

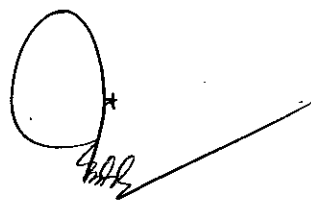
ORDER
27.10.2022

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested that the appeal in hand may be adjourned sine-die in view of judgment dated 24.03.2022 passed by honourable Peshawar High Court, Peshawar in Writ Petition No. 684-A of 2021, whereby similar nature matter has been remitted to Chief Secretary Government of Khyber Pakhtunkhwa Peshawar. Learned Assistant Advocate General is also having no objection on dine-die adjournment of the instant appeal.

In view of the above, the appeal in hand stands adjourned sine-die, however parties would be at liberty to seek revival of proceedings in the instant appeal, if they so desire. Parties are left to bear their own costs. File be temporarily consigned to the record room.

ANNOUNCED
27.10.2022




(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

14th Oct., 2022

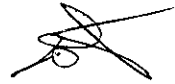
Because of strike of the Bar, this matter is adjourned to 27.10.2022. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman



23.11.2021 Proper D.B is not available, therefore, case is adjourned to 2 / 3 / 2022 for the same as before.



Reader

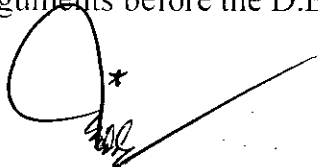
2-3-22

Due to Retirement of the Honble Chairman the case is adjourned to come up for the same as before on 16-6-22



16.06.2022 Learned counsel for the appellant present. Mr. Fazle Mabood, Inspector (Legal) alongwith Mr. Naseer-ud-Din Shah, Assistant Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 03.08.2022.



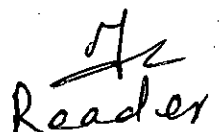
(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

3-8-2022

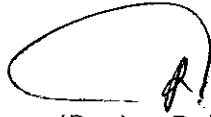
Proper DB not available the case is adjourned to 14-10-2022



21.09.2021

Junior to counsel and Mr. Muhammad Riaz Khanm
Paindakhel, Asstt. AG alongwith Fazle Mabood, Inspector
(Legal) for the respondents present.

Learned counsel for the appellant is not in
attendance due to indisposition and request for
adjournment is made on his behalf. Request accorded.
To come up for arguments on 23.11.2021 before the
D.B.



(Rozina Rehman)
Member(Judicial)



Chairman

26.01.2021

Due to pandemic of Covid-19, the case is adjourned to
13.04.2021 for the same.

Reader

13.04.2021

Due to demise of the Worthy Chairman the Tribunal is
defunct, therefore, case is adjourned to 29.07.2021 for the
same as before.



READER

29.07.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant
present. Mr. Muhammad Rasheed, Deputy District Attorney for
the respondents present.

Learned counsel for the appellant sought adjournment on
the ground that he has not prepared the brief of the instant
appeal. Adjourned. To come up for arguments before the D.B on
21.09.2021.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)





(SALAH-UD-DIN)
MEMBER (JUDICIAL)

01.09.2020

Mr. Usman Ghani learned District Attorney present for the respondents.

Afrasiyab Khan Wazir Advocate junior counsel present on behalf of appellant with a request for adjournment as his senior counsel is busy before Dar-ul-Qaza Swat. Request is acceded being genuine and case is adjourned to 09.11.2020 before D.B. Respondents be put to notice to make sure presence of representative not below Grade-17 on the next date fixed.



(Atiq ur Rehman)
Member (E)


(Rozina Rehman)
Member (J)

09.11.2020

Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Fazal Mabood Inspector for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.


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


Chairman

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 09.06.2020 before D.B.



Reader

09.06.2020

Bench is incomplete as one learned Member (J) is on leave. Therefore, the case is adjourned. To come up for the same on 16.07.2020 before D.B.



Reader

16.07.2020

Due to COVID-19, the case is adjourned for the same on 01.09.2020 before D.B.



Reader

16.12.2019

Counsel for the appellant present.

It is the case of appellant that after extension of officiation as ASI on 07.06.2016 in line with the provisions of Standing Order No. 11 and Validation of Standing order Act 2005, the appellant has been denied regular promotion to the said rank and further promotion to the rank of Sub Inspector by the respondents. Learned counsel referred to notification dated 10.01.2019 whereby, inter-alia, the incentives for promotion provided through Standing Order No. 11/1987 were considered to be out of turn promotion and stated that the said notification was held in abeyance through order dated 17.01.2019. Despite, the latter and grant of promotion to other officials placed similar to the appellant the denial of respondents was discriminatory towards the appellant.

In view of available record and arguments of learned counsel, instant appeal is admitted to regular 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 on 07.02.2020 before S.B.

Appellant Deposited
Security & Process Fee

76/12/19


Chairman

07.02.2020

Junior to counsel for the appellant and Addl. AG alongwith Tariq Umar, Inspector for the respondents present.

Representative of the respondents has furnished Written reply which is placed on record. To come up for rejoinder and arguments on 24.03.2020 before the D.B.

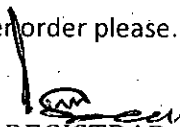
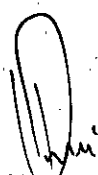
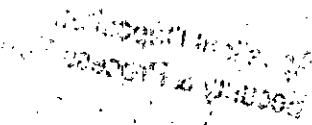

(Ahmad Hassan)
Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1526/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/11/2019	<p>The appeal of Mr. Muhammad Taj presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/11/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/12/19</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;"></p>
2-		

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

APPEAL NO. 1526 /2019

MUHAMMAD TAJ VS POLICE DEPARTMENT

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	1- 4.
2.	Standing order No.11	A	5- 6.
3.	Memo dated 01.10.1995	B	7.
4.	Standing orders	C & D	8- 12.
5.	Act	E	13- 14.
6.	Result dated 07.04.2016	F	15- 19.
7.	Order dated 04.01.2016	G	20.
8.	Arrival report	H	21.
9.	Promotion order	I	22.
10.	Impugned notification	J	23.
11.	Order dated 17.01.2019	K	24.
12.	Departmental appeal	L	25.
13.	ACRs	M	26- 28.
14.	Judgments	N	29- 38.
15.	Order dated 11.09.2019	O	39- 40.
16.	Promotion orders	P	41- 46.
17.	Vakalat nama	47.

APPELLANT

THROUGH:

**NOOR MUHAMMAD KHATTAK
ADVOCATE**

Room No. 3 & 4, Upper Floor,
Islamia Club Building,
Khyber Bazar, Peshawar
0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1526 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1617

Mr. Muhammad Taj Khan, Assistant Sub Inspector (BPS-11),
Cadet Instructor, Police Training Center, Hangu.

Dated 13/11/2019

..... **Appellant**

VERSUS

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
- 2- The Additional Inspector General of Police (Establishment), Central Police Office, Khyber Pakhtunkhwa, Peshawar.
- 3- The Commandant Police Training Center/College, Hangu.

..... **Respondents**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT IMPLEMENTING THE ORDER DATED 17.1.2019 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITH IN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the order dated 17.01.2019 may very kindly be implemented and the appellant may kindly be brought into promotion list- E w-e-f the date of arrival i.e. 18-05-2016 as Assistant Sub-Inspector. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day
Registrar
13/11/19

R/SHEWETH:

ON FACTS:

1. That appellant is performing his duty as instructor in the Police Training Center, Hangu and his service record in the PTC Hangu is up to the entire satisfaction of his superior officers.
2. That to make the PTC Hangu more successful and to make the finest officers of the Police willing to perform duty as Instructor, the Standing Order No.11 dated 17.01.1987 was issued, wherein various incentives were given to different categories of Instructors which are as under:

A) **H.C INSTRUCTOR:** Constable who are the holders of top five positions will be qualified to serve as H.C Instructors for three years and if during these three

years the earn "A" repost they will be admitted to Intermediate School Course and their names will be placed in List-D after qualifying intermediate course.

B) **ASI INSTRUCTORS:** Head Constable who qualifies intermediate School Course, top five position holders will be qualified to serve as instructor for three years and if they earn category "A" report, they would be confirmed as ASI and would be placed in promotion list-E. Copy of the Standing Order No.11 dated 17-01-1987 is attached as annexure.....**A.**

3. That such incentives, mentioned in Standing Order No.11, were later on further clarified and slightly modified vide memo dated 01.10.1995, issued after approval of the then Police Chief. Similarly, vide Standing Order No. 7 of 2003 issued on 05.01.2004 by the then IGP after approval of Government under Article 10(3) of Police Order, 2002, granted the same incentives as mentioned in Standing Order No.11 of 1987. The Police Establishment also issued a Standing Order No.17 of 2014, whereby, the incentives for Lower School Course was also extended to Physical Training Instructors of PTC and Elite Training School. Copies of the memo dated 01-10-1995, the Standing Order No.7/2003 and Standing Order No. 17/2014 are attached as annexure**B,C&D.**
4. That the incentives provided in the Standing Order No.11 of 1987 were later on validated through an Act of Provincial Legislature, namely, K.P Validation of Standing Order Act, 2005 (KP Act No. IV of 2005). Thus rights of promotions and seniority accruing under Standing Order No.11 and all orders issued in pursuance to that Standing Order have been protected. Copy of the Act No. IV of 2005 is attached as annexure**E.**
5. That appellant being in top five in the intermediate college course in the term ending on 31.01.2016 was transferred and posted to PTC, Hangu under the Standing Order No. 11/1987 and 07/2003 with immediate effect vide order dated 21-04-2016. Copy of the result dated 07-04-2016 and order dated 21-04-2016 are attached as annexure**F&G.**
6. That appellant submitted his arrival report to the concerned officials on 18-05-2016. Copy of the arrival report is attached as annexure.....**H.**
7. That appellant was promoted to the rank of Assistant Sub-Inspector (BPS-09) on the available vacancy of PTC Hangu from the date of his arrival i.e. 18-05-2016 as provided in the Standing Order No. 11/1987 and 07/2003 vide order dated 07-

06-2016. Copy of the Promotion Order dated 07-06-2016 is attached as annexureI.

8. That astonishingly the Respondent No. 1 issued the impugned notification on 10-01-2019 on the basis of the Hon'able Supreme Court Judgment decided on 13.05.2018 passed in the cases of Province of Punjab Police and without taking into consideration the validation Act No. IV of 2005 and ordered withdrawal of
- i) Standing Order No.11/1987
 - ii) Latter No. 20710-60/1995
 - iii) Standing Order No. 07/2003
 - iv) Standing Order No.17/2014, and
 - v) Standing Order No. 05/2016. Copy of the impugned notification dated 10-01-2019 is attached as annexure.....J.
9. That later on vide order dated 17.1.2019 the Notification dated 10.1.2019 has been held in abeyance and as such the appellant has become entitle for confirmation to the Rank of ASI (BPS-11) i.e. w.e.f. the date of arrival but the respondents are not willing to implement its own order. Copy of the order dated 17-01-2019 is attached as annexure.....K.
10. That appellant feeling aggrieved filed departmental appeal for implementation of the order dated 17.1.2019 but no reply has been received so far. Copy of the departmental appeal is attached as annexure.....L.

GROUND:

- A- That the impugned notification dated 10.01.2019 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside and the held in abeyance order dated 17.01.2019 be implemented in its letter and spirit.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the concerned authorities violated article 4, 25 and 27 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That the respondent Department acted in arbitrary and malafide manner by issuing the impugned notification dated 10.01.2019 and not implementing the order dated 17.1.2019.
- D- That since promotion of the appellant to the post of ASI the Annual Confidential Reports for the year 2016, 2017 and 2018 manifest good record of the appellant, so being good

credentials, law knowing, honest and hard working officer it is the right of the appellant to be promoted as per the Standing Orders issued from time to time. The impugned notification dated 10.01.2019 be set aside and the held in abeyance order dated 17.01.2019 be implemented. Copies of the ACRs are attached as annexure.....**M.**

E- That it is pertinent to mention here that the Standing Orders which are withdrawn vide impugned order dated 10.01.2019 were respected/recognized by the Honorable Peshawar High Court, Peshawar in its Judgments given in a number of writ petitions, namely, W.P No.395-P/2017, W.P No. 2189-P/2018 and W.P No. 3263-P/2018. The judgment passed in W.P No.3263-P/2018 was later on acted upon by the respondent No. 1 in its order dated 11.09.2019. Copies of the Judgments in W.P and order dated 11.09.2019 are attached as annexure.....**N&O.**

F- That it is quite wondering to know that some of the colleagues who had completed their tenure in PTC, Hangu as instructor were given confirmation for promotion to the rank of ASI as well as their names are placed on promotion list-E. This act on the part of respondents are discriminatory in nature and is pure violation of the Article 27 of the constitution of the Islamic Republic of Pakistan, 1973 i.e. ***Safeguard against discrimination in services.*** Copies of the confirmation for promotion orders of colleagues of appellant are attached as annexure.....**P.**

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

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

Dated: 04.11.2019

APPELLANT


MUHAMMAD TAJ KHAN

THROUGH:


NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

&


MIR ZAMAN SAFI
ADVOCATES

3

A - (5)

STANDING ORDER NO.11
CHAPTER XIX OF POLICE RULES
TRAINING STAFF INCENTIVES CADET INSTRUCTORS

BACK GROUND

Personnel posted as instructor at Police Training School serve with extreme reluctance. The moment an officer is posted on an instructional assignment, he makes every conceivable effort, political, administrative, compassionate, etc, to have his posting orders cancelled.

The state of mind of such a person, who arrives at a police training institution as an instructor, can be clearly visualized. He feels that he has been discriminated against, he is disgruntled and in a pathetic frame of mind. With this state of mind, these instructors create an atmosphere of a panel institution in the Training Centers.

For many years, this department has been cognizant of this problem. Some efforts have been made to find a solution. Various incentives have been offered to instructors but none of them has had any impact. Posting at Police Training still continues to be considered as a punishment posting.

Ideally Instructors in Training School should not only be willing to serve but must be amongst the finest officers in the department. To achieve this end, personnel posted to Police Training Institution as staff member, are being offered the following incentives, will be categorized as CADET INSTRUCTORS.

INCENTIVES:

1. HC INSTRUCTORS.

Constables undergoing the Lower School Course who pass amongst the first five in the class, will be qualified to serve as HC instructors provided that they volunteer to serve in the Training Institute for three years.

Immediately at the end of three years if they have earned category 'A' reports they would be admitted to Intermediate School Course and their names placed on promotion list 'D' as soon as they qualify the Intermediate School Course.

2. ASI INSTRUCTORS

Head Constable undergoing the Intermediate School Course, who qualify amongst the first five in the class, will be qualified to serve as instructors provided they volunteer to work there for three years and earn category 'A' reports. They would be confirmed in the rank of ASI and their names would be brought on promotion list 'E'.

SI INSTRUCTORS.

ATTESTED

M-Q

(A) (B)

Sub inspectors undergoing upper college course, who qualify amongst the first five in the class, will be qualified to serve as instructors provided they volunteer to work there for three years and earn category 'A' reports.

At the end of that period, they would be confirmed in the rank of SI and their names will be brought on promotion list 'F'.

3.A.

Alternative if volunteers are not available to the offer contained in Para 3 above. Sub Inspectors volunteer to serve as instructors and are selected by the Principal, PTS Hangu, will be offered the same incentive, i.e after a tenure of three years at PTS Hangu with 'A' reports, they will be confirmed as Sub Inspectors and their names will be brought on list 'F'.

NOTE.

1. These incentives will not apply to directly recruited ASI's.
2. These incentives can be availed of only once in person's career.
3. Officers, who are selected as instructors on the basis of promotion examinations passed before 1984, will have to serve in the training institution for two years instead of three years.
4. The instructional tenure at PTS Hangu will be reduced to half for those officers who have secured first five positions, in the promotion examination but have already served in the training institution for two years.

-Sd-

(Muhammad Abbas Khan)
Inspector General Of Police,
NWFP Peshawar. 15.01.1987.

No. 869-92/E-II, Dated Peshawar the 17th January, 1987

Copies to

1. All DIsG Police in NWFP.
2. All AIsG in NWFP.
3. All SsP in NWFP.
4. The Principle PTS Hangu

ATTESTED

M- Q

From : The Inspector General of Police,
NWFP, Peshawar

To : The All Heads of Police Offices,
NWFP, Peshawar

No. 20710-60/E-I, dated 01-10-1995

Memorandum

The Deputy Commandant PTC Hangu vide his letter No. 4456, dated 19-07-95 (copy enclosed) has requested that procedure regarding selection of Lower Subordinates serving in PTC Hangu & RTW Kohat in lacking in uniformity and contrary fairness and unity.

In this connection a meeting was held under the chairmanship of DIG/Hqrs NWFP, Peshawar on 20-08-95 to streamline the affairs.

The committee after the discussion proposed the following procedure which was approved by the Police Chief.

I. INTERMEDIATE SCHOOL COURSE

- (A) Official (s) on deputation (other than member(s) of the staff serving under standing order No. 11/1987 must have a continuous service serving at PTC/RTW at least 02 years before joining the course against PTC vacancy.
- (B) During the period mentioned above the official(s) to earn category "A" reports.
- (C) Broken period(s) if any in respect of the incumbents/officials transferred on complaint earned bad reports to be counted.
- (D) The official(s) must be on list C-I on their respective District (s) before selection.
- (E) Seats allowed to go vacant if no one is eligible to qualify the conditions cut lined above.
- (F) Common seniority of the deputationist on the basis of length of their services will be maintained for selection in the Intermediate School Course.

II. LOWER SCHOOL COURSE

- (A) Procedure "Marking system" given in standing order No. XI/1987 to apply in selection against the standing order.
- (B) Service at PTC/RTW to be given due weight-age and one year service at PTC/RTW to carry 02 marks, but broken period(s) not form part in counting.
- (C) Common seniority/merit list to be prepared amongst PTC and RTW staff. The matter regarding selection of D.Is on deputation to PTC/RTW Kohat under PR 19-22 in lower School Course was also discussed and it was decided that in future the selection amongst D.Is in Lower School Course will be made from the personnel who have at least 08 years service.

(SAKANDAR MOHAMMAD ZAI)
DIG/Hqr:
For Inspector General of Police,
NWFP, Peshawar

TESTED

(5)

C - (8)

STANDING ORDER NO. 7/2003
TRAINING STAFF INCENTIVES CADET INSTRUCTORS.

INTRODUCTION

In exercise of the power vested in me under article 10(3) of the Police Order 2002 are following standing order is issued with the prior approval of Provincial Government conveyed vide letter No. SO (Police) ID /13-1/2003 dated 27.03.2003 and letter No. SO (Police) / HD / 13-1/82 /1220 dated 12.07.2003.

AIM

- i. To attract official staff to the training institutions.
- ii. To improve the quality of the training.

APPLICABILITY

This Standing Order will apply to all the training institutions and shall come into force with effect from 11.12.2003.

OBJECTIVES

Training is an integral function of personnel management. It is a continuous process and involved in depth instructions for all personnel. For many years police work was considered as an instinctive activity while only gifted officer could perform effectively without formal instructions or training, but in the modern world today in the light of the changing role of the working Police Office and growing emphasis on specialization, the need for a comprehensive program of Police training is irrefutable. Regardless of the individual qualifications, individual, negligence, judgment and emotional fitness, the Police officer must receive extensive vocational training they can learn the Police task and learn how to fulfill it.

The quality training can only be provided if the trainers are sound academic and professional qualifications. The trainees should be willing and must posses the qualities of vision and research. The major objectives and areas of their in-put in training would:-

The perception of in service training of newly promoted officers of their training needs in the light of their previous training and their operational experience.

The perception of persons and organizations, out side the police service regarding the role and training of police supervisors.

An insight into the "Preferred" learning style of Police Officers. An elaborate study of what service requires from Police Officers.

An in depth knowledge of the requirement of new recruits and convert them into a fine Police Officer.

All these above objectives can be achieved by posting not only the willing to serve but must be among the finest officers in the department to achieve this and following incentives. Instructions selected in pursuance of these incentives will be categorizes as CADET INSTRUCTORS.

INCENTIVES.

3. **HC INSTRUCTORS.**

Constables undergoing the Lower School Course who pass amongst the first five in the class, will be qualified to serve as HC instructors provided that they volunteer to serve in the Training Institute for three years. Immediately at the end of

ATTESTED

M J

(2)

(9)

three years if they have earned category 'A' reports they would be admitted to Intermediate School Course and their names placed on promotion list 'D' as soon as they qualify the Intermediate School Course.

4. **ASI INSTRUCTORS**

Head Constable undergoing the Intermediate School Course, who qualify amongst the first five in the class, will be qualified to serve as instructors provided they volunteer to work there for three years and earn category 'A' reports. They would be confirmed in the rank of ASI and their names would be brought on promotion list 'E'.

SI INSTRUCTORS.

Sub inspectors undergoing upper college course, who qualify amongst the first five in the class, will be qualified to serve as instructors provided they volunteer to work there for three years and earn category 'A' reports.

At the end of that period, they would be confirmed in the rank of SI and their names will be brought on promotion list 'F'.

3.A. Alternative if volunteers are not available to the offer contained in Para 3 above. Sub Inspectors volunteer to serve as instructors and are selected by the Principal, PTS Hangu, will be offered the same incentive, i.e after a tenure of three years at PTS Hangu with 'A' reports, they will be confirmed as Sub Inspectors and their names will be brought on list 'F'.

NOTE.

1. These incentives will not apply to directly recruited ASI's.
2. These incentives can be availed of only once in person's career.
3. Officers, who are selected as instructors on the basis of promotion examinations passed before 1984, will have to serve in the training institution for two years instead of three years.
4. The instructional tenure at PTS Hangu will be reduced to half for those officers who have secured first five positions, in the promotion examination but have already served in the training institution for two years.

(MUHAMMAD RAFFAT PASHA)
Inspector General of Police
NWFP, Peshawar.

No. 91-141/C-1, dated Peshawar, the 05.01.2004.

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

ATTESTED

M - 1

~~10~~

10

1. The Section Officer (Police) Govt. of NWFP Home & TAs. Department of Peshawar with reference to their letters quoted above.
2. All Head of Police Offices in NWFP.
3. All Branches of CPO.

ATTESTED

M-J



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

D-11

STANDING ORDER NO. 17/2014

Incentive for the physical training instructor at PTC and Elite School

This standing order is issued under Article 10(03) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 5th meeting held on 29th January 2014.

2. **Aim:-** Presently , the training institutions face shortage of physical training instructors due to lack of proper incentives for trainers. This Standing Order aims at addressing this issue.
3. **Selection of Physical Training instructors :-** Physical Training Instructor shall be selected for posting in PTC and Elite Training School in accordance with a criteria to be determined by the provincial Police Officer.
4. Physical Training Instructor shall be eligible for lower School Course at the Completion of three year tenure in PTC or any other police training institutions, in accordance with Police Rule 19:22. The same incentive shall also be provided to the Elite Training qualified officers who serve as Physical Training Instructors.
5. Physical Training Instructor shall be returned to their respective Districts at the completion of three years tenure, in accordance with Police Rules 19:22. A Physical Training Instructor shall not be retained at the PTC after the completion of three years except with the prior approval of the Inspector General of Police.
6. **Power to remove difficulties:-** If any difficulty arises in giving effect to this order the Provincial Police Officer may be notification make such provisions as deemed appropriate.
7. **Amendment:-** All previous standing orders on the subject, to the extent of the provisions of this order, shall stand amended.

TESTED

M-16

①

12

(NASIR KHAN DURRANI)
Provincial Police Officer
Khyber Pakhtunkhwa
Peshawar

ATTESTED

M L

(13)
E - (13)

ACT IV OF 2005

NORTH-WEST FRONTIER PROVINCE

VALIDATION OF STANDING ORDER ACT, 2005

An Act to validate the rights created by Standing

Order No. 11 of 1987, issued by the Inspector General

of Police, North-West Frontier Province

(Gazette of NWFP extraordinary. 2nd February. 2005)

No. PA/NWFP/Logis: 1/2005/ 1899, dated 02.02.2015. The North-West Frontier Province Validation of Standing Order Bill, 2005 having been passed by Provincial Assembly of North-West Frontier Province on the 17th January, 2005 and assented to by the Governor of the North-West Frontier Province on 19th January, 2005 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

Preamble:

Whereas it is expedient to validate the rights created by Standing Order no. 11 of 1987, issued by the Inspector General of Police, North-West Frontier Province:

It is hereby enacted as follows:

1. **Short title and commencement:** (1) This Act may be called the North-West Frontier Province Validation of Standing Order Act, 2005.

2. It shall come into force at once and shall be deemed to have taken effect on the 17th day of July, 1987,

3. Validation of Standing Order No. 11 of 1987. (1) Notwithstanding anything contained in the existing service rules governing the promotion and seniority of Constables, Head Constables, Assistant Sub Inspector, and Sub Inspector of the Police Department, or any decree order of judgment of a Court, or for reason of any procedural deficiency.....

a. The rights of promotion and seniority accruing under Standing Order No. 11 of 1987 (hereinafter referred to as the said order), issued by the Inspector General of Police, North West Frontier Province, in the larger public interest, with the sole intention and object to improve the efficiency and sense of responsibility amongst the aforesaid police personnel, shall be deemed, and shall always be deemed, to have validity been accrued; and

ATTESTED

M-L

8

14

b. All appointments and promotions made and seniority lists drawn from 1987 till date, on the basis of the said order, shall always be deemed to have validly been made and drawn and shall not be called in question before any court or authority.

2. The existing service rules governing the seniority of the said Police personnel, till such time as formally amended, shall, to the extent of service the purposes under subsection (1), be deemed to have been impliedly modified.

Ref: VOL. LVII-2005 NWFP STATUTES PLD NOV: 2005, PAGE NO. 27-28
NWFP VALIDATION OF STANDING ORDER ACT, 2005.

ATTESTED





Ph # 0925-621886

Fax # 0925-623236

Office the Commandant, Police Training College, Hangu.

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

NOTIFICATION

Dated 07-04-2016.

No. 673.../S/RESULT: The result of the following Officers, of your Distt./Units, who appeared in the final examinations of Intermediate College Course, held at PTC Hangu for the term ending 31.01.2016 is hereby announced and given below. Their Order of Merit is noted against each. The Original Performance Reports, of the Passed Candidates shall be issued and sent separately.

Result of Top 10 Candidates of Intermediate College Course, Term Ending 31.03.2016.

S#.	Comp#.	Name	Belt#.	District.	Merit No
1	I-2471	Muhammad Taj Khan	221	Buner	1
2	I-2454	Sher Zamin	199	Buner	2
3	I-2446	Sibt Ul Hassan	169	DIK	3
4	I-2510	Javed Khan	750	Bannu	4
5	I-2494	Muhammad Arif	235	Shangla	5
6	I-2523	Masood Khan	977	Nowshera	6
7	I-2531	Mohammad Faheem	391	Mardan	7
8	I-2481	Shahyar	1317	Swat	8
9	I-2463	Sana Ullah	1319	CCP Pesh:	9
10	I-2426	Muhammad Idrees	149	Mardan/PTC	10

Result of Intermediate College Course, Term Ending 31.01.2016

11	I-2566	Aziz Ahmad	977	Kohat	11
12	I-2453	Zia Ullah	8	Dir Upper	12
13	I-2451	Muhammad Asif	177	DIK	13
14	I-2475	Inayat Ullah	1707	CCP Pesh:	14
15	I-2559	Shoukat Ali	1150	Swat	15
16	I-2423	Sarfraz Khan	1409	CCP Pesh:	16
17	I-2550	Zawar Hussain	605	Mardan	17
18	I-2537	Abid Hussain	861	Manshera	18
19	I-2506	Mazhar Hussain Shah	321	Haripur	19
20	I-2442	Muhammad Imam	197	Shangla	20
21	I-2411	Syed Nadeem Shah	887	Kohat	21
22	I-2409	Mian Hazrat Shah	1214	Charsadda	22
23	I-2487	Akhtar Ali	1526	Swat	23
24	I-2575	Yousaf Khan	190	Shangla	24
25	I-2483	Asaf Khan	29	Dir Upper	25
26	I-2548	Muhammad Iqbal Khan	823	DIK	25
27	I-2577	Muhammad Khan	67	Tank	26
28	I-2497	Abdul Majceed	38	Mansehra	27
29	I-2452	Mazhar Khan	41	Abbottabad	28
30	I-2468	Ikram Shah	204	Shangla	29
31	I-2461	Bakhat Zamin Khan	1293	Swat	30
32	I-2480	Amjad Ali	626	Swat	31
33	I-2427	Abdul Qadeer Abbasi	209	Toor Ghar	32
34	I-2535	Shah Zaman	382	Swabi	33
35	I-2496	Anwar Behzad	260	SB Pesh:	34
36	I-2477	Khairastan	88	PTC	35
37	I-2420	Amjad Ali	965	Charsadda	36

Comp#	Name	Belt#	District	Merit No
38	I-2305 Imtiaz Khan	187	Abbottabad	37
39	I-2458 Muhammad Ilyas	2941/490	SB Pesh:	38
40	I-2447 Aftab Ali	4032/01	CCP Pesh:	39
41	I-2498 Muhammad Ilyas	4704	CCP Pesh:	40
42	I-2469 Akbar Ali	111	Dir Lower	41
43	I-2432 Ghulam Usman	294	Chitral	42
44	I-2456 Sohail Ur Rehman	1189/455	Traffic HQrs Pesh:	43
45	I-2508 Bin Yamin	1018	CTD Bannu	44
46	I-2488 Parvez Khan	378	Buner	45
47	I-2467 Zahid Hussain Shah	964	Abbottabad	46
48	I-2431 Abdur Rashid	1167	Charsadda	47
49	I-2515 Muhammad Saleem	12	Dir Upper	48
50	I-2403 Muhammad Yousaf	187	DIK	49
51	I-2410 Syed Shujaat Ali Shah	666	Swabi	50
52	I-2462 Asif Ullah	3408	SB Pesh:	51
53	I-2433 Gul Fraz	436	Nowshera	52
54	I-2406 Jan Ali	1861	CCP Pesh:	53
55	I-2524 Muhammad Tahir	54	Abbottabad	54
56	I-2443 Murad Ullah	1045	Nowshera	55
57	I-2552 Hayat Khan	6	Swabi	56
58	I-2460 Noor Muhammad	836	Dir Lower	57
59	I-2538 Tariq Aziz	1481	Mardan	58
60	I-2479 Hazrat Nabi	1492	Mardan	59
61	I-2486 Zahir Shah	1511	Swat	60
62	I-2448 Sultan Zeb	1170	Dir Lower	61
63	I-2556 Inam Ullah	1167	DIK	62
64	I-2500 Wali Khan	187	Shangla	63
65	I-2419 Zafar Khan	1215	Charsadda	64
66	I-2554 Saif Ul Islam	377	Buner	65
67	I-2428 Amjad Ali	300	Nowshera	66
68	I-2484 Jan Muhammad	1211	Charsadda	67
69	I-2437 Khair Ul Fatiheen	272	Chitral	68
70	I-2518 Hidayat Ullah	614	CCP Pesh:	69
71	I-2528 Nisar Muhammad	299	Dir Lower	70
72	I-2441 Khalid Mehmood	265	Abbottabad	71
73	I-2502 Muhammad Naseem Khan	1365	Bannu	72
74	I-2576 Sameen Ullah	803	Bannu	72
75	I-2558 Syed Aftab Haider	310	Kohat	73
76	I-2514 Gul Said	891	CCP Pesh:	74
77	I-2557 Sajjad Ahmad	184	Kohistan	75
78	I-2503 Muhammad Ayaz	776	Swat	76
79	I-2504 Sarwar Abbas	179	Hangu	77
80	I-2544 Juma Khan	306	DIK	78
81	I-2513 Javed Younas	62	Kohat	79
82	I-2534 Noor Ul Amin	171	Nowshera	79
83	I-2478 Syed Irshad Hussain	68	Hangu	80
84	I-2464 Amil Badshah	789	Karak	81
85	I-2501 Haji Akbar	1697	CCP Pesh:	81
86	I-2561 Ajdar Ali	231	Dir Upper	82
87	I-2402 Shah Nawaz	95	Battagram	83
88	I-2549 Gul Alam	1165	DIK	84
89	I-2459 Noormin Shah	493	Karak	85
90	I-2567 Muhammad Ashraf	777	Swat	86
91	I-2491 Muhammad Saleem	1056	Swat	87
92	I-2565 Asmat Ullah	814	Kohat	88
93	I-2492 Akbar Hussain	1258	Swat	89
94	I-2526 Muhammad Usman	1668	CCP Pesh:	90
95	I-2465 Malak Imtiaz	269	Toor Ghar	91
96	I-2527 Naveed Talmoor	298	CCP Pesh:	92
97	I-2511 Fazal Hussain	18	CPC Pesh:	93

TESTED

M. Q.

Comp#	Name	Roll#	District	Merit No	
98	I-2519	Amliq Ahmad	2985	CCP Pesh	94
99	I-2476	Muhammad Saleem	804	Mansehra	95
100	I-2449	Akbar Ali	649	Swat	96
101	I-2439	Noor Ul Islam	619	SB Pesh:	97
102	I-2512	Ijaz Khan	73/578	CCP Pesh:	98
103	I-2522	Saeed Shah	384	Haripur	99
104	I-2547	Sabz Ali	1182	Mardan	100
105	I-2401	Sikandar Hayat	312	Swat	101
106	I-2572	Jaffar Khan	445	Kohat	102
107	I-2474	Fazal Karim	254	Chitral	103
108	I-2438	Khaziq Ur Rehman	649	Karak	104

Awarded Grace Marks, Declared Passed Candidates in Intermediate College Course, Term Ending 31.01.2016

109	I-2570	Sher Muhammad	3429	Dir Lower	105
110	I-2470	Kifayat Ullah	767	Mardan	106
111	I-2555	Israr Hussain Shah	99	Mansehra	107
112	I-2457	Ihsan Ullah	12	Dir Lower	108
113	I-2521	Fida Muhammad	3834	CCP Pesh:	109
114	I-2495	Liaqat Ali	200	SB Pesh:	110
115	I-2418	Nawab Ali Shah	1432	Swat	111
116	I-2413	Mian Gul	1085	Swabi	112
117	I-2530	Yousaf Khan	497	Mardan	113
118	I-2429	Noord Ali Khan	354	Bannu	114
119	I-2444	Bahri Karam	15	CPC Pesh:	115
120	I-2569	Asar Ali	506	Bannu	116
121	I-2405	Yousaf Shah	671/1332	Mardan	117
122	I-2525	Muhammad Zahid	203	Haripur	118
123	I-2414	Maqsood Ali	90	Mardan	119
124	I-2493	Ajmir Shah	2699	CCP Pesh:	120
125	I-2473	Muhammad Saleem	104	Dir Lower	121
126	I-2499	Saleem Akbar	936	CCP Pesh:	122
127	I-2499	Latif Ur Rehman	906	Dir Lower	123
128	I-2551	Sher Ahmad	303	Chitral	124
129	I-2421	Khan Sher	784	Buner	125
130	I-2563	Sami Ullah	123	Lakki Marwat	126
131	I-2434	Muhammad Rafiq	152	Battagram	127
132	I-2520	Muhammad Rafiq	1108	Mardan	128
133	I-2529	Iftikhar Ali	628	Mansehra	129
134	I-2407	Muhammad Nacem	774	Abbottabad	130
135	I-2573	Tufail Ahmad	1494	Mardan	131
136	I-2532	Suliman	1125	CCP Pesh:	132
137	I-2424	Abid Ahmad	487	SB Pesh:	133
138	I-2482	Qaisar Khan	1476	Mardan	134
139	I-2546	Saadat Ali	383	Swabi	135
140	I-2412	Yaqoob Khan	811	Charsadda	136
141	I-2571	Abdul Qayoom	1187	Dir Lower	137
142	I-2440	Rasool Zada	187	Chitral	138
143	I-2472	Fazal Khaliq	393	Buner	139
144	I-2404	Amir Zada	331	Kohistan Upper	140
145	I-2536	Akbar Shah	514	Swat	141
146	I-2509	Faiz Ali Shah	1583	Mardan	142
147	I-2435	Muhammad Ali	33	Hangu	143
148	I-2489	Muhammad Hanif	426	Dir Upper	144
149	I-2568	Muhammad Rasheed	481	Dir Upper	145
150	I-2425	Muhammad Ishaq	1446	CCP Pesh:	146
151	I-2564	Syed Muslim Shah	392	SB Pesh:	147
152	I-2430	Liaqat Ali	5	Toor Ghar	148
153	I-2562	Alam Zeb	2534	CCP Pesh	149
154	I-2574	Zain Ullah	27	SB Pesh	150
155	I-2490	Waqar Ahmad			

ATTESTED

S.No	Comp#	Name	Belt#	District	Merit No
155	I-2422	Mamraiz Khan	322	CPC Pesh:	151
156	I-2543	Sajjad Ahmad	575	Manshera	152

Result of Re-Appeared Candidates of Intermediate College Course, Term Ending 30.09.2015.

157	I-2240	Fazal Wahab	240	Karak	153
-----	--------	-------------	-----	-------	-----

Awarded Grace Marks, Declared Passed Candidates in Intermediate College Course, Term Ending 31.01.2016

158	I-2416	Inayat Ali Shah	11	Bannu	154
-----	--------	-----------------	----	-------	-----

Result of Re-Appeared Candidates of Intermediate College Course, Term Ending 30.09.2015.

159	I-2236	Firdous Khan	23	CCP Pesh:	155
-----	--------	--------------	----	-----------	-----

Awarded Grace Marks, Declared Passed Candidates in Intermediate College Course, Term Ending 31.01.2016.

160	I-2545	Mumtaz Khan	3441	CCP Pesh:	156
161	I-2415	Atta-Ullah Shah	216/956	Lakki Marwat	157
162	I-2417	Muhammad Arif	952	Bannu	158
163	I-2408	Naseer Ullah	3934	CCP Pesh:	159
164	I-2553	Babar Zaman	611	Kohistan Upper	160

Result of Failed Candidates in Intermediate College Course, Term Ending 31.01.2016

S.No	Comp#	Name	Belt No:	Enlstt: District	Failed Sub:
165	I-2541	Arshad Zada	617	CCP Pesh:	PPC, PR
166	I-2539	Fayaz Gul	4032	CCP Pesh:	PPC, PR, MJ
167	I-2450	Shah Faisal	29/57	Abbottabad	PPC
168	I-2455	Muhammad Habab	594	Kohistan	PPC
169	I-2485	Faiz Ur Rehman	2527	Mardan	PPC, PPWP
170	I-2436	Asim Ullah	493	Charsadda	PPC, AC
171	I-2560	Imran Khan	4538	CCP Pesh:	PPC
172	I-2507	Muhammad Tariq	1184/22	CTD Bannu	PPC, PPWP
173	I-2540	Asad Zaman	5	Swabi	PPC, FPT

APPROVED
M-L

19

Result of Failed Candidates in Intermediate College Course, Term Ending 31.01.2016

S.No	Comp#	Name	Belt No:	Enlstr: District	Failed Sub:
174	1-2445	Inayat Ullah	4391	CCP Pesh:	PPC
175	1-2516	Haq Nawaz	25	Haripur	PPC
176	1-2466	M Zahir Shah	76	Tank	PPC, PPWP, FPT
177	1-2517	Arshad Ali	2874	CCP Pesh:	PPC, PPWT, PPWP, AC
178	1-2542	Farman Ali	3483	CCP Pesh:	PPC, PR, PPWP, PPWT, AC
179	1-2533	Taimoor Shah	919	Mardan	PPC, PPWP, AC

Prepared by In-charge Secrecy,

Checked and found correct.

Controller of Examinations,

Muhammad Ashraf Noor, PSP
 Commandant,
 Police Training College, Hangu.

No. 680-715 IS dated Hangu, the 07-04-2016.

Copy for information and necessary action to:

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Addl: IGP HQrs. Khyber Pakhtunkhwa, Peshawar.
3. The DIG Training, Khayber Pakhtunkhwa Peshawar.
4. The DIG Traffice, Khayber Pakhtunkhwa Peshawar.
5. The Capital City Police Officer, Peshawar.
6. The DisG/RPOs Police Bannu, Hazara, Malakand, D.I.Khan, Kohat and Mardan Regions.
7. The Commandant Campus Peace Corps University of Peshawar.
8. The DPOs, Abbottabad, Bannu, Battagram, Buner, Charsadda, Chitral, D.I.Khan, Dir Lower, Dir Upper, Hangu, Haripur, Karak, Kohat, Kohistan, Mansehra, Mardan, Nowshera, Swabi, Swat, Shangla, Tank & Toor Ghar.
9. The Office Superintendent, PTC Hangu.

Muhammad Ashraf Noor, PSP
 Commandant,
 Police Training College, Hangu.



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

ORDER

The following lower subordinates of District Police Buner are hereby transferred and posted to PTC Hangu on deputation basis under Standing Order No. 07/2003 with immediate effect:-

1. Head Constable Muhammad Taj Khan No. 221
2. Head Constable Sher. Zamin No. 199

Najeeb
(NAJEEB-UR-REHMAN BUGVI)PSP
AIG/Establishment
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

No. 4294-96 /E-IV dated Peshawar the 21/04/2016

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

1. Commandant PTC Hangu w/r to his Memo No. 448/EC dated: 11.04.2016.
2. Deputy Inspector General of Police, Malakand Region, Saidu Sharif Swat.
3. District Police Officer, Buner

ATTESTED

M



I-22

Ph = 0925-621886

Fax = 0925-623236

Office Of The Commandant Police Training College Hangu.

ORDER.

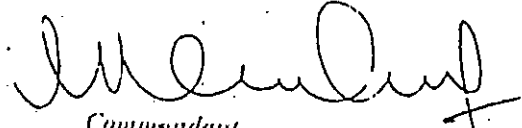
Consequent upon their transfer to P.T.C. The below IHC's of Buner district are hereby promoted to the rank of AS (BPS-09) on the available vacancies of PTC Hangu from the date of their arrival i.e 18.05 2016, as provided in Standing Order No 07/2003.

<u>S.No.</u>	<u>Rank & Name</u>
01.	IHC Sher Zamin
02	IHC Muhammad Taj

MA

OS No. 415

Dated. 07/06/2016


Commandant
Police Training College, Hangu



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

J-23

No. T001:1100 /G:B dated

Peshawar the 10 /01/2019

NOTIFICATION

In compliance with the judgement of Supreme Court of Pakistan dated 13/05/2018, and recommendations of the committee constituted for the purpose, the following Standing Orders/Instructions which extend the incentives for promotion and confirmation to the Cadet Law Instructors and Drill Instructors serve in the Police Training College Hangu and other Training Institutions amount to out of turn promotion are hereby withdrawn:-

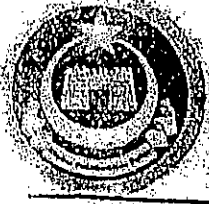
1. Standing Order No. 11/1987 ✓
2. Letter No. 20710-60/1995 ✓
3. Standing Order No. 07/2003 ✓
4. Standing Order No. 17/2014 ✓
5. Standing Order No. 05/2016 ✓

-Sd/-
SALAH UD-DIN KHAN
Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Copy of above is forwarded to all Heads of Police Offices in Khyber Pakhtunkhwa for information and further necessary action.

(SADIQ BALOCH) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

TESTED
M-O



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

No. 1101-1200 /G.B. dated:

Peshawar the:

17/01/2019


76
22/01/20
K-24

ORDER


Notification No. 1001-1100/GB, dated 10/01/2019 to be held in abeyance.
The issue needs to be discussed threadbare prior to implementation.

-Sd/-
SALAH UD-DIN KHAN
Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

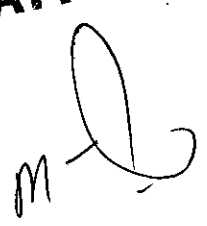
Copy of above is forwarded to all Heads of Police Offices in Khyber Pakhtunkhwa for information and further necessary action.


(SADIQ BALOCH) PSP
A/C/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Sen.
Bc / Dep-2000
Link it - minor case.


Commandant
Police Training College
Hangu

ATTESTED



درخواست نمبر: ایڈیشن برائے کنفرینس

جناب عالی!

25

گزارش ہے کہ من سائل نے انٹرمیڈیٹ کورس میں اول پوزیشن حاصل کر کے بطور کیڈٹ لاء انسٹرکٹر بحوالہ شینڈنگ آرڈر نمبر 11/1987 و 07/2003 و Validation Act No. 04/2005 مورخہ 18.05.2016 کو ادارہ ہذا میں حاضری کی۔ پیریڈ کے دوران سپریم کورٹ آف پاکستان کی طرف اڈٹ آف ٹرم پروموشن کے سلسلے میں ایک تفصیلی فیصلہ جاری ہوا۔ جس کی وجہ سے کیڈٹ لاء انسٹرکٹر بھی اس فائدہ سے محروم ہوئے۔ جناب PPO صاحب نے ایک نوٹیفیکیشن نمبر 1001-1100/GB مورخہ 10.01.2019 کو جاری کیا اور اس مقصد کیلئے جاری کئے گئے شینڈنگ آرڈرز واپس لئے۔ اس کے بعد ایک اور نوٹیفیکیشن نمبر 1101-1200/GB مورخہ 17.01.2019 کو جاری ہوا جس میں پہلے جاری شدہ نوٹیفیکیشن کو التواء میں رکھا گیا۔ اس دوران میرا عرصہ تین سال ادارہ ہذا میں مورخہ 18.05.2019 کو پورا ہوا لیکن پھر بھی میرے کنفرینس کیلئے میرے آبائی ریجن ملاکنڈ کے RPO صاحب کے ساتھ خط و کتابت نہیں کی گئی۔

رٹ پٹیشن نمبر 2189/2018 و 3263/2018 جو کہ ساتھ شامل ہیں۔ میں بھی ملازمان نے اس فائدے کے حصول کیلئے پشاور ہائی کورٹ جا کر فیصلے ان کے حق میں ہوئے ہیں۔ جس سے ظاہر ہوا ہے۔ کہ سپریم کورٹ آف پاکستان نے شینڈنگ آرڈر متذکرہ بالا کے تحت فائدے لینے کو اڈٹ آف ٹرم قرار نہیں دیا ہے۔

لہذا بذراہ درخواست استدعا ہے کہ سائل کی لسٹ E میں کنفرینس کیلئے RPO صاحب ملاکنڈ کو تحریر فرمایا جائے۔

عین نوازش ہوگی۔

مورخہ 22.07.2019

محمد العارضی

آپ کا تابع فرمان ASI محمد تاج لاء انسٹرکٹر پولیس ٹریننگ کالج ہنگو آبائی ریجن ملاکنڈ

ATTESTED

M-L



ORIGINAL

POLICE TRAINING COLLEGE HANGU

Estab: 1935

FORM NO. 13.17

M-26

POLICE DEPARTMENT

DISTT: BUNER

ANNUAL CONFIDENTIAL REPORT

ON THE WORKING OF INSPECTORS, SUB-INSPECTORS, ASSTT: SUB-INSPECTORS, PROSECUTING INSPECTORS & PROSECUTING SUB-INSPECTORS, FOR THE YEAR ENDING ON 31 DECEMBER 2016.

1. Name, Provincial or Range No. Rank and Grade.	Mr. Muhammad Taj Khan, No. 221 Asstt: Sub-Inspector (BPS-09)
2. Father's Name.	Muhammad Nazir
3. Where and on what duties employed during the past twelve months.	18.05.2016 to 22.10 2016 Law Instructor + Incharge Zard Building 23 10 2016 to 31.12.2016 Law Instructor + I/C Secrecy Branch Police Training College Hangu.
4. Is this officer in your opinion honest?	Yes
5. Class of Supdt. of Police's DIG of Police's Report i.e "A" or "B".	A
6. Remarks by:- Superintendent of Police's DIG of Police's/ Officer authorized by Comdt: PTC Hangu.	Law knowing officer

M-2

Sattar

(ABDUL SATTAR), DSP (Legal)
Chief Law Instructor,
Police Training College, Hangu

Remarks / Countersigned by Higher Officer.

Agreed with the remarks of the Reporting Officer. Fit for promotion in his turn.

Fasihuddin
(FASIHUDDIN), PSP

50



27

POLICE TRAINING COLLEGE HANGU
Estab: 1935
FORM NO. 13.17

POLICE DEPARTMENT

DISTT: BUNER

ANNUAL CONFIDENTIAL REPORT

ON THE WORKING OF INSPECTORS, SUB-INSPECTORS, ASSTT: SUB-INSPECTORS, PROSECUTING INSPECTORS & PROSECUTING SUB-INSPECTORS. FOR THE YEAR ENDING ON 31 DECEMBER 2017.

1. Name, Provincial or Range No. Rank and Grade.	Mr. Muhammad Taj Khan, No. 221 Asstt: Sub-Inspector (BPS-09)
2. Father's Name.	Muhammad Nazir
3. Where and on what duties employed during the past twelve months.	01.01.2017 to 31.12.2017 Law Instructor + I/C Secrecy Branch Police Training College, Hangu.
4. Is this officer in your opinion honest?	"Yes"
5. Class of Supdt: of Police's DIG of Police's Report i.e "A" or "B".	"A"

6. Remarks by Reporting Officers:-
Period: 01.01.2017 to 11.06.2017

Period: 12.06.2017 to 31.12.2017

Good, punctual and a responsible police officer.
(Signature)
(MUHAMMAD NAWAB KHAN),
Chief Law Instructor
Police Training College, Hangu

"He is a good & upright Police Officer. He knows his job well."
(Signature)
(MIAN NASEEB JAN), SP
Deputy Commandant,
Police Training College, Hangu

Remarks / Countersigned by Higher Officer.

(Signature)

(Signature)
(FASIHUDDIN), PSP
Commandant,
Police Training College, Hangu

(Signature)



POLICE TRAINING COLLEGE HANGU
 Estab: 1935
 FORM NO. 13.17

28

POLICE DEPARTMENT

DISTT: BUNER

ANNUAL CONFIDENTIAL REPORT

ON THE WORKING OF INSPECTORS, SUB-INSPECTORS, ASSTT: SUB-INSPECTORS, PROSECUTING INSPECTORS & PROSECUTING SUB-INSPECTORS, FOR THE YEAR ENDING ON 31 DECEMBER 2018.

1.	Name, Provincial or Range No. Rank and Grade.	Mr. Muhammad Taj Khan, No. 221 Asstt: Sub-Inspector (BPS-11)
2.	Father's Name.	Muhammad Nazir
3.	Where and on what duties employed during the past twelve months.	01.01.2018 to 31.08.2018 Law Instructor + I/C: Secrecy Branch, 01.09.2018 + 31.12.2018 Law Instructor + I/C: 303 Bore Kot, Police Training College, Hangu.
4.	Is this officer in your opinion honest?	No Complaint
5.	Class of Supdt: of Police's DIG of Police's Report i.e "A" or "B"	"A"
6.	Remarks by:- Superintendent of Police's DIG of Police's/ Officer authorized by Comdt: PTC Hangu.	An intelligent, hard working Law Instructor.

(SHAH MUMTAZ), DSP
 Chief Law Instructor,
 Police Training College, Hangu

Remarks / Countersigned by Higher Officer.

1 agree
 M-2

(DR: MASOOD SALEEM), PSP
 Commandant,
 Police Training College, Hangu

GL

20 Khalil, HC etc

N-29

PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order or Proceedings	3
1	2
22.02.2018	<p><u>WP No.395-P/2017.</u></p> <p><i>Present: Mr. Irfan Ali Yousafzai, Advocate for petitioners.</i></p> <p><i>Mr. Waqar Ahmad Khan, AAG for the official respondents.</i></p> <p style="text-align: center;">****</p> <p><u>Yahya Afridi, CJ.-</u> Through this order we shall dispose of two petitions, as common question of law and facts are involved therein. The particulars of the petitions are:</p> <ol style="list-style-type: none"> 1. <i>WP No.395-P/2017</i> <i>titled Khalil-ur-Rehman etc Vs Provincial Police Officer Govt. of KPK etc</i> 2. <i>WP No.628-P/2014</i> <i>titled Asif Khan etc Vs Provincial Police Officer Govt. of KPK etc</i> <p>2. The petitioners in the two petitions have invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 have common prayer that:</p> <p style="text-align: center;"><i>“that on acceptance of the instant writ petition this Hon’ble Court may graciously be pleased to declare the act of the respondents as unlawful and illegal by not allowing the petitioners to join the forthcoming Intermediate Training Course which was to be commenced w.e.f. 03.03.2014 and to direct the respondents to allow the petitioners to join the Intermediate Training Course at Police Training College/Centre, Hangu as per their eligibilities and entitlement under the provision of Standing Order 11/87, letter No.20610/E-1 dated 01.10.1995,</i></p>

ATTESTED
M D

Q

SECRETARY

Standing No.07/2003 and Act IV of 2005 NWFP (Khyber Pakhtunkhwa) Validation of Standing Order Act, 2005. The case of the present petitioners are similar and identical both on factual as well as on legal point and reference to those petitioners, whose writ petitions bearing No.3105/2013 decided on 28.01.2014, WP No.3043-P/2012, WP No.1351-P/2013 has been allowed by this Hon'ble Court, therefore, petitioners also deserve to be treated similarly and are entitled to be allowed to join the forthcoming scheduled Intermediate School Training at PTC Hangu commencing from 03.03.2017."

3. The matter in issue relates to the rights being claimed by the petitioners for *Intermediate Course* which they claim to have been denied by the respondents.

4. The main thrust of the learned counsel for the petitioners was that their rights were protected under *Standing Order 11 of 1987*, which entitled them to be enlisted in the said course. He further contended that the provision provided under *Standing Order 2 of 2012* did not apply to the case of petitioners. In addition, the worthy counsel for the petitioners pointed out that in certain cases, complete departure has been made to the provision contained in the *Standing Orders* and in this regard referred to the minutes of the meeting dated 26.07.2017 chaired by Commandant PTC, Hangu, the copy of which was handed over to the worthy AAG.

ATTESTED
M

5. When the worthy AAG was confronted with the subject issue, he simply stated that even if the provision of *Standing Order No.11 of 1987* are applied to the case of the petitioners, it would not

ATTESTED

be of any help to them, as they did not fulfill the essential condition of being on the top five merit position. To confirm, whether the petitioners were amongst the top five merit position, the learned AAG submitted the written response of the Commandant Police Training College, Hangu in terms that:

"The petitioners of writ petition No.628-P/2014 are namely Asif HC, Gohar Ali HC and Nasir Khan HC.

1. Asif Khan has qualified the lower college course in the term ending 20.06.2010 and qualified the course at Merit No.67. Notification enclosed.

2. Gohar Ali HC has qualified the lower course in the term ending 20.09.2008 and was passed at Merit No.93.

3. Nasir Khan has qualified the lower course in term ending 20.09.2008 and passed at Merit No.18. Notification enclosed.

The petitioners of writ petition No.395 are Khalil ur Rehman, Muhammad Luqman, Fazal Hanif and Muhammad Javid HC's.

1. Khalil ur Rehman HC has qualified the lower course term ending 20.09.2008 and passed at Merit No.100. Notification enclosed.

2. Muhammad Luqman HC has qualified the lower course in the term ending 20.03.2012 and passed at Merit No.13. Notification Enclosed.

3. Fazal Hanif HC has qualified the lower course in the term ending 20.03.2013 and passed at Merit No.164. Notification enclosed.

4. Muhammad Javed Khan HC has qualified the lower course in the term ending 20.09.2009 and passed at Merit No.58. Notification enclosed.

All the petitioners are not within five instructors as clear from their merit position in the notification."

6. As far as the decision made by the Committee headed by the Commandant, reflected in minutes of the meeting dated 26.07.2017, surely the same requires urgent attention of worthy

ATTESTED

M B

ATTESTED

9

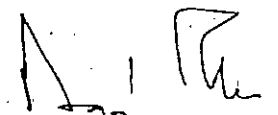
31/A

Inspector General of Police Khyber Pakhtunkhwa. We urge the worthy Inspector General Khyber Pakhtunkhwa to consider the same, and take appropriate steps, if required and to ensure that there is no *discrimination, bias and favoritism* in any manner whatsoever. The needful be done within thirty days of receipt of this order and the report be submitted before the Director Human Rights Cell.

7. This petition is disposed of, accordingly.

Announced:
22.02.2018


CHIEF JUSTICE


JUDGE

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Constitution of Pakistan 1973

05 MAR 2018

11732
No. _____
Date of Presentation of Application 23/2/18
Name of Pa. 194
Copy to _____
Page _____
Total _____
Date of _____ 05/3/18
Date of Delivery of Copy 05/3/18
Received By [Signature]

ATTESTED



16.

32

Judgment sheet
PESHAWAR HIGH COURT,
PESHAWAR
Judicial Department

WP No. 2189-P/2018

Farooq Anwar & others
Vs.
Provincial Police Office & others

JUDGMENT

Date of hearing 22.05.2019
Appellant(s) by Mr. Irfan Ali Yousafzai, Advocate
Respondent(s) by Mr. Kamran Hayat, AAG

IKRAMULLAH KHAN, J.- Through the instant constitutional petition, petitioners have prayed for the following relief:

“On acceptance of this instant writ petition this Hon’ble Court may graciously be please to declare the act of the respondents as unlawful and illegal by not allowing the petitioners to join the forth coming intermediate Training Course which was to be commenced w.e.f 10.05.2018 and to direct the respondents to allow the petitioners to join the intermediate Training Course at Police Training College/Center, Hangu as per their eligibilitites and entitlement under the provision of standing order No.11/87 letter No:20610-60/E-1 dated 01.10.1995, standing order No.07/2003 and Act-IV of 2005 Khyber Pakhtunkhwa (Validation of standing order Act, 2005). The case of the present petitioners are similar and identical both on factual as well as legal point and reference to those petitioners, who's writ petition bearing No.3386-

ATTESTED

M

33

P/2016 decided on 25.10.2016, WP No.628-P/2014, WP No.395-P/2017 decided on 22.02.2018 has been allowed by this Hon'ble Court, therefore, the petitioners also deserve to be treated similarly and are entitled to be allowed to join the forth coming schedule Intermediate School Training at PTC Hangu commencing from 10.05.2018."

2. In essence, petitioners are employees of the respondent department, serving as Drill Instructors in the Police Training College/Center at Hangu. Their grievance as gleaned out from the contents of this writ was despite the fact that they had already completed the prescribed length of service as Drill Instructors in view of Standing Order No.11/87, Standing Order No.7/2003 and the Government of Khyber Pakhtunkhwa Act-IV of 2005 (Validation of Standing Order Act, 2005) but they were not enlisted for the Intermediate School Training.

3. The respondents were summoned, who submitted their comments, whereby on one hand they took the ground that the cases of the petitioners not covered under Standing Order 7 of 2003 and 11 of 1987 as well as validation of Standing Order Act-IV of 2005 as petitioners were not cadet law instructors while on the other hand they had taken refuge behind

ATTESTED

M

34

the judgment of the Apex Court, whereby out of turn promotion was highly deprecated.

4. This Court while deciding WP No.3386-P/2016 and similar nature other writ petitions were allowed cadet at par with the petitioners to join the Intermediate Course, reference at this stage be given in WP No.628-P/2014 and WP No.395-P/2017 titled Khalil ur Rehman Vs Provincial Police Officer and the Standing Order 2 of 2012, whereby at Para No.2 it has been decided by the respondents that incentive to the officers posted as PTC Hangu which reads as under:

- i. Such instructors may become eligible to be included in Lower Intermediate and Upper College Courses after completion of three (3) years period and earning satisfactory ACRs.*
- ii. The incentive can be availed once during the career.*
- iii. There should be a mechanism for selecting such candidates preferably through a board of officers including the officers from CPO.*
- iv. It was further decided that the officers selected for such courses will not get out of turn promotion and the seniority list of other officers shall not be affected in any way."*

5. Keeping in view the judgment of this Court as well as Standing Order 2 of 2012, this writ petition is disposed of in term that the respondents are

ATTESTED




(B) (S)

35

directed to consider their cases in view of judgment of this Court referred hereinabove and Standing Order No.2 of 2012 as well as the relevant Rules in vogue.

Announced:
22.05.2019


JUDGE


JUDGE

(DB) Hon'ble Mr. Justice Ikramullah Khan & Hon'ble Justice Musarrat Hilali

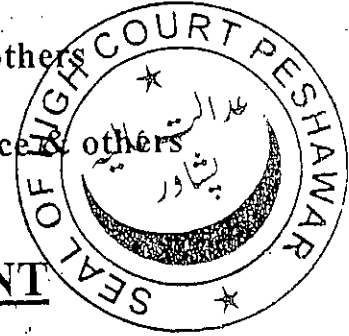
*Ihsan *

ATTESTED


Judgment sheet
PESHAWAR HIGH COURT,
PESHAWAR
Judicial Department

WP No. 3263-P/2018

Javed Nasir & others
Vs.
Provincial Police Officers & others



JUDGMENT

Date of hearing 15.05.2019
Appellant(s) by Mr. Irfan Ali Yousafzai, Advocate
Respondent(s) by Mr. Rab Nawaz Khan, AAG

IKRAMULLAH KHAN, J.- Through the instant constitutional petition, petitioners have prayed for the following relief:

"On acceptance of this instant writ petition this Hon'ble Court may graciously be please to declare the act of the respondents as unlawful and illegal by not allowing the petitioners to join the forth coming Lower Training Course which was to be commenced w.e.f 03.07.2018 and to direct the respondents to allow the petitioners to join the Lower Training Course at Police Training College/Center, Hangu as per their eligibilities and entitlement under the provision of standing order No.17/2014 of the office of Inspector General of Police Khyber Pakhtunkhwa. The case of the present petitioners are similar and identical both on factual as well as legal point and reference to those who has been allowed by the respondents, therefore, the petitioners also deserve to be treated similarly and are entitled to be

ATTESTED

ML

M

JW
1

36

2. In essence, petitioners are employees of the respondent department, serving as Drill Instructor/Martial Art Instructor in the Police Training School at Swabi. Their grievance as gleaned out from the contents of this writ was despite the fact that they had already completed the prescribed length of service as Drill Instructors/Martial Art in view of Standing Order No.17/2014 but they were not enlisted for the Lower School Training.

3. The respondents were summoned, who submitted their comments, whereby on one hand they took the ground that the cases of the petitioners not covered under Standing Order 17/2014 while on the other hand they had taken refuge behind the judgment of the Apex Court, whereby out of turn promotion was highly deprecated.

4. This Court while deciding WP No.3386-P/2016 and similar nature other writ petitions were allowed cadet at par with the petitioners to join the Intermediate Course, reference at this stage be given in WP No.628-P/2014 and WP No.395-P/2017 titled Khalil ur Rehman Vs Provincial Police Officer and

ATTESTED

M B
N

38

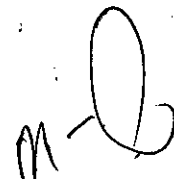
the officers posted as PTC Hangu which reads as under:

- i. Such instructors may become eligible to be included in Lower Intermediate and Upper College Courses after completion of three (3) years period and earning satisfactory ACRs.
- ii. The incentive can be availed once during the career.
- iii. There should be a mechanism for selecting such candidates preferably through a board of officers including the officers from CPO.
- iv. It was further decided that the officers selected for such courses will not get out of turn promotion and the seniority list of other officers shall not be affected in any way.

5. Keeping in view the judgment of this Court as well as Standing Order 2 of 2012, this writ petition is disposed of in term that the respondents are directed to consider their cases in view of judgment of this Court referred hereinabove and Standing Order No.2 of 2012 as well as the relevant Rules in vogue.

ATTESTED

Announced:
15.05.2019



CERTIFIED TO BE TRUE COPY

EXAMINER
Peshawar High Court Peshawar
Authorized Under Article 57 of
The Constitution Order 1985

19 JUL 2019

JUDGE



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

No. 4461 Legal dated Peshawar, the 11 / 09 / 2019.

To:- The Commandant,
Police Training College Hangu.

Subject:- COMMITTEE MEETING
Memo:-

Kindly refer to your office letter No. 674-77/PA dated: 03.09.2019 on the subject cited above.

Petitioners Javed Nasir, Constable and 02 others, drill instructor at PTS Swabi have lodged writ petition No. 3263-P/2018 with the following prayers:-

"On acceptance of this instant writ petition this Hon'ble Court may graciously be please to declare the act of the respondents as unlawful and illegal by not allowing the petitioners to join the forth coming Intermediate Training Course which was to be commenced w.e.f 03.07.2018 and to direct the respondents to allow the petitioners to join the Lower Training Course at Police Training College/Center, Hangu as per their eligibilities and entitlement under the provision of standing order No. 17/2014 of the office of Inspector General of Police, Khyber Pakhtunkhwa. The case of the present petitioners are similar and identical both on factual as well as legal point and reference to those who has been allowed by the respondents, therefore, the petitioners also deserve to be treated similarly and are entitled to be allowed to join the forth coming schedule Lower Course Training at PTC Hangu commencing from 03.07.2018."

The case was pursued by DSP Legal, PTC Hangu.

The honorable court vide judgment dated 15.05.2019 disposed off the writ petitions in the following terms:

Operative Para 4 & 5 of the judgment are reproduced as under:-

"This court while deciding WP No. 3386-P/2016 and similar nature other writ petitions were allowed cadet at par with the petitioners to join the Intermediate Course, reference at this stage be given in WP No. 628-P/2014 and WP No. 395-P/2017 titled Khalil-ur-Rehman Vs Provincial Police Officer and the Standing Order 2 of 2012, whereby at Para No. 2 it has been decided by the respondents that incentive to the officers posted as PTC Hangu which needs as under:

- i. Such instructors may become eligible to be included in Lower Intermediate and Upper College Courses after completion of three (3) years period and earning satisfactory ACRs.
- ii. The incentive can be availed once during the career.
- iii. There should be a mechanism for selecting such candidates preferably through a board of officers including the officers from CPO.
- iv. It was further decided that the officers selected for such courses will not get out of turn promotion and the seniority list of other officers shall not be affected.

Keeping in view the judgment of this Court as well as Standing Order 2 of 2012, this writ petition is disposed of in term that the respondents are directed to consider their cases in view of judgment of this Court referred hereinabove and Standing Order No. 2 of 2012 as well as the relevant Rule in vogue."

ATTESTED

M.A.

Scrutiny Committee, law department was approached to examine the case for lodging CPLA against the impugned judgment but it was returned vide Minutes of Meeting.

It is worth mentioning that in the light of Supreme Court judgment dated 13.05.2018 on "Out of Turn Promotion" a Committee was constituted at CPO level to examine all the Standing Orders referred to above and the committee under the chairmanship of Commandant PTC Hangu recommended withdrawal of all standing orders. However the Competent Authority remanded the case back to the Committee for revision.

The Competent Authority has directed the committee to resolve the issue at earliest.

In the meanwhile to consider the petitioners in term of Para 4 & 5 of the judgment, as approved by the Competent Authority.

[Signature]
AIG/Legal,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
11.07.2019

No. 4462-63 Legal

Copy of the above is forwarded for information to the:-

- 1 Deputy Inspector General of Police Telecommunication Khyber Pakhtunkhwa Peshawar.
- 2 Deputy Inspector General of Police, Training, CPO, Peshawar.
- 3 AIG Establishment CPO Peshawar.

[Signature]
AIG/Legal,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
11.07.2019

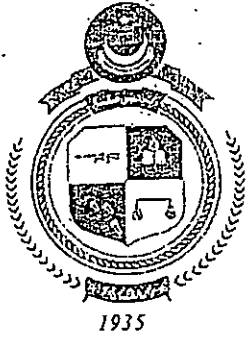
**OFFICER OF THE DY: INSPECTOR GENERAL OF POLICE TRAINING
KHYBER PAKHTUNKHWA, PESHAWAR**

No 7441 Trg dated Peshawar the 18/09 2019.
Copy of above is forwarded to the Director PTS Swabi for further necessary action.

TESTED

[Signature]

[Signature]
IFTIKHAR UDDIN (PSP)
Assistant Inspector General of Police
Training
Khyber Pakhtunkhwa Peshawar



1935

049

P- (41)

Ph # 0925-621886
Fax # 0925-620886

Office Of The Commandant Police Training College Hangu.

ORDER.

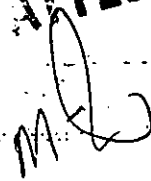
Consequent upon completion of 03 years mandatory period, Head Constable Fayaz Khan No. 91 of CCP Peshawar serving at PTC Hangu as Cadet Law Instructor is hereby allowed to join the on-coming intermediate college course as provided in Standing Order No. 07/2003. However, he shall complete the past duration of course i.e 02 months and 05 days.

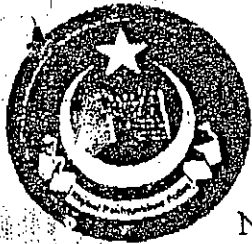
OB No. 190

Dated 16/05 2018.


Commandant
Police Training College, Hangu.

TESTED





850

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

42

No 2630/1692, dated

Peshawar the 17/08/2018

OFFICE OF THE
No. 609
Date 28-08-18

ORDER

In compliance with the order dated 09.08.2018 passed by Peshawar High Court Peshawar in COC 403/2018 in Writ Petition No. 395-P of 2017, conveyed through Addl: Advocate General office letter bearing Endorsement No. 15166-67/AG dated 13.08.2018, 04 extra seats for Intermediate course are hereby allotted to the following petitioners subject to the conditions that they will not claim any seniority or out of turn promotion on the basis of such course and their seniority will be determined in their parent districts with their colleagues:-



Head Constable No. 56 Khalil-ur-Rehman of District Mardan.

Head Constable No. 2 Fazal Hanif of District Hangu.

Head Constable No. 87 Muhammad Luqman of District Hangu.

Head Constable No. 160 Muhammad Javed of District D.I. Khan.

DSP Legal / SRA
Commandant
Police Training College
Hangu

(IRFAN ULLAH KHAN) FSP
AIO Establishment
For Inspector General of Police
Khyber Pakhtunkhwa
Peshawar

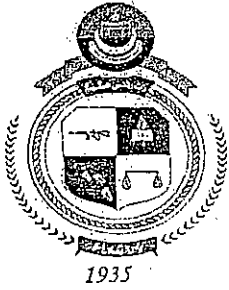
No. 2631-34/1692 dated 17/08/2018

Endst: No. and dated even

- 1. Copy forwarded to the:-
- 2. Registrar, Peshawar High Court Peshawar.
- 3. Commandant Police Training College Hangu with the direction to make entry in their service record.
- 4. PSO to worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 5. District Police Officers Mardan, Hangu and D.I. Khan with the direction to make entry their service record.

ATTENDED
M

2631



1935

Office Of The Commandant Police Training College Hangu.

ORDER.

Consequent upon completion of 03 years mandatory period, Head Constable Attaullah of Karak district, presently serving at PTS Kohat as Cadet Law Instructor is hereby allowed to join the forth coming intermediate college course on 04.09.2018 as provided in Standing Order No. 07/2003. However, he shall complete the past course duration.

OB No: 251

Dated 03/08 /2018.

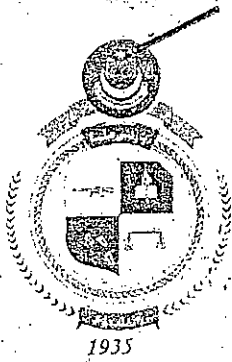
M. A. H.
Commandant
Police Training College, Hangu.

No. 805 /EC, dated Hangu the 06 /08/2018.

Copy to Director, PTS Kohat w/r to his Memo: No. 460/EC, dated 11.07.2018.

ATTESTED

M. L.



52

44

Ph # 0925-621886
Fax # 0925-623236

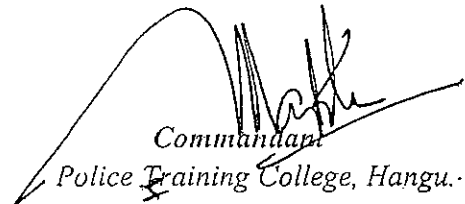
Office Of The Commandant Police Training College Hangu.

ORDER.

Consequent upon completion of 03 years mandatory period, Head Constable Waqar Ahmad No. 93 of DI-Khan district, presently serving at PTS Kohat as Cadet Law Instructor is hereby allowed to join the forth coming intermediate college course expected to be commenced between 15 to 20 August, 2018 as provided in Standing Order No. 07/2003.

OB No. 260

Dated 06/08 /2018.


Commandant
Police Training College, Hangu.

No. 894 /EC, Dated Hangu the, 15 / 08 /2018.

Copy to Director; PTS Kohat with reference to his Memo No. 461/HC, Dated 11.07.2018.


Commandant
Police Training College, Hangu.

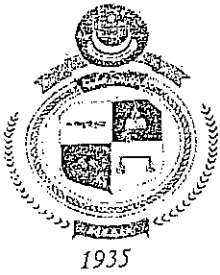
ATTESTED



53

WS

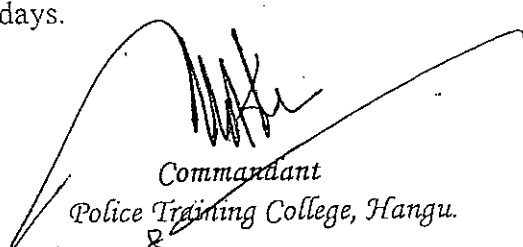
Ph # 0925-621886
Fax # 0925-623236



Office Of The Commandant Police Training College Hangu.

ORDER.

Lady Head Constable Nousheen Siddiqui of DI-Khan district serving at PTC Hangu as Cadet Law Instructor under Standing Order No. 07/2003 since, 15.09.2015 is hereby allowed to join the ongoing intermediate college course with effect from 15.09.2018. However, she will complete the remaining portion of the course i.e 29 days.


Commandant
Police Training College, Hangu.

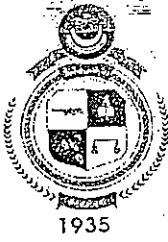
OB No. 286
Dt: 29/08/2018.

No. 321-24-EC, dated Hangu, the 30/8/2018.
Copy to, SP Admn: , SRC, CLI, Reader for necessary action.

Commandant
Police Training College, Hangu.

ATTESTED





5034

Ph # 0925-690236
Fax # 0925-620886

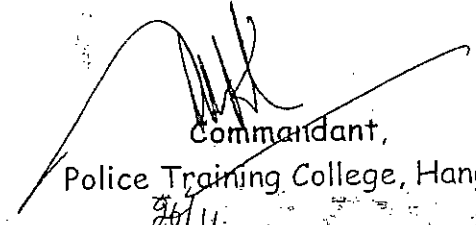
OFFICE OF THE COMMANDANT POLICE TRAINING COLLEGE HANGU

46

ORDER

Consequent upon completion of 03 years mandatory period, the following Head Constables serving as Cadet Law Instructors in PTC Hangu under S.Os 11/1987 & 07/2003 are hereby allowed to join the in-coming intermediate college course:-

- i. HC Sajid Hayat, No. 84
- ii. HC Johar Azam, No. 93
- iii. HC Fazal Deyan, No. 136


Commandant,
Police Training College, Hangu.


O.B. 388

Dated: 03 /12/2018.

1398-1407
No. _____ /EC, dated Hangu, the November 04 /12/2018.

Copy forwarded to all concerned for compliance and further necessary action.

ATTESTED



VAKALATNAMA

Before the KP Service Tribunal, Peshawar

_____ OF 2019

Muhammad Taj Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Police Department

(RESPONDENT)
(DEFENDANT)

I/We Muhammad Taj Khan

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2019

M. Taj Khan

CLIENT

ACCEPTED
NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

KAMRAN KHAN

&

M. Zaman Safi
MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Mobile No.0345-9383141

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 1526/2019

Muhammad Taj ASI, PTC HanguAppellant

Versus

Inspector General of Police, KPK Peshawar etc...Respondents.

REPLY ON BEHALF OF RESPONDENTS 1,2 &3.

Preliminary Objections:-

- i. That the appeal is not based on facts.
- ii. That the appeal is not maintainable in its present form.
- iii. That the appeal is bad for non joinder and misjoinder of unnecessary parties.
- iv. That the appellant has got no cause of action or locus standi.
- v. That the appeal is bad in law, hence not maintainable.
- vi. That the appellant has not come to this Honorable Tribunal with clean hands.

FACTS:

1. Pertains to record, hence no comments.
2. Correct, that the Standing Order No. 11/1987 provides incentives to instructors but the same have been clogged after the judgment of the Supreme Court of Pakistan noted as 2013 SCMR 1752 and 2018 SCMR 1218 dated 13.05.2018.
3. Correct to the extent, but the same have been clogged as discussed in Para 2 above as far as the Standing Order 17/2014 referred in the said is concerned that relates to physical training instructors while the petitioners are cadet law instructors.
4. Correct to the extent, that the Standing order 11/1987 has been validated through an Act, but the same loses its effect after announcement of the judgments by the Apex Court of Pakistan in respect of out of turn promotion.
5. Pertains to the terms and conditions of service.
6. Pertains to record, hence no comments.
7. Correct that the appellant was promoted to the rank of ASI, but now after the judgment it comes within the ambit of out of turn promotion.
8. Correct the notification was issued in light of the decision of the Apex Court discussed in Para 2 above.
9. Correct that the Notification dated 10.01.2019 was held in abeyance through another Notification dated 17.01.2019, but the Supreme Court Judgment is still in existence.
10. Pertains to record, hence no comments.

GROUND:

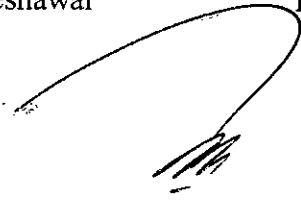
- A. The judgments of the Apex Court are still in existence whose compliance is still under process.
- B. The appellant has been treated in accordance with law, rules and the Article 4, 25 & 27 of the Constitution of Pakistan were not violated in any manner.

- C. No malafide manner has been adopted by the respondents.
- D. Correct to the extent, that the appellant has got good ACRs but his promotion will come within the ambit of out of turn promotion which has been declared as illegal and unconstitutional by the Supreme Court of Pakistan.
- E. The writ petition No. 395-P/2017, 2189-P/2018 and 3263-P/2018 relates for inclusion into Intermediate and Lower College Course but not for confirmation purpose.
- F. The colleagues of the appellant referred by him have completed their tenure and as per available record they were confirmed by their respective region and not by the PTC authority however the implementation of the judgments of the Apex Court is under process.
- G. The respondents will provide further proofs relating to the matter at the time of arguments before the Honorable Tribunal.

It is therefore, very humbly prayed that the appeal of the appellant is not based on facts may be dismissed with cost.

AD - 29/01/2020
Assistant Inspector General of Police
Establishment, CPO, Peshawar
(Respondent No. 2)

Fazimullah
Commandant
Police Training College, Hangu
(Respondent No. 3)


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

BEFOR THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1526/2019

Muhammad Taj ASI.....Appellant

Versus


Inspector General of Police Khyber Pakhtunkhwa Peshawar etc....Respondents

AUTHORITY LETTER

We respondent No. 1,2 & 3 do hereby authorized and allow Mr. Tariq Umar Inspector Legal to attend the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar on our behalf in connection with the Service Appeal No. 1526/2019 title as above and do whatever is needed in the Honorable Tribunal.

20/01/2020
Assistant Inspector General of Police
Establishment, CPO, Peshawar
(Respondent No. 2)

Fazilullahi
Commandant
Police Training College, Hangu
(Respondent No. 3)


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

BEFOR THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1526/2019

Muhammad Taj ASI.....Appellant

Versus

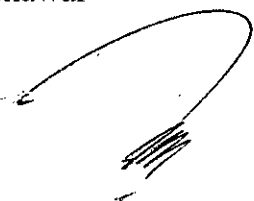
Provincial Police Officer, Khyber Pakhtunkhwa Peshawar etc. Respondents

AFFIDAVIT

We respondent No. 1,2 &3 do hereby solemnly declare on oath that the content of reply submitted in reply to the Service Appeal No1526/2019 title as above are correct to the best of our knowledge, belief and nothing have been concealed from the Honorable Tribunal.

29/01/2020
Assistant Inspector General of Police
Establishment, CPO, Peshawar
(Respondent No. 2)

Fazimuddin
Commandant
Police Training College, Hangu
(Respondent No. 3)


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