


27.09.2022

Clerk of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General alongwith Mr. Wisal Ahmad, H.C for the respondents present.

Reply/comments on behalf of official respondents No. 1 to 3 have already been submitted. Reply/comments on behalf of private respondents are still awaited. Notice be issued to private respondents No. 4 to 6 for submission of reply/comments. Adjourned. To come up for reply/comments before the S.B on 03.11.2022.

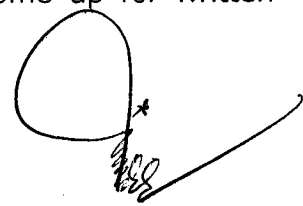
*respondent 4 to 6
are out district
& due to non-
availability of
postal tickets
they were not put
on notice.*


(Mian Muhammad)
Member (E)

25.05.2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Wisal Khan Reader for official respondents present. None present on behalf of private respondents No. 4 to 6.

Written reply/comments on behalf of official respondent No. 1 to 3 have already been submitted. Notice be issued to private respondents No. 4 to 6 for submission of written reply/comments. Adjourned. To come up for written reply/comments on 27.07.2022 before S.B.



(Mian Muhammad)
Member (E)

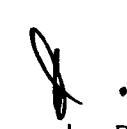
27.07.2022

Counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Wisal HC for official respondents No.1 to 3 present. None present on behalf of private respondents No.4 to 6.

Reply of official respondents No.1 to 3 has already been submitted. Notice be issued to private respondents No.4 to 6 for submission of comments for 27.09.2022 for submission of comments, before S.B.

Due to non-availability of postal stamps tickets private respondents were not put on notice



(Fareeha Paul)
Member (E)

8-2-2022

Due to retirement of the Honorable
Chairman the case is adjourned to come
up for the same as before on 11-04-2022


Reader.

11/4/2022

None present for the appellant. Mr. Wisal Khan, HC
alongwith Mr. Kabirullah Khattak, AAG for the official
respondents present and submitted written reply on
behalf of respondents No. 1 to 3. No one is available on
behalf of private respondent respondent No. 4 to 6.
Notice be issued to respondents No. 4 to 6 for submission
of written reply on 25/5/2022 before S.B.



CHAIRMAN

16.08.2021

Nemo for appellant.

I have gone through the memorandum of appeal and documents annexed therewith, the points agitated in the appeal need consideration. The appeal is admitted to full hearing, subject to all just and legal objections including that of limitation to be determined during the course full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 10.12.2021 before the D.B.

Appellant/counsel be issued notice to deposit security and process fee within the stipulated time.

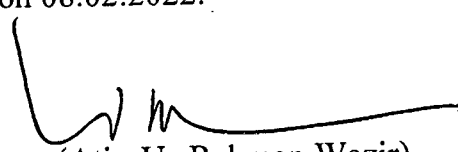

Chairman

12.01.2022

Appellant in person present² submitted application for extension of time to deposit security & process fee. Application is allowed and appellant is directed to deposit security & process within 03 working days. Thereafter, notice be issued to respondents for submission of reply/comments. To come up for reply/comments before the S.B on 08.02.2022.

Appellant Deposited
Security & Process Fee

12/1/22




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

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 6614 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/06/2021	<p>The appeal of Mr. Siraj resubmitted today by Malik Noor Muhammad 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		


This is an appeal filed by Mr. Siraj Hussain today on 07/06/2021 against the order dated 12.03.2021 against which he preferred/made departmental appeal/ representation on 15.03.2021 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- ✓ 1- Memorandum of appeal may be got signed by the appellant.
- ✓ 2- Addresses of respondent no. 4 to 6 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ✓ 3- Appeal has not been flagged/marked with annexures marks.
- ✓ 4- Annexures of the appeal may be attested.
- 5- Certificate be given to the effect that appellant has not filed any service appeal earlier on the subject matter in this form.
- 6- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal

No. 954 /ST,

Di. 08/06 /2021


REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Malik Noor Muhammad Adv. Pesh.

All objections are remove carefully

Qad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 6614 /2021

Mr. Siraj Hussain Appellant

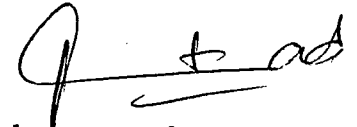
VERSUS

Police Department. Respondent

INDEX

S.No	Description of Documents	Annex	Pages
1.	Memo of the appeal		1-5
2.	Affidavit + Certificate		6-7
3.	Seniority list	A	8-9
4.	Copy of impugned notification	B	10
5.	Copies departmental appeals	C	11-12
6.	Wakalat Nama		13

Through Appellant



Malik Noor Muhammad
Advocate Peshawar.
Cell No. 0313-9215655

Dated: 19.05.2021

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Mr Seraj Hussain ,Junior scale stenographer (BPS-14) Khyber agency,
Pwshawar

.....Appellant

VERSUS

- 1- The inspector General of police KPK Peshawar.
- 2- Additional Inspector General of police Head Quarter KPK Peshawar.
- 3- Assistant Inspector General of police, Establishment KPK Peshawar.
- 4- Noman khan (BPS-16) junior scale stenographer GIG INVESTIGATION CPO Peshawar.
- 5- Tufail khan (BPS-16) junior scale stenographer DIG MALAKAND.
- 6- Matiullah (BPS-16) Junior scale stenographer IGP Office CPO Peshawar.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KPK SERVICE
TRIBUNAL ACT 1974 AGAINST THE IMPUGNED
NOTIFICATION DATED 12.03.2021,NO.851-
65/E-V, WHEREBY THE JUNIOR TO THE
APPELLANT HAVE BEEN PROMOTED TO THE
POST OF STENOGRAPHER (BPS-16) AND
AGAINST THE ACTION TAKEN ON THE
DEPARTMENTAL APPEAL OF THE APPELLANT.**

Prayer in Appeal:

On acceptance of this appeal, the impugned notification may very kindly be modified/rectified by promoting the appellant to the post of stenographer (BPS-16) w.e.f. 12.03.2021 with an consequential benefits including seniority.

Any other remedy which this August Tribunal deems fit that may also be awarded in favour of the appellant.

Respectfully Sheweth:

1. That appellant is the employee of the respondent departmental and is presently serving as Senior Scale stenographer (BPS-14) quite efficiently and upto the entire satisfaction of his superiors.
2. That the respondent department circulated seniority list of steno typists (BPS-14) as it stood on 30.06.2020, in which name of the appellant was appeared/enlisted at S. No. 04. **(Copy of the seniority list is attached as annexure –A)**
3. That, it is pertinent to mention that departmental promotion committee meeting held on 04.03.2021 at CPO Peshawar under the chairmanship of respondent NO. 2 & 3. That when the notification dated 12.03.2021 was issued by the respondent department the appellant astonished to know that he was ignored

from promotion to the post of stenographer (BPS-16) despite of having eligibility and seniority while juniors to the appellant were promoted to the said post. **(Copy of impugned notification is attached as annexure –B)**

4. That, appellant feeling aggrieved from the impugned notification dated 12.03.2021. preferred departmental appeal before respondent No. 1, 2 and 3 but no reply has been received to the appellant so far. **(Copies of departmental appeals are attached as annexure --C)**
5. That appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following ground amongst the other;

GRUNDS:

- A. That, the impugned notification dated 12.03.2021 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified.
- B. That the appellant has not been treated by the respondent department in accordance with law, rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic republic of Pakistan 1973.

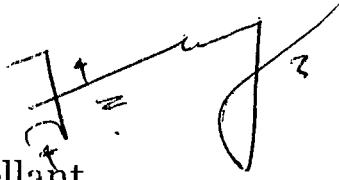
- C. That the respondent department acted in arbitrary and malafide manner by ignoring the appellant from promotion to the post of (Stenographer BS-16)
- D. That the impugned promotion notification dated 12.03.2021 is violative of Article 38(e) of the Constitution of Islamic Republic of Pakistan 1973.
- E. That the impugned notification dated 12.03.2021 issued in violation of section of the Khyber Pakhtunkhwa Civil servant Act, 1973 read with rule 7(3) of the appointment. Promotion and transfer Rules, 1989.
- F. That the respondent Department discriminated the appellant amongst his colleagues/junior colleagues by ignoring from promotion to the post of (Stenographer BPS-16) and prompted colleagues/junior colleagues to the post, hence the impugned notification is not tenable in the eye of law and liable to be modified/rectified.
- G. That the impugned notification dated 12.03.2021 has been issued in violation of the principle of Natural Justice.
- H. That the appellant is the Senior amongst his colleagues/junior colleagues of respondent department and he was fully hopeful for his promotion but inspite of having eligibility and seniority the

5

appellant has been ignored from promotion to the post of Stenographer (BPS-16)

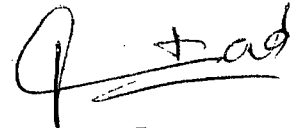
- I. That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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



Appellant
Siraj Hussain

Through



Malik Noor Muhammad
Advocate, Peshawar

Date: __.05.2021

(6)

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

Appeal No. _____/2021

Mr. Siraj Hussain. **Appellant**

VERSUS

Police Department. **Respondent**

AFFIDAVIT

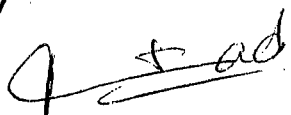
I, **Siraj Hussain** S/o Iltaf Hussain R/o City Town Sarbiland Pura, Peshawar, do hereby solemnly affirm on oath that the contents of accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

DEPONENT

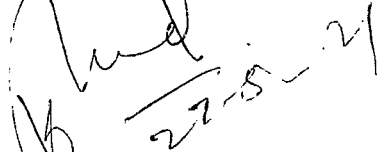
CNIC: 17301-3046990-1

Cell: 0310-9000821

Identified by



Malik Noor Muhammad
Advocate, Peshawar.



RECEIVED
OFFICE OF THE
JUDGE
PESHAWAR

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. _____/2021

Mr Siraj Hussain Petitioner

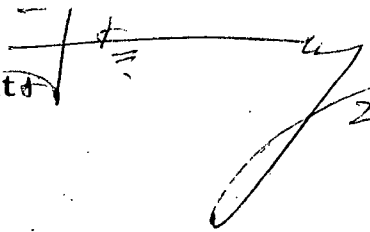
Versus

GOVT, etc..... Respondents

CERTIFICATE

It is certify on oath that no service appeal has
been filed earlier by the appellatant on the
subject matter.

Deponent



APPELANT

Through


MALIK NOOR MUHAMMAD
(ADVOCATE PHC)

Ana(A)



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

SENIORITY LIST OF STENO TYPISTS (BPS-14) AS IT STOOD ON 30.06.2020.

o. 3742 /E-V: The Seniority list of Steno Typists (BPS-14) of Khyber Pakhtunkhwa Police is published for information of all concerned:-

NO.	NAME	DATE OF BIRTH	DATE OF RETIREMENT	DOMICILE	EDUCATION	DATE OF APPOINTMENT	REMARKS
1.	Shah Faisal	16.08.1969	15.08.2029	Mardan	-	06.02.1996 ST	Awarded punishment of Reduction from Senior Scale Stenographer (BPS-16) to Junior Scale Stenographer (BPS-14) by Addl: IGP/Elite Force KPK vide order No. 15740-46/EF, dated 16.10.2019.
2.	Shams-Ur-Rehman	22.02.1970	21.02.2030	Karak	B.A	10.10.1996	
3.	Aamir Khan	20.03.1992	19.03.2052	D.I.Khan	F.Sc	02.03.2015	
4.	Siraj Hussain	27.03.1989	26.03.2049	Khyber Agency	D.Com	02.03.2015	
5.	Noman Khan	31.03.1992	30.03.2052	Peshawar	B.Sc	02.03.2015	
6.	Tufail Khan	01.03.1990	28.02.2050	Khyber Agency	D.Com	02.03.2015	

ATTESTED

Superintendent E-V,

Superintendent CPB,

Registrar,

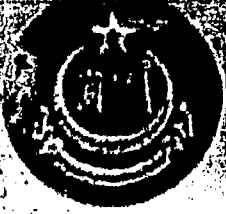
S. NO.	NAME	DATE OF BIRTH	DATE OF RETIREMENT	DOMICILE	EDUCATION	DATE OF APPOINTMENT	REMARKS
7.	Naeem Ahmad	14.04.1992	13.04.2052	Peshawar	B.Com	02.03.2015	
8.	Matiullah	04.03.1984	03.03.2044	Lakki Marwat	M.B.A	02.03.2015	
9.	Shakeel Ahmad	17.05.1993	16.05.2053	Nowshera	D.Com	02.03.2015	
10.	Sajid Ali Shah	28.03.1992	27.03.2052	Peshawar	D.Com	02.03.2015	
11.	Adnan Saeed	03.04.1988	02.04.2048	Peshawar	M.Com	02.03.2015	
12.	Tasaddauq Hussain	04.04.1987	03.04.2047	Peshawar	M.A	06.05.2015	
13.	Miraj-Ud-Din	03.01.1993	02.01.2053	Chitral	M.A	08.04.2016	
14.	Ibrar-Ud-Din	01.05.1994	30.04.2054	Dir Upper	MA/DIT	08.04.2016	
15.	Muhammad Tariq	10.12.1989	09.12.2049	Swat	B.A	08.04.2016	
16.	Hafiz-Ur-Rehman	02.01.1989	01.01.2049	Chitral	M.A	08.04.2016	
17.	Amjad Siddique	06.11.1988	05.11.2048	Abbottabad	M.B.A	08.04.2016	
18.	Wahab Ali	12.02.1985	11.02.2045	Mohmand Agency	B.A	08.04.2016	
19.	Adil Javed	02.10.1991	01.10.2051	Abbottabad	M.A	08.04.2016	
20.	Muhammad Sohail	02.05.1994	01.05.2054	Bannu	B.Com	08.04.2016	

ATTESTED

Superintendent E-V,

Superintendent CPB,

Registrar,



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

Dated Peshawar 12 / 03 / 2021

NOTIFICATION

No. 851-65 /E-V, **PROMOTION**: - In pursuance to the provision contained in the Khyber Pakhtunkhwa Police Department Ministerial Service Rules, 1974 at S.No. 7 of the Appendix-A to the said Rules, the Competent Authority on the recommendations of the Departmental Promotion Committee (D.P.C) meeting held on 04.03.2021, is pleased to promote the following Steno Typist (BPS-14) to the rank of Stenographer (BS-16) on regular basis with immediate effect:-

S#	NAME OF OFFICIAL	PRESENT PLACE OF POSTING
1.	Aamir Khan	Finance & Procurement Branch, CPO, Peshawar
2.	Noman Khan	CCPO Peshawar
3.	Tufail Khan	SP FRP Office Peshawar Range
4.	Mattullah	CTD Khyber Pakhtunkhwa Peshawar

Terms and conditions of promotion are as under:-

1. They will be on probation for a period of one year extendable for another year in terms of Section-6 (2) of Khyber Pakhtunkhwa, Civil Servant Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
2. Their promotion will take effect from the date of they actually assume the charge of their higher responsibilities.

Sd/-
(KASHIF ALAM) PSP
Additional Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa,
Peshawar

Endst: No. and dated even

Copy forwarded to the:-

- Addl: Inspector General of Police, HQrs., Khyber Pakhtunkhwa.
- Capital City Police Officer, Peshawar.
- DIG/HQrs., CTD, Finance & Procurement, Khyber Pakhtunkhwa.
- Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
- Accountant General Office, Khyber Pakhtunkhwa, Peshawar.
- PSO to Inspector General of Police Khyber Pakhtunkhwa Peshawar.
- Registrar, CPO, Peshawar.
- Office Supdts: Secret & CP Branch CPO Peshawar.

ATTESTED

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

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

Subject: - **APPEAL.**

Respected Sir:-

With reference's, it is submitted that I was enlisted as Junior Scale Stenographer(BPS-14) in Police Department on 03.03.2015.

I remained posted on various seats and performed my duties well. On the same ground I was granted outstanding Annual Confidential Reports.

desolately, in the year 2019, Chief Traffic Officer Peshawar (Kashif Zulfiqar)PSP incorporated Adverse Remarks in my Annual Confidential Report without prior advice notice on baseless allegations which were proved fake during departmental inquiry.

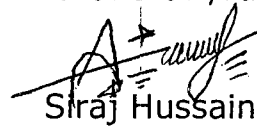
Later on clarification, the same Adverse Remarks were expunged by Chief Traffic Officer (Annexure-A).

During Departmental Promotion Committee on 04.03.2021, I was deferred from promotion being eligible. On the ground of Adverse ACR 2019, which was already expunged on 13.01.2021 by reporting officer, and was available on record. (Annexure-B).

It is pertinent to mentioned here that I submitted an appeal to Assistant Inspector General of Police, Establishment Khyber Pakhtunkhwa, Peshawar and Additional Inspector General of Police, Head Quarter Khyber Pakhtunkhwa, Peshawar on 08.03.2021 for review of my promotion case, but to no avail.

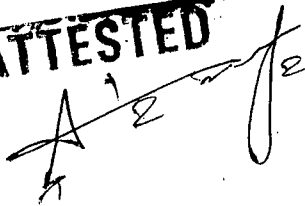
I therefore humbly requesting that kindly review on my application and grant me promotion as Senior Scale Stenographer (BPS-16) with my colleagues beings entitled under the relevant law/rules.

Thanks.



Siraj Hussain
Junior Scale Stenographer
CCP, Pehawar.
0310-9000821
15-03-2021

ATTESTED



Ana (C)

Respected Sir,

With due reverence and humble submission, I have to draw your kind attention towards the recent DPC Meeting held on 04.03.2021 for consideration the promotion case of Junior Scale Stenographer, where in name of the applicant was also to be considered but unfortunately, I was to be over-sighted/deferred on account of Adverse ACR for the period of 01.01.2019 to 04.11.2019 passed by the Reporting Officer due to some misunderstanding and misleading in hasty manners. However, when the some Adverse Remarks were conveyed to the undersigned, I was very much shocked to note it have no found at all. So without waiting a moment I made representation before the Reporting Officer and when I was heard in person, I defended myself with plausible and convincing grounds and fully satisfied the Reporting Officer who after conducting secret probe into the matter, found me innocent and expunged my ACR Reported as Adverse. Apart from it all my previous ACR's are good and reported as A-1 & A.

So on expunction of the same, I am eligible for promotion to the next higher Scale of Stenographer with my batch mates/Colleagues as my Adverse remarks have already been expunged vide order No.S/118-22 dated 13.01.2021 (Copy attached) by the Competent Authority.

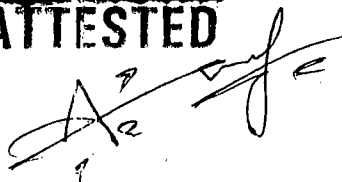
Foregoing in view, it is humbly submitted that I may very kindly be promoted with my colleagues being entitled under the relevant law/rules.

Yours Obediently



Siraj Hussain
Junior Scale stenographer
CCP, Peshawar.
08-03-2021

ATTESTED



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

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

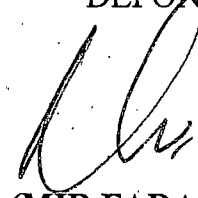
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
1.	Para-wise comments		1-2
2.	Affidavit		3
3.	Copy of minutes of DPC meeting dated 04.03.2021	A	4-12
4.	Copy of minutes of DPC meeting dated 19.01.2022	B	13-14

DEPONENT



(MIR FARAZ KHAN)

DSP/ Legal,
CPO, Peshawar.
11101-1425161-3
0336-5761727

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

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

REPLY BY RESPONDENTS NO. 1 TO 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is not based on facts.
- b) That the appeal is barred by law and limitation.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- e) That the appellant is estopped to file the instant appeal by his own conduct.
- f) That the appellant has not come to this Honorable Tribunal with clean hands.
- g) That the appellant has got no cause of action and locus standi to file the instant service appeal.

FACTS:-

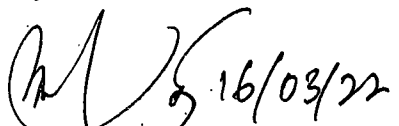
1. Pertains to service record of the appellant need no comments
2. Correct to the extent of seniority list need no comments.
3. The name of appellant was discussed in the DPC meeting held on 04.03.2021(Annexure "A") and the DPC deferred his name for promotion to the rank of Stenographer because his performance is not upto the mark and needs improvement. Furthermore, it is pertinent to mention here that appellant has been promoted to the rank of Stenographer in the DPC meeting held on 19.01.2022. (Annexure "B").
4. Incorrect. No record of application of the appellant is found in the office of answering respondents.
5. The instant Service Appeal of the appellant being not maintainable and is liable to be dismissed on following Grounds.

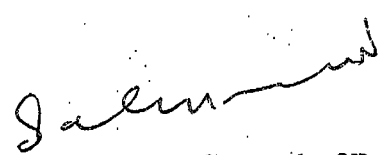
GROUND:-

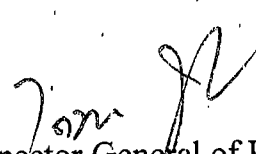
- A. Incorrect. The notification dated 12.03.2021, is quite in accordance with law/ rules, facts and natural justice, tenable and no need to be modified/ rectified.
- B. Incorrect. The appellant has been treated in accordance with law/ rules and no Article of Constitution of Islamic Republic of Pakistan has been violated by the answering respondents.
- C. Incorrect. No malafide has been committed by the answering respondents.
- D. Incorrect. No violation of Constitution of Islamic Republic of Pakistan has been committed by the answering respondents.
- E. Incorrect. The appellant has been treated quite in accordance with law/ rules.
- F. Incorrect. No discrimination has been done by the answering respondents.
- G. Incorrect. The respondents did not violate the principle of Natural Justice as the appellant was not considered for promotion because his performance was not upto the mark but as he improved his performance the appellant was considered in the next DPC dated 19.01.2022.
- H. Incorrect. As already explained in Para No. 3 of Facts.
- I. The answering respondents seek permission of this Honorable Tribunal to raise other ground at time of hearing of instant Service Appeal.

PRAYER:-

Keeping in view the above stated facts and rules, it is therefore humbly prayed that the appeal is not maintainable, being devoid of merits, hence; may kindly be dismissed with costs, please.


Assistant Inspector General of Police,
Establishment, Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 3)


Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 1)

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

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

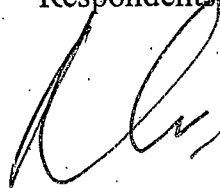
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

AFFIDAVIT

I, Mir Faraz Khan SP/ Courts & Litigation, CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

Respondents through



(MIR FARAZ KHAN)

DSP/ Legal,
CPO, Peshawar.
11101-1425161-3
0336-5761727

4	Siraj Hussain	CCP Peshawar	The DPC examined his case and recommended him to be <u>deferred</u> for promotion to the rank of Stenographer (BPS-16) because his performance is not upto the mark and needs improvement.
5	Noman Khan	CCP Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
6	Tufail Khan	SP/FRP Office Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
7	Matiullah	CTD Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

6. Meeting ended with vote of thanks to all.

(JAVED AHMAD)
AIG/Legal
Khyber Pakhtunkhwa

(IRFANULLAH KHAN)PSP
Asstt: Inspector General of Police,
Establishment,
Khyber Pakhtunkhwa.

(MUHAMMAD ZAFAR ALI)PSP
Project Director,
Safe City Project Peshawar

(SAJID ALI KHAN)PSP
Commandant, FRP,
Khyber Pakhtunkhwa

(RAI BABAR SAEED)PSP
Deputy Inspector General of Police,
Headquarters,
Khyber Pakhtunkhwa

(HUMAYUN BASHIR TARAR)PS
Addl: Inspector General of Police
Elite Force,
Khyber Pakhtunkhwa.

Approved

(KASHIF ALAM)PSP
Additional Inspector General of Police
Headquarters,
Khyber Pakhtunkhwa


3.	Siraj Hussain	DPO Office Khyber	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>
4.	Shakeel Ahmad	DPO Office Charsadda	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>
5.	Adnan Saeed	FRP Peshawar Range	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>
6.	Tasaddauq Hussain	DIG/Traffic Office	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>
7.	Miraj-Ud-Din	PA to AIG/Establishment	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>


8.	Ibrar-Ud-Din	DPO Office Dir Lower	<p>The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis.</p> <p>He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.</p>
----	--------------	----------------------	--

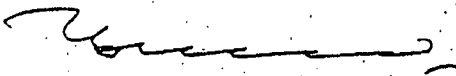
7. During meeting, the chair of the Committee directed that a letter may be circulated to all Regions/Districts/Units with the directions that in future any Reporting Officers / Countersigning Officers must provide reasons if intended for adverse remarks in ACRs of all particular officers/officials. Furthermore, if the Countersigning Officer expunged the adverse remarks, a cogent reason will be mentioned in the ACR of concerned officers/officials.


8. The chair of the Committee further directed that AIG/Legal may provide the rules regarding expunged of the adverse remarks and grading.

9. Meeting ended with vote of thanks to all.

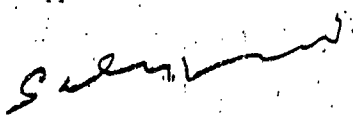

(JAVED AHMAD)
 AIG/Legal
 Khyber Pakhtunkhwa
 Peshawar


 21.01.22.
(IRFAN TARIQ) PSP
 AIG/Establishment
 For Inspector General of Police,
 Khyber Pakhtunkhwa,
 Peshawar.


(MUHAMMAD YUNAS CHANDIO) PSP
 Deputy Inspector General of Police,
 Internal Accountability,
 Khyber Pakhtunkhwa

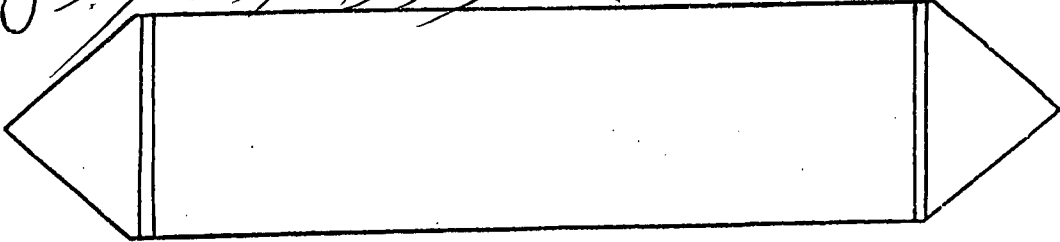

(SAQIB ISMAIL MEMON) PSP
 Deputy Inspector General of Police,
 HQrs: Khyber Pakhtunkhwa,
 Peshawar.

Approved


(SABIR AHMED) PSP
 Additional Inspector General of Police,
 HQrs: Khyber Pakhtunkhwa,
 Peshawar.



بعدالت جناب جسٹر جیو فخر خواہ سروس ٹریبونل ایڈیشن



2 جناب مراد بیلا منڈ

معد سراج بنام حکومت

موزخہ	_____
مقدمہ	سروس ایپل
دعویٰ	_____
جرم	_____

باعث تحریر آنکے

مقدمہ بندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکل کاروائی متعلقہ آن مقام لیس اور کیلئے

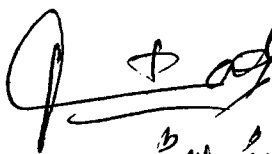
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک درو پیہا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا اوکالت نامہ لکھدیا کہ مندر ہے۔

المرقوم 10 ماہ 20

العبد واہ العبد

کے لئے منظور ہے۔

Accepted
Attested

بمقام لیس اور

 مکد سراج بنام حکومت
 خانہ ججٹرا خان

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PB
PESHAWAR.

No.

Appeal No. 6614 of 20 21

Soraj Hussain Appellant/Petitioner

The I-G-P-KPK Versus Respondent

Respondent No. 4

Notice to: —

Noman Khan (BPS-16) Junior Scale stenogra-
pher D I G Investigation CPO Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 9/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 20th

Day of Jan 20 22

(for Reply)

[Signature]
25-01-2022

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No.

Appeal No.....5614..... of 20 21

.....Sajid Hussain.....Appellant/Petitioner

Versus

.....The I.C.P. KPK.....Respondent

Respondent No.....1.....

Notice to: — The Inspector General of Police KPK
Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....8/2/22.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....20th.....

Day of.....Jan.....20 22

(For Reply)
20/1/22

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. 8B

No.

Appeal No. 6614 of 20 21

S. Raj Hussain Appellant/Petitioner

Versus

The IGP KPK Respondent

Respondent No. 2

Notice to: —

Additional Inspector General of Police
Head Quarter KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 8/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 20th

Day of Jan 20 22

(for Reply)

[Signature]
Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

Appeal No. 6614 of 20 21

Saraj Hussain Appellant/Petitioner

The I.C.P. KPH ^{Versus} Respondent

Respondent No. 3

Notice to: —

Assistant Inspector General of Police
Establishment KPH Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 8/2/22 at 8.00 A.M. If you wish to urge anything against the appellatant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 20th

Day of Jan 20 22

(for Reply)

[Signature]

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. S.B

No.

Appeal No..... 66/4 of 2021
Soraj Hussain Appellant/Petitioner
Versus
The I.C.P. KPK Respondent
Respondent No..... 6

Notice to: — Matiullah (BPS-16) Junior Scale
Stenographer I (P) Office CPO Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... 8/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 20
Day of..... Jan 2022

(Signature)

(Signature)

Registrar, -
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note- 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No. *Regd*

Appeal No. *6614* of 20 *21*
Seraj Hussain

Appellant/Petitioner

The IGP vs Peshawar

Respondent

Respondent No.

Tufail Khan (BPS-16) Junior Scale stenographer
DIG Malakand

Notice to: —

27-7-2022

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... *13th*

Given under my hand and the seal of this Court, at Peshawar this.....
Day of..... *June*20 *22*

For Regd

[Signature]
Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

SB

~~scribble~~

Appeal No. 6614 of 20 21

Seraj Hussain Appellant/Petitioner

Versus

The IGP KPK Peshawar Respondent

Respondent No. (42)

Notice to:

Noman Khan (BPS-16) Junior Scale stenographer DIG
Investigation CPO Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/07/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....13th.....

Day of.....April June.....20 22

For Reply

24-6-2022

[Signature]
Registrar,

**Khyber Pakhtunkhwa Service Tribunal,
Peshawar.**

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

27-7-2022

1/2

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No. 

SB

Appeal No. 6614 of 20 21

Seroj Hussain Appellant/Petitioner

The IGP KPK Peshawar Respondent

Respondent No. (6)

Notice to: —

Matiullah (BPS-16) Junior Scale stenographer
IGP office CPO Peshawar

27-7-2022

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....27/07/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ ✓ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....13th
Day of.....13th ~~13th~~ June 20 22

For reply

24-6-2022

[Signature]
Registrar,

**Khyber Pakhtunkhwa Service Tribunal,
Peshawar.**

- Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

Appeal No. 66/14 of 20 21

Seraj Hussain Appellant/Petitioner

Versus

Reply

the J.C.P.K.K. Respondent

Respondent No. 5

Notice to: —

Tufail Khan (BPS-16) Junior Scale
Stenographer D/G Malakand.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 8/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated.....

Given under my hand and the seal of this Court, at Peshawar this 20/1/22

Day of Jan 20 22

(for Reply)

[Signature]
Registrar

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
1.	Para-wise comments		1-2
2.	Affidavit		3
3.	Copy of minutes of DPC meeting dated 04.03.2021	A	4-12
4.	Copy of minutes of DPC meeting dated 19.01.2022	B	13-14

DEPONENT



(MIR FARAZ KHAN)

DSP/ Legal,

CPO, Peshawar.

11101-1425161-3

0336-5761727

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

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

REPLY BY RESPONDENTS NO. 1 TO 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is not based on facts.
- b) That the appeal is barred by law and limitation.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- e) That the appellant is estopped to file the instant appeal by his own conduct.
- f) That the appellant has not come to this Honorable Tribunal with clean hands.
- g) That the appellant has got no cause of action and locus standi to file the instant service appeal.

FACTS:-

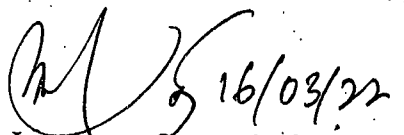
1. Pertains to service record of the appellant need no comments
2. Correct to the extent of seniority list need no comments.
3. The name of appellant was discussed in the DPC meeting held on 04.03.2021(Annexure "A") and the DPC deferred his name for promotion to the rank of Stenographer because his performance is not upto the mark and needs improvement. Furthermore, it is pertinent to mention here that appellant has been promoted to the rank of Stenographer in the DPC meeting held on 19.01.2022. (Annexure "B").
4. Incorrect. No record of application of the appellant is found in the office of answering respondents.
5. The instant Service Appeal of the appellant being not maintainable and is liable to be dismissed on following Grounds.

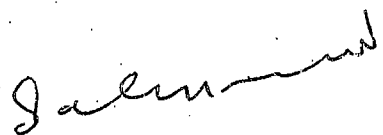
GROUND:-

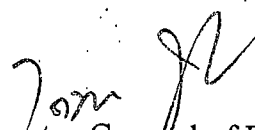
- A. Incorrect. The notification dated 12.03.2021, is quite in accordance with law/ rules, facts and natural justice, tenable and no need to be modified/ rectified.
- B. Incorrect. The appellant has been treated in accordance with law/ rules and no Article of Constitution of Islamic Republic of Pakistan has been violated by the answering respondents.
- C. Incorrect. No malafide has been committed by the answering respondents.
- D. Incorrect. No violation of Constitution of Islamic Republic of Pakistan has been committed by the answering respondents.
- E. Incorrect. The appellant has been treated quite in accordance with law/ rules.
- F. Incorrect. No discrimination has been done by the answering respondents.
- G. Incorrect. The respondents did not violate the principle of Natural Justice as the appellant was not considered for promotion because his performance was not upto the mark but as he improved his performance the appellant was considered in the next DPC dated 19.01.2022.
- H. Incorrect. As already explained in Para No. 3 of Facts.
- I. The answering respondents seek permission of this Honorable Tribunal to raise other ground at time of hearing of instant Service Appeal.

PRAYER:-

Keeping in view the above stated facts and rules, it is therefore humbly prayed that the appeal is not maintainable, being devoid of merits, hence: may kindly be dismissed with costs, please.


Assistant Inspector General of Police,
Establishment, Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 3)


Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 1)

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

Service Appeal No. 6614/2021

Siraj Hussain..... (Appellant)

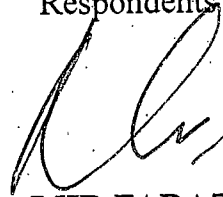
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, etc.....(Respondents)

AFFIDAVIT

I, Mir Faraz Khan SP/ Courts & Litigation, CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

Respondents through





(MIR FARAZ KHAN)


DSP/ Legal,
CPO, Peshawar.
11101-1425161-3
0336-5761727


4	Siraj Hussain	CCP Peshawar	The DPC examined his case and recommended him to be <u>deferred</u> for promotion to the rank of Stenographer (BPS-16) because his performance is not upto the mark and needs improvement.
5	Noman Khan	CCP Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
6	Tufail Khan	SP/FRP Office Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
7	Matiullah	CTD Peshawar	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

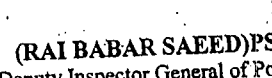
6. Meeting ended with vote of thanks to all.



(JAVED AHMAD)
AIG/Legal
Khyber Pakhtunkhwa


(IRFANULLAH KHAN)PSP
Asstt: Inspector General of Police,
Establishment,
Khyber Pakhtunkhwa.



(MUHAMMAD ZAFAR ALI)PSP
Project Director,
Safe City Project Peshawar


(SAJID ALI KHAN)PSP
Commandant, FRP,
Khyber Pakhtunkhwa


(RAI BABAR SAEED)PSP
Deputy Inspector General of Police,
Headquarters,
Khyber Pakhtunkhwa


(HUMAYUN BASHIR TARAR)PSI
Addl: Inspector General of Police
Elite Force,
Khyber Pakhtunkhwa.

Approved


(KASHIF ALAM)PSP
Additional Inspector General of Police
Headquarters,
Khyber Pakhtunkhwa


3.	Siraj Hussain	DPO Office Khyber	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
4.	Shakeel Ahmad	DPO Office Charsadda	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
5.	Adnan Saeed	FRP Peshawar Range	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
6.	Tasaddauq Hussain	DIG/Traffic Office	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
7.	Miraj-Ud-Din	PA to AIG/Establishment	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

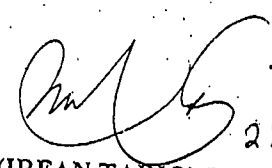
8.	Ibrar-Ud-Din	DPO Office Dir Lower	The DPC examined his case and <u>recommended</u> him for promotion to the rank of Stenographer (BPS-16) on Regular Basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
----	--------------	----------------------	---

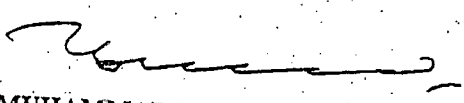
7. During meeting, the chair of the Committee directed that a letter may be circulated to all Regions/Districts/Units with the directions that in future any Reporting Officers / Countersigning Officers must provide reasons if intended for adverse remarks in ACRs of all particular officers/officials. Furthermore, if the Countersigning Officer expunged the adverse remarks, a cogent reason will be mentioned in the ACR of concerned officers/officials.


8. The chair of the Committee further directed that AIG/Legal may provide the rules regarding expunged of the adverse remarks and grading.

9. Meeting ended with vote of thanks to all.

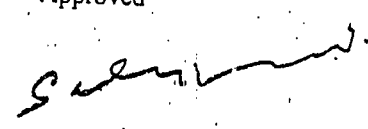

(JAVED AHMAD)
AIG/Legal
Khyber Pakhtunkhwa
Peshawar


(IRFAN TARIQ) PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar. 21.01.22.


(MUHAMMAD YOUNAS CHANDIO) PSP
Deputy Inspector General of Police,
Internal Accountability,
Khyber Pakhtunkhwa


(SAQIB ISMAIL MEMON) PSP
Deputy Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.

Approved


(SABIR AHMED) PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.