12/2009

Copy of above is forwarded for information and necessary at

to the:-

1. Provincial Police Officer, NWFP Peshawar with reference to Memo quoted above.
2. District Police Officer, Mansehra. Necessary Gazette/Notification may be issued subject to Medical Test/Fitness under the relevant rules. His application and other relevant papers are also herewith for placing in his Service Roll/Fauji Missal.
3. OS/AS, Region Office Abbottabad.

[Handwritten signatures and initials]
SR
BII
11/12

P: 10

Annexure "E"

228413/18
19/12

From : The Deputy Inspector General of Police,
Malakand Region, Saidu Sharif, Swat.

To : The District Police Officer, Swat.
The District Police Officer, Buner.
The District Police Officer, Dir (Upper).

No. /E, dated Saidu Sharif, the 15/12 /2009.

Subject: **RECRUITMENT OF (18) POSTS OF SUB INSPECTORS
LEGAL (BPS-14) IN PROVINCIAL POLICE DEPARTMENT**

Memorandum:

The following candidates as noted against each district
been approved by the NWFP Public Service Commission, Peshawar for appoint
as SI (Legal) BPS-14 (4920-380-16320) and the CPO NWFP Peshawar vi
Memo: No. 29070-75/E dated 02/12/2009 (copy enclosed) posted to
districts:-

1. Ghulam Hamid s/o Ghulam Noman = Swat distri
- ✓ 2. Imranullahs/o Ikram Shah = Buner dis
3. Rashid Ahmad s/o Manawar Khan = Dir (Upp

Necessary notification regarding their appointment
issued subject to medical fitness. Their applications alongwith other
documents received from CPO NWFP Peshawar vide above quoted refer
enclosed herewith for further necessary action.

[Handwritten signature]

Deputy Inspector General
Malakand Region, Saidu Sh

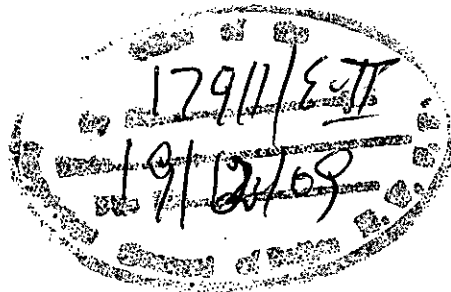
No. 9567 /E,

Copy of above to the Provincial Police Officer, NWF
for information with reference to his Memo: quoted above.

[Handwritten signature]

Deputy Inspector Gener
Malakand Region, Saidu S

[Handwritten notes: 82/11, 18/12]



		<p>پشاور بار ایسوسی ایشن، خیبر پختونخواہ</p>
<p>بار کونسل ابار ایسوسی ایشن خیبر پختونخواہ</p> <p>رابطہ نمبر: 0333-9244033</p>		

بعدالت جناب: صیدہ دختروا الخخواہ سرورس ٹر بیوٹل مشاوار

<p>منجانب: <u>رسپانڈنٹ نمبر 30</u></p>	<p>دعویٰ:</p> <p>علت نمبر:</p> <p>موردہ:</p> <p>جرم:</p> <p>تھانہ:</p>
<p>بامث تحریر آگہ</p>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام پشاور کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر جانت و فیصلہ برصفت دینے جو اب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق زریں مدد مختلا کرنے کا اختیار ہوگا، نیز ضرورت حال میں پیروی یا ڈگری یا نظرفہ یا اپیل کی برآمدگی اور منسوقی، نیز دائر کرنے اپیل نگرانی و نظر جانی و پیروی کرنے کا اختیار ہوگا اور ضرورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے منجانب سے تقرر کا اختیار ہو گا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ماخذ مذکورہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے حساب سے ہوگا وہ وکیل موصوف و قبول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی یا ڈگری یا نظرفہ کیلئے لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 8-9-2016 Attested and Accepted

بدا _____ واہ شد _____ بدا _____

مقام پشاور کے لئے منظور ہے۔

رسپانڈنٹ نمبر 30